

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETINGNOVEMBER 2, 2011

1. Frank Covelli 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 7:43 P.M.
4. Present: Council Members Brennan, Cleary, Savas, Tsigounis  
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Laufeld, McKim, Mann, Chief Wrixon  
Absent: Council Members Mueller, Olmo
5. Motion by Council Member Cleary and seconded by Council Member Brennan to approve the minutes of the Mayor and Council Regular meeting of October 19, 2011.

Roll Call: Yes – Unanimous

Motion adopted.

## COMMUNICATIONS

6. Minutes of the following meeting:

Library Board of Trustees

September 19, 2011

Filed.

## REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Savas said they did not have a quorum at the Library Board meeting, but did discuss various topics. We need some new members for the Library Board and Board of Health. The policies for the Senior Center are almost complete. We are reviewing resumes of new potential volunteers for the Recreation Committee and Community Center Board of Trustees.

Council Member Brennan will be reviewing the names of the people interested in joining the Community Center Board of Trustees.

Council Member Cleary said the Library has been very helpful with internet access for the residents that have no power.

## NEW BUSINESS

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

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## CONSENT AGENDA

## NEW BUSINESS

\*Resolutions

9. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that Allen M. Bell, Esq. be appointed as Municipal Judge for unexpired term ending December 31, 2013.

10. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the following be approved for part time seasonal help as Laborers in the Public Works Department at a salary of \$11.00 per hour effective:

Christopher Karach – October 31, 2011

James McSorley – October 31, 2011

Joseph Yannette – October 31, 2011

Bryan Quinn – November 2, 2011

11. 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 for overpayment of 4<sup>th</sup> quarter 2011 taxes to:

<u>BLOCK</u>	<u>LOT</u>	<u>Qualifier</u>	<u>NAME</u>	<u>AMOUNT</u>
208	2		Amir Alon 8 Kennedy Road Cresskill, NJ 07626	\$11,220.00

12. BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill that the following transfers be made in the 2011 budget appropriations:

CURRENT ACCOUNT

	<u>Account</u>	<u>From</u>	<u>To</u>
Police – S/W	240-010	70,000.00	
Police/Fire Retirement System	475-000	10,000.00	
Legal – O/E	155-020		80,000.00
Computerized Data – O/E	140-020	5,000.00	
Planning Board	180-020		5,000.00
Recreation – O/E	370-020	2,000.00	
Celebration of Public Events – O/E	420-020		2,000.00
Garbage and Trash Disposal	465-020	25,000.00	
Gasoline	460-020		25,000.00
Garbage and Trash Disposal	465-020	25,000.00	
Vehicle Maintenance	315-020		25,000.00
Total		137,000.00	137,000.00

13. WHEREAS, applications were made for zoning approval; and

WHEREAS, an escrow account was established for this work; and

WHEREAS, the work has been completed and inspected and there remains a balance in the escrow accounts;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill that the following refund of Developer Escrow and Zoning Escrow accounts be made:

<u>Account No.</u>	<u>Block</u>	<u>Lot</u>	<u>Applicant</u>	<u>Amount</u>
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ZE-094	191	4	Mark V. Spina & Lara M. Cutro 16 Woodland Road Cresskill, NJ 07626	\$14.00
ZE-100	92.08	12	Dovetail Mgmt., LLC 31 Royden Road Tenafly, NJ 07670 (188 E. Madison Ave.)	\$14.00
ZE-101	190	9	Refined Homes, LLC 545 Route 17, Suite 2005 Ridgewood, NJ 07450 (15 Woodland Road)	\$14.00
ZE-102	76	31.01	Avraham & Dalit Lavon 36 Mt. View Road Cresskill, NJ 07626 (96 Westervelt Pl.)	\$14.00
ZE-103	91.08	22	DiStaulo Contruction, LLC PO Box 714 Alpine, NJ 07620 (135 Truman Drive)	\$14.00
ZE-106	196	8	Richard, Jr. and Karen Hess 34 Clark Street Cresskill, NJ 07626	\$14.00
ZE-107	207	10	Christopher & Dianne Lavin 77 Churchill Road Cresskill, NJ 07626	\$14.00
ZE-108	117	26-28	Patricia Teshar 155 Columbus Drive Tenafly, NJ 07670 (276 Jefferson Avenue)	\$14.00
ZE-112	106	6-10	Gene and Maria Dubetsky 404 Concord Street Cresskill, NJ 07626	\$14.00
ZE-113	145.01	4	June Jaeyon Min 100 Winston Dr., S. 15M Cliffside Park, NJ 07010 (96 11th Street)	\$14.00

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

WHEREAS, the participant is not able to attend;

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

Julienne Rock  
(for: Dylan Rock)  
118 Hoover Drive  
Cresskill, NJ 07626  
Amount: \$90.00

15. WHEREAS, Jerome and Doreen Porush are the taxpayers of real estate designated as Block 91.07, Lot 10 on the official tax map of the Borough of Cresskill and better known as 98 Hoover Drive, Cresskill, New Jersey; and

WHEREAS, Jerome and Doreen Porush have made application to the Tax Court of New Jersey to have the assessment of the property listed above adjusted for tax years 2009 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 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>	<u>Lot</u>	<u>Street Address</u>	
91.07	10	98 Hoover Drive	
<u>Year: 2009</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 702,900.00	N/A	
IMPROVEMENTS	<u>\$1,991,300.00</u>	<u>N/A</u>	Withdrawn
TOTAL	\$2,694,200.00	N/A	
<u>Year: 2011</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 702,900.00	N/A	\$ 702,900.00
IMPROVEMENTS	<u>\$1,991,300.00</u>	<u>N/A</u>	<u>\$1,647,100.00</u>
TOTAL	\$2,694,200.00	N/A	\$2,350,000.00

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.

16. WHEREAS, Sunil and Anita Lulla are the taxpayers of real estate designated as Block 91.09, Lot 9 on the official tax map of the Borough of Cresskill and better known as 205 Vaccaro Drive, Cresskill, New Jersey; and

WHEREAS, Sunil and Anita Lulla have 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 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> 91.09	<u>Lot</u> 9	<u>Street Address</u> 205 Vaccaro Drive	
<u>Year: 2010</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 675,100.00	N/A	\$ 675,100.00
IMPROVEMENTS	<u>\$2,699,900.00</u>	<u>N/A</u>	<u>\$2,424,900.00</u>
TOTAL	\$3,375,000.00	N/A	\$3,100,000.00
<u>Year: 2011</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 675,100.00	N/A	\$ 675,100.00
IMPROVEMENTS	<u>\$2,699,900.00</u>	<u>N/A</u>	<u>\$2,324,900.00</u>
TOTAL	\$3,375,000.00	N/A	\$3,000,000.00

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.

17. WHEREAS, Harold Span is the taxpayer of real estate designated as Block 301, Lot 31 on the official tax map of the Borough of Cresskill and better known as 47 Adams Drive, Cresskill, New Jersey; and

WHEREAS, Harold Span has made application to the Tax Court of New Jersey to have the assessment of the property listed above adjusted for tax years 2009 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 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> 301	<u>Lot</u> 31	<u>Street Address</u> 47 Adams Drive	
<u>Year: 2009</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 671,300.00	N/A	
IMPROVEMENTS	<u>\$ 780,700.00</u>	<u>N/A</u>	Withdrawn
TOTAL	\$1,452,000.00	N/A	
<u>Year: 2011</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 671,300.00	N/A	\$ 671,300.00
IMPROVEMENTS	<u>\$ 780,700.00</u>	<u>N/A</u>	<u>\$ 578,700.00</u>
TOTAL	\$1,452,000.00	N/A	\$1,250,000.00

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.

18. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 20094, Block 41, Lot 1.06, Qualifier C002U also known as 5 Tenakill Park Dr., #221, Cresskill, NJ in the amount of \$14,969.42;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$14,969.42 be paid to the order of:

Robert Rothman  
411 Grand Avenue  
Englewood, NJ 07631

19. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 20092, Block 41, Lot 1.06, Qualifier C001P also known as 5 Tenakill Park Dr., #114, Cresskill, NJ in the amount of \$14,283.02;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$14,283.02 be paid to the order of:

Robert Rothman  
411 Grand Avenue  
Englewood, NJ 07631

20. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 20098, Block 41, Lot 1.06, Qualifier C003P also known as 5 Tenakill Park Dr., #316, Cresskill, NJ in the amount of \$14,283.02;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$14,283.02 be paid to the order of:

Robert Rothman  
411 Grand Avenue  
Englewood, NJ 07631

21. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 20096, for Block 41, Lot 1.06, Qualifier C003L, also known as 5 Tenakill Park Drive, #312, Cresskill, NJ in the amount of \$28,271.16;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$28,271.16 be paid to the order of:

U.S. Bank-Cust/Sass Muni V dtr

Mailed to:

U.S. Bank Corporate Trust Services  
Tax Lien Services Group  
2 Liberty Place  
50 South 16<sup>th</sup> Street – Suite 1950  
Philadelphia, PA 19102

22. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 20093, for Block 41, Lot 1.06, Qualifier C002P, also known as 5 Tenakill Park Drive, #216, Cresskill, NJ in the amount of \$39,030.50;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$39,030.50 be paid to the order of:

U.S. Bank-Cust/Sass Mumi V dtr

Mailed to:

U.S. Bank Corporate Trust Services  
Tax Lien Services Group  
2 Liberty Place  
50 South 16<sup>th</sup> Street – Suite 1950  
Philadelphia, PA 19102

23. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 20095, for Block 41, Lot 1.06, Qualifier C002W, also known as 5 Tenakill Park Drive, #223, Cresskill, NJ in the amount of \$37,361.04;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$37,361.04 be paid to the order of:

U.S. Bank-Cust/Sass Muni V dtr

Mailed to:

U.S. Bank Corporate Trust Services  
Tax Lien Services Group  
2 Liberty Place  
50 South 16<sup>th</sup> Street – Suite 1950  
Philadelphia, PA 19102

24. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 20097, for Block 41, Lot 1.06, Qualifier C003N, also known as 5 Tenakill Park Drive, #314, Cresskill, NJ, in the amount of \$28,256.29;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$28,256.29 be paid to the order of:

John Finan  
55 MacArthur Ave.  
Closter, NJ 07624

25. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 20091, for Block 41, Lot 1.06, Qualifier C001A also known as 5 Tenakill Park Drive, #101, Cresskill, NJ, in the amount of \$31,736.21;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$31,736.21 be paid to the order of:

John Finan  
55 MacArthur Ave.  
Closter, NJ 07624

26. WHEREAS, Mahfouz Tadros is the taxpayer of real estate designated as Block 210, Lot 17 on the official tax map of the Borough of Cresskill and better known as 197 Hoover Drive, Cresskill, New Jersey; and

WHEREAS, Mahfouz Tadros has made application to the Tax Court of New Jersey to have the assessment of the property listed above adjusted for tax years 2009 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 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>	<u>Lot</u>	<u>Street Address</u>	
210	17	197 Hoover Drive	
<u>Year: 2009</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 798,000.00	N/A	
IMPROVEMENTS	\$1,114,800.00	N/A	Withdrawn
TOTAL	\$1,912,800.00	N/A	
<u>Year: 2011</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 798,000.00	N/A	\$ 798,000.00
IMPROVEMENTS	\$1,114,800.00	N/A	\$ 922,000.00
TOTAL	\$1,912,800.00	N/A	\$1,720,000.00

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.

27. Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Phelps Avenue Road Improvement Project.

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Cresskill formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as 00627 to the New Jersey Department of Transportation on behalf of the Borough of Cresskill.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Cresskill and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

28. Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Piermont Road Improvement Project.

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Cresskill formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as 00591 to the New Jersey Department of Transportation on behalf of the Borough of Cresskill.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Cresskill and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.



37. Motion at 7:57 P.M. by Council Member Savas 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