

**REGULAR MEETING**  
**September 17, 2018**

**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, September 17, 2018 at 7:00 P.M.

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

Councilman Stoltz led all present in the Pledge of Allegiance to the Flag.

Councilman Stoltz – 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, 2018 and the Herald News on January 6, 2018 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:**

Councilman Stoltz entertained a motion to accept the minutes of 8/2/18 Caucus, 8/16/18 Finance Meeting, and 8/20/18 Council Meeting (Open and Closed Sessions).

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

**CORRESPONDENCE:**

A letter was received from the Carlstadt Fire Department Board of Officers accepting the retirement of John Lyons of Engine Company Two. Councilman Bartlett made a motion to accept the resignation with regrets, seconded by Emerson, unanimous on call of roll of those present.

**REPORT OF THE MAYOR:**

No report.

**SPECIAL REPORTS:**

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

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

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

**STANDING COMMITTEES:**

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

**CONSENT AGENDA  
RESOLUTION NO. 2018-256**

**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	\$ 1,028,212.92
Regional Board of Education	620,552.07

**RESOLUTION NO. 2018-257**

**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 August 2018 be ratified:

<u>Date</u>	<u>Ck #</u>	<u>Account</u>	<u>Payee</u>	<u>Amount</u>
8/27/18	501574	Current	Payroll	\$ 19,562.27
8/27/18	501575	Current	Payroll	664.98
8/28/18	501576	Current	Payroll	321,227.80
8/30/18	501577	Current	Medical	67,000.00

**RESOLUTION NO. 2018-258**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt that the following street opening deposit be refunded from the Trust Account as approved by the Construction Code Official:

Permit # 106 \$1,000.00

Joseph Rosati  
108 Woodward Avenue  
Rutherford, NJ 07070

**RESOLUTION NO. 2018-259**

**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

**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 and landscape 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
71	13	Hildebrandt, E. & R.	316 Second Street	\$4,850.00

The Carlstadt Tax Collector shall adjust his books accordingly.

The payment for the landscaping clean up shall be made payable to: Downes Tree Service, 65 Royal Avenue, Hawthorne, NJ 07506.

#### **RESOLUTION NO. 2018-260**

**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

**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 and landscape 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
33	21	Ranzau, G.	611 Hackensack Street	\$1,100.00

The Carlstadt Tax Collector shall adjust his books accordingly.

The payment for the landscaping clean up shall be made payable to: Gumbman Landscaping, 423 Sixth Street, Carlstadt, NJ 07072.

**RESOLUTION NO. 2018-261**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt that Dylan Harr and Sara Oehlmann are hereby appointed as a Junior Members of the Carlstadt Fire Department as approved by the Carlstadt Fire Department Board of Officers.

**RESOLUTION NO. 2018-262**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Midway Industrial Terminal LLC and Paradiso & Rosen/Adrianna Paradiso for property located at Universal Place, Carlstadt, New Jersey for Block 123 Lot 36 as per Docket No. 008356-2013 dated 8/29/2018 reducing the 2013 property tax assessment from \$1,640,000.00 to \$1,300,000.00 and as per Docket No. 000746-2014 dated 8/29/2018 reducing the 2014 property tax assessment from \$1,640,000.00 to \$1,300,000.00 and as per Docket No. 004127-2015 dated 8/29/2018 reducing the 2015 property tax assessment from \$1,640,000.00 to \$1,300,000.00 and as per Docket No. 003898-2016 dated 8/29/2018 reducing the 2016 property tax assessment from \$1,640,000.00 to \$1,300,000.00; and

**WHEREAS**, the reduction in the 2013 property tax assessment is \$340,000.00 or \$6,738.80 in 2013 property tax and the reduction in the 2014 property tax assessment is \$340,000.00 or \$6,769.40 in 2014 property tax and the reduction in 2015 property tax assessment is \$340,000.00 or \$7,038.00 in 2015 property tax and the reduction in the 2016 property tax assessment is \$340,000.00 or \$7,228.40 in 2016 property tax for a total refund of \$27,774.60.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$27,774.60 and the Tax Collector shall adjust his books accordingly. (2013: \$6,738.80, 2014: \$6,769.40, 2015: \$7,038.00, 2016: \$7,228.40).

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, Joseph Donahue, Esq. has reviewed this Resolution and finds it to be satisfactory and legal. In addition the Auditor for the Borough of Carlstadt has reviewed the calculations and finds them to be true.

**RESOLUTION NO. 2018-263**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Sofim, Inc./Reid Rhodes/Citroil for property located at 398 Washington Avenue, Carlstadt, New Jersey for Block 124 Lot 28 as per Docket No. 006687-2015 dated 8/26/2016 reducing the 2015 property tax assessment from \$3,348,300.00 to \$2,000,000.00; 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(s) 2016 (Freeze Act Year (s) ) 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 (s). No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year; and

**WHEREAS**, the reduction of 2016 property tax assessment is \$1,348,300.00 (Freeze Act year) or \$28,664.85 in 2016 property tax.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$28,664.85 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 Joseph Donahue, Esq. has reviewed this Resolution and finds it to be satisfactory and legal. In addition the Borough Auditor has reviewed said calculations and finds them to be satisfactory and true with the Judgments.

The refund shall be made payable to JLRG Properties and shall be mailed to Citroil, 444 Washington Avenue, Carlstadt, New Jersey 07072.





**BOROUGH EQUIPMENT** – Councilman Lenoy read his report for the month of August. This report will be filed.

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

**PROJECTS** – Councilman Roseman had no report.

**HUMAN RESOURCES** – In the absence of Mayor Lahullier, Councilman Emerson reported progress.

**REPORTS OF SPECIAL COMMITTEES:**

There were no reports of special committees.

**READING OF BILLS:**

**RESOLUTION NO. 2018-268**

**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:

<u><b>CAPITAL ACCOUNT</b></u>	
Neglia Engineering Associates	\$ 712.50
Amish Mike	4,780.00
Nick's Towing Service	2,000.00
C&S Fencing	7,500.00
<u><b>TRUST ACCOUNT</b></u>	
Neglia Engineering Associates	569.75
Kimberly Koziel	45.00
Joseph Rosati	1,000.00
Sabato Guerriero	1,000.00
PSE&G	1,083.26
<u><b>DOG WARDEN TRUST</b></u>	
Tyco Animal Control Services	971.66
N.J. Dept. of Health & Senior Services	9.60
<u><b>CURRENT ACCOUNT</b></u>	
ADVANCED AUTOMOTIVE	1,135.72
AGGRESSIVE ENERGY LLC	1,730.19
ALL AMERICAN COLLISION CENTER	3,444.90

ALLSTAR SEATING	402.90
AMERICAN PAPER & SUPPLY	600.17
AMERICAN MOBILE GLASS OF NJ	251.68
A.N.D. SERVICE	1,964.47
APPRAISAL SYSTEMS INC.	27,300.00
ARAMARK UNIFORM SERVICES	377.05
ARROW ELEVATOR INC.	200.00
ATLANTIC COAST FIBERS	453.45
BALCO INDUSTRIES	260.00
BELLAQUA INC.	193.75
BERTA PAVING	1,300.00
BERGEN COUNTY UTILITIES AUTHORITY	217,466.43
BEYER BROTHERS CORP.	4,833.01
BILL O'SHEA'S	66.95
BIOCHEM SUPPLY LLC	265.00
CARLSTADT FIRE DEPARTMENT	7,000.00
CARLSTADT AMBULANCE CORP.	25,000.00
CARLSTADT BOARD OF EDUCATION	1,028,212.92
CHRISTOPHER GARVIN ESQ.	400.00
CLARKE CATON HINTZ	2,637.58
CLINICAL SERVICES MGMT PC	1,669.50
CLIFFSIDE BODY CORP.	2,744.57
CLIFFHANGER PRODUCTIONS INC.	1,725.00
COMCAST	12.54
COMPLETE SAW & GARDEN EQUIPMENT	260.80
COMPREHENSIVE BEHAVIORIAL	6,500.00
CONTINENTAL FIRE AND SAFETY	104.20
CORNER TO CORNER	494.93
CURRENT ACCOUNT	104,068.64
DIRECT ENERGY BUSINESS	140.59
DOWNES TREE SERVICE INC.	2,600.00
ENVIRONMENTAL RENEWAL LLC	2,250.00
THE CHOI LAW GROUP LLC	2,485.16
FEDEX	74.36
FIRE AND SAFETY SERVICES	424.43
GABRIELLI KENWORTH	679.85
GARDEN STATE CURBS & SIDEWALKS	1,900.00
GARBARINI & CO.	6,328.75
GARDEN STATE HWY PRODUCTS	586.25
GENERAL CODE PUBLISHERS	1,195.00
GREATAMERICA FINANCIAL SERVICES	514.50

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GRIFFIN AUTOMOTIVE	1,000.00
G.T.B.M. INC.	2,259.75
GUMBMAN LANDSCAPING	1,100.00
HARRIS UNIFORMS	294.00
BOROUGH OF HASBROUCK HEIGHTS	2,913.00
HOMETOWN AUTO PARTS	391.86
HUDSON TIRE EXCHANGE	4,286.04
I.D.A.	78,315.34
ID SIGNS	480.00
IMPRESSIVE PRINTING	1,094.19
INDUSTRIAL ELECTRIC	2,541.00
INTERGLOBE COMMUNICATIONS INC.	3,498.33
INTERNATIONAL CODE COUNCIL	357.00
INTERNATIONAL ASSOCIATION	875.00
INTERSTATE BATTERY SYSTEM	105.95
INTERSTATE WASTE SERVICES INC.	18,180.76
JESCO INC	236.96
JLRG PROPERTIES	28,664.85
JOHNNY ON THE SPOT INC.	396.80
JOSHUA MARCUS GROUP	1,327.00
JOSEPH R. DONAHUE LLC	8,151.24
LAWNBOYS LANDSCAPING	575.00
LEXISNEXIS RISK SOLUTIONS	45.50
LOWE'S BUSINESS ACCT/GEMB	1,054.43
MARLIN LEASING CORP.	17.90
MASTER PIZZA	119.65
MEADOWLANDS DINER	455.05
MEADOWLANDS HARDWARE	626.32
MEADOWLANDS AREA YMCA	817.50
METRO FIRE & SAFETY EQUIP	495.00
MICROSYSTEMS-NJ.COM LLC	120.00
MIDWAY INDUSTRIAL TERMINAL LLC	27,774.60
MITCHELL HUMPHREY & CO	1,270.00
MSI TECHNOLOGIES LLC	529.00
MUNICIPAL CLERKS ASSOC OF NJ	100.00
NARITA MARAJ LLC	484.20
NEXTEL COMMUNICATIONS	80.01
NJ ADVANCE MEDIA	305.45
NJ FIRE EQUIPMENT CO	1,273.60
NJ STATE ASSN. OF CHIEFS	1,334.00
NORTHEASTERN ARBORIST SUPPLIES	334.69

NORTHEAST SWEEPERS & RENTALS	20,261.20
P&A AUTO PARTS	3,096.53
PAYROLL ACCOUNT	311.18
PDV WIRELESS	316.57
PITNEY BOWES INC	188.48
PRESTI, ROSARIO JR., ESQ.	837.66
PROGRESSIVE BRICK CO.	120.00
PSE&G	21,725.79
RCM CEBERIO LLC	5,700.00
RE-TRON TECHNOLOGIES INC	110.78
REDICARE LLC	258.70
REGIONAL BOARD OF EDUCATION	620,552.07
RIDGEHURST AUTO PARTS	130.12
RIEDEL SIGN CO., INC	320.00
ROBERT T. REGAN ESQ.	222.00
SCHUMACHER CHEVROLET	1,801.17
SENIOR FRIENDSHIP CLUB	1,004.14
SHARON DUNN	54.00
SHERWIN WILLIAMS, INC.	71.94
STAN'S SPORT CENTER	6,865.70
QUALITY AUTO MALL	9,286.75
STAPLES ADVANTAGE	3,589.21
THE BADGE COMPANY OF NJ INC	593.10
THE RECORD	145.45
T&R ALARM SYSTEMS INC.	270.00
TROPICANA HOTEL & CASINO	240.00
UNDERWRITERS LABORATORIES	2,816.75
SUEZ WATER NEW JERSEY	13,492.22
ADPP ENTERPRISES INC.	813.04
VERIZON	1,177.46
VERIZON	49.46
VERIZON WIRELESS	1,332.28
VERIZON	340.10
921-PRAXAIR DIST MID-ATLANTIC	137.06
WIDMER TIME RECORDER	128.00
WILLIAM DERMODY PUBLIC LIBRARY	130,000.00
WILFRED MAC DONALD INC.	1,510.23
MEDICAL BENEFITS ACCT.	30,000.00
US POSTAL SERVICE	3,000.00
US POSTAL SERVICE	2,000.00
PAYROLL ACCOUNT	19,769.80

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PAYROLL ACCOUNT	359,463.27
MEDICAL BENEFITS ACCT.	20,000.00
<b>TOTAL</b>	<b>\$2,940,638.42</b>
<b>TOTAL BILLS FOR THE MONTH</b>	<b>\$2,953,380.19</b>

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

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

**UNFINISHED BUSINESS:**

None.

Councilman Stoltz entertained a motion to open the hearing of citizens. On motion by Lenoy, seconded by Bartlett, unanimous on call of roll of those present.

**HEARING OF CITIZENS:**

**Donald Molzon, 530 Madison Street** – asked the Council if the Zoning Department check in people’s backyards for improper storage of cars or junk in general. Councilman Stoltz replied only on a complaint. Also he mentioned a property on Central Avenue that should be inspected by the town for possible illegal rentals in the basement and attic. Mr. Molzon asked why the Borough does not charge for recreation like other towns around us. Councilman Stoltz replied Carlstadt always provided free recreation and will continue that tradition.

**Gunter Kuprat, 507 Washington Street** – thanked the Mayor and Council for providing the bus for their trip to the City of New York for their Memorial Services.

**CONSIDERATION OF ORDINANCES:**

None.

**MISCELLANEOUS AND NEW BUSINESS:**

**RESOLUTION NO. 2018-269**

**RESOLUTION AUTHORIZING THE EXECUTION OF  
INDEMNITY AGREEMENT AND APPROVAL OF ROAD OPENING  
AND FIBER OPTIC PERMITS FOR 410 COMMERCE BOULEVARD**

**WHEREAS**, Crown Castle Fiber, LLC, d/b/a Lighttower Fiber Network 1, LLC has made application for a Road Opening Permit and Fiber Optic Permit to the Borough of Carlstadt in connection with installation, maintenance, and use of fiber optic cable and/or conduit related to a project entitled “410 Commerce Boulevard, Carlstadt, NJ”; and

**WHEREAS**, the Borough Engineer has reviewed the respective permit applications and finds them to be satisfactory; and

**WHEREAS**, the Borough Attorney has received the Indemnity Agreement, Insurance Certificate and Letter Agreement regarding Borough use of the easement.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt, County of Bergen, New Jersey, hereby approves and authorizes the Mayor to execute the Indemnity Agreement between the Borough of Carlstadt and Crown Castle Fiber, LLC, d/b/a Lighttower Fiber Network 1, LLC and approves the issuance of Road Opening and Fiber Optic permits for the project at 410 Commerce Boulevard, Carlstadt, NJ, subject to the Borough Attorney’s final review and approval.

Councilman Stoltz entertained a motion to approve the Fiber Optic Project for Crown Castle Fiber, LLC d/b/a Lighttower Fiber Network 1, LLC at 410 Commerce Boulevard pending the Borough Attorney’s review. On motion by Roseman, seconded by Bartlett, unanimous on call of roll of those present.

Councilman Stoltz entertained a motion to allow the Nam Knights to use the Borough’s DPW garage to dump their garbage after their events on September 30, 2018 and October 6, 2018 and park in their parking lot for their fundraising event. On motion by Bartlett, seconded by Lenoy, unanimous on call of roll of those present.

Councilman Stoltz entertained a motion to adjourn the meeting at 7:30 P.M. On motion by Emerson, seconded by Bartlett, the meeting was unanimously adjourned.

APPROVED: \_\_\_\_\_  
COUNCILMAN DAVID STOLTZ  
ATTEST: \_\_\_\_\_  
CLAIRE FOY, BOROUGH CLERK