

REGULAR MEETING
August 17, 2015

A REGULAR SCHEDULED COUNCIL MEETING of the Mayor and Council of the Borough of Carlstadt was held in the Council Chambers of the Borough Hall, 500 Madison Street, Carlstadt, New Jersey on Monday, August 17, 2015 at 7:10 P.M.

Mayor Roseman asked Claire Foy, Borough Clerk to call the roll: Mayor William Roseman, Councilmen Craig Lahullier, Robert Zimmermann, David Stoltz, Richard Bartlett and Joseph Emerson were present. Councilman James Lenoy was absent.

Mayor Roseman led all present in the Pledge of Allegiance to the Flag.

Mayor Roseman – This meeting has been called pursuant to the Open Public Meetings Law and in accordance with Section 5 of the Open Public Meetings Act, adequate notice of this meeting having been provided in the annual notice schedule which contained the time, date and location of the meeting, copies of which were sent and advertised in the following official newspapers of Carlstadt: The Record on January 7, 2015 and the Herald News on January 15, 2015 a copy of which is on the Bulletin Board in the Borough Hall and a copy on file in the office of the Borough Clerk.

READING OF MINUTES:

Mayor Roseman entertained a motion to accept the minutes of 7/9/15 Caucus Meeting, 7/16/15 Finance Meeting and 7/20/15 Council Meeting (Open and Closed Sessions). On motion by Zimmermann, seconded by Lahullier. Councilman Lahullier, Zimmermann, Stoltz, and Emerson voted yes. Councilman Bartlett abstained on 7/16/15 Finance Meeting and 7/20/15 Regular Meeting and voted yes on the other ones. Councilman Lenoy was absent.

CORRESPONDENCE:

None to be read.

REPORT OF THE MAYOR:

None.

SPECIAL REPORTS:

The Construction Official's report was read for the month of July. This report will be filed.

The Borough Clerk's report was read for the month of July. This report will be filed.

The Tax Collector's report was read for the month of July. This report will be filed.

STANDING COMMITTEES:

FINANCE – Councilman Lahullier said we have resolutions.

CONSENT AGENDA

RESOLUTION NO. 2015-191

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CARLSTADT, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF CARLSTADT AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$2,000,000 BOND ANTICIPATION NOTE, DATED JULY 28, 2015 AND PAYABLE SEPTEMBER 25, 2015, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b) (3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Carlstadt, in the County of Bergen, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue a \$2,000,000 bond anticipation note, dated July 28, 2015 and payable September 25, 2015 (the "Note"); and

WHEREAS, the Borough desires to designate the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b) (3) of the Code.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Carlstadt, in the County of Bergen, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Note) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a “qualified tax-exempt obligation” for the purpose of the Section 265(b) (3) of the Code.

SECTION 4. It is hereby determined and stated that (1) said Note is not a “private activity bond” as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2015.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2015.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b) (3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2015 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

RESOLUTION NO. 2015-192

BE IT RESOLVED, that the Mayor and Council of Borough of Carlstadt wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$34,750.00 matching grant award from the Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled “Lindbergh Little League Field Improvements” located in Lindbergh Field at 550 Washington Street, Block 8, Lot 3 on the tax maps of the Borough of Carlstadt; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Mayor William Roseman to be a signatory to the aforesaid Contract; and

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BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about July 15, 2017; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund's Requirements; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirements.

RESOLUTION NO. 2015-193

WHEREAS, The Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and

WHEREAS, the *Borough of Carlstadt* desires to further the public interest by obtaining a matching grant of *Three Hundred Forty Eight Thousand Seventy Eight Dollars* (\$348,078) from the County Trust Fund to fund the following project: *Zimmermann Park Phase II*; and

WHEREAS, the Governing Body has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and

WHEREAS, as part of the application process, the Governing Body received public comments on the proposed park improvements in the application on August 17, 2015; and

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations, and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Carlstadt.

1. That is hereby authorized to submit the above complete project application to the County by the deadline of September 3, 2015, as established by the County; and

2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the *Governing Body of the Borough of Carlstadt*, has or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and
3. That the *Governing Body of the Borough of Carlstadt* is committed to providing a dollar for dollar cash match for the project; and
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the *Governing Body of the Borough of Carlstadt* agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
6. That this resolution shall take effect immediately.

RESOLUTION NO. 2015-194

BE IT RESOLVED by the Mayor and Council that the proper Borough Officials are hereby authorized and directed to make the following disbursements:

Carlstadt Board of Education	\$993,158.68
Regional Board of Education	528,487.67
Treasurer, State of NJ/1992 GT	4,764.22
County of Bergen Taxes	1,410,935.73
County Open Space	13,735.38

RESOLUTION NO. 2015-195

BE IT RESOLVED by the Mayor and Council that the following payments made by the Chief Financial Officer from Valley National Bank during the month of July, 2015 be ratified:

<u>Date</u>	<u>Ck #</u>	<u>Account</u>	<u>Payee</u>	<u>Amount</u>
7/22/15	500959	Current	Payroll	\$ 287,687.39
7/27/15	500960	Current	Carl. Bd. of Ed.	993,158.68
7/28/15	500961	Current	Library Payroll	16,756.80
7/29/15	500962	Current	Joe Appleton	300.00
7/29/15	500963	Current	Marlin Leasing	1,082.63
7/30/15	500964	Current	Medical	250,000.00

RESOLUTION NO. 2015-196

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF RUTHERFORD, THE BOROUGH OF CARLSTADT, AND THE BOROUGH OF EAST RUTHERFORD FOR FUEL SUPPLY

WHEREAS, Carlstadt and East Rutherford, and Rutherford, share contiguous borders and have the proximity and size that makes sharing fuel supplies feasible; and

WHEREAS, there exists a mutually beneficial opportunity to improve the efficiency of fuel supply for each municipality, while at the same time protecting the health, safety and welfare of the municipal residents and reducing the costs of providing fuel needs for the respective local governments; and

WHEREAS, Carlstadt, East Rutherford and Rutherford are authorized by the Uniform Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq., to enter into this Shared Services Agreement; and

WHEREAS, notwithstanding any law to the contrary concerning approval of contracts, N.J.S.A, 40A:65-16(b)(1) requires that the Shared Service Agreement be approved by resolution of the governing bodies of Carlstadt, Rutherford, and East Rutherford prior to its execution by the official or officials who are authorized to execute the Shared Services Agreement;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt as follows:

1. That Mayor William J. Roseman and the Carlstadt Borough Clerk are authorized to execute the attached Shared Services Agreement for the shared fuel supply services, subject to it being authorized via resolution by the respective governing bodies of the Borough of East Rutherford and Borough of Rutherford; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Borough Clerk shall forward a copy of this resolution to the Director of Local Government Services in the Department of Community Affairs and to the respective Clerks of the Borough of Rutherford and the Borough of East Rutherford once resolution(s) authorizing each of these respective municipalities is approved by their governing bodies.

RESOLUTION NO. 2015-197

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED CHOI'S REALTY CORP. V. BOROUGH OF CARLSTADT
AT 610 WASHINGTON AVENUE, BLOCK 126, LOT 26
FOR TAX YEAR 2012.**

WHEREAS, Choi's Realty Corp. has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 610 Washington Avenue and identified on the Borough's tax maps as Block 126, Lot 26 for tax year 2012; and

WHEREAS, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

The assessment for tax year 2012 to be reduced from \$ 1,350,000.00 to \$ 1,250,000.00.

RESOLUTION NO. 2015-198

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED PANTONE INC. V. BOROUGH OF CARLSTADT
AT 590 COMMERCE BOULEVARD, BLOCK 131.01, LOT 12
FOR TAX YEAR 2008.**

WHEREAS, Pantone Inc. has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 590 Commerce Boulevard and identified on the Borough's tax maps as Block 131.01, Lot 12 for tax year 2008; and

WHEREAS, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

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WHEREAS, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

The assessment for tax year 2008 to be reduced from \$ 3,438,800.00 to \$ 2,750,000.00.

RESOLUTION NO. 2015-199

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Carlstadt Recreation Soccer League be granted permission to hold a raffle on Friday, November 20, 2015 at 7:30 P.M. at the Carlstadt Community Center, 424 Hackensack Street, Carlstadt, NJ 07072 for which the application, fee and findings and determination sheet shall be forwarded to the Legalized Games of Chance Control Commission.

RESOLUTION NO. 2015-200

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED 394 VETERANS REALTY SHULMAN/MAYQUEEN, INC.
V. BOROUGH OF CARLSTADT
AT 394 VETERANS BOULEVARD, BLOCK 124, LOT 35
FOR TAX YEARS 2010 THROUGH 2013.**

WHEREAS, 394 Veterans Realty Shulman/Mayqueen, Inc. has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 394 Veterans Boulevard and identified on the Borough's tax maps as Block 124, Lot 35 for tax years 2010 through 2013; and

WHEREAS, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2010 to be reduced from \$ 1,504,600 to \$ 1,115,730.
- 2) The assessment for tax year 2011 to be reduced from \$ 1,504,600 to \$ 1,299,690.
- 3) The assessment for tax year 2012 to be reduced from \$ 1,504,600 to \$ 1,363,005.
- 2) The taxpayer will withdraw the appeal for tax year 2013.

RESOLUTION NO. 2015-201

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED 480 GOTHAM PARKWAY V. BOROUGH OF CARLSTADT
AT 480 GOTHAM PARKWAY, BLOCK 123.01, LOT 14
FOR TAX YEARS 2012 THROUGH 2015.**

WHEREAS, 480 Gotham Parkway has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 480 Gotham Parkway and identified on the Borough's tax maps as Block 123.01, Lot 14 for tax years 2012 through 2015; and

WHEREAS, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

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WHEREAS, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2012 to be reduced from \$ 2,686,400 to \$ 1,900,000.
- 2) The assessment for tax year 2013 to be reduced from \$ 5,478,300 to \$ 3,675,000.
- 3) The assessment for tax year 2014 to be reduced from \$ 5,478,300 to \$ 3,675,000.
- 4) The assessment for tax year 2015 to be reduced from \$ 5,478,300 to \$ 3,800,000.

RESOLUTION NO. 2015-202

AWARD OF CONTRACT

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey upon the recommendation of Neglia Engineering Associates that the Contract for:

**ROADWAY IMPROVEMENTS PROJECT, MARSAN DRIVE AND NINTH STREET
(SECTIONS ARE CDBG FUNDED) AND STARKE ROAD (SECTIONS ARE NJDOT
FUNDED)**

be awarded to Smith Soudy, 150 Anderson Avenue, Wallington, New Jersey 07057 for the bid amount of Five Hundred Twenty-Four Thousand Eight Hundred Ninety Dollars and Eighty-Five Cents (\$524,890.85) (which represents the Base Bid 'A', Base Bid 'B', and Alternate Bid 'A') being the lowest of two bids submitted. This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 2015-203

AWARD OF CONTRACT

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey upon the recommendation of Neglia Engineering Associates that the Contract for:

**BROAD STREET DRAINAGE IMPROVEMENTS PROJECT
(CDBG FUNDED)**

be awarded to 4 Clean Up, Inc., P.O. Box 5098, North Bergen, New Jersey 07407 for the bid amount of One Hundred Twenty Thousand Nine Hundred Thirty-Three Dollars and Zero Cents (\$120,933.00) (which represents the Base Bid) being the lowest of two bids submitted. This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 2015-204

WHEREAS, the Borough of Carlstadt, received payment in the amount of \$246,468.84 from Madison Title Agency to redeem Tax Sale Certificate Number 13-00007 that was sold on June 7, 2013 for 99 Kero Road, Carlstadt, NJ, Block 126 Lot 7 in the amount of \$39,395.19; and

WHEREAS, US Bank Cust for Pro Cap II, holds Tax Sale Certificate Number 13-00007 and paid a premium for Tax Sale Certificate Number 13-00007 in the amount of \$81,000.00.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Borough Treasurer will issue a refund in the amount of \$327,468.84 (\$246,468.84 for the Tax Sale Certificate Redemption and \$81,000.00 for the premium) and the Carlstadt Tax Collector will adjust his books accordingly.

The payment should be made payable to: US BANK CUST for PRO CAP II, LLC and should be mailed to: US BANK TLSG, 50 South 16th Street/ Ste. 1950, Philadelphia, PA 19102. The cancelled Tax Sale Certificate shall be returned to Madison Title Agency, LLC, 1125 Ocean Avenue, Lakewood, NJ 08701.

RESOLUTION NO. 2015-205

WHEREAS, the Borough of Carlstadt Tax Collector issued Tax Sale Certificate number 200416 on June 4, 2004; and

WHEREAS, the Tax Sale Certificate was redeemed by the property owner(s) on January 16, 2007 however, the property owner(s) have either lost or misplaced the cancelled Tax Sale Certificates.

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NOW, THEREFORE BE IT RESOLVED by the Carlstadt Governing Body that Certificates of Redemption be issued to both property owners so that the Certificates can be properly recorded with the Bergen County Clerk.

RESOLUTION NO. 2015-206

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Seagis Kero Rd., LLC for property located at 109 Kero Road, Carlstadt, New Jersey for Block 126 Lot 35 as per Docket No. 008297-2014 dated 7/10/2015 reducing the 2014 property tax assessment from \$5,900,000.00 to \$5,400,000.00; and

WHEREAS, the reduction in the 2014 property tax assessment is \$500,000.00 or \$9,955.00 in 2014 property taxes.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$9,955.00 and the Tax Collector shall adjust his books accordingly.

It is noted that the Borough's Finance Officer has reviewed this Tax Appeal Settlement and Certifies that the Appeal is genuine and that funds are available for payment. It is also noted that the Borough's Tax Appeal Attorney, John Bang, Esq, has negotiated this Tax Appeal and has approved the settlement on behalf of the Borough of Carlstadt.

The refund shall be made payable to: Seagis Kero Rd. and shall be mailed to: Zipp and Tannenbaum, L.L.C., 280 Raritan Center Parkway, Edison, New Jersey 08837.

RESOLUTION NO. 2015-207

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Econolodge Meadowlands for property located at 395 Washington Avenue, Carlstadt, New Jersey, for Block 128 Lot 35 as per Docket No. 005663-2011 dated 7/10/2015, reducing the 2011 property tax assessment from \$1,900,000.00 to \$1,390,000.00 and, as per Docket No. 000575-2012 dated 7/10/2015 reducing the 2012 property tax assessment from \$1,900,000.00 to \$1,515,000.00; and

WHEREAS, the reduction in the 2011 property tax assessment is \$510,000.00 or \$20,476.50 in 2011 property taxes and the reduction in the 2012 property tax assessment is \$385,000.00 or \$15,958.25 in 2012 property tax assessment.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$36,434.75 (2011: \$20,476.50, 2012: \$15,958.25) and the Tax Collector shall adjust his books accordingly.

It is noted that the Borough's Finance Officer has reviewed this Tax Appeal Settlement and Certifies that the Appeal is genuine and that funds are available for payment. It is also noted that the Borough's Tax Appeal Attorney, John Bang, Esq, has negotiated this Tax Appeal and has approved the settlement on behalf of the Borough of Carlstadt.

The refund shall be made payable to: Econolodge Meadowlands and shall be mailed to: Garippa, Lotz & Giannuario, Attn.: Brian A. Fowler, 66 Park Street, Montclair, New Jersey 07042.

RESOLUTION NO. 2015-208

RESOLUTION OF THE BOROUGH OF CARLSTADT, COUNTY OF BERGEN, STATE OF NEW JERSEY, AUTHORIZING FILING AND SIGNATORIES TO OBTAIN A STRONGER NJ NEIGHBORHOOD & COMMUNITY REVITALIZATION PROGRAM DEVELOPMENT AND PUBLIC IMPROVEMENT LOAN (NCR D&I) ISSUED THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY (NCR#40029)

WHEREAS, the Borough is desirous to apply to the New Jersey Economic Development Authority for a NCR D&I loan to be used for roadway and infrastructure repairs in the commercial district ; and

WHEREAS, the Borough Operations Manager is hereby authorized to submit the application; and

WHEREAS, the Mayor and the Borough Clerk are hereby authorized to sign any and all paperwork associated with the NCR D&I loan; and

WHEREAS, the Borough Clerk and the Borough CFO are hereby authorized to sign any and all financial paperwork associated with the NCR D&I loan.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the Borough of Carlstadt hereby approves the filing and receipt of the loan and authorizes the appropriate signatories as listed above to execute the loan documents in accordance with this Resolution.

RESOLUTION NO. 2015-209

WHEREAS the Borough of Carlstadt has adopted a Property Maintenance Ordinance to provide the property owners of the Borough of Carlstadt the best value for their tax dollars and to provide a minimum standard of maintaining their property; and

WHEREAS, the Carlstadt Zoning Department is charged with the responsibility to regulate and inspect properties as per the Property Maintenance Ordinance; and

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WHEREAS, inspections were made at the following properties for sanitation violations and overgrowth of weeds and grass, etc. and that the property owners were notified to correct the violations and did not respond in the prescribed time frame; and

WHEREAS, the Zoning Department contracted with a vendor to correct said violations.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Carlstadt that all charges paid by the Borough of Carlstadt to clean up including snow removal/remediation and landscaping the following properties shall be passed onto the property owners as a Municipal Charge and added to their property tax accounts. The properties and charges are listed below:

Block	Lot	Name	Address	Amount
87	11	Ciolkosz, (ETAL), K.	500 Ninth Street	\$65.00
47	1	Smith-Austin, J. & R.	649 Seventh Street	\$75.00

The Carlstadt Tax Collector shall adjust his books accordingly.

RESOLUTION NO. 2015-210

WHEREAS, the Borough of Carlstadt received payment in the amount of \$30,315.59 from Walter of Fiduccia Custom Shirts to redeem Tax Sale Certificate Number 13-00001 that was sold on June 7, 2013 for 433 Lincoln Street, Carlstadt, NJ, Block 20 Lot 3 in the amount of \$4,997.84; and

WHEREAS, Stonefield Investment Fund II, holds Tax Sale Certificate Number 13-00001 and paid a premium for Tax Sale Certificate Number 13-00001 in the amount of \$1,500.00.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Borough Treasurer will issue a refund in the amount of \$31,815.59 (\$30,315.59 for the Tax Sale Certificate Redemption and \$1,500.00 for the premium) and the Carlstadt Tax Collector will adjust his books accordingly.

The payment should be made payable to: Stonefield Investment Fund II and should be mailed to: Stonefield Investment Fund II, 21 Robert Pitt Drive # 202, Monsey, NY 10952. The cancelled Tax Sale Certificate shall be returned to Walter at Fiduccia Custom Shirts.

RESOLUTION NO. 2015-211

WHEREAS, two (2) applications have been filed requesting renewal of Plenary Retail Consumption Licenses; and

WHEREAS, the regular fee of one thousand seventy-four dollars (\$1,074.00) has been submitted with each application in accordance with the Borough Ordinance governing the same.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, that the two (2) applications for renewal of Plenary Retail Consumption Licenses are hereby approved. All licenses when granted, will be effective on the First Day of July, 2015 and expire on the Thirtieth Day of June 2016.

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to issue the following licenses for Plenary Retail Consumption.

PLENARY RETAIL CONSUMPTION

0205-33-002-006	Newcastle West Inc.	442/446 Hackensack Street Carlstadt, NJ 07072
0205-33-013-007	Il Jamara, LLC	491 Broad Street Carlstadt, NJ 07072

All licenses are issued subject to any special conditions now existing or hereafter imposed by the A.B.C. or the Borough of Carlstadt. All renewals where fees have been paid by uncertified check are subject to said check being cleared for payment on or before June 30, 2015.

RESOLUTION NO. 2015-212

BE IT RESOLVED, by the Mayor and Council of the Borough of Carlstadt that a handicapped parking space is hereby approved at the following location:

1. 334 Broad Street

all in accordance with the requirements as stated in Ordinance No 97-14 and with the recommendation of the Police Chief of the Carlstadt Police Department.

BE IT FURTHER RESOLVED that said location shall be added to the certified list of designated handicapped parking spaces.

RESOLUTION NO. 2015-213

WHEREAS, notification was received that the following handicapped parking spaces are no longer needed and should be removed from these locations:

1. 533 First Street
2. 615 First Street

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Borough Clerk notify the DPW to remove the above mentioned handicapped parking spaces and that the Police Chief remove same from the certified list of handicapped parking spaces.

Mayor Roseman entertained a motion to approve the Consent Agenda. On motion by Lahullier, seconded by Zimmermann, unanimous on call of roll of those present.

POLICE – Councilman Lahullier read his report for the month of July. This report will be filed.

FIRE/AMBULANCE – Councilman Bartlett read his reports for the month of July. These reports will be filed.

PUBLIC WORKS/PROPERTY – Councilman Stoltz read his report for the month of July. This report will be filed.

PLANNING – In the absence of Councilman Lenoy, Councilman Zimmermann read the report for the month of July. This report will be filed.

ZONING – Councilman Lahullier read his report for the month of July. This report will be filed.

STREET LIGHTING – Councilman Emerson read his report for the month of July. This report will be filed.

HEALTH – Councilman Bartlett reported no meeting during the month of July.

RECREATION – Councilman Emerson read the report for the month of July. This report will be filed.

BOROUGH EQUIPMENT – Councilman Zimmermann read his report for the month of July. This report will be filed.

RECYCLING – Councilman Stoltz read his report for the month of July. This report will be filed.

PROJECTS – Councilman Zimmermann read his report for the month of July. This report will be filed.

REPORTS OF SPECIAL COMMITTEES:

There were no reports of special committees.

READING OF BILLS:

RESOLUTION NO. 2015-214

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the following bills having been approved by the Finance Committee are approved herewith for payment:

CAPITAL ACCOUNT

Lawmen Supply Co.	\$	6,367.40
Beyer Bros. Corp.		221,527.00
Beyer Fleet		73,627.50
Econolodge Meadowlands		36,434.75
Seagis Kero Road		9,955.00

TRUST ACCOUNT

Office Business Systems, Inc.		4,520.00
Borough of Carlstadt		200.00
The Choi Law Group, LLC		218.75
Eugenia Prado		304.99

DOG WARDEN TRUST

NJ Department of Health & Senior Services		21.60
Tyco Animal Control Services		766.66

CURRENT ACCOUNT

ABLE TEX		1,250.00
ACTION RUBBER & INDUSTRIAL		742.24
ADI		2,851.99
ALSTAR AUTO AND SEATING		255.00
AMERICAN HOSE & HYDRAULICS		1,200.00
AMERICAN PAPER & SUPPLY		1,082.26
A.N.D. SERVICE		270.00
ARAMARK UNIFORM SERVICES		1,372.43
ARROW ELEVATOR INC.		145.00
ATLANTIC TACTICAL OF NJ INC.		2,527.20
ATLANTIC AUTO RECOVERY		170.00

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AVAYA INC.	1,442.73
BCMCAA	30.00
BERGEN MUNICIPAL EMPLOYEE	17,112.00
BEYER BROTHERS CORP.	313.20
BOLT ATHLETICS	1,298.25
BRAEN STONE INDUSTRIES INC.	382.72
BRUCE'S FLORAL DESIGN	600.00
CERTIFIED LABORATORIES	800.46
CHEEMA OIL CORPORATION	3,277.53
CHEM-TEC	254.00
CIRCLE D LIGHTS	2,645.00
CLIFFSIDE BODY CORP.	31,915.17
COMCAST	78.19
COMCAST	44.34
COMPLETE SAW & GARDEN EQUIP.	384.50
COMFORTABLE SOLUTION	140.00
CRISTI CLEANING SERVICE CORP.	3,254.00
DAVID. F CORRIGAN	300.00
DEBRA KAY LANE	267.50
DELUXE SALES & SERVICE	968.65
EAGLE EQUIPMENT INC.	715.51
ENVIRONMENTAL RENEWAL L.L.C.	1,824.00
ENVIROCNECK, INC.	995.00
E-ZPASS	22.00
FASTENAL	37.52
FEDEX	106.38
FIRE & SAFETY SERVICES	97.19
FORD MOTOR CREDIT CO. LLC	13,402.37
FOSTER AND COMPANY INC.	246.84
FOY, CLAIRE	25.00
FRED VON BARGEN	475.00
GARDEN STATE HWY PRODUCTS	150.00
GARY J. CUCCHIARA, ESQ.	837.50
GIANCASPRO, DOMENICK	330.00
GLEN TYPEWRITER	113.50
G.T.B.M. INC	1,350.00
HARRIS UNIFORMS	503.90
HEDIGER'S FUEL OIL INC.	4,055.56
HOMETOWN AUTO PARTS	110.86
HUDSON TIRE EXCHANGE	5,965.91
I.D.A.	66,729.63
IMPRESSIVE PRINTING	3,302.75

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J & A COPIER	130.00
J. KEANE ELECTRIC COMPANY	282.10
JOHN LYONS	6,626.08
LAWNBOYS LANDSCAPING	280.00
LOWE'S BUSINESS ACCT/GEMB	1,045.01
MARIO'S LOCKSMITH	179.97
MATTHEW BENDER & CO INC.	30.54
MCNERNEY & ASSOCIATE	5,600.00
MEADOWLANDS HARDWARE	178.78
MERCHANTS ALARM SYSTEMS	90.00
METRO FIRE & SAFETY EQUIP	591.75
MSI TECHNOLOGIES LLC	1,160.84
MTC EQUIPMENT DISTRIB.	437.95
NARITA MARAJ LLC	1,170.00
NATIONAL FLOOD INSURANCE	8,683.00
NEXTEL COMMUNICATIONS	83.66
NFPA	670.00
NICK'S TOWING SERVICE	364.70
NJ FIRE EQUIPMENT CO.	1,849.90
NORTH JERSEY MEDIA GROUP INC.	462.82
NRTCTA	30.00
OFFICE BUSINESS SYSTEMS	170.00
P&A AUTO PARTS	1,010.34
PAYROLL ACCOUNT	194.60
PINNACLE	2,897.00
POAA TRUST	2,260.00
PORTER CAPITAL CORP.	173.98
PRESTI, ROSARIO JR., ESQ.	406.63
PSE&G	24,419.86
RCM CEBERIO LLC	2,850.00
REGAL STAMP CO.	218.00
REMINGTON AND VERNICK	4,254.50
RICCIARDI BROTHERS	1,427.40
RITCHIE, DENNIS	5,416.66
ROBERT T. REGAN ESQ.	177.60
R.S. KNAPP CO	152.00
SCHUMACHER CHEVROLET	225.46
SHERWIN WILLIAMS, INC.	718.27
SMITH, DAVID	618.36
SOL'S INTERPRETING SERVICE	500.00
SPITFIRE TACTICAL	3,772.00
STAN'S SPORT CENTER	6,318.25

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QUALITY AUTO MALL	2,108.58
STAPLES BUSINESS ADVANTAGE	2,484.62
STATE TREASURER	85.00
STONEFIELD INVESTMENT FUND II	31,813.59
SUBURBAN TITLE & ABSTRACT INC.	448.00
TESSCO INCORPORATED	290.04
TETERBORO CHRYSLER JEEP	160.00
TREAS/STATE OF NEW JERSEY 1992 GT	4,764.22
UNDERWRITERS LABORATORIES	2,551.40
UNITED WATER NEW JERSEY	13,065.90
UNUM LIFE INS. CO. OF AMERICA	931.77
US BANK CUST FOR PRO CAP II	327,468.84
ADPP ENTERPRISES INC	2,475.30
VAN DINES	543.24
VENTURA GLASS CO., INC.	300.00
VERIZON	4,763.71
VERIZON	304.98
V.E. RAPLH & SON	499.00
VERIZON WIRELESS	1,638.88
VFIS	3,260.04
WAGNER TOURS INC.	900.00
WASTE MANAGEMENT OF NJ INC.	16,353.69
WILFRED MAC DONALD INC	2,243.81
WTH TECHNOLOGY, INC.	1,000.00
PAYROLL ACCOUNT	321,810.34
WALLINGTON SOFTBALL	4,470.00
PAYROLL ACCOUNT	16,929.11

TOTAL \$ 1,030,562.85

TOTAL BILLS FOR THE MONTH \$ 1,384,506.50

The Chief Financial Officer certified there are sufficient funds available for payment of the afore mentioned bills.

On motion by Lahullier, seconded by Emerson, unanimous on call of roll of those present.

UNFINISHED BUSINESS:

Mayor Roseman entertained a motion to open the floor for a discussion on Zimmermann's Park Phase II Improvements. Improvement components include, but are not limited to, terraced sitting areas, access ramps, retaining walls, paving, lighting, site furnishings and landscaping. On motion by Zimmermann, seconded by Bartlett, unanimous on call of roll of those present.

Mayor Roseman asked the audience if any citizen had questions regarding the Zimmermann's Park Phase II Project.

Donald Molzon, 530 Madison Street – asked the Mayor how it will be funded. Councilman Zimmermann replied it is a matching grant that will be used to revitalize the park.

Mayor Roseman entertained a motion to close the hearing of citizens on Zimmermann's Park Phase II Project. On motion by Bartlett, seconded by Zimmermann, unanimous on call of roll of those present.

HEARING OF CITIZENS:

Frank Kelly, 622 Monroe Street – asked the Mayor and Council why the town spent \$6,000 on Stan's Sporting. Mayor Roseman replied that is for the recreation program to purchase safety equipment and uniforms which is mandatory by law. Mr. Kelly thanked United Water for cleaning their property. Also he said at 616 Monroe Street the DPW removed half of the stump because there is a gas line somewhere underneath so he asked for the Mayor and Council to contact Public Service and ask them where the shut-off valve is so the rest of the stump can be removed. Mayor Roseman replied the DPW Director is in the process of contacting Public Service.

Donald Molzon, 530 Madison Street – commented that a neighbor on his block has a motorcycle parked along the stairs of the house blocking the sidewalk causing a hazardous condition for pedestrians. Mayor Roseman said Councilman Lahullier will talk to the Police Chief.

Bruce Young, 720 Washington Street – mentioned the Zoning Department sent numerous violation notices regarding the garbage and the motorcycle blocking part of the sidewalk. Mayor Roseman said summonses need to be issued on this.

Erwin Fedkenheuer, 700 9th Street – asked the Mayor if Carlstadt had a Tree Shade Commission. Mayor Roseman said no but he is looking into it.

Robert DeLeasa, 437 Lincoln Street – asked how long the town has been working on Mr. Kelly's request. Mayor Roseman said he doesn't know the details of the request. Bruce Young also commented that the DPW doesn't grind any stumps if they know there is a gas line in the vicinity as per PSE&G. Mr. DeLeasa also asked about Broad Street Drainage resolution and what is involved. Mayor Roseman replied the project consists of bigger pipe lines to avoid flooding on Broad Street from 17 South. Mr. DeLeasa also asked if the street sweeper comes weekly. Mayor Roseman said every two weeks.

CONSIDERATION OF ORDINANCES:

None.

MISCELLANEOUS & NEW BUSINESS:

None.

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Mayor Roseman entertained a motion to approve the Fire Department Mutual Aid Association Agreement. On motion by Bartlett, seconded by Zimmermann, unanimous on call of roll of those present.

Mayor Roseman entertained a motion to approve the hiring of John Riordan on a per diem basis for the Carlstadt Ambulance Corps. On motion by Stoltz, seconded by Bartlett, unanimous on call of roll of those present.

Mayor Roseman entertained a motion to go into closed session at 8:05 P.M. to discuss property and personnel. On motion by Stoltz, seconded by Bartlett, the meeting unanimously went into closed session.

The meeting went back into open session at 8:35 P.M. with the following members in attendance: Mayor Roseman, Councilmen Lahullier, Zimmermann, Stoltz, Bartlett and Emerson.

Mayor Roseman entertained a motion to have the Police Chief submit the names of the Police Officers for various department promotion appointments in accordance with the interview process. On motion by Zimmermann, seconded by Emerson, unanimous on call of roll of those present.

Mayor Roseman entertained a motion to approve the following entertainment permits: Gianna's Restaurant, IL Villaggio Restaurant, Maggie's Restaurant, Redd's Restaurant, Shaker's and Turnverein. On motion by Stoltz, seconded by Zimmermann, unanimous on call of roll of those present.

Mayor Roseman entertained a motion to adjourn the meeting at 8:40 P.M. On motion by Zimmermann, seconded by Emerson, the meeting was unanimously adjourned.

APPROVED: _____
WILLIAM ROSEMAN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK