

**FINANCE MEETING**  
**September 12, 2019**

**A REGULAR SCHEDULED FINANCE MEETING** of the Mayor and Council of the Borough of Carlstadt was held in the Caucus Room of the Borough Hall, 500 Madison Street, Carlstadt, New Jersey on Thursday, September 12, 2019 at 7:15 P.M.

Council President Richard Bartlett asked Claire Foy, Borough Clerk to call the roll: Councilmen Robert Zimmermann, Richard Bartlett, James Lenoy and Joseph Emerson were present. Councilman William Roseman arrived at 7:45 P.M. and Mayor Craig Lahullier and Councilman David Stoltz were absent.

Council President Bartlett led all present in the Pledge of Allegiance to the Flag.

Council President Bartlett – 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 5, 2019 and the Herald News on January 5, 2019 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.

**CONSIDERATION OF ORDINANCES:**

**FIRST READING**

**ORDINANCE NO. 19-10**

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CARLSTADT, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,025,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

**BE IT ORDAINED** by the Borough Council of the Borough of Carlstadt, in the County of Bergen, State of New Jersey, as follows:

Section 1. The Borough of Carlstadt, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery, new communication and signal systems equipment, new information technology equipment and new automotive vehicles, including original apparatus and equipment, in, by and for said Borough, as more particularly described in Section 4 hereof.

The cost of the improvements includes all work, materials and appurtenances necessary and suitable

therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. It is anticipated that the following government grants shall be received by the Borough: (A) \$127,000 from the Bergen County Community Development Program, pursuant to the Federal Housing and Community Development Act (the "CDBG Program"), to finance the cost of the improvement of Division Avenue (from 10th Street to 8th Street) described in Section 4.C hereof; (B) \$114,000 from the CDBG Program to finance the cost of the improvement of Monroe Street (from Broad Street to Hoboken Road) described in Section 4.C hereof; and (C) \$202,000 from the State of New Jersey Department of Transportation to finance the cost of the improvement of 5th Street (from Passaic Avenue to Division Avenue) described in Section 4.C hereof. Said grant funds shall be applied as set forth in Section 12 hereof. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

**SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS**

A. Acquisition of new additional or replacement equipment and machinery for the use of the Fire Department consisting of (i) an air compressor system, (ii) various firefighting, rescue and safety equipment and (iii) turnout gear.

Appropriation and Estimated Cost	\$ 182,000
Down Payment Appropriated	\$ 8,700
Bonds and Notes Authorized	\$ 173,300
Period of Usefulness	10 years

B. Acquisition of new automotive vehicles, including original apparatus and equipment, consisting of an SUV for the use of the Fire Department.

Appropriation and Estimated Cost	\$ 41,000
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Down Payment Appropriated	\$ 2,000
Bonds and Notes Authorized	\$ 39,000
Period of Usefulness	5 years

C. Undertaking of the 2019 Road Resurfacing Program (including drainage, sidewalk and curb improvements, where necessary) at the following locations in the Borough:

- 5th Street (from Passaic Avenue to Division Avenue)
- Division Avenue (from 10th Street to 8th Street)
- Monroe Street (from Broad Street to Hoboken Road)
- Washington Street (from Fritsch Avenue to the Wood-Ridge border)
- Division Avenue (from Monroe Street to Garden Street)
- Central Avenue (from Monroe Street to Hackensack Street)

Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the above list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$1,205,000
Down Payment Appropriated	\$ 57,650
Bonds and Notes Authorized	\$1,147,350
Period of Usefulness	10 years

D. Acquisition of new automotive vehicles, including original apparatus and equipment, consisting of pickup trucks with plows and spreaders for the use of the Department of Public Works.

Appropriation and Estimated Cost	\$ 202,000
Down Payment Appropriated	\$ 9,650
Bonds and Notes Authorized	\$ 192,350
Period of Usefulness	5 years

E. Acquisition of new information technology equipment and new automotive vehicles, including original apparatus and equipment, for the use of the Police Department consisting of (i) computer equipment and (ii) SUVs.

Appropriation and Estimated Cost	\$ 255,000
Down Payment Appropriated	\$ 12,300

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Bonds and Notes Authorized	\$ 242,700
Period of Usefulness	5 years

F. Acquisition of new communication and signal systems equipment and new additional or replacement equipment and machinery for the use of the Police Department consisting of (i) an interview room recording device with field remote, (ii) radios, (iii) various traffic equipment, (iv) license plate readers, (v) a logging recorder and (vi) security cameras.

Appropriation and Estimated Cost	\$ 140,000
Down Payment Appropriated	\$ 6,700
Bonds and Notes Authorized	\$ 133,300
Period of Usefulness	10 years

Aggregate Appropriation and Estimated Cost	\$2,025,000
Aggregate Down Payment Appropriated	\$ 97,000
Aggregate Amount of Bonds and Notes Authorized	\$1,928,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$163,800 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$97,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$97,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$1,928,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$1,928,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued.

If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds

shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 8.77 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,928,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 14. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal

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of and interest on such bonds and notes, without limitation as to rate or amount.

Section 15. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

**RESOLUTION NO. 2019-206**

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

“BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CARLSTADT, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,025,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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 3<sup>rd</sup> day of October, 2019 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.

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

Council President Bartlett mentioned we received correspondence from Claire Stagg, Secretary at the Carlstadt Public School asking to use the town bus on Friday, March 20, 2020 for the trip to Princeton, N.J. Pick up is at 6:00 A.M. and return around 4:00 P.M.

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

Correspondence was received from the Carlstadt Fire Department Board of Officers stating Mark Dunn, Jr. was accepted as a regular member of Engine Company Three. The Board accepted the

retirement of Frank Schwarz from Engine Company Two having twenty-five years of service. The Board approved the use of the Fire Department parking lot and building for the Carlstadt Eighth Grade Graduation Class. The Borough should also review this request as the car wash will be on Borough property. The Board is also requesting an update on the generator installation for the Washington Avenue Firehouse.

Council President Bartlett asked for a motion to have the car wash in our parking lot. On motion by Zimmermann, seconded by Emerson, unanimous on call of roll of those present.

Rev. Donald Pitches of the First Presbyterian Church notified the Mayor and Council that they will be celebrating their annual Fall Festival on Sunday, September 22, 2019. They asked for permission to close off Third Street between the intersections of Central and Division Avenues from 9:00 A.M. to 4:00 P.M. They are also asking the DPW to provide barricades.

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

Council President Bartlett mentioned Carlstadt Boy Scouts Troop #1 will be hosting their 17<sup>th</sup> Annual Pasta Party on October 12, 2019 from 4:00 P.M. to 8:00 P.M. at the First Presbyterian Church. They are putting together an ad book. We can do a full page in the amount of \$100.00.

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

Tony D'Amico, Assistant Chief of the Fire Department requested permission to use Rescue 5 to attend the annual Pulaski Day Parade in New York City on Sunday, October 6, 2019. He will be in attendance and be responsible for the day's events.

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

Council President Bartlett addressed a person who was in attendance to state his name and address. Mr. Paul Serchuk, who is the owner of 707 Commercial Avenue in Carlstadt, N.J mentioned that Commercial Avenue has no parking on both sides of the street for the past forty-four years. He has been a tax payer for all of these years. He took some photos and wanted everyone to see the cars and trucks parked on the street. The problem is when these buildings were put up there were not that many cars. The police do get called occasionally and last week he received a ticket for parking his car on the street. He also mentioned the truck drivers keep their diesel engine trucks running all the time and refuse to shut them off. They are hard to start in winter months.

There are signs on that street that say to shut the engines off because of the pollution. What he thinks in the interest of practicality is the signs go away and people can park as they do it anyway and he can park his car near the truckers. He is trying to keep those trucks away from his building. He will be able to protect the people in his office from the diesel smoke coming into the office.

Council President Bartlett said we will take this up with the Police Department as they are aware of traffic regulations and parking and see what their opinion is.

## EXECUTIVE SESSION MEETING ACT

**RECESS INTO CLOSED SESSION**

**WHEREAS**, it is necessary for the Governing Body of the Borough of Carlstadt to conduct an executive session closed to the public in order to discuss one or more of the following subjects: budgets and property.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt hereby moves to go into executive session in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et. Seq. for the purpose of discussing one or more of the following subjects: budgets and property.

**AND, BE IT FURTHER RESOLVED** that the public will be informed either later this evening after reconvening the public meeting or at a future public meeting said date is not predictable at the present time.

**AND, BE IT FURTHER RESOLVED** that the matters discussed in and minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

Council President Bartlett entertained a motion to go into closed session at 7:36 P.M. On motion by Lenoy, seconded by Emerson, unanimous on call of roll of those present.

The meeting went back into open session at 8:50 P.M. with the following members in attendance: Councilmen Bartlett, Lenoy, Emerson and Roseman. Councilman Zimmermann left the meeting at 7:35 P.M. and Councilman Stoltz was absent.

Council President Bartlett entertained a motion to adjourn the meeting at 8:54 P.M. On motion by Emerson, seconded by Roseman, unanimous on call of roll of those present.

APPROVED: \_\_\_\_\_  
RICHARD BARTLETT, COUNCIL PRESIDENT

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