

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

SINE DIE MEETING

JANUARY 1, 2011

- 19. Chief Edward Wrixon led the Salute to the Flag and Pledge of Allegiance.
- 20. The Borough Clerk announced that this is an Adjourned Meeting of the Mayor and Council of which at least 48 hours' notice has been given by posting in the Borough Hall, publication in The Press Journal and The Record and delivery to all members of the governing body.
- 21. Mayor Romeo called the meeting to order at 11:34 A.M.
- 22. Present: Council Members Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis  
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Chief Wrixon.

COMMUNICATIONS

- 23. Minutes of the following meeting:
 

Community Center Board of Trustees	November 8, 2010
Library Board of Trustees	October 18, 2010
Planning Board	December 14, 2010

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

- 24. Councilwoman Tsigounis said she attended her first meeting with the Environmental Commission. I introduced myself to the members and I look forward to working with them.  
  
Councilwoman Savas said they had a teen night sponsored by Municipal Alliance at the Community Center. It was an open gym and drug and alcohol material was given out to about 90 kids and adults.  
  
The Library Board met and they presented Rita Browning as candidate for Library Director.  
  
Councilman Olmo commended the DPW for their work in the snow storm after Christmas. They did a very good job.  
  
Councilman Cleary said he attended the meeting of the Cresskill Fire Department where they elected the new officials. Neil Hartmann is now Chief.

NEW BUSINESS

- 25. Borough Clerk Nasuto explained all items on the Consent Agenda.

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CONSENT AGENDA

## NEW BUSINESS

\*Resolutions

26. RESOLUTION CALLING ON THE STATE LEGISLATURE AND THE GOVERNOR TO EXEMPT THE RESERVE FOR UNCOLLECTED TAXES FROM THE 2% CAP

WHEREAS, on July 13, 2010, Governor Christie signed into law P.L. 2010, c.44, which reduced the cap on the property tax levy from 4% to 2% and limited the number of exemptions; and

WHEREAS, when the property tax levy was reduced, the exemption for the Reserve for Uncollected Taxes was removed; and

WHEREAS, in addition to collecting property taxes for its own operations, the municipality also serves as the collection agent for the county, school districts and other special local entities; and

WHEREAS, the municipality must provide those entities with the full amount they deem necessary for their operations, regardless of the actual collection rate; and

WHEREAS, due to myriad factors beyond local control, the actual collection rate never equals the total local levy, especially during an economic downturn, when unemployment soars and property values plummet, causing an increase in tax appeals, which the municipality must defend and which subject the municipal budget to further losses, when successful; and

WHEREAS, to account for the shortfall and potential losses, State law requires the municipality to budget an appropriation in a line item known as the Reserve for Uncollected Taxes, which is generally determined through a formula driven calculation in which the variables change year to year; and

WHEREAS, without a levy cap exemption, municipalities will be forced to further cut their own operations, in order to meet the 2% tax levy cap to provide the county, school districts, fire districts and other special local entities the full amount they deem necessary for their operations; and

WHEREAS, those local entities, which do not have to budget for collection rate shortfalls or the impact of declining property values, have been granted levy cap exceptions to address factors beyond their control; and

WHEREAS, Assemblymen McKeon and Burzichelli have recently introduced A-3603, which excludes increases in appropriations to the Reserve for Uncollected Taxes in excess of two percent, from calculations of the municipal adjusted tax levy;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill hereby urge the swift passage and signing of A-3603;

BE IT FURTHER RESOLVED, that consideration also be given to providing a levy cap exception to account for the impact of tax appeals on local operations; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey governor Christopher Christie to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

27. WHEREAS, the Recreation Committee has scheduled various programs; and

WHEREAS, the participants are unable to attend;

NOW, THEREFORE, BE IT RESOLVED that the recreation fees be returned to:

Jason Schlereth  
*(for: Madelein Schlereth)*  
 268 Galvan Place  
 Bergenfield, NJ 07621

Revital Gadish  
*(for: Daniel Gadish)*  
 51 Carleton Terrace  
 Cresskill, NJ 07626

Amount: \$115.00

Amount: \$45.00

Sheila L'Angiocola  
*(for: Samuele L'Angiocola)*  
 64 Chestnut Street  
 Cresskill, NJ 07626

Amount: \$110.00

28. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the Tax Collector be, and hereby is, authorized to effect the following tax refunds for overpayment of 4<sup>th</sup> quarter 2010 taxes to:

<u>BLOCK</u>	<u>LOT</u>	<u>Qualifier</u>	<u>Name</u>	<u>AMOUNT</u>
11	2.01		Pamela Chow 227 Grant Avenue Cresskill, NJ 07626	\$ 184.00
61	1061		Amit Binderman 51 6 <sup>th</sup> Street Cresskill, NJ 07626	\$ 48.20

29. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the Tax Collector be, and hereby is, authorized to effect the following tax refund due to Stipulation of Settlement on property assessment for Block 179, Lot 66.01 for 2009:

2009

Original Assessment:	\$ 443,300.00
Tax Court Judgment:	<u>\$ 425,000.00</u>
Decrease in Assessment:	\$ 18,300.00
Tax Rate:	<u>2.214</u>
Tax Refund:	\$ 405.16

Check to: Beattie Padovano Trust Account  
 Beattie Padovano, LLC  
 50 Chestnut Ridge Road  
 Montvale, NJ 07645-0244  
*(For: 80 Legion Drive)*

30. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the Mayor is authorized to sign an Interlocal Service Agreement for TV Inspection Services with the Northwest Bergen County Utilities Authority for 2011 and 2012.
31. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that Laurel Carnazza be appointed as part-time Deputy Court Administrator in the Cresskill Municipal Court.

32. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following December 2010 payroll be ratified and approved:

December 31, 2010

Current Fund	\$ 233,215.44
Social Security/Medicare	9,147.59
Community Center	<u>1,970.90</u>
	\$ 244,333.93

33. BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill that the following transfers be made in the 2010 budget appropriations:

CURRENT ACCOUNT

	<u>Account</u>	<u>From</u>	<u>To</u>
Zoning Board – S/W	185-010	200.00	
Tax Assessment – S/W	150-010		200.00
Electricity	430-020	3,000.00	
Natural Gas	446-020	2,000.00	
Fire Inspector – O/E	198-020	2,000.00	
First Aid Organization – O/E	260-020	3,000.00	
Tax Assessment – O/E	150-020		10,000.00
Police School Marshalls – S/W	246-010	5,000.00	
Police – O/E	240-020	5,000.00	
Legal – O/E	155-020		10,000.00
Police Specials – S/W	246-010	5,000.00	
Computerized Data Processing – O/E	140-020		5,000.00
Total		25,200.00	25,200.00

34. WHEREAS, the following Current Fund budget appropriation balances remain unexpended:

Uniform Construction Code – O/E	\$ 5,000.00
Police School Marshalls – S/W	15,000.00
Fire Department – O/E	15,000.00
Board of Health – O/E	3,000.00
Public Employees Retirement System	<u>22,000.00</u>
TOTAL	\$ 60,000.00

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Surplus;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill, that the above listed unexpended balances of the Current Fund be canceled.

35. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 10-00009, Block 74, Lot 40, also known as 41 Union Avenue, in the amount of \$4,504.47; and

WHEREAS, a premium was received by the Borough in the amount of \$16,500.00 paid by the lien holder at the Tax Sale held December 6, 2010 and upon redemption is refunded the premium paid.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$21,004.47 be paid to:

Empire Tax Fund II, LLC  
P.O. Box 503  
Purchase, NY 10577

36. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 10-00016, Block 177, Lot 29.01, also known as 50 Piermont Road, in the amount of \$8,651.92; and

WHEREAS, a premium was received by the Borough in the amount of \$11,000.00 paid by the lien holder at the Tax Sale held December 6, 2010 and upon redemption is refunded the premium paid.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$19,651.92 be paid to:

Empire Tax Fund II, LLC  
P.O. Box 503  
Purchase, NY 10577

#### Motions

37. Appoint Marna Reiner to Recreation Committee for unexpired term ending December 31, 2011.

#### REMARKS FROM MEMBERS OF THE PUBLIC CONCERNING THE CONSENT AGENDA ONLY [Reported by Borough Clerk Barbara A. Nasuto.]

38. No one wished to be heard.
39. Motion by Council Member Savas and seconded by Council Member Olmo to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous Motion adopted.

40. Motion by Council Member Savas and seconded by Council Member Olmo to consider all items marked with an asterisk as a single question.

On the question: The Borough Clerk announced that copies of all items marked with an asterisk have been posted in the Borough Hall and made available to the public.

Roll Call: Yes – Unanimous Motion adopted.

41. Motion by Council Member Savas and seconded by Council Member Olmo to adopt all items with an asterisk as a single question.

Roll Call: Yes - Unanimous Motion adopted.

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