

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

DECEMBER 4, 2013

1. Chief Wrixon 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, Mueller, Olmo, Savas, Tsigounis  
Also Present: Attorney Salvatore, Borough Officials Laufeld, McKim, Mann, Chief Wrixon, Chief Ulshoefer
5. Motion by Council Member Tsigounis and seconded by Council Member Olmo to approve the minutes of the Mayor and Council Regular meeting of November 6, 2013.

Roll Call: Yes – Unanimous

Motion adopted.

## COMMUNICATIONS

6. Minutes of the following meetings:

Board of Health	September 23, 2013
Library Board of Trustees	October 21, 2013
Pool Commission	October 14, 2013
Planning Board	November 12, 2013
Recreation Committee	October 23, 2013

Filed.

## REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Tsigounis said as a result of Ms. Kreisel's complaint about trying to gain access to the Library's computers, the Library Board has established a new sign-in policy.

Council Member Savas said while attending classes at the League of Municipalities Convention, she heard of issues in other towns that we don't have here. I want to validate our Mayor and Council for putting our residents and the welfare of the town first. We don't play political party games, especially at the expense of the taxpayers. I also heard many complaints regarding Superstorm Sandy and FEMA and how towns didn't know how to go about getting help and assistance. Our Police, Fire and other professionals were right on top of everything and knew exactly what to do.

Council Member Olmo said the vacancy on the School Board will be chosen by the Bergen County Superintendent of Schools.

Council Member Cleary said he missed the last Board of Health meeting because he attended the JIF meeting which was the same night.

## UNFINISHED BUSINESS

## ORDINANCE ON FINAL READING

Ordinance No. 13-10-1453 Amend Chapter 144 – Hazardous Materials

8. Motion at 7:47 PM by Council Member Cleary and seconded by Council Member Mueller to introduce Ordinance No. 13-10-1453 Amend Chapter 144 – Hazardous Materials on final reading by title only.

Roll Call: Yes - Unanimous Motion adopted.

9. Council Member Cleary read the title:

## AMEND CHAPTER 144 – HAZARDOUS MATERIALS

(Ordinance in full on pages 198A through 198B in Minutes of Regular Mayor and Council Meeting held November 6, 2013.)

10. The Borough Clerk announced the Ordinance was published in The Record on November 8, 2013, posted in 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 this change will allow us to charge the insurance company of the automobile owner for the clean-up of a fuel or anti-freeze spill after an accident.

No one else wished to be heard.

13. Motion by Council Member Cleary and seconded by Council Member Savas to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

14. Resolution by Council Member Cleary 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. 13-10-1453, entitled:

## AMEND CHAPTER 144 – HAZARDOUS MATERIALS

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. 13-11-1454 Amend Chapter 30 – Fire Department

15. Motion at 7:49 PM by Council Member Cleary and seconded by Council Member Savas to introduce Ordinance No. 13-11-1454 – Amend Chapter 30 – Fire Department on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

16. Council Member Cleary read the title:



21. Motion at 7:52 PM by Council Member Olmo and seconded by Council Member Mueller to introduce Ordinance No. 13-13-1456 – An Ordinance to Fix the Salaries, Wages and Compensation of the Officers and Employees of the Borough of Cresskill – Year 2014 on first reading by title only.

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

22. Council Member Olmo read the title:

AN ORDINANCE TO FIX THE SALARIES, WAGES AND  
 COMPENSATION OF THE OFFICERS AND EMPLOYEES  
 OF THE BOROUGH OF CRESSKILL - YEAR 2014

(Ordinance in full on pages 205A through 205E.)

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

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. 13-13-1456, entitled:

AN ORDINANCE TO FIX THE SALARIES, WAGES AND  
 COMPENSATION OF THE OFFICERS AND EMPLOYEES  
 OF THE BOROUGH OF CRESSKILL - YEAR 2014

does now pass on first reading and remain on file with the Borough Clerk for public inspection until public hearing thereon and further consideration thereof.

Such hearing shall be held at the Borough Hall in Cresskill on Wednesday, December 18, 2013, at 7:30 P.M., or as soon thereafter as it can be reached, at which time and place all persons interested in said ordinance will be heard.

The Borough Clerk is hereby directed to publish said ordinance in full, with the notice of hearing thereon, in an official newspaper according to law, also to mail copies of said ordinance when and as required by law.

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

Ordinance No. 13-14-1457 – An Ordinance Amending Chapter 53 – Police Department

24. Motion at 7:53 PM by Council Member Brennan and seconded by Council Member Olmo to introduce Ordinance No. 13-14-1457 – An Ordinance Amending Chapter 53 – Police Department on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

25. Council Member Brennan read the title:

AN ORDINANCE AMENDING CHAPTER 53 – POLICE DEPARTMENT

(Ordinance in full on page 205F.)

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



3 <sup>rd</sup> Qtr 2013	CT065	27	55	Dolores Menmona Etal. 402 Madison Avenue Cresskill, NJ 07626	\$ 504.72
2 <sup>nd</sup> Qtr 2013		124	215	John & Jenny Zhang 249 Highland Street Cresskill, NJ 07626	\$ 2,806.00
3 <sup>rd</sup> Qtr 2013		1.05	21	Xuejun Jian & Mei Huang 36 Douglas Drive Cresskill, NJ 07626	\$ 46.96
4 <sup>th</sup> Qtr 2012		22	42	Hee Taek Timothy Woo 57 Monroe Avenue Cresskill, NJ 07626	\$ 3,672.00
3 <sup>rd</sup> Qtr 2013		150	14	Doo Young Chung & Choon Sook 27 Phelps Avenue Cresskill, NJ 07626	\$ 376.97
3 <sup>rd</sup> Qtr 2013		7	38	Anastasia & Florin Moscu 236 Brookside Avenue Cresskill, NJ 07626	\$ 1,957.86
3 <sup>rd</sup> Qtr 2013		92.08	29	Edward & Mary Reilly 153 Palisade Avenue Cresskill, NJ 07626	\$ 479.29
4 <sup>th</sup> Qtr 2013		54	6	Joon Ryung Chung & Donald Tech Kim 14 Cedar Street Cresskill, NJ 07626	\$ 114.62

29. Approval to submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Brookside Avenue Improvement – Section 2 Project

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

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as 00492 to the New Jersey Department of Transportation on behalf of the Borough of Cresskill.

BE IT FURTHER RESOLVED that the Mayor and Borough 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.

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL \_\_\_\_\_  
(Clerk) (Presiding Officer)

30. Approval to submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Grant Avenue Improvement – Section 2 Project



PERS	471-000	8,000.00	
Tax Collection – O/E	145-020	2,000.00	
Engineering – O/E	165-020		10,000.00
Total		65,000.00	65,000.00

36. RESOLUTION AUTHORIZING CANCELLATION OF FEDERAL AND STATE GRANT RECEIVABLES IN THE CURRENT FUND

WHEREAS, certain receivable balances remain dedicated to programs or projects which have been completed: and;

WHEREAS, these balances represent completed programs or projects in prior years and it is necessary to formally cancel these balances;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill, County of Bergen, State of New Jersey, that the following balances in the Current Fund be cancelled.

<u>DESCRIPTION</u>	<u>ACCOUNT BALANCE</u>
<u>Current Fund – Grants Receivable</u>	
Municipal Alliance Grant	\$1,052.26 Cancel Appropriated Reserve Balance
Clean Communities Grant	\$ 279.55 Cancel Appropriated Reserve Balance
Total Current Fund	\$1,331.81

37. RESOLUTION AUTHORIZING CANCELLATION OF APPROPRIATED & MISCELLANEOUS RESERVES IN THE CURRENT FUND

WHEREAS, certain appropriated reserve balances remain open on the Borough's records, and;

WHEREAS, these balances represent old and completed projects and it is necessary to formally cancel these balances as recommended by Borough Auditor.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill, County of Bergen, State of New Jersey, that the following balances in the Current and Capital Funds be cancelled.

Current Fund – Appropriated Reserves

<u>DESCRIPTION</u>	<u>ACCOUNT BALANCE</u>
Municipal Alliance	\$ 1,052.26 Cancel State Grant Receivable
Clean Communities Grant	\$ 279.55 Cancel State Grant Receivable
Municipal Alliance	\$ 3,066.58 Cancel to Fund Balance
Clean Communities	\$ 4,921.21 Cancel to Fund Balance
FEMA Funds	\$ 7,129.51 Cancel to Fund Balance
Total Appropriated Reserves	\$16,449.11

Current Fund – Miscellaneous Reserves

Tallman House Repairs	\$ 4,182.50 Cancel to Fund Balance
LOSAP Contributions	\$ 8,305.00 Cancel to Fund Balance
Total Miscellaneous Reserves	\$12,487.50

38. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following November 2013 payrolls be ratified and approved:

November 15, 2013

Current Fund	\$ 264,375.74
Social Security/Medicare	10,403.47
Community Center	1,745.05
Library	<u>15,532.98</u>
	\$ 292,057.24

November 29, 2013

Current Fund	\$ 280,170.58
Social Security/Medicare	10,986.31
Community Center	1,710.60
Municipal Swim	215.30
Library	<u>15,468.23</u>
	\$ 308,551.02

39. 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 71, Lot 13 for 2009, 2010 and 2013:

	<u>2009</u>	<u>2010</u>	<u>2013</u>
Original Assessment:	\$7,855,500.00	\$7,000,000.00	\$8,527,200.00
Tax Court Judgment:	\$7,000,000.00	\$6,500,000.00	\$7,250,000.00
Decrease in Assessment:	\$ 855,500.00	\$ 500,000.00	\$1,277,200.00
Tax Rate:	<u>2.214</u>	<u>2.300</u>	<u>2.413</u>
Tax Refund:	\$ 18,940.77	\$ 11,500.00	\$ 30,818.84
Total:	<u>\$ 61,259.61</u>		

Check to: Care One at Dunroven  
 Skoloff & Wolfe, P.C.  
 293 Eisenhower Parkway  
 Livingston, NJ 07039  
 (for: 221 County Road)

40. Chapter 159 Resolution – Amendment to 2013 Budget

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of Local Government Services may approve the insertion of any Special Item of Revenue in the budget of any County or Municipality when such item shall have been available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amounts;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill requests the Director of Division of Local Government Services to approve the insertion of an Item of Revenue in the 2013 Budget in the sum of \$9,628.17 which is now available as a revenue from State and Federal Grants off-set by revenue;

BE IT FURTHER RESOLVED, that a like sum of \$9,628.17 and the same is hereby appropriated under the caption

General Appropriations  
 Operations Excluded from CAPS  
 State and Federal Programs Offset by the Revenues  
 State of NJ Recycling Tonnage Grant



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

(Resolution in full on pages 212A through 212F.)

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. Ronald Knox, 134 Heather Hill Road said he read the new Library policy and feels it is too strict and overly broad. It says you can use a computer for one hour and if no one is waiting, for an additional thirty minutes. Mayor Romeo said the new policy is to stop the kids from monopolizing all the computers. I'm sure if no one is waiting you could speak to a Librarian and continue to use the computer. Have you ever been asked to discontinue using a computer? Mr. Knox said he has not. Council Member Tsigounis said the policy is also to protect the staff from confrontation. They are also in the process of upgrading the computers. Mayor Romeo said we will speak to Ms. Browning and the Library Board to resolve this. Mr. Knox said he has also been treated disrespectfully by some staff members and spoke to Madam Director about it.

Geraldine Kearns of Mahwah said she frequently uses the computers in the Cresskill Library for Facebook and Email and they are very slow. The staff should be mindful of what the computers are being used for. Someone like Ron, who is looking for work, is more in need of computer time than someone using it for social media. Council Member Brennan said the staff cannot monitor what people are using them for and it's everyone's right to use them, you can't be subjective.

Robert Ulshoefer, 320 11<sup>th</sup> Street said the light on the south side of the Monument is still out. Chief Wrixon and Supt. Terhune have both contacted the County. Chief Wrixon said he will call again. It's very hard getting the County to move quickly.

No one else wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

51. Motion at 8:13 P.M. by Council Member Tsigounis and seconded by Council Member Olmo 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