

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

## REGULAR MEETING

OCTOBER 19, 2011

1. John McCann led the Salute to the Flag and Pledge of Allegiance.
2. The Borough Clerk announced that this is a Regular 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 Record and delivery to all members of the governing body.
3. Mayor Romeo called the meeting to order at 8:06 P.M.
4. Present: Council Members Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis  
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Laufeld, McKim, Mann, Chief Wrixon
5. Motion by Council Member Olmo and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meetings of Sept. 7, 21, and Oct. 5, 2011.

Roll Call: Yes – Unanimous

Motion adopted.

## COMMUNICATIONS

6. Minutes of the following meeting:

Planning Board

October 11, 2011

Filed.

## REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Tsigounis said she viewed the film “Race to Nowhere” at the High School. It’s about helping our children educationally and socially to become happy young adults. It’s highly informative and I recommend it.

Council Member Savas said they did not have a quorum at the Library Board meeting, but did discuss various topics.

We’ve met with our coaches and are working on revitalizing some of our Recreation programs.

Council Member Cleary said he will be attending the Bergen County JIF meeting tomorrow night. Also, they’ve checked out some of our facilities and gave us a good report.

## UNFINISHED BUSINESS

## ORDINANCE ON FINAL READING

Ordinance No. 11-18-1420 Amend Chapter 44 – Article IV – Purchasing Agent

8. Motion at 8:10 PM by Council Member Olmo and seconded by Council Member Brennan to introduce Ordinance No. 11-18-1420 Amend Chapter 44 – Article IV – Purchasing Agent on final reading by title only.

Roll Call: Yes-Unanimous Motion adopted.

9. Council Member Olmo read the title:

AMEND CHAPTER 44, ARTICLE IV – PURCHASING AGENT

(Ordinance in full on page 174A of Minutes of Regular Mayor and Council Regular Meeting held October 5, 2011.)

10. The Borough Clerk announced that the ordinance was published in The Record on October 10, 2011, posted in the Borough Hall, and copies made available to the public.
11. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
12. Mayor Romeo said we are hiring a Qualified Purchasing Agent so we can increase our bid threshold.
13. No one else wished to be heard.
14. Motion by Council Member Olmo and seconded by Council Member Savas to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

15. Resolution by Council Member Olmo and seconded by Council Member Brennan:

BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, in the County of Bergen and State of New Jersey, that Ordinance No. 11-18-1420, entitled:

AMEND CHAPTER 44, ARTICLE IV – PURCHASING AGENT

pass its second and final reading, is hereby adopted and shall be published according to law.

Roll Call: Yes – Unanimous Resolution adopted.

Ordinance No. 11-19-1421 Amend Ordinance No. 11-07-1409 – 2011 Salary Ordinance

16. Motion at 8:11 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Ordinance No. 11-19-1421 Amend Ordinance No. 11-07-1409 – 2011 Salary Ordinance on final reading by title only.

Roll Call: Yes – Council Members Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis  
No - None  
Absent – None  
Abstain – None  
Motion adopted.

17. Council Member Olmo read the title:

AMEND ORDINANCE 11-07-1409 - AN ORDINANCE TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF CRESSKILL – YEAR 2011

(Ordinance in full on page 174B of Minutes of Regular Mayor and Council Regular Meeting held October 5, 2011.)

18. The Borough Clerk announced that the ordinance was published in The Record on October 10, 2011, posted in the Borough Hall, and copies made available to the public.



Roll Call: Yes – Unanimous Motion adopted.

31. Resolution by Council Member Cleary and seconded by Council Member Brennan:

BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, in the County of Bergen and State of New Jersey, that Ordinance No. 11-20-1422, entitled:

AMEND CHAPTER 30 – FIRE DEPARTMENT

pass its second and final reading, is hereby adopted and shall be published according to law.

Roll Call: Yes – Unanimous Resolution adopted.

NEW BUSINESS

32. Borough Clerk Nasuto explained all items on the Consent Agenda.

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CONSENT AGENDA

NEW BUSINESS

\*Resolutions

33. WHEREAS, Palak Jain is the taxpayer of real estate designated as Block 84, Lot 61 on the official tax map of the Borough of Cresskill and better known as 168 County Road, Cresskill, New Jersey; and

WHEREAS, Palak Jain has made application to the Tax Court of New Jersey to have the assessment of the property listed above adjusted for tax year 2010; and

WHEREAS, the parties to said action have agreed upon an adjustment of the assessment; and

WHEREAS, the parties have agreed to be bound by the provisions of N.J.S.A.54:51A-8 (Freeze Act); and

WHEREAS, the Mayor and Council are satisfied that, all things considered, the settlement, as set forth below, is reasonable;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the adjustments of the assessment of the property specified below be and is hereby ratified as follows:

<u>Block</u> 84	<u>Lot</u> 61	<u>Street Address</u> 168 County Road	
<u>Years: 2010</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 457,400	\$ 457,400	\$ 257,400
IMPROVEMENTS	\$ 114,300	\$ 114,300	\$ 77,600
TOTAL	\$ 571,700	\$ 571,700	\$ 335,000

BE IT FURTHER RESOLVED that Morrison Mahoney LLP be, and hereby are, authorized to execute the Stipulation of Settlement memorializing the settlement of the matter on behalf of the Borough of Cresskill; and

BE IT FURTHER RESOLVED the proper officials be, and hereby are, authorized to make the necessary adjustments to the assessment.

34. WHEREAS, Azita Ahdout is the taxpayer of real estate designated as Block 207, Lot 16 on the official tax map of the Borough of Cresskill and better known as 14 Lancaster Court, Cresskill, New Jersey; and

WHEREAS, Azita Ahdout has made application to the Tax Court of New Jersey to have the assessment of the property listed above adjusted for tax years 2010 and 2011; and

WHEREAS, the parties to said action have agreed upon an adjustment of the assessment; and

WHEREAS, the parties have agreed that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall not apply; and

WHEREAS, the Mayor and Council are satisfied that, all things considered, the settlement, as set forth below, is reasonable;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the adjustments of the assessments of the property specified below be and is hereby ratified as follows:

<u>Block</u> 207	<u>Lot</u> 16	<u>Street Address</u> 14 Lancaster Court	
<u>Year: 2010</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 464,800.00	N/A	
IMPROVEMENTS	<u>\$ 174,700.00</u>	<u>N/A</u>	Withdrawn
TOTAL	\$ 639,500.00	N/A	
<u>Year: 2011</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 464,800.00	N/A	\$ 464,800.00
IMPROVEMENTS	<u>\$ 174,700.00</u>	<u>N/A</u>	<u>65,200.00</u>
TOTAL	\$ 639,500.00	N/A	\$ 530,000.00

BE IT FURTHER RESOLVED that Morrison Mahoney LLP be, and hereby are, authorized to execute the Stipulation of Settlement memorializing the settlement of the matter on behalf of the Borough of Cresskill; and

BE IT FURTHER RESOLVED the proper officials be, and hereby are, authorized to make the necessary adjustments to the assessment.

35. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that Brian Oliver be appointed as a permanent Police Officer for the Borough of Cresskill, effective September 16, 2011, as recommended by Police Chief Edward Wrixon.

36. 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:

Maureen Iannucci  
(for: Mia Iannucci)  
40 Crest Drive North  
Cresskill, NJ 07626  
Amount: \$180.00

Eun Ha Kim  
(for: Elise Kim)  
54 Magnolia Avenue  
Cresskill, NJ 07626  
Amount: \$165.00

Aline Ho  
*(for: Bryan Ho)*  
 325 Brookside Avenue  
 Cresskill, NJ 07626  
 Amount: \$110.00

Akiko Takahashi  
*(for: Rey Takahashi)*  
 301 Brookside Avenue  
 Cresskill, NJ 07626  
 Amount: \$110.00

37. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that Bergen County Department of Health Services be, and hereby is, authorized to perform the 2011-2012 Flu/pneumococcal Program for this municipality at a cost of \$125/flu (10 dose pack) for vaccine administered.
38. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill that Laura Johnston be approved for a stipend of \$250.00 each edition of the newsletter, effective February 1, for her work as the editor.
39. Increasing Bid Threshold and Appointing a Qualified Purchasing Agent  
 (pursuant to N.J.S.A. 40A:11-3a & N.J.A.C. 5:34-5)

WHEREAS, the recent changes to the Local Public Contracts Law gave local Contracting units the ability to increase their bid threshold up to \$36,000; and

WHEREAS, N.J.S.A. 40A:11-3a permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et. seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Joseph Citro possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et. seq.; and

WHEREAS, the Borough of Cresskill wishes to take advantage of the increased bid threshold;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill, County of Bergen, State of New Jersey hereby increases its bid threshold to \$36,000; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby appoints Joseph Citro as the Qualified Purchasing Agent authorized to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit at a salary of \$2,500/year; and

BE IT FURTHER RESEOLVED, that in accordance with N.J.A.C. 5:34-5.2, the Cresskill Borough Clerk is authorized and directed to forward a certified copy of this resolution and a copy of Joseph Citro's certification to the Director of the Division of Local Government Services.

40. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the attached Standard Operating Procedures for the Cresskill Volunteer Ambulance and Emergency Services Company established under Ordinance 11-12-1414 be approved.
41. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following October 2011 payroll be ratified and approved:

October 21, 2011

Current Fund	\$ 268,336.32
Social Security/Medicare	11,596.06

Municipal Pool	2,753.69
Community Center	<u>2,143.72</u>
	\$ 284,829.79

Motions

42. Appoint Susan Rowley to Cresskill Environmental Commission, effective immediately.

Miscellaneous Business

43. Approve the following Raffle Licenses:

RL 1317	HSA St. Therese School	11/11/11
RL 1318	HSA St. Therese School	11/11/11
RL 1319	HSA St. Therese School	2/1/12 – 5/31/12 (calendar raffle) (upon receipt of renewed State License.)

REMARKS FROM MEMBERS OF THE PUBLIC CONCERNING THE CONSENT AGENDA ONLY [Reported by Deputy Borough Clerk Patricia A. McKim.]

44. No one wished to be heard.
45. Motion by Council Member Olmo and seconded by Council Member Cleary to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous Motion adopted.

46. Motion by Council Member Olmo and seconded by Council Member Brennan 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.

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

Roll Call: Yes - Unanimous Motion adopted.

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## PRESENTATION OF BILLS

48. Resolution by Council Member Olmo and seconded by Council Member Brennan:

(Resolution in full on pages 186A through 186C.)

Roll Call: Yes – Unanimous Resolution adopted.

REMARKS FROM THE PUBLIC FOR THE GOOD AND WELFARE OF THE BOROUGH [Reported by Deputy Borough Clerk Patricia A. McKim.]

49. Francis Reiner, 19 Pierce Avenue asked if there is any update on the potential improvements to Brookside Avenue. Mayor Romeo said not as of yet. We need to have our engineer take a look at it and probably have a traffic study done.

Mr. Reiner asked about the Open Space Trust Fund and the money that is produced by the .01 property tax. I believe over the last (7) years the town has collected \$1.2M for Open Space and has spent approximately \$514K. It was indicated at a couple of Planning Board meetings this spring that improvements would be made to one park per year over

the next 5 years. Is there a plan in place for the park improvements and did we apply for Open Space grant money? Mayor Romeo said we have about \$100K left over from some of our past projects and the next project is the walking track once we get DEP approval. We have applied for more money for the walking track. Terhune Park is the next park we are going to work on, then Cranford Park or 11<sup>th</sup> Street. We are also going to eventually purchase the Johnson House on Margie and Piermont which will give us the entire field. Mr. Reiner said that would be a great acquisition; however, we need to spend money on parks that are in dire need like Joe Henry Field. The Football and Joe Henry Fields could both be done for less than half of what is collected each year. The kids that can't get to 3<sup>rd</sup> Street or Piermont Road use these parks. Mayor Romeo said we are going to eventually fix up every field and park.

Mr. Reiner asked the status of the tree ordinance draft he submitted to the Planning Board in June. Mayor Romeo said Supt. Terhune is looking at it. Mayor Romeo said we had trees and nobody wanted them, so our suggestion was to plant them in the parks. Mayor Romeo said he will revisit his draft ordinance.

Mr. Reiner asked if the soccer program was going to get the funds they requested to purchase four goal posts. Mayor Romeo said we can't use Open Space money but Barbara Mann is going to try to put something in next year's budget.

Mr. Reiner said if a portion of our property taxes is to maintain public property and the .01 tax is for the Open Space Trust Fund, why is there a charge of \$20 per child for every Recreation program for field maintenance? Mayor Romeo said it is a facility fee we put into place to offset the cost of maintaining the Community Center building, like utilities.

Guy Naccarella, 32 Burton Place and President of the Cresskill/Alpine Little League said the way the programs were run when he was a child cannot be physically done today. The costs have far exceeded the rate of inflation. We charge just enough to maintain the Little League program.

Erik Maschler, 193 Vaccaro Drive said there are two foreclosures and two empty lots on his block that are unkempt and overgrown. Mayor Romeo said to give Mr. Vaccaro the addresses and he will have the Property Maintenance Officer write letters to the owners to clean it up. If they don't, we will have it cleaned up and add the charge to their tax bills.

No one else wished to be heard.

50. Motion by Council Member Olmo and seconded by Council Member Cleary to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

51. Motion at 8:44 P.M. by Council Member Olmo and seconded by Council Member Cleary to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

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Benedict Romeo  
Mayor

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Barbara A. Nasuto  
Borough Clerk