

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

DECEMBER 16, 2009

1. Vincent Tedeschi 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 Press Journal and The Record and delivery to all members of the governing body.
3. Mayor Romeo called the meeting to order at 7:40 P.M.
4. Present: Council Members Brennan, Cleary, Olmo, Savas
Also Present: Attorney Salvatore, Borough Officials Vaccaro, McKim, Mann, Captain Domville & Members of the Fire Dept.
Absent: Council Members Brassel, Thomasma
5. Motion by Council Member Brennan and seconded by Council Member Olmo to approve the minutes of the Mayor and Council Regular meetings of November 4 & December 2, 2009.

Roll Call: Yes – Council Members Brennan, Cleary, Olmo, Savas
No - None
Absent – Council Members Brassel, Thomasma
Abstain – None
Motion adopted.
6. George H. Heflich, Sr., President of the N.J. State Firemen's Association, read and presented Howard Tiedemann with a Proclamation for his sixty (60) years of dedication and service to the Cresskill Volunteer Fire Department.

(Proclamation in full on page 156A.)
7. Mayor Romeo announced and Interim Recreation Director Barbara Mann presented plaques and gift certificates to the winners of the 2009 Holiday Home Decorating Contest. (annexed hereto).

COMMUNICATIONS

8. Minutes of the following meeting:

Planning Board

November 24, 2009

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

9. No Reports.

UNFINISHED BUSINESS

ORDINANCE ON FINAL READING

Ordinance No. 09-09-1377 – Amend 2009 Salary Ordinance

10. Motion at 7:49 PM by Council Member Cleary and seconded by Council Member Brennan to introduce Ordinance No. 09-09-1377 – Amend 2009 Salary Ordinance on final reading by title only.

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

11. Council Member Cleary read the title:

AN ORDINANCE TO AMEND ORDINANCE NO. 09-05-1373 AFFIXING THE
 SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND
 EMPLOYEES OF THE BOROUGH OF CRESSKILL - YEAR 2009

(Ordinance in full on pages 143A through 143E of Regular
 Mayor and Council Meeting held December 2, 2009.)

12. The Borough Clerk announced that the ordinance was published in The Press Journal on December 3, 2009, posted in the Borough Hall and copies made available to the public.
13. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
14. No one wished to be heard.
15. Motion by Council Member Cleary and seconded by Council Member Olmo to close the public hearing.

Roll Call: Yes– Council Members Brennan, Cleary, Olmo, Savas
 No – None
 Absent – Council Member Brassel, Thomasma
 Abstain – None
 Motion adopted.

16. 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. 09-09-1377, entitled:

AN ORDINANCE TO AMEND ORDINANCE NO. 09-05-1373 AFFIXING THE
 SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND
 EMPLOYEES OF THE BOROUGH OF CRESSKILL - YEAR 2009

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

Roll Call: Yes– Council Members Brennan, Cleary, Olmo, Savas
 No – None
 Absent – Council Member Brassel, Thomasma
 Abstain – None
 Resolution adopted.

Ordinance No. 09-10-1378 – Amend Chapter 230, Article V – Street Openings

17. Motion at 7:50 PM by Council Member Brennan and seconded by Council Member Olmo to introduce Ordinance No. 09-10-1378 – Amend Chapter 230, Article V – Street Openings on final reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

18. Council Member Brennan read the title:

AMEND CHAPTER 230, ARTICLE V – STREET OPENINGS

(Ordinance in full on pages 144A through 144B of Regular Mayor and Council Meeting held December 2, 2009.)

19. The Borough Clerk announced that the ordinance was published in The Press Journal on December 3, 2009, posted in the Borough Hall and copies made available to the public.
20. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
21. No one wished to be heard.
22. Motion by Council Member Brennan and seconded by Council Member Olmo to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

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

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. 09-10-1378, entitled:

AMEND CHAPTER 230, ARTICLE V – STREET OPENINGS

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

Roll Call: Yes – Unanimous Resolution adopted.

NEW BUSINESS

INTRODUCTION OF ORDINANCE

Ordinance No. 09-11-1379 – Amend Chapter 30 – Fire Department

24. Motion at 7:52 P.M. by Council Member Cleary and seconded by Council Member Brennan to introduce Ordinance No. 09-11-1379 – Amend Chapter 30 – Fire Department on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

25. Council Member Cleary read the title:

AMEND CHAPTER 30 – FIRE DEPARTMENT

(Ordinance in full on page 158A.)

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

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 for overpayment of 4th quarter 2009 taxes to:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>
7	36	Brian & Deanna Norris 226 Brookside Avenue Cresskill, NJ 07626	\$ 25.00

30. 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 122, Lot 631 for 2009:

<u>2009</u>	
Original Assessment:	\$ 3,135,200.00
Tax Court Judgment:	\$ 1,621,200.00
Decrease in Assessment:	\$ 1,514,000.00
Tax Rate:	<u>2.214</u>
Tax Refund:	\$ 33,519.96

Check to: Amster & Rosensweig Trust Account
Amster & Rosensweig, P.C.
33 Harrison Avenue
PO Box 1
Waldwick, NJ 07463

31. WHEREAS, an extension to the distribution system of United Water New Jersey has been applied for to install 120+ feet of 6-inch ductile iron pipe in Roosevelt Street, Cresskill, New Jersey to supply premises of applicant; and

WHEREAS, Erik Tencate has presented to United Water New Jersey an application for an extension to its distributing system running as above described and consisting of 120+ feet of 6-inch ductile iron pipe, NOW, on motion duly made, seconded and carried;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the said extension be made and the same hereby is approved.

I HEREBY CERTIFY that the above is a copy of a resolution which was duly passed by the Mayor and Council of the Borough of Cresskill, at a meeting thereof duly called and held on the 16th day of December, 2009.

Barbara A. Nasuto, Borough Clerk

32. BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill that the following transfers be made in the 2009 budget appropriations:

<u>CURRENT ACCOUNT</u>			
	<u>Account</u>	<u>From</u>	<u>To</u>
Legal – O/E	155-020	5,000.00	
Tax Assessment – O/E	150-020		5,000.00
Streets and Roads – S/W	290-010	5,000.00	
Snow Removal – S/W	292-010		5,000.00

Garbage Disposal Costs	465-020	15,000.00	
Vehicle Maintenance – O/E	315-020		15,000.00
Streets and Roads – O/E	290-020	5,000.00	
Buildings and Grounds – O/E	310-020		5,000.00
Group Insurance Plans for Employees	220-020	10,000.00	
Unemployment Insurance	225-020		10,000.00
Construction Code – O/E	195-020	2,000.00	
Construction Code – S/W	195-010		2,000.00
Electrical Inspector – S/W	197-010	100.00	
Plumbing Inspector – S/W	196-010		100.00
Computer Data Processing – O/E	140-020	5,000.00	
Social Security	472-000		5,000.00
Total		47,100.00	47,100.00

33. WHEREAS, New Jersey CVS Pharmacy, LLC made application for construction of a new building at 80 Piermont Road, Block 177, Lots 28.01 and 29; and

WHEREAS, they paid the Non-residential Development Fee of 2.5% required by the State; and

WHEREAS, the State signed the NJ Economic Stimulus Act of 2009 in July that suspends the Non-residential Development Fee and states that any developer that has paid a non-residential development fee may claim a refund;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the Non-residential Development Fee of \$19,838.75, paid by First Hartford Realty Corp.-CVS on March 27, 2009, be refunded.

34. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 2009-12, Block 90.02, Lot 2, also known as 142 Hoover Drive, in the amount of \$20,518.18; and

WHEREAS, a premium was received by the Borough in the amount of \$5,000.00 paid by the lien holder at the Tax Sale held December 3, 2009 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 \$25,518.18 be refunded to:

Alvero Acquisition Corp.
c/o AVR Realty
1 Executive Boulevard
Yonkers, NY 10701

35. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following December 2009 payroll be ratified and approved:

<u>December 18, 2009</u>	
Current Fund	\$ 262,675.91
Social Security/Medicare	10,371.25
Community Center	<u>1,230.33</u>
	\$ 274,277.49

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

Computerized Data Processing – Other Expenses	\$ 10,000.00
First Aid Organizational – Other Expenses	20,000.00
Landfill Disposal Costs	30,000.00
Gasoline	<u>30,000.00</u>
TOTAL	\$ 90,000.00

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.

Miscellaneous Business

37. RL 1290 American Legion Post 21 Jan. 1, 2010 – Dec. 31, 2010
(Pending receipt of missing documentation.)

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

38. No one wished to be heard.

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

Roll Call: Yes - Unanimous Motion adopted.

PRESENTATION OF BILLS

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

(Resolution in full on pages 162A through 162D.)

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.]

43. Vincent Tedeschi, 102 Magnolia Avenue thanked the Mayor and Council for the proclamation given to Ella Palmroth celebrating her 100th birthday.

Mayor Romeo told Howard Tiedemann he was proud to know him and congratulated him for a great job. I was talking to a couple of the firemen about your longevity and Neil Hartman said there is an old saying, “Nero fiddled while Rome burned” and he said you worked that fire.

I wish you all a Merry Christmas and Happy Hanukah. Our next meeting will be the Sine Die at 11:30 am on January 1, 2010.

No one else wished to be heard.

44. Motion by Council Member Brennan and seconded by Council Member Olmo to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

45. Motion at 7:57 P.M. by Council Member Brennan and seconded by Council Member Olmo to adjourn to Sine Die.

Roll Call: Yes - Unanimous. Motion adopted.

Benedict Romeo
Mayor

Barbara A. Nasuto
Borough Clerk