

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

FEBRUARY 20, 2013

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 7:37 P.M.
4. Present: Council Members Brennan, Cleary, Mueller, Savas, Tsigounis
Also Present: Attorney Salvatore, Borough Officials Vaccaro, McKim, Mann, Chief Wrixon, Captain Domville
Absent: Council Member Olmo
5. Motion by Council Member Tsigounis and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of February 6, 2013.

Roll Call: Yes – Unanimous

Motion adopted.

COMMUNICATIONS

6. Minutes of the following meetings:

Environmental Commission
Planning Board

January 15, 2013
February 12, 2013

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Tsigounis said the Historical Committee will hold their meeting at the Library tomorrow night at 6:30 pm. A lecture and book signing by Todd Grayson, an expert on the Revolutionary War will follow.

Council Member Savas said residents need to have their dogs and cats licensed by the end of this month.

Council Member Brennan said we will put our energy use up for auction in approximately two weeks. We could save up to 30%, but realistically should be a 20% savings on our town-wide electric bill.

Council Member Brennan read a letter from resident Diane Stoller thanking and commending the EMS and Police Departments for the compassionate and professional treatment she and her husband received when her husband was in need of emergency care.

Mayor Romeo said we received a letter from the American Legion requesting the use of the town van for the St. Patrick's Day parade.

Council Member Cleary said United Water is checking all the fire hydrants and the valve that feeds them.

8. Frank Covelli, Risk Manager of PIA McCarthy Forde presented their annual report (attached hereto) pertaining to Cresskill's membership in the MEL and JIF.

UNFINISHED BUSINESS

ORDINANCE ON FINAL READING

Ordinance No. 13-01-1444 – Amend Chapter 15 – Cresskill Volunteer Ambulance & Emergency Services Company

9. Motion at 8:04 PM by Council Member Brennan and seconded by Council Member Savas to introduce Ordinance No. 13-01-1444 – Amend Chapter 15 – Cresskill Volunteer Ambulance & Emergency Services Company on final reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

10. Council Member Brennan read the title:

AMEND CHAPTER 15 CRESSKILL VOLUNTEER AMBULANCE & EMERGENCY SERVICES COMPANY

(Ordinance in full on pages 23A through 23D in Minutes of Regular Mayor and Council Meeting held February 6, 2013.)

11. The Borough Clerk announced the Ordinance was published in the The Record on February 8, 2013, posted in the Borough Hall, and copies made available to the public.
12. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
13. Mayor Romeo said this is a restructuring of the existing ordinance because it is now a partial paid/volunteer dept. and is now regulated by the State Health Dept. and Medicare.

No one else wished to be heard.

14. Motion by Council Member Brennan and seconded by Council Member Cleary to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

15. 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. 13-01-1444, entitled:

AMEND CHAPTER 15 CRESSKILL VOLUNTEER AMBULANCE & EMERGENCY SERVICES COMPANY

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

Roll Call: Yes – Unanimous Resolution adopted.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

17. WHEREAS, Matthew Vaccarino has applied for a Limo/Taxi Owner's License and has paid the required fees; and

WHEREAS, the vehicle has been inspected and approved by Chief Edward Wrixon;

NOW, THEREFORE, BE IT RESOLVED that the license be authorized for term ending December 31, 2013 subject to requirements of Chapter 246 of the Code of the Borough of Cresskill.

License No. 13-379
2005 Lincoln Town Car
Serial #1LNHM81W95Y606961

18. RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY
VIA ON-LINE AUCTION

WHEREAS, the Borough of Cresskill is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough of Cresskill is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, as follows:

1. The sale of surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough of Cresskill.
 2. The sale will be conducted online and the address of the auction is govdeals.com.
 3. The sale is being conducted pursuant to Local Finance Notice 2008-9.
 4. A list of the surplus property to be sold is indicated on Schedule A attached hereto.
 5. The surplus property as identified shall be sold in an "as is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
 6. The Borough of Cresskill reserves the right to accept or reject any bid submitted.
19. WHEREAS, Martin Santini is the taxpayer of real estate designated as Block 90.01, Lot 23 on the official tax map of the Borough of Cresskill and better known as 29 Loman Court, Cresskill, New Jersey; and

WHEREAS, taxpayer has made application to the Tax Court of New Jersey to have the assessment of the property listed above adjusted for tax year 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, after review and analysis, 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>	
90.01	23	29 Loman Court	
<u>Year: 2011</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 718,000	N/A	\$ 718,000
IMPROVEMENTS	\$ 633,600	N/A	\$ 532,000
TOTAL	\$1,351,600	N/A	\$1,250,000

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.

20. WHEREAS, by resolution of the Mayor and Council, the Borough Clerk was authorized to advertise invitation to bidders in connection with acquisition and installation of a Weather Station/Lightning Detection and Warning Systems, pursuant to Documents and Specifications entitled "Acquisition and Installation of a Weather Station/Lightning Detection and Warning Systems", and

WHEREAS, after due advertisement, bids were received at Borough Hall on February 5, 2013 at 10:00 AM; and

WHEREAS, Earth Networks, 12410 Milestone Center Drive, Suite 300, Germantown, MD 20876 submitted a bid in the amount of \$62,446.00, which appears to be the lowest responsible bid received; and

WHEREAS, the Fire Chief and Qualified Purchasing Agent have reviewed the said bid compliance documents and are satisfied that the same can be accepted; and

WHEREAS, funds are available in the Borough of Cresskill Municipal Open Space Trust Fund;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, County of Bergen, and State of New Jersey, that the Acquisition and Installation of a Weather Station/Lightning Detection and Warning Systems contract be awarded to Earth Networks and that the Mayor and Borough Clerk be, and hereby are, authorized to sign an agreement for same, subject to the following conditions:

1. Compliance with all provisions of the Notice to Bidders and applicable Plans and Specifications.
2. Execution of a contract.

AND BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Cresskill hereby waive any informality or irregularity in the bid of the Acquisition and Installation of a Weather Station/Lightning Detection and Warning Systems project.

21. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the attached 2013 membership fee schedule submitted by the Municipal Pool Commission be hereby approved.

22. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that Shawn Cole has completed his required training and graduated the police academy on December 20, 2013.
23. WHEREAS, William J. Weyer, T/A Punctual Pickups, has applied for Taxi Owners' Licenses and has paid the required fees; and

WHEREAS, the vehicles have been inspected and approved by Chief Edward Wrixon;

NOW, THEREFORE, BE IT RESOLVED that the licenses be authorized for term ending December 31, 2013 subject to requirements of Chapter 246 of the Code of the Borough of Cresskill.

License No. 13-380
2005 Chrysler Sedan
Serial #2C3AA63H35H564805

License No. 13-381
2003 Lincoln Town Car
Serial #1L1FM81W43Y640151

24. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following February 2013 payroll be ratified and approved:

February 22, 2013

Current Fund	\$ 291,053.09
Social Security/Medicare	14,060.95
Community Center	1,318.06
Library	<u>14,785.95</u>
	\$ 321,218.05

25. RESOLUTION AUTHORIZING THE PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Borough of Cresskill has determined to move forward with the EMEX Reverse Auction in order to procure electricity for the Borough; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") authorizes the purchase of energy generation service for public use through the use of an online auction service; and

WHEREAS, the Borough of Cresskill will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act; waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act.

BE IT RESOLVED, that a certified copy of the within Resolution be forwarded by the Borough Clerk to the following:

Rockland Electric Company
EMEX, LLC
NJ Board of Public Utilities

Motions

26. Appoint Anthony Greco as a Member to the Cresskill Environmental Commission for term ending December 31, 2015.
27. Appoint Michael Swan as an Alternate Member to the Cresskill Environmental Commission for term ending December 31, 2014.
28. Appoint Marc DeStefano and Tracey Naccarella as Members to the Cresskill Pool Commission for term ending December 31, 2015.

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

29. No one wished to be heard.
30. Motion by Council Member Tsigounis and seconded by Council Member Cleary to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous Motion adopted.

31. Motion by Council Member Tsigounis and seconded by Council Member Savas 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.

32. Motion by Council Member Tsigounis and seconded by Council Member Savas to adopt all items with an asterisk as a single question.

Roll Call: Yes - Unanimous Motion adopted.

PRESENTATION OF BILLS

33. Resolution by Council Member Brennan and seconded by Council Member Savas:

(Resolution in full on pages 50A through 50C.)

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.]

34. Andrew Paspalas, 83 12th Street said a year ago he wrote to the Mayor and Council about overnight street parking in his neighborhood, especially in the winter, and was told it would be looked into. The same cars are parked on the street every night and nothing has been done about it. Mayor Romeo said to give the addresses to the Police Chief. Chief Wrixon said he knows who it is and they have been spoken to directly and given warnings. If they call for permission and there is no snow in the forecast we allow them to park on the street. After October 15th through April 14th people can park on the street all night if they choose. It's more prevalent now because households have more than one or two cars as opposed to when I came here 30 years ago. Council Member Brennan said he parks his cars in the street all the time in the summer because his kids play in the driveway. Chief Wrixon said his men have been patrolling the area and will send them again. Mr. Paspalas said it would be more of a deterrent if summonses were issued.

No one else wished to be heard.

35. Motion by Council Member Tsigounis and seconded by Council Member Mueller to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

36. Motion at 8:19 P.M. by Council Member Tsigounis and seconded by Council Member Savas to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

Benedict Romeo
Mayor

Barbara A. Nasuto
Borough Clerk