

REGULAR MEETING
July 15, 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, July 15, 2019 at 7:00 P.M.

Mayor Craig Lahullier asked Claire Foy, Borough Clerk to call the roll: Mayor Craig Lahullier, Councilmen David Stoltz, Richard Bartlett, Joseph Emerson and James Lenoy were present. Councilman William Roseman arrived at 7:03 P.M. Councilman Robert Zimmermann was absent.

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 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.

READING OF MINUTES:

Mayor Lahullier entertained a motion to accept the minutes of 6/6/19 Caucus Meeting, 6/13/19 Finance Meeting (Open and Closed Sessions). On motion by Emerson, seconded by Lenoy, unanimous on call of roll of those present.

CORRESPONDENCE:

None to be read.

REPORT OF THE MAYOR:

No report.

SPECIAL REPORTS:

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

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

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

The Economic Development Consultant's report was read for the month of June. This report will be filed.

STANDING COMMITTEES:

FINANCE – Councilman Emerson said we have resolutions.

CONSENT AGENDA

RESOLUTION NO. 2019-165

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
South Bergen Municipal Joint Insurance Fund 3 rd Quarter FY 2019	144,560.00
The Depository Trust Company Interest on Bond 7/15/19	39,875.00
The Depository Trust Company Pay Down of BAN 7/27/19	864,049.00
Interest on BAN 7/27/19	260,434.05
BNY Mellon Markets LLC (Refund of overpayment of premium on BAN sale)	31,834.50

RESOLUTION NO. 2019-166

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 June 2019 be ratified:

<u>Date</u>	<u>Ck #</u>	<u>Account</u>	<u>Pavee</u>	<u>Amount</u>
6/18/19	501792	Current	PSE&G	\$ 19,188.12
6/19/19	501794	Current	Payroll	334,868.84
6/20/19	501795	Current	Suez Water	1,054.04
6/20/19	501796	Current	Medical	32,000.00
6/21/19	501797	Current	Suez Water	777.61
6/24/19	501798	Current	PSE&G	95.13
6/24/19	501799	Current	Comcast	537.10
6/26/19	501800	Current	NJ Striders	947.50
6/26/19	501801	Current	Payroll	22,796.92
6/27/19	501802	Current	Verizon	199.99
6/27/19	501803	Current	Comcast	36.02
6/27/19	501804	Current	Medical	27,000.00
6/27/19	501805	Current	PSE&G	15.46
6/27/19	501806	Current	Marlin Leasing	915.36

6/27/19

501807

Current

Verizon

52.16

RESOLUTION NO. 2019-167

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the contract for **455 Sixteenth Street Drainage Improvements Project (NJEDA Funded)** was constructed by **Colonnelli Brothers Inc., 409 S. River Street, Hackensack, New Jersey 07601**, in accordance with the Plans and Specifications and any approved Change Orders, as directed by the Borough Engineer. The said construction is hereby accepted and final payment in the amount of **Ninety Six Thousand Two Hundred Eighteen Dollars and Fifty Three Cents (\$96,218.53)** is hereby approved.

This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 2019-168

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
24	7	Ruhle, F.	326 Union Street	\$100.00

INVOICE #: 2082 DATED 6/30/2019

The Carlstadt Tax Collector shall adjust his books accordingly.

The payment for the landscaping clean up shall be made payable to: Lawnboys Landscaping and Design, P.O. Box 444, Wood-Ridge, New Jersey 07075.

RESOLUTION NO. 2019-169

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. Dance Theater Workshop – Saturdays starting July 13, 2019 from 11:00 A.M. to 6:00 P.M.
2. Carlstadt/East Rutherford Booster Club – Wednesdays, July 24, 2019 and July 31, 2019 from 6:00 P.M. to 8:00 P.M. for football and cheering sign-ups.
3. Carlstadt Soccer League – Friday, September 6, 2019 from 4:00 P.M. to 9:00 P.M. for pictures.

Caucus Room

1. Carlstadt Soccer League – Tuesday, July 2, 2019 from 7:00 P.M. to 9:00 P.M. to have a meeting.

RESOLUTION NO. 2019-170

WHEREAS, the Borough of Carlstadt has previously entered into Contract for Sale with Novus Fine Chemicals, LLC, a Delaware Limited Liability Company, whose sole member is Prashand Malladi, Prashantidhaim Developers, LLC, a New Jersey Limited Liability Company, whose sole members are MFS Investment Group, LLC & Novus Fine Chemicals, LLC, and joined by Prashad Malladi, individually, all having an address at 50 Cragwood Road, South Plainfield, New Jersey 07080 (collectively “Seller”) for the acquisition of vacant property at Garden-Orchard and Broad Street designated on the Tax Map of the Borough of Carlstadt as Block 18, Lots 6, 7, 8, 9 and 10 and Block 19, Lots 9 and 10; and

WHEREAS, the Borough of Carlstadt desires to further the public interest by acquisition of said vacant property located in the southwest portion of the borough for open space conservation and/or outdoor recreation purposes; and

WHEREAS, the Borough has been awarded a grant of One Million Seven Hundred Thirty Two Thousand Five Hundred Dollars (\$1,732,500) from the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund to fund the acquisition of property located at Garden-Orchard and Broad Streets from the County Trust Fund; and

WHEREAS, the Governing Body has adopted Bond Ordinance 19-7 for purposes of funding the acquisition of said properties to be maintained as open space conservation purposes and utilized for outdoor recreation facilities; and

WHEREAS, the Mayor and Council intends to use the County Trust Fund in accordance

with such rules, regulations and applicable statutes, and is desirous of entering a in the form attached hereto.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Carlstadt that the Chief Financial Officer be and hereby is authorized to pay those amounts due to Seller in accordance with the closing documents for the purchase of the subject property as approved by Special Counsel for the Borough at the closing of title.

Certification as to the availability of funds:

The Chief Financial Officer/Treasurer hereby certifies that sufficient funds have or will be secured and available to fund the purchase price established in the Contract of Sale at the closing of title.

RESOLUTION NO. 2019-171

WHEREAS, the Chief of Police has indicated a need for additional Stand-by Crossing Guards; and

WHEREAS, the following individuals have previously delivered applications for consideration for the position of Stand-by Crossing Guard:

Henry C. Rojas
Elaine Trost

NOW, THEREFORE BE IT RESOLVED, by the Mayor, with the consent of the Council, does hereby appoint Henry C. Rojas and Elaine Trost as Stand-by Crossing Guards, subject to successful completion of the requisite background check and pre-employment medical evaluation.

RESOLUTION NO. 2019-172

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. 345 Hoboken Road

all in accordance with the requirements as stated in Chapter 10-3.10 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. 2019-173

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the

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following music/entertainment permit applications are hereby approved by the Carlstadt Police Department as the applicants' premises and use thereof, complies with the Carlstadt Zoning Ordinance and all other rules regulations, ordinances and laws:

1. Triple J's Bar & Grill
2. Redd's Restaurant & Bar
3. Shakers
4. IL Villaggio
5. Carlstadt Turnverein, Inc.
6. Segovia Meson

BE IT FURTHER RESOLVED that the following music permit application is hereby approved:

1. Stiletto

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

POLICE/OEM – Mayor Lahullier read his report for the month of June. This report will be filed.

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

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

PLANNING – Councilman Roseman had no report.

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

PUBLIC HEALTH – Councilman Bartlett had no report.

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

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

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

PROJECTS – In the absence of Councilman Zimmermann, Mayor Lahullier read the report for the month of June. This report will be filed.

HUMAN RESOURCES – Mayor Lahullier had no report.

REPORTS OF SPECIAL COMMITTEES:

There were no reports of special committees.

READING OF BILLS:

RESOLUTION NO. 2019-174

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

CAPITAL ACCOUNT

Neglia Engineering Associates	\$	10,523.18
BNY Mellon Markets LLC		31,834.50
Challenger Fence		1,800.00

TRUST ACCOUNT

Neglia Engineering Associates	808.00
Treasurer State of New Jersey	350.00
Kimberly Koziel	100.00
Denise M. Murray	100.00
Current Account	63,553.21

DOG WARDEN TRUST

N.J. Dept. of Health & Senior Services	15.60
TYCO Animal Control Services	1,643.32

CURRENT ACCOUNT

ACTION RUBBER & INDUSTRIAL	2,571.20
ADI	161.99
ADP LLC	165.00
AGGRESSIVE ENERGY LLC	1,163.71
AMERICAN HOSE & HYDRAULICS	598.64
AMERICAN PAPER & SUPPLY	827.21
A.N.D SERVICE	4,713.05

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APPRAISAL SYSTEMS INC.	18,200.00
ARAMARK UNIFORM SERVICES	421.88
ARROW ELEVATOR INC.	207.00
ASHLEY BROWN	457.93
ATLANTIC COAST FIBERS	1,164.00
BALCO INDUSTRIES	330.00
BARR OFFICE SUPPLY	21.99
BELLAQUA INC.	439.75
BERGEN FENCE	6,950.00
BERGEN COUNTY UTILITIES AUTHORITY	198,731.00
BERGEN COUNTY DEPT. OF HEALTH SER	630.00
BEVERLY FAIST	36.00
BEYER BROTHERS CORP.	10,711.28
BILL O'SHEA'S	680.85
BLUE 360 MEDIA	145.50
BLUE STAR OF NEW JERSEY INC.	440.00
BOROUGH OF RUTHERFORD	8,462.30
BOROUGH OF EAST RUTHERFORD	8,356.16
CAPITAL ACCOUNT	1,124,483.05
CARLSTADT BOARD OF EDUCATION	1,046,601.17
CHEEMA OIL CORPORATION	143.22
CHEM-TEC	132.00
CHRISTOPHER GARVIN ESQ.	200.00
COLANERI BROTHERS	116.99
COMFORTABLE SOLUTION	240.00
CONTINENTAL FIRE AND SAFETY	1,466.20
DELGADO INTERPRETING SERVICES	220.00
ENVIRONMENTAL RENEWAL LLC	2,500.00
THE CHOI LAW GROUP LLC	14,958.33
FELDMAN BROTHERS ELECTRICAL	697.68
FIRE & SAFETY SERVICES	690.91
FOLEY INC.	3,345.42
GARDEN STATE CURBS & SIDEWALKS	2,200.00
GARBARINI & CO.	4,500.00
GATES FLAGS AND BANNER	273.50
GOOSETOWN COMMUNICATIONS	100.00
HARRIS UNIFORMS	36.00
HOMETOWN AUTO PARTS	862.35
HOOKER'S WELDING LLC	350.00
HUDSON TIRE EXCHANGE	2,857.14
I.D.A.	10.00
IMPRESSIVE PRINTING	220.35
INTERGLOBE COMMUNICATIONS INC.	3,533.99

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INTERNATIONAL ASSOCIATION OF	145.00
INTERSTATE BATTERY SYSTEM	135.98
INTERSTATE WASTE SERVICES INC.	19,925.58
JEM INDUSTRIAL SERVICES INC.	369.96
JERSEY MAIL SYSTEMS LLC	236.40
JOSEPH R. DONAHUE LLC	3,650.00
JULIO RODRIQUEZ	63.33
KAY PRINTING	310.88
KIPP & ALLEN L.L.P.	6,377.50
KUIKEN BROTHERS COMPANY	894.19
KYLE MCMANUS ASSOCIATES LLC	665.00
LANGUAGE LINE SERVICE	106.20
LAWNBOYS LANDSCAPING	300.00
LEXISNEXIS RISK SOLUTIONS	43.50
LOWE'S BUSINESS ACCT/GEMB	634.98
MCNERNEY & ASSOCIATE	3,400.00
MEADOWLANDS HARDWARE	505.25
MEADOWSLANDS AREA YMCA	787.50
METRO FIRE & SAFETY EQUIPMENT	147.00
MID BERGEN REG. COMMISSION	6,868.50
MIKE LOCARRO	350.00
MR. JOHN	248.90
MSI TECHNOLOGIES LLC	3,393.86
MUNICIPAL EMERGENCY SERVICES	3,880.00
MUNICIPAL CLERKS ASSOC. OF NJ	100.00
NARITA MARAJ LLC	1,070.20
NASSOR ELECTRICAL SUPPLY	103.46
NATURE'S CHOICE CORP.	950.00
NEXTEL COMMUNICATIONS	82.30
NICK'S TOWING SERVICE	140.00
NJ DIV. OF ALCOHOLIC BEV. CONT	69.00
NJ FIRE EQUIPMENT CO.	5,040.00
NJ INTERNET ACCESS	239.40
NORTH JERSEY MEDIA GROUP INC.	837.70
NORTH JERSEY TRUCK CENTER INC.	1,352.22
NORTHEAST SWEEPERS & RENTALS	278.19
PAC TOOL & SUPPLY CO	140.00
PANORAMA TOURS INC.	1,140.00
PAYROLL ACCOUNT	609.33
PIERCE EAGLE EQUIPMENT	3,736.81
PLAID MOTORS	8,649.65
PREMIERE PRODUCTIONS	820.00
PRESTI, ROSARIO JR., ESQ.	418.33

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PSEG	19,220.53
RCM CEBERIO LLC	2,850.00
REDICARE LLC	100.65
REGAL STAMP CO.	35.00
REGIONAL BOARD OF EDUCATION	602,552.67
REMINGTON AND VERNICK	190.50
RICHARD MILLER ELECTRICAL CONT	3,140.00
RIDGEHURST AUTO PARTS	79.53
RIEDEL SIGN CO. INC.	380.00
ROBERT T. REGAN ESQ.	732.60
SCHWARZ, KENNETH	171.44
SHERWIN WILLIAMS, INC.	3,676.40
SO. BER. MUNC. JT.INS FD	144,560.00
SPRINKLER SURGEON LLC	983.00
STAN'S SPORT CENTER	848.75
QUALITY AUTO MALL	1,045.88
STAPLES ADVANTAGE	4,924.68
STATE TOXICOLOGY LABORATORY	135.00
STEPHEN P. SINISI ESQ. LLC	156.25
SUTPHEN EAST CORPORATION	206.58
CHILDREN AID & FAMILY SERVICE	300.00
THOMAS NEGRO.	47.50
TILCON NEW YORK INC.	138.03
TMC INC	212.88
T&R ALARM SYSTMS INC.	917.70
TRAFFIC SAFETY & EQUIPMENT	1,596.40
SUEZ WATER NEW JERSEY	11,242.20
USCOMPUTECH	1,228.00
ADPP ENTERPRISES INC	555.03
VERIZON	894.12
V.E. RALPH & SON	131.08
WALLINGTON PLUMBING SUPPLY INC	95.76
WARSHAUER ELECTRIC SUPPLY	1,736.00
921-PRAXAIR DIST MID-ATLANTIC	459.01
WILLIAM DERMODY PUBLIC LIBRARY	30,000.00
VERIZON	129.99
PAYROLL ACCOUNT	8,083.92
PAYROLL ACCOUNT	490,566.41
THE BANCORP	5,051.76
MEDICAL BENEFITS ACCT	31,800.00
PSE&G	1,789.03
SUEZ WATER NEW JERSEY	77.91
VERIZON	763.10

CAPITAL ACCOUNT	39,875.00
MEDICAL BENEFITS ACCT	44,000.00
TOTAL	\$4,014,221.13
TOTAL BILLS FOR THE MONTH	\$4,124,948.94

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:

RESOLUTION NO. 2019-154-A

BOROUGH OF CARLSTADT
Bergen County, New Jersey

RESOLUTION OF NEED FROM MUNICIPALITY
IN CONNECTION WITH THE REDEVELOPMENT OF
THE CARLSTADT SENIOR SUPPORTIVE HOUSING PROJECT

WHEREAS, HDC 7th Street Redevelopment, LLC (hereinafter referred to as the “Sponsor”) proposes to construct, Carlstadt Senior Supportive Housing, an approximate forty (40) unit, affordable housing project for senior citizens with low and moderate incomes, of which ten (10) units will be reserved as supportive housing for veterans, (hereinafter referred to as the “project”) pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the “HMFA Requirements”),

within the Borough of Carlstadt (hereinafter referred to as the “Municipality”) on a site described as Lots 9 and 10, Block 55 as shown on the Official Assessment Map of the Borough of Carlstadt, Bergen County and commonly known as Carlstadt Senior Supportive Housing, 512 7th Street, Carlstadt, New Jersey; and

WHEREAS, 16 units shall satisfy the requirements of the Council on Affordable Housing for affordable units credited to the Municipality’s affordable housing obligation; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

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WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt (the "Council") that:

1. The Governing Body finds and determines that Carlstadt Senior Supportive Housing, an approximate 40-unit affordable housing project for senior citizens with low and moderate incomes, proposed by the Sponsor meets or will meet an existing housing need; and
2. The Governing Body does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor's application for Agency funding to finance the Project.

RESOLUTION NO. 2019-154-B

BOROUGH OF CARLSTADT
Bergen County, New Jersey

TAX ABATEMENT RESOLUTION
BLOCK 55, LOTS 9 AND 10
IN CONNECTION WITH THE DEVELOPMENT OF AN
AFFORDABLE HOUSING PROJECT THEREON

WHEREAS, HDC 7th Street Development, LLC (hereinafter referred to as the "Sponsor") proposes to construct an affordable rental housing development for seniors consisting of approximately forty (40) units, of which ten (10) will be reserved as supportive housing for veterans, in a single building (hereinafter referred to as the "Project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq., and all applicable guidelines (the foregoing hereinafter referred to as the "HMFA Requirements") within the municipality of Carlstadt (hereinafter referred to as the "Municipality") on a site described as Lots 9 and 10, Block 55 as shown on the Official Assessment Map of the Borough of Carlstadt, Bergen County and commonly known as 512 Seventh Street, Carlstadt, New Jersey, 07072; and

WHEREAS, 16 units shall satisfy the requirements of the Council on Affordable Housing for affordable units credited to the Municipality's affordable housing obligation; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality; and

WHEREAS, the Sponsor has presented to the Governing Body a revenue projection for the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Project as estimated by the Sponsor and the Agency, a copy of which is attached hereto and made a part hereof as Exhibit A.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt (the "Governing Body") that:

(1) The Governing Body finds and determines that the proposed Project will meet or meets an existing housing need;

(2) The Governing Body does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Requirements with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Project; and

(3) The Governing Body hereby adopts the within Resolution with the further intent and purpose that from the date of execution of the Agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Requirements, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the municipality in such amounts and manner set forth in the Agreement for Payments in Lieu of Taxes attached hereto as Exhibit "B"; and

(4) The Governing Body hereby authorizes and directs the Mayor and Borough Clerk of the Borough of Carlstadt to execute, on behalf of the municipality, the Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit "B"; and

(5) The Governing Body understands and agrees that the revenue projections set forth in Exhibit "A" are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the municipality shall be determined pursuant to the Agreement for Payments in Lieu of Taxes executed between the Sponsor and municipality.

RESOLUTION NO. 2019-154-C

**BOROUGH OF CARLSTADT
Bergen County, New Jersey**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF
CARLSTADT, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE
EXECUTION OF A GROUND LEASE OPTION AGREEMENT FOR CERTAIN**

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PROPERTY IDENTIFIED ON THE BOROUGH TAX MAPS AS BLOCK 55, LOTS 9 AND 10 IN CONNECTION WITH THE DEVELOPMENT OF AN AFFORDABLE HOUSING PROJECT THEREON

WHEREAS, the Borough of Carlstadt (“the Borough”) is the owner of certain premises known as Block 55, Lots 9 and 10 as depicted on the Borough tax map (“the property” or “the premises”); and

WHEREAS, the Borough is desirous to have the property developed with approximately forty (40) affordable supportive housing units which will be available to low- and moderate- income senior citizens, of which ten (10) units will be reserved as supportive housing for veterans; and

WHEREAS, 16 units shall satisfy the requirements of the Council on Affordable Housing for affordable units credited to the Municipality’s affordable housing obligation; and

WHEREAS, the Borough wishes to enter into a Ground Lease Option Agreement with the Housing Development Corporation of Bergen County (the “HDC”), a not-for profit corporation, and a to be named single asset entity controlled by HDC pursuant to which the HDC will be granted the option to execute a ground lease for the property for an initial term of 50 years provided certain conditions were met;

WHEREAS, NJSA 40A:12-21 provides, in pertinent part, when the governing body of a municipality determines that all or part of a tract of land owned by the municipality is not needed for municipal purposes, said governing body may authorize a private sale and conveyance, or enter into a long term lease, of the same for a consideration, which may be nominal and containing a limitation that such lands shall be used for only purposes of such organization; and

WHEREAS, NJSA 40A:12-21 (I) provides, in pertinent part, that a municipality may convey land to a duly incorporated nonprofit housing corporation or any limited-dividend housing corporation or housing association for the purpose of constructing housing for low- or moderate-income persons or families or handicapped persons; and

WHEREAS, the Governing Body has determined that execution of this Ground Lease Option Agreement will advance the purpose of constructing affordable housing units on the property in furtherance of the Borough's Affordable Housing Plan.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Clerk are hereby authorized to execute the Ground Lease Option Agreement, substantially in the form attached hereto on behalf of the Borough.

Mayor Lahullier entertained a motion to ratify Resolutions No. 2019-154-A, No. 2019-154-B and No. 2019-154-C. On motion by Bartlett, seconded by Stoltz. Councilmen Stoltz, Bartlett, Emerson and Roseman voted yes, Councilman Lenoy voted no, Councilman Zimmermann was absent.

Mayor Lahullier entertained a motion to open the hearing of citizens. On motion by Lenoy, seconded

by Emerson, unanimous on call of roll of those present.

HEARING OF CITIZENS:

John Brislin, 440 Orchard Street – he asked the Mayor and Council what are the plans for the property on Garden Street. The Mayor replied it's going to be a soccer field and a parking lot. He asked why they don't build the senior housing there. The Mayor replied the property is deed restricted for a residential use. There was a discussion between the Council and the resident regarding the dimensions and how close the field is going to be to resident properties and the environmental cleanup.

Abhishake Shah, 311 Lilac Lane – he asked the Mayor and Council if the training for the committee members of the Stigma Free Committee was scheduled. Councilman Roseman replied that he contacted the County and a representative was going to meet with the committee to discuss training dates. He asked the Mayor if possible to update the Borough's Facebook media page with meetings so residents will know when they are taking place. A long discussion took place on what other social media venues can be utilized to inform the residents.

Jeffrey Fucci, 530 Hackensack Street – he commented that he agreed with Mr. Shah's comments that the social media needs to be more active with regards to town meetings or committee meetings and also he mentioned the electronic sign on Hackensack Street needs to be updated on a regular basis so residents will be informed of what is going on in our neighborhood. He also asked that the property maintenance on the Garden, Orchard Street property be done regularly and he suggested to the Mayor and Council to look into installing buffers along Route 17 South. Councilman Roseman explained that they discussed it but it was a problem with the business on Route 17 South.

Bruce Young, 720 Washington Street – he mentioned that he was in contact with the DOT in regards to the maintenance on Route 17 South. Also he commented if the town is interested in working together with the public school concerning green sustainability there are grants that they can put in to work for a green community.

Mayor Lahullier entertained a motion to close the hearing of citizens. On motion by Bartlett, seconded by Stoltz, unanimous on call of roll of those present.

CONSIDERATION OF ORDINANCES:

None.

MISCELLANEOUS AND NEW BUSINESS:

None.

**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:

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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: 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.

Mayor Lahullier entertained a motion to go into closed session at 8:05 P.M. On motion by Roseman, seconded by Stoltz, unanimous on call of roll of those present.

The meeting went back into open session at 10:00 P.M. with the following members in attendance: Mayor Lahullier, Councilmen Stoltz, Bartlett, Emerson, Lenoy and Roseman.

Mayor Lahullier entertained a motion to adjourn the meeting at 10:00 P.M. On motion by Lenoy, seconded by Bartlett, unanimous on call of roll of those present.

APPROVED: _____
CRAIG LAHULLIER, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK