

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

FEBRUARY 3, 2016

1. Martin Santini 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 7:36 P.M.
4. Present: Council Members Cleary, Mueller, Olmo, Savas, Spina, Tsigounis
Also Present: Attorney Salvatore, Borough Officials Laufeld, Deputy Chief Domville
5. Motion by Council Member Savas and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of January 13, 2016.

Roll Call: Yes – Unanimous

Motion adopted.

COMMUNICATIONS

6. Minutes of the following meetings:

Board of Health

November 23, 2015

Planning Board

January 12, 2016

Recreation Committee

December 15, 2015

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Savas said a meeting has been set up for the Community Center next Thursday at 7:00 pm.

Council Member Olmo commended the DPW, Fire and Police Departments for their handling of the snow storm.

Council Member Cleary said he attended the Senior Center Board of Trustees meeting. They give dance lessons at the Center and more men than women attend.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

9. Dedication by Rider –Donations, Acceptance of Bequests and Gifts – 9/11 Memorial Fund Pursuant to N.J.S.A.40A: 50-29

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A.40A:50-29 allows municipalities to receive amounts for costs incurred; and

WHEREAS, N.J.S.A.40A:4-39 provides the dedicated revenues anticipated from the Borough of Cresskill 9/11 Memorial Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill, County of Bergen and State of New Jersey as follows:

1. The Mayor and Council of the Borough of Cresskill does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for fund entitled Donations, Acceptance of Bequests and Gifts – 9/11 Memorial Fund as per N.J.S.A.40A:4-39.
 2. The Borough Clerk of the Borough of Cresskill is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.
10. BE IT RESOLVED that the following applications for Filling Station Licenses for the year 2016 be and hereby are granted, having been approved by the proper officials:

<u>OPERATOR</u>	<u>TRADING AS</u>	<u>ADDRESS</u>
Bawa Oil Inc.	Delta	108 Piermont Road
Circle Auto 02	Lukoil	229 Knickerbocker Road

11. WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2015 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and indicate the assent of the Borough of Cresskill to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that Cresskill endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates Kevin Terhune, 325 Piermont Road, to ensure that the said application is properly filed.

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

12. WHEREAS, the Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling program.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Cresskill that the Borough of Cresskill hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2015 in the amount of \$9,498.81. Documentation supporting this submission is available at 325 Piermont Road and shall be maintained for no less than five years from this date.

Tax reimbursement certified by: Borough of Cresskill
Name of official: Harold Laufeld
Title of official: CFO/Treasurer

13. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following January 2016 payroll be ratified and approved:

January 22, 2016

Current Fund	\$ 592,062.32
Social Security/Medicare	23,359.26
Community Center	5,825.70
Library	<u>17,248.83</u>
	\$ 638,496.11

14. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that Andrew Naso be approved for employment as a probationary full-time Police Dispatcher in the Cresskill Police Department, effective immediately, at salary in accordance with Ordinance No. 15-07-1475.

15. BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill that the following transfers be made in the 2015 budget appropriation reserves:

CURRENT ACCOUNT

	<u>Account</u>	<u>From</u>	<u>To</u>
Municipal Clerk – O/E	120-020	3,500.00	
Municipal Clerk – S/W	120-010		3,500.00

Financial Administration – O/E	130-020	4,000.00	
Financial Administration – S/W	130-010		4,000.00
Police School Marshals	245-010	17,000.00	
Police – S/W	240-010		17,000.00
Fire Department – O/E	255-020	4,500.00	
Fire Department – S/W	255-010		4,500.00
Fire Department – O/E	255-020	5,000.00	
Emergency Medical Services – O/E	260-020		5,000.00
Streets and Roads – O/E	290-020	3,000.00	
Recycling – O/E	306-020		3,000.00
Gasoline	460-020	10,000.00	
Buildings and Grounds – O/E	310-020		10,000.00
Streets and Roads – O/E	290-020	2,000.00	
Maintenance of Parks – O/E	375-020		2,000.00
Gasoline	460-020	1,000.00	
Garbage Disposal Costs	465-020		1,000.00
Total		50,000.00	50,000.00

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

WHEREAS, the following participants are unable to attend;

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

Sonia Kim
(for: Olivia & Isabelle Kim)
 154 Stonegate Trail
 Cresskill, NJ 07626
 Amount: \$30.00

Gilbert Puig
(for: Ava Puig)
 408 Lafayette Street
 Cresskill, NJ 07626
 Amount: \$165.00

17. WHEREAS, escrow money was deposited with the Borough of Cresskill by 191 County Road LLC for work done at 191 County Road, Block 71, Lot 1; and

WHEREAS, the Borough Engineer has made final inspection and a certificate of occupancy was issued for this property;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the balance of \$1,017.71 in Developer's Trust 1636 be returned to 191 County Road LLC, c/o Richard Hubschman 318 Bergen Boulevard, Palisades Park, NJ 07650.

18. 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 2016 2nd quarter taxes:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>
90.01	12.021	Lawrence J. Ferolie Jr (etal)	\$ 3,043.00

c/o Daryl Ury Fox, Esq,
 2 Van Riper Road, POB 409
 Montvale, NJ 07645
 (for: 20 Lambs Lane)

19. 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 overpayment of 2015 4th quarter taxes on property assessment for Block 210, Lot 27:

	<u>2015</u>
Pro-Rated Original Assessment:	\$ 498,550.00
Pro-Rated Tax Court Judgment:	<u> -</u>
Decrease in Assessment:	\$ 498,550.00
Tax Rate:	<u> 2.559</u>
Tax Refund:	\$ 12,757.89

20. Governor’s Council on Alcoholism and Drug Abuse
 Fiscal Grant Cycle July 2014-June 2019

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Mayor and Council of the Borough of Cresskill, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Borough of Cresskill further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough of Cresskill has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Mayor and Council does hereby authorize submission of a strategic plan for the Cresskill Municipal Alliance grant for fiscal year July 2016-June 2017 in the amount of:

DEDR	\$9,876.00
Cash Match	\$2,469.00
In Kind	\$7,407.00

2. The Mayor and Council acknowledge the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Approved: _____
 Benedict Romeo, Mayor

CERTIFICATION

I, Barbara A. Nasuto, Municipal Clerk of the Borough of Cresskill, County of Bergen, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Mayor and Council on this 3rd day of February 2016.

 Barbara A. Nasuto, Municipal Clerk

21. WHEREAS, escrow money was deposited for a soil movement permit; and

WHEREAS, the work has been completed and inspected by the Borough Engineer;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill that the following escrow balance in Developer's Trust Account 204 be refunded to:

Andrew Shick
27 Churchill Road
Cresskill, NJ 07626
Amount: \$389.00
(for: 27 Churchill Road)

22. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 15-00001, for Block 1.03, Lot 2, also known as 8 Mountain View Road, in the amount of \$14,358.10; and

WHEREAS, a premium was received by the Borough in the amount of \$32,700.00 paid by the lien holder at the Tax Sale held December 3, 2015 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 \$47,058.10 be paid to:

John Finan
Mail to:
John Finan
55 MacArthur Avenue
Closter, NJ 07624

23. WHEREAS, cash escrow deposits have been paid to the Borough of Cresskill for legal fees in connection with Zoning Board applications for variances within the Borough of Cresskill; and

WHEREAS, the applications have been heard and approved by the Zoning Board of Adjustment; and

WHEREAS, balances remain in the escrow accounts which are no longer required;

NOW, THEREFORE, BE IT RESOLVED that the following balances in the Trust Accounts be refunded:

<u>ESCROW #</u>	<u>NAME</u>	<u>AMOUNT</u>
ZE 269	Milena Ledven 3 Oxford Place Cresskill, NJ 07626	\$10.00
ZE 270	MA Real Estate Holdings LLC 37 New Street Cresskill, NJ 07626 <i>(For: 100 5th Street)</i>	\$10.00
ZE 271	Patricia M. Teshner 622 Fir Court Norwood, NJ 07648 <i>(For: 442 Knickerbocker Road)</i>	\$10.00

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

24. Richard Calabrese, 42 Engle Street asked for an explanation of Resolution #1 (#9). CFO Laufeld said the resolution allows the Borough to accept donations to help fund the 9/11 Memorial. An account will be set up dedicated solely for any donations and expenses incurred. Mayor Romeo said he and Council Member Spina will be sending out a letter to the residents asking for donations to help fund the building of the 9/11 Memorial.

No one else wished to be heard.

25. Motion by Council Member Savas and seconded by Council Member Cleary to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous Motion adopted.

26. Motion by Council Member Savas and seconded by Council Member Cleary 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.

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

Roll Call: Yes - Unanimous Motion adopted.

PRESENTATION OF BILLS

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

(Resolution in full on pages 24A through 24G.)

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.]

29. Mayor Romeo confirmed with American Legion Commander Joe Cutolo that he has a band for our Memorial Day parade.
We will adjourn and return in about 5 minutes for the 9/11 Memorial meeting.

No one else wished to be heard.

30. Motion by Council Member Savas and seconded by Council Member Cleary to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

31. Motion at 7:44 P.M. by Council Member Savas and seconded by Council Member Olmo to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

Benedict Romeo
Mayor

Barbara A. Nasuto
Borough Clerk