

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

## REGULAR MEETING

FEBRUARY 1, 2012

1. Pete Giannuzzi 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 7:35 P.M.
4. Present: Council Members Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis  
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Laufeld, McKim, Mann, Hamlett, Chief Wrixon, Captain Domville, Members of the Fire Dept.
5. Motion by Council Member Cleary and seconded by Council Member Olmo to approve the minutes of the Mayor and Council Regular meeting of January 18, 2012.

Roll Call: Yes – Unanimous

Motion adopted.

## COMMUNICATIONS

6. Minutes of the following meetings:

Library Board of Trustees	December 19, 2011
Planning Board	January 10, 2012
Zoning Board of Adjustment	December 19, 2011

Filed.

## REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Tsigounis said Planner Mike Hakim submitted a draft copy of the Environmental Resource Inventory at the Planning Board meeting which is available for review at the Borough Hall.

We will be creating a new Historical Commission if anyone is interested in joining.

Council Member Savas said 15 people attended OEM's reorganization meeting last night.

Council Member Brennan said construction on the pavilion should be starting soon.

Council Member Olmo said the BOE passed a resolution to change their elections from April to November.

Council Member Cleary said he attended the recent OEM, Board of Health and JIF meetings.

Council Member Mueller said he also attended the JIF meeting. The issue of Police motorcycles was a hot issue.

I also attended one of the Light Rail meetings held by State and Federal Government officials with Councilwoman Tsigounis and Tenafly officials and residents were overly opposed. They feel it will greatly increase traffic and intersection blockage. Most

bothersome was that while the Light Rail Commission had been soliciting input; they never returned a call to any Tenafly official that had called them. The (3) plans on the table are (a) do nothing, (b) terminate in Tenafly, just over the Cresskill border or (c) terminate in Englewood, just south of Route 4.

At the Zoning Board meeting, Dunroven's application for expansion was presented and will continue at their next meeting.

## NEW BUSINESS

### INTRODUCTION OF ORDINANCE

#### Ordinance No. 12-02-1424 Amend Chapter 15 – Cresskill Volunteer Ambulance & Emergency Services Co.

8. Motion at 7:40 PM by Council Member Brennan and seconded by Council Member Savas to introduce Ordinance No. 12-02-1424 Amend Chapter 15 – Cresskill Volunteer Ambulance & Emergency Services Co. on first reading by title only.

Roll Call: Yes - Unanimous Motion adopted.

9. Council Member Brennan read the title:

#### AMEND CHAPTER 15 – CRESSKILL VOLUNTEER AMBULANCE & EMERGENCY SERVICES COMPANY

(Ordinance in full on pages 20A through 20E.)

10. Resolution by Council Member Brennan 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. 12-02-1424, entitled:

#### AMEND CHAPTER 15 – CRESSKILL VOLUNTEER AMBULANCE & EMERGENCY SERVICES COMPANY

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, February 15, 2012 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 - Unanimous Resolution adopted.

## UNFINISHED BUSINESS

### ORDINANCE ON FINAL READING

#### Ordinance No. 12-01-1423 Chapter 32 – Cresskill Fire Department

11. Motion at 7:41 PM by Council Member Cleary and seconded by Council Member Brennan to introduce Ordinance No. 12-01-1423 Chapter 32 – Cresskill Fire Department on final reading by title only.

Roll Call: Yes - Unanimous Motion adopted.

12. Council Member Cleary read the title:

CHAPTER 32 - CRESSKILL FIRE DEPARTMENT

(Ordinance in full on pages 13A through 13M of Minutes of Regular Mayor and Council Meeting held January 18, 2012.)

13. The Borough Clerk announced that the ordinance was published in The Record on January 20, 2012, posted in the Borough Hall, and copies made available to the public.
14. Mayor Romeo read a statement (annexed hereto) to the audience.
15. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
16. Mark Marzocchi, 50 Cresskill Ave., said he agreed something needed to be done; but why weren't there focus groups or community input. My main concern is I don't want my taxes to increase.

Jean Quinn, 34 Glen View Terr., asked if we've tried to get recruits since this became a problem. Mayor Romeo said the CFD has tried for years to get recruits and there is no interest. Times have changed; people hold more than one job and don't work in the immediate area. Young people are trying to find jobs. They don't have time for the training requirements involved and fighting fires is a young man's job. We've used mutual aid but sometimes we can't reciprocate and we cannot become the burden of another town. The third party billing system for our ambulance corp. will become the revenue source to fund our paid firefighters.

Fire Chief Ulshoefer said they recruited from the high school in the past, but they go away to college and don't return. It takes a minimum seven months for firefighter training, 170 hours, two nights a week. The training has become very stringent.

Council Member Brennan said they thought this was something that would happen down the road, but it's happening now and we have the revenue source to pay for it. We are being proactive unlike other towns. Mayor Romeo said there were 900 ambulance calls last year and we based this budget on only half of that number. We have a five year plan budgeted.

James Lyons, Asst. Fire Chief said the 27 minute call referenced was at the high school and was full of kids. Another delayed response call was at a daycare facility in town. Lt. Pete Giannuzzi, a career Englewood firefighter and volunteer in Cresskill said mutual aid is great, but the firefighters get tired of covering other towns when they can barely cover their own.

Dave Philpott, Cresskill DPW worker and volunteer firefighter for 30 years said there is not a firefighter here that wants it to come to this, but its happening. We risk our lives and are willing to do so and there's no other way for the town to take care of this issue.

Steve Bianco, 124 Heatherhill Rd., retired fire captain said he has some reservations. I believe you are underfunding the fire department at a budget of \$250K for four men. You should have coverage 24/7, 365 days a year. Mayor Romeo said we need to take this one step at a time. Mr. Bianco said the Mayor told him there was a written plan, but there is not a plan that the public can come in and review. Mayor Romeo said the plan was put together by some local fire experts and our council members. We had a very short period of time to put this together before a tragedy could have occurred. With your expertise, you could help us with our five year plan. I find it promising that you think I didn't do enough, but we can only burden the taxpayers so much.

Jean Quinn asked how they came to the \$240K budget. Mayor Romeo said they estimated salaries, benefits and pensions. We've spoken to our auditors and we are on target.

Neil Hartmann invited Mr. Bianco to join the CFD as a volunteer.

Mike DePalo, 54 Linwood Ave., said he just wants to make sure that if he has to call the CFD there's somebody there to respond. Also, if there are not enough bodies, it becomes a safety issue for our firefighters and \$82 would not be a big price to pay for everyone's safety. Mayor Romeo said the \$82 a year would be if we didn't have a revenue source.

Richard Blohm, resident of Paramus and Fire Chief of Hoboken said he came to the meeting out of curiosity. I have been appointed to and sit on the New Jersey State Fire Commission representing career firefighters across the state for the last four terms. I have also been an instructor at the Bergen County Law and Public Safety Institute for 17 years. I came because Mayors don't typically create career fire departments. I was amazed this was happening and wanted to see it unfold. Something that may be helpful is that the Federal Government provides funding through a program called SAFER (Staffing for Adequate Fire & Emergency Response). SAFER can hire firefighters and pay their salary and benefits 100% for (2) years. They are accepting grant applications until February 24<sup>th</sup> and I would be happy to help you with it. I feel the Mayor and Council are being very proactive and courageous in their decision. They recognize there is a flaw in the existing system, to no fault of the volunteer firefighters, and protecting your community should be the number one goal.

James Kirsch, resident of Englewood and a Lieutenant of the Bergenfield Fire Dept. said the manpower issue at Volunteer Fire Depts. has been an open secret in Bergen County for many years. Bergenfield has six career firefighters and one Lieutenant covering the weekday shift and if not for them we would have the same problem with the lack of volunteers. In your five year plan you do need to look at future coverage. You are ahead of the curve and more towns are going to have combination depts. If there is anything I can do to help you out please don't hesitate to contact me.

Mark Marzocchi said if we could use the resources of these career firemen that are willing to help us with our five year plan, and we as residents could see that plan, it would put a lot of our concerns at ease.

Council Member Olmo said he is a Tenafly Police Officer and was a Tenafly Volunteer firefighter for twelve years. It was very stressful when I was 20 years old. I couldn't do it now. Unfortunately you see in the paper about 40 and 50 year old firefighters having heart attacks because they are not physically able to do it. It's not a profession for a 40 year old and older.

James Pannone, 333 Brookside Ave., said he has been a firefighter in Cresskill since he was 16 and is now 52 years old. This is very tough to take, but it has to be done to protect the people of Cresskill.

Mayor Romeo said we are not replacing the volunteers, this is to help them. They stepped forward and said they needed help. We will have four men during the day to enhance the volunteers. I couldn't be more proud and honor them for their service. They are still going to show up to fires at night and weekends and come during the day when they can. It's in their blood. We should commend our firefighters for their intelligence and integrity.

17. No one else wished to be heard.
18. Motion by Council Member Cleary and seconded by Council Member Olmo to close the public hearing.

Roll Call: Yes - Unanimous Motion adopted.

19. 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. 12-01-1423, entitled:

#### CHAPTER 32 – CRESSKILL FIRE DEPARTMENT



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.

23. WHEREAS, Keith and Annette Amburgey are the taxpayers of real estate designated as Block 79, Lot 198 on the official tax map of the Borough of Cresskill and better known as 2 Lambs Lane, Cresskill, New Jersey; and

WHEREAS, Keith and Annette Amburgey have made application to the Tax Court of New Jersey to have the assessment of the property listed above adjusted for tax year 2009; 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>	
79	198	2 Lambs Lane	
	<u>Original</u>	<u>County Board</u>	<u>Requested Tax</u>
<u>Year: 2009</u>	<u>Assessment</u>	<u>Judgment</u>	<u>Court Judgment</u>
LAND	\$ 665,000	N/A	\$ 665,000
IMPROVEMENTS	<u>\$1,485,000</u>	<u>N/A</u>	<u>\$1,435,000</u>
TOTAL	\$2,150,000	N/A	\$2,100,000

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.

24. WHEREAS, Eva Alter is the taxpayer of real estate designated as Block 90.01, Lot 14 on the official tax map of the Borough of Cresskill and better known as 53 Kennedy Drive, Cresskill, New Jersey; and

WHEREAS, Eva Alter has made application to the Tax Court of New Jersey to have the assessment of the property listed above adjusted for tax year 2009; 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 adjustment of the assessment of the property specified below be and is hereby ratified as follows:

<u>Block</u>	<u>Lot</u>	<u>Street Address</u>	
90.01	14	53 Kennedy Drive	
<u>Year: 2009</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 1,120,000	N/A	\$ 1,120,000
IMPROVEMENTS	\$ 1,321,700	N/A	\$ 875,000
TOTAL	\$ 2,441,700	N/A	\$ 1,995,000

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.

25. WHEREAS, Michael Bannout is the taxpayer of real estate designated as Block 91.09, Lot 2 on the official tax map of the Borough of Cresskill and better known as 102 Truman Drive, Cresskill, New Jersey; and

WHEREAS, Michael Bannout has made application to the Tax Court of New Jersey to have the assessment of the property listed above adjusted for tax years 2009, 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>	<u>Lot</u>	<u>Street Address</u>	
91.09	2	102 Truman Drive	
<u>Year: 2009</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 922,400	N/A	
IMPROVEMENTS	\$ 2,132,500	N/A	WITHDRAWN
TOTAL	\$ 3,054,900	N/A	
<u>Year: 2010</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 922,400	N/A	\$ 922,400
IMPROVEMENTS	\$ 2,171,200	N/A	\$ 2,127,600
TOTAL	\$ 3,093,600	N/A	\$ 3,050,000
<u>Year: 2011</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>

LAND	\$ 922,400	N/A	
IMPROVEMENTS	\$2,171,200	N/A	WITHDRAWN
TOTAL	\$3,093,600	N/A	

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.

26. 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 totaling \$7,015.39 due to overpayment of 4<sup>th</sup> quarter 2011 taxes for the following properties:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>
87	178	6 Oak Street Cresskill, NJ 07626	\$ 2,488.88
117	15	21 Short Place Cresskill, NJ 07626	\$ 1,500.37
14	42	44 Roosevelt St. Cresskill, NJ 07626	\$ 1,598.99
107	6	166 Roosevelt St. Cresskill, NJ 07626	\$ 1,427.15

Make check payable to: Chase  
Attn: Tax Refunds Department  
P.O. Box 961227  
Fort Worth, Texas 76161

27. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following January 2012 payroll be ratified and approved:

January 27, 2012

Current Fund	\$ 426,559.22
Social Security/Medicare	18,868.17
Community Center	1,601.09
Library	<u>23,243.62</u>
	\$ 470,272.10

28. WHEREAS, it becomes necessary at times to issue checks for certain fixed charges which are due on periodic dates, such as County Taxes, Payroll and other miscellaneous items, which dates frequently occur between Council meetings.

NOW, THEREFORE, BE IT RESOLVED that the proper Borough Officials be and are hereby authorized to issue and sign checks for payment when such payments become due for ratification at the next following meeting.

29. INTERBORO MUTUAL AID GROUP AGREEMENT

WHEREAS, the Fire Departments of the Interboro Mutual Aid, in the County of Bergen and State of New Jersey, have heretofore mutually agreed to establish a Mutual Aid and Assistance Program for better fire protection in these towns; and

WHEREAS, the following towns are included:



Roll Call: Yes – Unanimous Motion adopted.

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

Roll Call: Yes - Unanimous Motion adopted.

\*\*\*\*\*

#### PRESENTATION OF BILLS

37. Resolution by Council Member Olmo and seconded by Council Member Cleary:

(Resolution in full on pages 28A through 28C.)

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.]

38. Joseph LePore, 30 Buckingham Rd., extended an invitation to the Mayor and Council on behalf of the High School Student Council to attend a Valentine's Day dinner on February 16<sup>th</sup> at 5:30 pm in the high school cafeteria.

Jean Quinn asked about the school board changing their election date. Borough Clerk Nasuto said the BOE passed a resolution to change the date of their election from April to November. You will be voting only on the school board members, not the budget as long as they stay under the 2% CAP. If they go over the 2% CAP, then it becomes a referendum.

Kenny Mann, 138 Heatherhill Rd., asked if there was anything mentioned at the Light Rail meeting about it going up to Rockland County. Council Member Mueller said not at this time.

No one else wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

40. Motion at 8:52 P.M. by Council Member Cleary and seconded by Council Member Olmo to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

---

Benedict Romeo  
Mayor

---

Barbara A. Nasuto  
Borough Clerk