

**REGULAR MEETING**  
**March 21, 2016**

**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, March 21, 2016 at 7:10 P.M.

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

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

Mayor Lahullier – 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 6, 2016 and the Herald News on January 6, 2016 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 Lahullier entertained a motion to accept the minutes of 1/1/16 Adjourned Meeting, 1/1/16 Reorganization Meeting, 1/14/16 Finance Meeting, 1/19/16 Council Meeting, 2/4/16 Caucus Meeting, 2/11/16 Finance Meeting and 2/16/16 Council Meeting (Open and Closed Sessions).

On motion by Zimmermann, seconded by Emerson, unanimous on call of roll.

**CORRESPONDENCE:**

A letter was received from the Carlstadt Fire Department Board of Officers accepting the resignation of Matthew Welsch from the Carlstadt Fire Department Engine Company Two; also accepting the retirement of Ex-chief Henry S. Cosgrove from the Carlstadt Fire Department Engine Company Three; also accepting David C. Llewellyn as probationary member of Ladder Truck One and Harold F. Foster as a Junior Firefighter which are on the Consent Agenda.

Mayor Lahullier entertained a motion to accept the resignation of Matthew Welsch from the Fire Department. On motion by Bartlett, seconded by Stoltz, unanimous on call of roll.

Mayor Lahullier entertained a motion to accept the retirement of Ex-chief Henry S. Cosgrove from the Fire Department. On motion by Bartlett, seconded by Stoltz, unanimous on call of roll.

**REPORT OF THE MAYOR:**

Mayor Lahullier mentioned to the audience that he attended the Carlstadt Soccer Awards Brunch on Sunday, March 20, 2016 and he would like to thank those individuals who are in charge of the league for a great run event with over 250 parents and players attending. Also he thanked Carlstadt Recreation as well for running the Breakfast with the Easter Bunny on Saturday, March 19, 2016 which was well attended with over 100 children.

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**SPECIAL REPORTS:**

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

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

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

**STANDING COMMITTEES:**

**FINANCE** – Councilman Emerson said we have resolutions.

**CONSENT AGENDA**

**RESOLUTION NO. 2016-91**

**WHEREAS**, the Borough of Carlstadt acquired a new street sweeper that is operated Monday, Tuesday, Thursday and Saturday to clean the Borough's streets; and

**WHEREAS**, the Borough of Wallington has a need for street cleaning services however lacks the equipment to conduct those operations; and

**WHEREAS**, the Borough of Wallington and the Borough of Carlstadt believe that their citizens and communities would be best served financially and operationally through a shared services agreement for street sweeping services; and

**WHEREAS**, a shared services agreement would not detract from servicing the needs of Carlstadt's citizens due the street sweeper being operated in Wallington on days it is not scheduled for operation; and

**WHEREAS**, the Borough of Carlstadt's need for the use of the street sweeper will supersede any scheduled operation in Wallington; and

**WHEREAS**, a shared services agreement with Wallington would provide new revenue for the Borough of Carlstadt.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, approve a shared services agreement pursuant to NJSA40A:65-5 with the Borough of Wallington to provide street sweeper services at the rate of \$360.00 per day.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect and be in force from and after the earliest date allowed by law.

**RESOLUTION NO. 2016-94**

**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   |
| Police and Firemen's Retirement System | 778,105.00   |
| Public Employees' Retirement System    | 373,880.00   |

**RESOLUTION NO. 2016-95**

**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 January, 2016 be ratified:

| <u>Date</u> | <u>Ck #</u> | <u>Account</u> | <u>Payee</u>         | <u>Amount</u> |
|-------------|-------------|----------------|----------------------|---------------|
| 1/21/16     | 712         | Trust          | Borough of Carlstadt | \$ 200.00     |
| 1/21/16     | 245         | Animal Control | NJ Dept. of Health   | 22.80         |
| 1/28/16     | 713         | Trust          | Current Account      | 8,682.31      |
| 1/28/16     | 714         | Trust          | B13 Comm.            | 358.72        |
| 1/28/16     | 715         | Trust          | Cable Utilities      | 790.68        |
| 1/28/16     | 716         | Trust          | High Point           | 155.81        |
| 1/29/16     | 152         | Comm. Trust    | David Farhat         | 6,000.00      |

**RESOLUTION NO. 2016-96**

**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 February, 2016 be ratified:

| <u>Date</u> | <u>Ck #</u> | <u>Account</u> | <u>Payee</u>          | <u>Amount</u> |
|-------------|-------------|----------------|-----------------------|---------------|
| 2/17/16     | 501068      | Current        | Payroll               | \$ 306,583.47 |
| 2/18/16     | 501069      | Current        | Medical               | 131,000.00    |
| 2/19/16     | 501070      | Current        | Lyndhurst Basketball  | 300.00        |
| 2/22/16     | 501071      | Current        | Reg. Bd. of Education | 528,487.67    |
| 2/22/16     | 501072      | Current        | Medical               | 33,000.00     |
| 2/23/16     | 501073      | Current        | Lowe's                | 274.82        |

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|         |        |         |                       |           |
|---------|--------|---------|-----------------------|-----------|
| 2/23/16 | 501074 | Current | Claire Foy Petty Cash | 735.73    |
| 2/25/16 | 501075 | Current | Medical               | 45,000.00 |
| 2/29/16 | 501076 | Current | Payroll               | 17,356.00 |
| 2/29/16 | 501077 | Current | ADDP Enterprise       | 2,621.39  |

**RESOLUTION NO. 2016-97**

**WHEREAS**, Peter Coletti, retired Police Captain has filed a request for reimbursement for Medicare Part B premiums on behalf of himself and his spouse for the year 2014 consistent with the Carlstadt SOA Contract and the Carlstadt PBA Local #312 thereafter filing a formal grievance, and the matter having proceeded to Arbitration with a finding in favor of the Carlstadt PBA Local #312; and

**WHEREAS**, the Opinion and Award of the Public Employment Relations Commission, PERC Docket No. AR 2009-98 provides for a reimbursement to be made from the date of the Opinion and thereafter.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt that the Chief Financial Officer is hereby authorized to make payment representing reimbursement to Peter Coletti and his spouse for the year 2014 in the amount of \$2,517.60 as evidenced by the documents submitted as proof thereof. Subsequent payment for future reimbursements shall be made upon request and proof of deductions submitted by Peter Coletti.

**RESOLUTION NO. 2016-98**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED ARSYNCO, INC. V. BOROUGH OF CARLSTADT  
AT 511 THIRTEENTH STREET, BLOCK 91, LOT 1  
FOR TAX YEARS 2011 THROUGH 2015.**

**WHEREAS**, Arsynco, Inc. has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 511 Thirteenth Street and identified on the Borough's tax maps as Block 91, Lot 1 for tax years 2011 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

**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 2011 to be reduced from \$ 1,109,800 to \$ 166,470.
- 2) The assessment for tax year 2012 to be reduced from \$ 1,109,800 to \$ 166,470.
- 3) The assessment for tax year 2013 to be reduced from \$ 2,320,000 to \$ 348,000.
- 4) The assessment for tax year 2014 to be reduced from \$ 2,320,000 to \$ 348,000.
- 5) The assessment for tax year 2015 to be reduced from \$ 2,320,000 to \$ 348,000.

**RESOLUTION NO. 2016-99**

**WHEREAS**, Title 40A:4-59 of the New Jersey Statutes provides that should it be necessary, during the first three months of any fiscal year, the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there shall be an excess in any appropriation reserve over and above the amount deemed to be necessary to fulfill its purpose, the Governing Body may, by resolution adopt (by not less than 2/3 vote of the full membership thereof), transfer the amount of such excess of those appropriation reserves deemed to be insufficient.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough Carlstadt that the Borough Treasurer be and is hereby authorized to make the following transfer of the 2015 appropriation reserves:

|                      | <b>IN</b>   | <b>OUT</b> |
|----------------------|-------------|------------|
| Police Department    |             |            |
| Salaries & Wages     |             | \$1,891.00 |
| Other Expenses       | \$ 1,891.00 |            |
| <br>Borough Mechanic |             |            |
| Other Expenses       | 2,157.69    |            |

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Engineering

Other Expenses 2,157.69

**TOTAL \$4,048.69 \$4,048.69**

**RESOLUTION NO. 2016-100**

**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. 715 Garden Street (to be installed on Carlyle Court)

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. 2016-101**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Plati/Monarch Home Del for property located at 550 Industrial Road, Carlstadt, New Jersey for Block 2 Lot 4 as per Docket No. 003322-2008 dated 1/29/2016 reducing the 2008 property tax assessment from \$1,070,000.00 to \$900,000.00 and as per Docket No. 001169-2009 dated 1/29/2016 reducing the 2009 property tax assessment from \$900,000.00 to \$800,000.00 and as per Docket No. 019784-2010 dated 1/29/2016 reducing the 2010 property tax assessment from \$900,000.00 to \$750,000.00 and as per Docket No. 015457-2011 dated 1/29/2016 reducing the 2011 property tax assessment from \$900,000.00 to \$850,000.00 and as per Docket No. 016864-2012 dated 1/29/2016 reducing the 2012 property tax assessment from \$900,000.00 to \$865,000.00; and

**WHEREAS**, the Carlstadt Governing Body approved Resolution Number 2015-306 and Resolution Number 2015-307 at the December 21, 2015 Council Meeting authorizing Attorney John Bang, Esq. to execute any and all documents necessary in order to settle this matter; and

**WHEREAS**, the reduction in 2008 property tax assessment is \$170,000.00 or \$5,958.50 in 2008 property taxes and the reduction in 2009 property tax assessment is \$100,000.00 or \$3,828.00 in 2009 property taxes and the reduction in 2010 property tax assessment is \$150,000.00 or \$6,001.50 in 2010 property taxes and the reduction in 2011 property tax assessment is \$50,000.00 or \$2,007.50 in 2011 property taxes and the reduction in 2012 property tax assessment is \$35,000.00 or \$1,450.75 in 2012 property taxes and there is no change in the 2013 property tax assessment as per Docket No. 005447-2013 dated 2/19/2016.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$19,246.25 (2008: \$5,958.50, 2009: \$3,828.00, 2010: \$6,001.50, 2011: \$2,007.50, 2012: \$1,450.75) 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 and that the Carlstadt Borough Attorney, Dennis Ritchie, Esq. has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to Daniel G. Keough, Trustee and shall be mailed to: Ventura, Miesowitz, Keough & Warner, 783 Springfield Avenue, Summit, New Jersey 07901-2332.

#### **RESOLUTION. 2016-102**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of A.G. Holdings for property located at 350 Michele Place, Carlstadt, New Jersey for Block 128 Lot 5 as per Docket No. 006411-2013 dated 1/29/2016 reducing the 2013 property tax assessment from \$11,099,800.00 to \$10,175,000.00 and as per Docket No. 002690-2014 dated 1/29/2016 reducing the 2014 property tax assessment from \$11,099,800.00 to \$10,375,000.00 and as per Docket No. 002340-2015 dated 1/29/2016 reducing the 2015 property tax assessment from \$11,099,800.00 to \$10,575,000.00; and

**WHEREAS**, the Carlstadt Governing Body approved Resolution Number 2015-305 authorizing John Bang, Esq. to execute any and all documents necessary to settle this matter; and

**WHEREAS**, the reduction of the 2013 property tax assessment is \$924,800.00 or \$18,329.54 in 2013 property taxes, and the reduction of 2014 property tax assessment is \$724,800.00 or \$14,430.77 in 2014 property taxes and the reduction of 2015 property tax assessment is \$524,800.00 or \$10,863.36 in 2015 property taxes.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$43,623.67 (2013: \$18,329.54, 2014: \$14,430.77, 2015: \$10,863.36) 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 and that the Carlstadt Borough Attorney, Dennis Ritchie, Esq. has reviewed this Resolution and finds it to be satisfactory and legal.

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The refund shall be made payable to: Michael I. Schneck, Trustee for A.G. Holdings and shall be mailed to: Schneck Law Group, LLC, 301 South Livingston Avenue, Suite 105, Livingston, New Jersey 07039.

**RESOLUTION NO. 2016-103**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Gates Realty Corp. for property located at 727 Commercial Avenue, Carlstadt, New Jersey for Block 126 Lot 58 as per Docket No. 004148-2013 dated 2/12/2016 reducing the 2013 property tax assessment from \$2,530,300.00 to \$1,850,000.00 and as per Docket No. 004157-2014 dated 2/12/2016 reducing the 2014 property tax assessment from \$2,530,300.00 to \$2,100,000.00 and as per Docket No. 007287-2015 dated 02/12/2016 reducing the 2015 property tax assessment from \$2,530,300.00 to \$2,250,000.00; and

**WHEREAS**, the Carlstadt Governing Body approved Resolution Number 2016-30 at the January 19, 2016 Council Meeting authorizing Attorney, John Bang, Esq. to execute any and all documents necessary in order to settle this matter; and

**WHEREAS**, the reduction in 2013 property tax assessment is \$680,300.00 or \$13,483.55 in 2013 property taxes and the reduction in 2014 property tax assessment is \$430,300.00 or \$8,567.27 in 2014 property taxes and the reduction in 2015 property tax assessment is \$280,300.00 or \$5,802.21 in 2015 property taxes.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$27,853.03 (2013: \$13,483.55, 2014: \$8,567.27, 2015: \$5,802.21) 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 and that the Carlstadt Borough Attorney, Dennis Ritchie, Esq. has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to Carlet, Garrison, Klein & Zaretsky, LLP and shall be mailed to Carlet, Garrison, Klein & Zaretsky, C/o: Frank A. Carlet, 1135 Clifton Avenue, Suite 104, Clifton, NJ 07015-2666.

**RESOLUTION NO. 2016-104**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Franklin/Calandra's Inn for property located at 296 Paterson Plank Road, Carlstadt, New Jersey for Block 124 Lot 7 as per Docket No. 001361-2013 dated 2/12/2016 reducing the 2013 property tax assessment from \$1,241,100.00 to \$900,000.00 and as per Docket No. 0001604-2014 dated 2/12/2016 reducing the 2014 property tax assessment from \$1,241,100.00 to \$900,000.00 and as per Docket No. 003962-2015 dated 2/5/2016 reducing the 2015 property tax assessment from \$1,241,100.00 to \$835,000.00; and

**WHEREAS**, the Carlstadt Governing Body approved Resolution Number 2016-45 at the January 19, 2016 Council Meeting authorizing Attorney, John Bang, Esq. to execute any and all documents necessary in order to settle this matter; and

**WHEREAS**, the reduction in 2013 property tax assessment is \$341,100.00 or \$6,760.62 in 2013 property taxes and the reduction in 2014 property tax assessment is \$341,100.00 or \$6,791.30 in 2014 property taxes and the reduction in 2015 property tax assessment is \$406,100.00 or \$8,406.27 in 2015 property taxes.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$21,958.17 (2013: \$6,760.60, 2014: \$6,791.30, 2015: \$8,406.27) 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 and that the Carlstadt Borough Attorney, Dennis Ritchie, Esq. has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to Michael A. Vespasiano, Attorney Trust Account and shall be mailed to Michael A. Vespasiano, Esq., 331 Main Street, Chatham, NJ 07928.

**RESOLUTION NO. 2016-105**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Rothschild Realty F.L.P., Inc. for property located at 401 Thirteenth Street, Carlstadt, New Jersey for Block 98 Lot 2 as per Docket No. 008337-2013 dated 1/29/2016 reducing the 2013 property tax assessment from \$1,004,600.00 to \$775,000.00 and as per Docket No. 000762-2014 dated 2/5/2016 reducing the 2014 property tax assessment from \$1,004,600.00 to \$850,000.00 and as per Docket No. 002077-2015 dated 01/22/2016 reducing the 2015 property tax assessment from \$1,004,600.00 to \$900,000.00; and

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**WHEREAS**, the Carlstadt Governing Body approved Resolution Number 2015-304 at the December 21, 2015 Council Meeting authorizing Attorney, John Bang, Esq. to execute any and all documents necessary in order to settle this matter; and

**WHEREAS**, the reduction in 2013 property tax assessment is \$229,600.00 or \$4,550.67 in 2013 property taxes and the reduction in 2014 property tax assessment is \$154,600.00 or \$3,078.09 in 2014 property taxes and the reduction in 2015 property tax assessment is \$104,600.00 or \$2,165.22 in 2015 property taxes; and

**WHEREAS**, the parties having agreed that there has been no change in value or municipal-wide revaluation or reassessment adopted for the tax year 2016 (Freeze Act year), the provisions of N.J.S.A. 54:51a-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year. No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year. When the 2016 Tax Rate is approved, the reduced property assessment shall be applied to this property.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$9,793.98 (2013: \$4,550.67, 2014: \$3,078.09, 2015: \$2,165.22) 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 and that the Carlstadt Borough Attorney, Dennis Ritchie, Esq. has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to Rothschild RE I LP and shall be mailed to Skoloff Wolfe, Attn.: David B. Wolfe, 293 Eisenhower Parkway, Livingston, NJ 07039.

**RESOLUTION NO. 2016-106**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Kessel Associates, Inc. for property located at 100 Commerce Road, Carlstadt, New Jersey for Block 126 Lot 52 and as per Docket No. 004865-2014 dated 1/22/2016 reducing the 2014 property tax assessment from \$1,165,500.00 to \$1,000,000.00 and as per Docket No. 001150-2015 dated 01/22/2016 reducing the 2015 property tax assessment from \$1,165,500.00 to \$1,000,000.00; and

**WHEREAS**, the Carlstadt Governing Body approved Resolution Number 2015-309 at the December 21, 2015 Council Meeting authorizing Attorney, John Bang, Esq. to execute any and all documents necessary in order to settle this matter; and

**WHEREAS**, the reduction in 2014 property tax assessment is \$165,500.00 or \$3,294.11 in 2014 property taxes and the reduction in 2015 property tax assessment is \$165,500.00 or \$3,425.85 in 2015 property taxes; and

**WHEREAS**, the parties having agreed that there has been no change in value or municipal-wide revaluation or reassessment adopted for the tax year 2016 (Freeze Act year), the provisions of N.J.S.A. 54:51a-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year. No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year. When the 2016 Tax Rate is approved, the reduced property assessment shall be applied to this property.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$6,720.96 (2014: \$3,295.11, 2015: \$3,425.85) 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 and that the Carlstadt Borough Attorney, Dennis Ritchie, Esq. has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to c/o Winne, Banta, Basralian & Kahn, P.C. and shall be mailed to Winne, Banta, Basralian & Kahn, P.C., 21 Main Street, Suite 101, P.O. Box 647, Hackensack, NJ 07602.

#### **RESOLUTION NO. 2016-107**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Gamma Realty Co. for property located at 120 Amor Ave., Carlstadt, New Jersey for Block 123 Lot 24 as per Docket No. 006055-2013 dated 2/12/2016 reducing the 2013 property tax assessment from \$7,954,000.00 to \$6,860,000.00 and as per Docket No. 002051-2014 dated 02/12/2016 reducing the 2014 property tax assessment from \$7,954,000.00 to \$6,860,000.00 and as per Docket No. 005349-2015 dated 7/24/2015 reducing the 2015 property tax assessment from \$7,954,000.00 to \$6,700,000.00; and

**WHEREAS**, the Carlstadt Governing Body approved Resolution Number 2015-157 at the June 15, 2015 Council Meeting authorizing Attorney, John Bang, Esq. to execute any and all documents necessary in order to settle this matter; and

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**WHEREAS**, the reduction in 2013 property tax assessment is \$1,094,000.00 or \$21,683.08 in 2013 property taxes and the reduction in 2014 property tax assessment is \$1,094,000.00 or \$21,781.54 in 2014 property taxes and the reduction in 2015 property tax assessment is \$1,254,000.00 or \$25,957.80 in 2015 property taxes.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$69,422.42 (2013: \$21,683.08, 2014: \$21,781.54, 2015: \$25,957.80) 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 and that the Carlstadt Borough Attorney, Dennis Ritchie, Esq., has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to The Irwin Law Firm Attorney Trust Account F.B.O. SRG1, LLC and shall be mailed to The Irwin Law Firm P.A., 80 Main Street, Suite 410, West Orange, NJ 07052.

**RESOLUTION NO. 2016-108**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Nash Associates LLC for property located at 773 Washington Avenue, Carlstadt, New Jersey for Block 131.01 Lot 2 as per Docket No. 004664-2014 dated 2/12/2016 reducing the 2014 property tax assessment from \$1,057,700.00 to \$840,000.00; and

**WHEREAS**, the Carlstadt Governing Body approved Resolution Number 2016-47 at the January 19, 2016 Council Meeting authorizing Attorney, John Bang, Esq., to execute any and all documents necessary in order to settle this matter; and

**WHEREAS**, the reduction in the 2014 property tax assessment is \$217,700.00 or \$4,334.41 in 2014 property taxes.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$4,334.41 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 and that the Carlstadt Borough Attorney, Dennis Ritchie, Esq., has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to Mark K. Follender, Esq, Attorney for Plaintiff and shall be mailed to Mark K. Follender, Esq., Three University Place, Suite 207, Hackensack, NJ 07601-0790.

**RESOLUTION NO. 2016-109**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Pantone, Inc. for property located at 590 Commerce Blvd., Carlstadt, New Jersey for Block 131.01 Lot 12 and as per Docket No. 001093-2008 dated 2/12/2016 reducing the 2008 property tax assessment from \$3,438,800.00 to \$2,750,000.00; and

**WHEREAS**, the Carlstadt Governing Body approved and paid a refund in the amount of \$24,142.44 as per Tax Appeal Resolution Number 2015-301 on December 21, 2015; and

**WHEREAS**, which assessment is the base-year assessment for Freeze Act purposes, and it appearing that no appeal from said judgment is pending and the parties having agreed that there has been no change in value or municipal-wide revaluation or reassessment adopted and that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) are properly applicable, the base year assessment shall also be the assessment for the tax year 2009 (Freeze Act year) on the property referred to herein for said Freeze Act year. No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year; and

**WHEREAS**, the reduction in the 2009 property tax assessment is \$688,800.00 or \$26,367.26 in 2009 property tax. (Freeze Act year).

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$26,367.26 (Freeze Act year) 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 and that the Carlstadt Borough Attorney, Dennis Ritchie, Esq., has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to Daniel G. Keough, Trustee and shall be mailed to Ventura, Miesowitz, Keough & Warner, 783 Springfield Avenue, Summit, NJ 07901-2332. Attn.: Daniel G. Keough.

**RESOLUTION NO. 2016-110**

**RESOLUTION-PREPARATION OF ESTIMATED TAX BILLS**

**WHEREAS**, the Governing Body has determined that there will be insufficient cash flow to support operations in late July 2016 unless third quarter revenue is received on time; and

**WHEREAS**, the Tax Collector, Chief Financial Officer, Domenick Giancaspro and Borough Auditor, Paul Garbarini have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54: 4-66.3.

**NOW, THEREFORE BE IT RESOLVED** that the Governing Body of the Borough of Carlstadt, County of Bergen, State of New Jersey hereby authorizes that:

1. The Tax Collector is directed to prepare and issue estimated tax bills for the Borough of Carlstadt for third quarter 2016 in accordance with the provisions of N.J.S.A. 54: 4-66.2 et seq.
2. The estimated tax levy for 2016 is hereby set at \$43,616,493.21.
3. The Tax Collector takes any additional steps necessary to immediately implement this Resolution.
4. On the advice of the Tax Collector, Chief Financial Officer and Borough Auditor should the need to process Estimated Tax Bills not be required, then said Estimated Tax Bills will not be processed.

95% of 2015: \$39,462,541.47 – (Decrease of \$2,076,975.87)

100% of 2015: \$41,539,517.34 – Flat rate, no change

105% of 2015: \$43,616,493.21 – (Increase of \$2,076,975.87)

**RESOLUTION NO. 2016-111**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Order Granting Freeze Act Relief in the tax appeal of Randolph Products for property located at 701 Twelfth Street, Carlstadt, New Jersey for Block 84 Lot 1 as per Docket No. 002670-2014 which reduced the 2014 property tax assessment from \$1,057,700.00 to \$840,000.00; and

**WHEREAS**, the Carlstadt Governing Body approved Resolution Number 2015-129 and issued a refund on May 18, 2015 for the 2012, 2013 and 2014 Tax Appeals; and

**WHEREAS**, the reduction in the 2015 property tax assessment is \$747,500.00 or \$15,473.25 in 2015 property taxes. This Civil Action Order Granting Freeze Act Relief was entered on 2/5/2016 and was signed and ordered by Hon. Kathi F. Fiamingo, JTC.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$15,473.25 (Freeze Act year) 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 and that the Carlstadt Borough Attorney, Dennis Ritchie, Esq., has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to Michael I. Schneck, Trustee for Randolph Products and shall be mailed to Schneck Law Group, LLC, 301 South Livingston Avenue, Suite 105, Livingston, NJ 07039.

#### **RESOLUTION NO. 2016-112**

**WHEREAS**, the Board of Officers has approved the membership of David C. Llewellyn as a probationary member of the Carlstadt Fire Department; and

**WHEREAS**, said individual has successfully passed the required physical examination.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt that David C. Llewellyn is hereby appointed as a probationary member to the Carlstadt Fire Department.

#### **RESOLUTION NO. 2016-113**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt that Harold F. Foster is hereby appointed as a Junior Member of the Carlstadt Fire Department as approved by the Carlstadt Fire Department Board of Officers.

Mayor Lahullier entertained a motion to approve the Consent Agenda with the condition that Resolution No. 2016-91 is subject to Borough Attorney review. On motion by Bartlett, seconded by Zimmermann, unanimous on call of roll.

**POLICE** – Mayor Lahullier read his report for the month on February. This report will be filed.

**FIRE/AMBULANCE** - Councilman Bartlett read his reports for the month of February. These reports will be filed.

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**PUBLIC WORKS/PROPERTY/BOROUGH EQUIPMENT**– Councilman Stoltz read his report for the month of February. This report will be filed.

**PLANNING** – Councilman Shockley read his report for the month of February. This report will be filed.

**ZONING** – Councilman Shockley read his report for the month of February. This report will be filed.

**HEALTH/WELFARE** – Councilman Bartlett reported progress.

**RECREATION/HUMAN RESOURCES** – Councilman Emerson read his report for the month of February. This report will be filed.

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

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

**EDUCATION** – Councilman Zimmermann no report.

**READING OF BILLS:**

**RESOLUTION NO. 2016-114**

**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:

|   |                                |    |            |
|---|--------------------------------|----|------------|
|   | <b><u>CAPITAL ACCOUNT</u></b>  |    |            |
| Neglia Engineering Associates             |                                | \$ | 1,335.00   |
| Carousel Industries                       |                                |    | 109,268.85 |
|   | <b><u>TRUST ACCOUNT</u></b>    |    |            |
| CCG                                       |                                |    | 2,042.91   |
| Miller Pipeline                           |                                |    | 5,450.00   |
| Kimberly Koziel                           |                                |    | 45.00      |
| Current Account                           |                                |    | 1,796.10   |
|   | <b><u>DOG WARDEN TRUST</u></b> |    |            |
| TYCO Animal Control Services              |                                |    | 766.66     |
| NJ Department of Health & Senior Services |                                |    | 135.00     |

**CURRENT ACCOUNT**

|                                 |            |
|---------------------------------|------------|
| AHOLD FINANCIAL SERVICES        | 159.92     |
| AMERICAN PAPER & SUPPLY         | 1,776.71   |
| A.N.D. SERVICE                  | 90.00      |
| ARAMARK UNIFORM SERVICES        | 1,195.50   |
| ARROW ELEVATOR INC.             | 795.00     |
| ATLANTIC COAST FIBERS           | 53.59      |
| BALCO INDUSTRIES                | 339.00     |
| BELLAQUA INC.                   | 65.50      |
| BERGEN MUNICIPAL EMPLOYEE       | 52,605.00  |
| BERGEN CO. UTILITIES AUTHORITY  | 206,427.84 |
| BEYER BROTHERS CORP.            | 662.20     |
| BRAEN STONE INDUSTRIES INC.     | 373.09     |
| BRUCE'S FLORAL DESIGN           | 45.00      |
| CAMPBELL FIRE PROTECTION INC.   | 195.50     |
| CARLET, GARRISON, KLEIN         | 27,853.03  |
| CARLSTADT FIRE DEPARTMENT       | 2,000.00   |
| CARLSTADT/E.RUTHERFORD          | 4,090.00   |
| CARLSTADT BOARD OF EDUCATION    | 993,158.68 |
| CDWG INC.                       | 203.78     |
| CHEEMA OIL CORPORATION          | 2,714.67   |
| CHEM-TEC                        | 325.00     |
| CHRISTOPHER GARVIN ESQ.         | 200.00     |
| CHRISTOPHER HASCH               | 225.00     |
| COLANERI BROTHERS               | 859.30     |
| COMCAST                         | 367.16     |
| COMCAST                         | 159.18     |
| COMPLETE SAW & GARDEN EQUIPMENT | 302.55     |
| CREATIVE PRODUCT SOURCE         | 565.32     |
| DANIEL G. KEOUGH TRUSTEE        | 45,613.51  |
| DENISE KIMAK                    | 350.00     |
| THE CHOI LAW GROUP LLC          | 12,342.79  |
| FRED PRYOR SEMINARS             | 460.95     |
| FRED VON BARGEN                 | 150.00     |
| GANN PUBLISHING CO.             | 125.00     |
| GARDEN STATE HWY PRODUCTS       | 835.00     |
| GARY J. CUCCHIARA ESQ.          | 3,387.50   |
| GATES FLAGS AND BANNER          | 862.20     |
| GENERAL CODE PUBLISHERS         | 273.00     |
| GLOCK PROFESSIONAL INC.         | 250.00     |
| GOLD STAR CAR WASH              | 1,791.00   |
| GRAINGER                        | 216.67     |

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|                                |            |
|--------------------------------|------------|
| HACKENSACK AUTO SPRING         | 48.00      |
| HARRIS UNIFORMS                | 267.00     |
| HEDIGER'S FUEL OIL INC.        | 2,063.97   |
| HOMETOWN AUTO PARTS            | 139.54     |
| HUDSON TIRE EXCHANGE           | 4,419.64   |
| I.D.A                          | 134,183.26 |
| IMPRESSIVE PRINTING            | 437.50     |
| INDUSTRIAL ELECTRIC            | 340.00     |
| J & A COPIER                   | 250.00     |
| JESCO INC.                     | 96.88      |
| J. KEANE ELECTRIC COMPANY      | 282.10     |
| JOINT MEETING                  | 10,000.00  |
| KAY PRINTING                   | 108.63     |
| K&K TROPHY                     | 358.00     |
| KORSEN'S CARPET CLEANING       | 6,084.00   |
| KORSEN R.                      | 1,125.00   |
| LANGUAGE LINE SERVICE          | 52.33      |
| LAWNBOYS LANDSCAPING           | 75.00      |
| LEXISNEXIS RISK SOLUTIONS      | 11.50      |
| LOWE'S BUSINESS ACCT/GEMB      | 763.85     |
| MARK K. FOLLENDER, ESQ.        | 4,334.41   |
| MARIO'S LOCKSMITH              | 48.00      |
| MCNERNEY & ASSOCIATE           | 2,500.00   |
| MEADOWLANDS DINER              | 435.80     |
| MEADOWLANDS HARDWARE           | 240.71     |
| METRO FIRE & SAFETY EQUIP.     | 587.15     |
| MGL PRINTING SOLUTIONS         | 1,475.00   |
| MICHAEL R. VESPASIANO          | 21,958.17  |
| MICHAEL I. SCHNECK TRUST FOR   | 43,623.67  |
| MICHAEL I. SCHNECK TRUSTEE     | 15,473.25  |
| MOTOROLA                       | 328.30     |
| MSI TECHNOLOGIES LLC           | 592.50     |
| CARLSTADT MUNICIPAL COURT      | 50.00      |
| NARITA MARAJ LLC               | 2,193.25   |
| NATIONAL ASSN. OF LOCAL BOARDS | 200.00     |
| NEGLIA ENGINEERING ASSOCIATES  | 2,407.50   |
| NEXTEL COMMUNICATIONS          | 84.66      |
| NFPA                           | 1,305.00   |
| NICK'S TOWING SERVICE          | 100.00     |
| NIELSEN, THOMAS CHIEF          | 338.99     |
| NJ ADVANCE MEDIA               | 257.40     |
| NJSACOP                        | 275.00     |

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|                               |            |
|-------------------------------|------------|
| NORTH JERSEY MEDIA GROUP INC. | 962.11     |
| NORTHEAST SWEEPERS LLC        | 23.00      |
| OFFICE CONCEPTS               | 83.98      |
| OLGA RODRIGUEZ                | 196.00     |
| PAC TOOL & SUPPLY CO.         | 204.35     |
| PASQUALE & DELEASA LLC        | 825.00     |
| PAYROLL ACCOUNT               | 1,598.20   |
| PERS                          | 373,880.00 |
| PETER & JOAN COLETTI          | 2,517.60   |
| PITNEY BOWES INC.             | 1,187.96   |
| POLICE & FIREMEN'S RETIREMENT | 778,105.00 |
| PRESTI, ROSARIO JR., ESQ.     | 1,256.49   |
| P.R.E. SALES INC.             | 3,407.50   |
| PROGRESSIVE BRICK CO.         | 120.00     |
| RCM CEBERIO LLC               | 5,700.00   |
| RE-TRON TECHNOLOGIES INC.     | 237.33     |
| REGAL STAMP CO                | 39.00      |
| REGIONAL BOARD OF EDUCATION   | 528,487.67 |
| RIDGEHURST AUTO PARTS         | 903.13     |
| RITCHIE, DENNIS               | 5,150.00   |
| ROBERT T. REGAN ESQ.          | 1,176.60   |
| ROBERT HEALEY                 | 95.00      |
| ROTHSCHILD RE I LP            | 9,793.98   |
| RUTGERS, THE STATE UNIVERSITY | 118.00     |
| SAFELITE AUTO GLASS           | 969.70     |
| SCHUMACHER CHEVROLET          | 1,180.96   |
| SENIOR FRIENDSHIP CLUB        | 4,505.22   |
| SHERWIN WILLIAMS, INC.        | 296.20     |
| SLOMIENSKI, WALTER. M         | 1,066.66   |
| QUALITY AUTO MALL             | 1,519.85   |
| STAPLES BUSINESS ADVANTAGE    | 1,857.60   |
| SWANA                         | 78.00      |
| SWIFT ELECTRICAL SUPPLY CO.   | 656.35     |
| TCTA OF BERGEN COUNTY         | 29.00      |
| TETERBORO CHYRSLEER JEEP      | 776.04     |
| THE IRWIN LAW FIRM ATTORNEY'S | 69,422.42  |
| THE RECORD                    | 140.00     |
| T&R ALARM SYSTEMS INC.        | 264.00     |
| UNDERWRITERS LABORATORIES     | 425.00     |
| SUEZ WATER NEW JERSEY         | 11,513.89  |
| UNUM LIFE INS. CO. OF AMERICA | 840.33     |
| ADPP ENTERPRISES INC.         | 1,022.31   |

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|                                  |                        |
|----------------------------------|------------------------|
| VERIZON                          | 4,283.62               |
| VERIZON                          | 1,498.40               |
| VERIELLA'S BAKERY                | 45.00                  |
| VERIZON                          | 879.94                 |
| VFIS                             | 1,904.25               |
| WAGNER TOURS INC.                | 800.00                 |
| WALLINGTON PLUMBING SUPPLY INC.  | 70.34                  |
| WASTE MANAGEMENT OF NJ INC.      | 13,888.82              |
| 921-PRAXAIR DIST MID-ATLANTIC    | 131.22                 |
| WINNE, BANTA, BASRALIAN          | 6,720.96               |
| BOROUGH OF CLIFFSIDE PARK        | 300.00                 |
| MAYWOOD YOUTH ATHLETIC ASSOC.    | 300.00                 |
| PAYROLL ACCOUNT                  | 305,461.77             |
| MEDICAL BENEFITS ACCT            | 55,000.00              |
| MEDICAL BENEFITS ACCT            | 29,870.84              |
| MEDICAL BENEFITS ACCT            | 46,000.00              |
| JACK MANZO ELECTRIC CO.          | 9,675.00               |
| PAYROLL ACCOUNT                  | 17,575.75              |
| PAYROLL ACCOUNT                  | 295,007.66             |
| MEDICAL BENEFITS ACCT            | 31,000.00              |
| MEDICAL BENEFITS ACCT            | 32,000.00              |
| <b>TOTAL</b>                     | <b>\$ 4,289,425.10</b> |
| <b>TOTAL BILLS FOR THE MONTH</b> | <b>\$ 4,410,264.62</b> |

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

On motion by Lenoy, seconded by Emerson, unanimous on call of roll.

**REPORTS OF SPECIAL COMMITTEES:**

There were no reports of special committees.

**UNFINISHED BUSINESS:**

None.

**HEARING OF CITIZENS:**

**Bruce Young, 720 Washington Street** – thanked the Mayor and Council on behalf of the Senior Friendship Club for sponsoring the anniversary party on Wednesday, March 16, 2016 at the Fiesta.

**Donald Molzon, 530 Madison Street** – asked the Mayor and Council about Resolution No. 2016-98 Arsynco Tax Appeal and if the new assessment is correct. The Borough Attorney said it was a long dispute between the Borough and Arsynco regarding the appeal and the Borough Attorney believes this is the best settlement for the Borough since Arsynco needs to mitigate a lot of environmental issues on the property.

**Ron Stull, 638 8<sup>th</sup> Street** – asked for an update on the senior housing on the Lincoln School property and an update on the Garden Street property. Mayor Lahullier said right now the attorneys are reviewing environmental issues on the Garden Street property and until then he don't have anything to report.

**CONSIDERATION OF ORDINANCES:  
FINAL READING**

**ORDINANCE NO. 16-4**

**AN ORDINANCE AMENDING CHAPTER XII ENTITLED "BUILDINGS AND CONSTRUCTION" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, SECTION 12-7 ENTITLED "SWIMMING POOLS"**

Mayor Lahullier entertained a motion to open the floor to a hearing of citizens for Ordinance No. 16-4.

On motion by Bartlett, seconded by Stoltz, unanimous on call of roll.

Mayor Lahullier asked if anybody wished to speak regarding Ordinance No. 16-4.

Mayor Lahullier said let the record note there was nobody that wished to be heard.

Mayor Lahullier entertained a motion to close the floor to a hearing of citizens.

On motion by Bartlett, seconded by Shockley, unanimous on call of roll.

**RESOLUTION NO. 2016-115**

**BE IT RESOLVED** that the ordinance entitled:

**AN ORDINANCE AMENDING CHAPTER XII ENTITLED "BUILDINGS AND CONSTRUCTION" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, SECTION 12-7 ENTITLED "SWIMMING POOLS"**

heretofore introduced, does now pass on final reading and the Borough Clerk is hereby authorized and directed to publish said ordinance according to law.

Mayor Lahullier entertained a motion to adopt Ordinance No. 16-4. On motion by Zimmermann, seconded by Emerson, unanimous on call of roll.

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Mayor Lahullier entertained a motion to go into closed session at 7:50 P.M. to discuss personnel. On motion by Zimmermann, seconded by Lenoy, the meeting unanimously went into closed session.

The meeting went back into open session at 8:40 P.M. with the following members in attendance: Mayor Lahullier, Councilmen Zimmermann, Stoltz, Bartlett, Lenoy, Emerson and Shockley.

**MISCELLANEOUS AND NEW BUSINESS:**

Mayor Lahullier entertained a motion to increase the stipend for the Insurance Officer by \$5,000.00 instead of Senior Payroll Clerk position. On motion by Stoltz, seconded by Shockley, unanimous on call of roll.

**FIRST READING**

**ORDINANCE NO. 16-6**

**AN ORDINANCE AMENDING CHAPTER II "ADMINISTRATION," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, CREATING AND ESTABLISHING THE POSITION OF LEGISLATIVE RESEARCH OFFICER IN AND FOR THE BOROUGH OF CARLSTADT**

**NOW, THEREFORE BE IT ORDAINED** by the Governing Body of the Borough of Carlstadt that **Chapter II** of the revised Ordinance of 1975 entitled "**Administration**" is hereby amended and supplemented to add the following:

**2-40 LEGISLATIVE RESEARCH OFFICER**

**2-40.1 CREATION OF OFFICE.**

There is hereby created in and for the Borough of Carlstadt the position of Legislative Research Officer.

**2-40.2 APPOINTMENT.**

The Legislative Research Officer shall be appointed by the Mayor, with the advice and consent of the Council, including the filling of any vacancy in the office, which shall be for unexpired term only.

**2-40.3 TERM.**

The term of office of the Legislative Research Officer shall be for a term of one (1) year, commencing on January 1 and terminating on December 31 of the same year.

**2-40.4 QUALIFICATIONS.**

The Legislative Research Officer, prior to appointment, shall be an Attorney at Law duly qualified and admitted to practice law in the State of New Jersey and shall further be chosen on the basis of executive and administrative qualifications, with special reference to education, training, and experience in governmental affairs.

**2-40.5 OFFICE SEPARATE FROM THAT OF BOROUGH ATTORNEY.**

The office of Legislative Research Officer shall be separate and distinct from the office of Borough Attorney and the Legislative Research Officer shall serve under the sole direction of the Governing Body for such term as may be provided.

**2-40.6 COMPENSATION.**

The Legislative Research Officer shall receive as salary such sums as may be fixed and adopted by the Governing Body in the annual salary ordinance of the Borough. All reasonable expenses incurred in the performance of the position shall be reimbursed. The Legislative Research Officer shall be required to utilize sufficient time as determined by the Governing Body to provide the services as set forth herein.

**2-40.7 POWERS AND DUTIES.**

The Legislative Research officer shall advise the Governing Body as to the form and sufficiency of all ordinances and resolutions prior to the passage and shall be available to the members of the Governing Body at all regular and special meetings, and as requested by the Chairperson of the respective Council Committees, at meetings of the sub-committees. The Legislative Research Officer shall draft ordinances and resolutions for any member of the Governing body when and as requested. The Legislative Research Officer shall receive copies of all proposed ordinances and resolutions from all departments for review. All ordinances and resolutions shall bear the signature of the Legislative Research Officer approving same as to legality and form prior to their consideration by the Governing Body. Any contract documents attached to, and subject to approval by resolution, shall be reviewed as part of the resolution approval process. No such document requiring Governing Body approval by Resolution shall be signed by the Mayor or any department head of the Borough until the approval of the Legislative Research Officer is appended thereto. The Legislative Research Officer shall be available to the Governing Body to attend all regular and special meetings which may be requested by the Governing Body. The Legislative Research Officer shall be assigned any additional duties or responsibilities in which the Mayor or Governing Body may deem necessary.

**II. SEVERABILITY**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remain portions of this Ordinance.

**III. INCONSISTENT ORDINANCES**

Any Ordinance inconsistent with this Ordinance is repealed, but only to the extent of such inconsistencies.

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**IV. EFFECTIVE DATE**

This Ordinance shall take effect upon immediately upon passage and publication pursuant to law.

**RESOLUTION NO. 2016-116**

**BE IT RESOLVED** that the ordinance entitled:

**AN ORDINANCE AMENDING CHAPTER II “ADMINISTRATION,” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, CREATING AND ESTABLISHING THE POSITION OF LEGISLATIVE RESEARCH OFFICER IN AND FOR THE BOROUGH OF CARLSTADT**

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 5<sup>th</sup> day of May, 2016 at 7:00 o’clock P.M. or as soon thereafter as the matter can be reached, at the regular meeting place of the Carlstadt Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk be, and she hereby is, authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Mayor Lahullier entertained a motion to introduce on First Reading Ordinance No. 16-6. On motion by Zimmermann, seconded by Bartlett, unanimous on call of roll.

Mayor Lahullier entertained a motion to adjourn the meeting at 8:40 P.M. On motion by Bartlett, seconded by Zimmermann, unanimous on call of roll.

APPROVED: \_\_\_\_\_  
CRAIG LAHULLIER, MAYOR

ATTEST: \_\_\_\_\_  
CLAIRE FOY, BOROUGH CLERK