

REGULAR MEETING
August 19, 2019

A REGULAR SCHEDULED COUNCIL MEETING of the Mayor and Council of the Borough of Carlstadt was held in the Council Chambers of the Borough Hall, 500 Madison Street, Carlstadt, New Jersey on Monday, August 19, 2019 at 7:10 P.M.

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

Council President Bartlett called for a moment of silence for Mrs. Novell, a former Carlstadt Public School nurse.

READING OF MINUTES:

Council President Bartlett entertained a motion to accept the minutes of 7/11/19 Caucus Meeting and Finance Meeting (Open and Closed Session). On motion by Lenoy, seconded by Emerson, Councilmen Bartlett, Emerson, Lenoy and Roseman voted yes. Councilman Stoltz abstained.

CORRESPONDENCE:

Claire Foy, Borough Clerk read a letter from Bolero Snort Brewery requesting to utilize an open space for an outdoor patio to serve alcoholic beverages on their property. The Council decided to have the Borough Attorney handle that request.

REPORT OF THE MAYOR:

No report.

SPECIAL REPORTS:

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

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

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

STANDING COMMITTEES:

FINANCE – Councilman Emerson said we have resolutions.

Claire Foy, Borough Clerk asked the Council for their approval to add \$1,862.41 to Resolution No.

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2019-191 for Neglia Engineering Associates.

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

CONSENT AGENDA

RESOLUTION NO. 2019-189

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	\$ 1,046,601.17
Regional Board of Education	602,552.67
Treasurer State of NJ/1992 GT	4,764.15
County Open Space Taxes 3 rd Quarter	61,307.40
County 3 rd Quarter Taxes	1,461,136.00

RESOLUTION NO. 2019-190

BE IT RESOLVED, that the following payments made by the Chief Financial Officer from Valley National Bank during the month of July, 2019 be ratified:

<u>Date</u>	<u>Check</u>	<u>Account</u>	<u>Payee</u>	<u>Amount</u>
7/22/19	501827	Current	Great American Financial	\$ 425.00
7/22/19	501828	Current	Suez Water	711.00
7/23/19	501829	Current	Joe Appleton	300.00
7/24/19	501830	Current	Medical	241,000.00
7/24/19	501831	Current	Comcast	529.80
7/26/19	501832	Current	Comcast	7.30
7/26/19	501833	Current	PSE&G	63.12
7/29/19	501834	Current	Verizon	54.58
7/29/19	501835	Current	PSE&G	16.30
7/29/19	501836	Current	Treasurer State of NJ	258.00
7/30/19	501837	Current	Medical	131,500.00
7/31/19	501838	Current	Payroll	17,339.36
7/31/19	501839	Current	Payroll	389,812.64

RESOLUTION NO. 2019-191

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the following bills for the NJEDA Project 40029 – Carlstadt Road and Storm Drainage Improvements having been approved by the Finance Committee is approved herewith for payment by the NJEDA:

Neglia Engineering Associates	\$ 4,049.51
Neglia Engineering Associates	<u>1,862.41</u>
	\$ 5,911.92

RESOLUTION NO. 2019-192

WHEREAS, John Karack owned the property at 613 Washington Street, Carlstadt, New Jersey 07072, Block 9 Lot 5 and was signed up for the (ACH Auto Clearing House) property tax payments; and

WHEREAS, the third quarter, (August), 2019 property tax installment was paid by John Karack with the ACH payment; and

WHEREAS, John Karack sold his property on June 28, 2019 but did not inform the Borough of Carlstadt that his property was sold and is now requesting a refund for his payment in the amount of \$1,997.98.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF CARLSTADT, that a refund in the amount of \$1,997.98 is approved to John Karack and the Tax Collector shall adjust his books accordingly.

The refund shall be made payable to John Karack and shall be mailed to John Karack, 9 Floral Drive, Randolph, New Jersey 07869.

RESOLUTION NO. 2019-193

RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE SOUTH BERGEN MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Borough of Carlstadt is a member of the South Bergen Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2019 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership.

NOW, THEREFORE BE IT RESOLVED as follows:

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1. The Borough of Carlstadt agrees to renew its membership in the South Bergen Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.

2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the South Bergen Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

RESOLUTION NO. 2019-194

WHEREAS, Mehmet R. Kilic DBA Mronik, LLC operating from 463 Barell Avenue, Carlstadt, NJ 07072 has made application to the Borough of Carlstadt for the renewal of one (1) limousine license; and

WHEREAS, the application has been filed together with the requisite fee and proof of insurance and Power of Attorney as required under N.J.S.A. 48:16-14 and 16 and vehicle and driver information as required by the ordinance to the satisfaction of the Borough Clerk.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the application of Mehmet R. Kilic DBA Mronik, LLC to renew one (1) limousine license at 463 Barell Avenue, Carlstadt, NJ 07072 be and hereby is approved for VIN # 82588 nunc pro tunc.

AND, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to renew the license to operate one (1) limousine at the above referenced location for the period of one year, commencing August 14, 2019 and ending on August 14, 2020 and a Certificate of Compliance with the requirements of N.J.S.A. 48:16-14 and 16, through the period indicated on the proof of insurance as submitted with the application.

RESOLUTION NO. 2019-195

BOROUGH OF CARLSTADT
Cancellation of Old Outstanding Trust Checks

WHEREAS, the Trust Account of the Borough of Carlstadt has various old outstanding checks which are still being carried on the Borough's books; and

WHEREAS, the Mayor and Council intends to cancel the old outstanding checks.

NOW, THEREFORE BE IT RESOLVED that the following old outstanding checks be cancelled:

Trust Account #41346017

CHECK	AMOUNT
861	\$ 249.44
865	221.05
TOTAL	\$ 470.49

RESOLUTION NO. 2019-196

**BOROUGH OF CARLSTADT
Cancellation of Old Outstanding Current Checks**

WHEREAS, the Current Account of the Borough of Carlstadt has various old outstanding checks which are still being carried on the Borough's books; and

WHEREAS, the Mayor and Council intends to cancel the old outstanding checks.

NOW, THEREFORE BE IT RESOLVED that the old outstanding checks in the amount of \$20,709.47 be cancelled from the Current Account # 41346009.

RESOLUTION NO. 2019-197

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED 417 N REALTY LLC V. BOROUGH OF CARLSTADT
AT 417 ROUTE 17, BLOCK 96, LOT 8
FOR TAX YEARS 2014 THROUGH 2017.**

WHEREAS, 417 N Realty LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 417 Route 17 and identified on the Borough's tax maps as Block 96, Lot 8 for tax years 2014 through 2017; 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

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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 2017 to be reduced from \$2,877,900 to \$2,350,000.
- 2) The assessment for tax years 2014 through 2016 to remain unchanged.

RESOLUTION NO. 2019-198

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEALS
ENTITLED WONG'S DEVELOPMENT CO., V. BOROUGH OF CARLSTADT
AT 68 TRIANGLE BOULEVARD, BLOCK 125 LOT 3
FOR TAX YEARS 2013 THROUGH 2019.**

WHEREAS, WONG'S DEVELOPMENT CO. has filed actions with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 68 Triangle Boulevard and identified on the Borough's tax map as Block 125, Lot 3 for tax years 2013 through 2019; 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 years 2013 through 2016 to be reduced from \$2,459,300 to \$2,250,000.
- 2) The assessment for tax years 2017 through 2019 to remain unchanged.

RESOLUTION NO. 2019-199

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. 451 Central Avenue

all in accordance with the requirements as stated in Chapter 10-3.10 and with the recommendation of the Acting 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. 2019-200

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that permission is granted to the following for the use of facilities on the specified date:

Community Center:

1. Carlstadt/East Rutherford Cub Scout Pack 51/65 – Fridays from 7:00 P.M. to 9:30 P.M. from September 13, 2019 through May, 2020.

Council Chambers:

1. Carlstadt Soccer League – Tuesday, August 27, 2019 from 7:00 P.M. to 9:00 P.M. to have a meeting.

Council President Bartlett entertained a motion to approve the Consent Agenda. On motion by Emerson, seconded by Lenoy, unanimous on call of roll of those present.

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POLICE – In the absence of the Mayor Lahullier, Council Stoltz read the report for the month of July. This report will be filed.

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

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

PLANNING – Councilman Roseman read his report for the month of July. This report will be filed.

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

PUBLIC HEALTH – Councilman Bartlett had no report.

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

BOROUGH EQUIPMENT – In the absence of Councilman Zimmermann, Councilman Roseman read the report for the month of July. This report will be filed.

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

PROJECTS – In the absence of Councilman Zimmermann, Council Emerson read the report for the month of July. This report will be filed.

HUMAN RESOURCES – No report.

REPORTS OF SPECIAL COMMITTEES:

There were no reports of special committees.

READING OF BILLS:

RESOLUTION NO. 2019-201

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>CAPITAL ACCOUNT</u>	
DTS Trucking LLC		\$120,842.00

CURRENT ACCOUNT

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ACTION RUBBER & INDUSTRIAL	711.00
ADP LLC	165.00
AGGRESSIVE ENERGY LLC	6,045.30
A.N.D SERVICE	572.50
ARAMARK UNIFORM SERVICES	599.68
ARROW ELEVATOR INC.	207.00
A.T. EMBLEM CO.	1,170.25
ATLANTIC COAST FIBERS	1,010.75
ATLANTIC TACTICAL OF NJ INC	97.20
BELLAQUA INC.	127.25
BEN SHAFFER RECREATION INC	949.70
BEYER BROTHERS CORP.	959.58
BLUE STAR OF NEW JERSEY INC	713.00
BOROUGH OF RUTHERFORD	6,877.27
CARLSTADT FIRE DEPARTMENT	100.00
CARLSTADT BOARD OF EDUCATION	1,046,601.17
CHASEN, LAMPARELLO, MALLON	811.35
CHRISTOPHER GARVIN ESQ.	1,000.00
COLANERI BROTHERS	27.95
CONTINENTAL FIRE AND SAFETY	439.60
COUNTY OF BERGEN	1,461,136.00
COUNTY OPEN SPACE TRUST FUND	61,307.40
DAVID F. CORRIGAN	1,942.50
DELUXE SALES & SERVICE	848.19
DMK APPAREL	1,313.00
DOWNES TREE SERVICE INC.	8,450.00
EAGLE EQUIPMENT INC.	21.91
ENVIRONMENTAL RENEWAL LLC	3,125.00
THE CHOI LAW GROUP LLC	3,771.90
FELDMAN BROTHERS ELECTRICAL	2,140.12
FIRE & SAFETY SERVICES	89.80
GARDEN STATE CURBS & SIDEWALKS	1,600.00
GARBARINI & CO.	11,250.00
GATES FLAGS AND BANNER	190.00
GOLD STAR CAR WASH	446.63
GOOSETOWN COMMUNICATIONS	50.00
GRAINGER	134.49
G.T.B.M. INC.	3,340.35
GUMBMAN LANDSCAPING	285.00
HADDAD ELECTRIC LLC	340.00
HEALTH AWARENESS REG. PR	1,565.00
HOMETOWN AUTO PARTS	385.97
HUDSON TIRE EXCHANGE	256.50

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I.D.A.	66,259.50
IMPRESSIVE PRINTING	1,517.82
INTERGLOBE COMMUNICATIONS INC.	3,674.89
INTERSTATE BATTERY SYSTEM	20.00
INTERSTATE WASTE SERVICES INC.	21,009.24
JESCO INC	1,728.46
JOSEPH CRIFASI	21.31
JOHN KARACK	1,997.98
JOSEPH R. DONAHUE LLC	4,912.50
JOSEPH NOVELLI	227.09
KYLE MCMANUS ASSOCIATES LLC	665.00
LAWNBOYS LANDSCAPING	100.00
LOWE'S BUSINESS ACCT/GEMB	607.72
MARIO'S LOCKSMITH	38.99
MCCARTER & ENGLISH LLP	232,554.30
MEADOWLANDS HARDWARE	667.46
MERCHANTS ALARM SYSTEMS	90.00
METRO FIRE & SAFETY EQUIPMENT	960.00
MR.JOHN	138.49
MSI TECHNOLOGIES LLC	930.00
MUNICIPAL EMERGENCY SERVICES	584.68
NARITA MARAJ LLC	1,885.23
NEGLIA ENGINEERING ASSOCIATES	6,399.48
NEXTEL COMMUNICATIONS	82.58
NICK'S TOWING SERVICE	591.95
NORTH JERSEY MEDIA GROUP INC.	84.65
NORTHEAST SWEEPERS & RENTALS	10.84
OFFICE BUSINESS SYSTEMS	487.00
PASQUALE & DELEASA LLC	4,010.00
PAYROLL ACCOUNT	1,329.89
PIERCE EAGLE EQUIPMENT	2,735.77
PLAID MOTORS	8,460.63
PRESTI, ROSARIO JR., ESQ.	2,091.55
RCM CEBERIO LLC	5,700.00
RE-TRON TECHNOLOGIES INC	371.14
REDICARE LLC	66.10
REGAL STAMP CO.	37.00
REGIONAL BOARD OF EDUCATION	602,552.67
REMINGTON AND VERNICK	1,654.50
RICHARD MILLER ELECTRICAL CONT	185.00
RIDGEHURST AUTO PARTS	347.89
RIEDEL SIGN CO. INC.	1,345.00
ROBERT T. REGAN ESQ.	962.60

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ENER-G RUDOX INC.	250.00
SHERWIN WILLIAMS, INC.	1,331.45
SLOMIENSKI, WALTER. M	1,066.66
SPRINKLER SURGEON LLC	80.00
STATE OF NJ	5.00
QUALITY AUTO MALL	1,804.45
STAPLES ADVANTAGE	2,668.13
THE TERRE CO.	862.97
TILCON NEW YORK INC	302.26
TMC INC	169.00
TRAFFIC SAFETY & EQUIPMENT	1,603.90
TREASURER STATE OF NJ 1992 GT	4,764.15
UNDERWRITERS LABORATORIES	2,874.70
SUEZ WATER NEW JERSEY	10,653.44
ADPP ENTERPRISES INC	227.67
V.E. RALPH & SON	1,039.12
VFIS	4,004.62
921-PRAXAIR DIST MID-ATLANTIC	231.90
WILFRED MAC DONALD INC	353.86
WTH TECHNOLOGY INC.	1,000.00
TOTAL	\$3,648,615.49
TOTAL BILLS FOR THE MONTH	\$3,766,457.49

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

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

UNFINISHED BUSINESS:

None.

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

HEARING OF CITIZENS:

Linda Kuprat, 742 Eighth Street – she thanked the Council for the tree trimming by the Turn Hall. She asked if possible to display at the digital sign on Hackensack Street the Election Day information. Councilman Roseman replied the Borough is already doing that.

John Brislin, 440 Orchard Street – he thanked the Council for cleaning the property on Garden and Broad Street.

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Katherine Sass, 515 Ninth Street – she asked the Council if they can paint some of the curbs near the stop signs and on the street corners so people don't park and obstruct the view and also block some driveways. Council President Bartlett said he will address this issue with the Police Chief and the DPW Operations Manager.

Abhishake Shah, 311 Lilac Lane – he asked the Council who oversees the Borough's Facebook page day to day operations. Councilman Roseman replied the Mayor was going to get back to Mr. Shah at the next meeting. A long discussion took place between the Council and Mr. Shah on what can be displayed on social media venues.

Councilman Stoltz left the meeting at 7:41 P.M.

Council President Bartlett entertained a motion to close the hearing of citizens. On motion by Lenoy, seconded by Emerson, unanimous on call of roll of those present.

CONSIDERATION OF ORDINANCES:

None.

MISCELLANEOUS AND NEW BUSINESS:

None.

Council President Bartlett entertained a motion to adjourn the meeting at 7:47 P.M. On motion by Lenoy, seconded by Emerson, unanimous on call of roll of those present.

APPROVED: _____
RICHARD BARTLETT, COUNCIL PRESIDENT

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK