

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

## REGULAR MEETING

APRIL 15, 2009

1. The Cresskill High School Girls Soccer Team 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 7:38 P.M.
4. Present: Council Members Brassel, Brennan, Cleary, Olmo  
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Laufeld, McKim, Chief Wrixon  
Absent: Council Members Savas, Thomasma
5. Mayor Romeo read and Coach John Massaro presented Proclamations to the Cresskill High School Girls Soccer Team.

(Proclamation in full on page 54A.)

6. Motion by Council Member Brennan and seconded by Council Member Olmo to approve the minutes of the Mayor and Council Regular meeting of April 1, 2009.

Roll Call: Yes– Unanimous

Motion adopted.

## COMMUNICATIONS

7. Minutes of the following meeting:

Planning Board

March 24, 2009

Filed.

## REPORTS OF COMMITTEES AND OFFICIALS

8. Council Member Brennan reminded everyone that EARTHfest is this Saturday. He is still working on getting a marching band for Memorial Day.

Council Member Brassel said the Historical Committee received information on archiving for the Borough. The Borough has set funds for this, but due to economic conditions, we need to look for additional help. Other towns have help from their libraries.

Also, the Cresskill Historical Committee wants to change their name to the Cresskill Historical Society.

Council Member Cleary said he attended the JIF meeting last month.

## UNFINISHED BUSINESS

## ORDINANCE ON FINAL READING

Ordinance No. 09-03-1371 – 2009 “CAP Ordinance”

9. Motion at 7:47 P.M. by Council Member Brassel and seconded by Council Member Brennan to introduce Ordinance No. 09-03-1371 – 2009 “CAP Ordinance” to Exceed Budget on final reading by title only.

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

10. Council Member Brassel read the title:

2009 “CAP” ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
 APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
 (N.J.S.A.40A:4-45.14)

(Ordinance in full on page 49A of Minutes of Regular Mayor and  
 Council Meeting held April 1, 2009.)

11. The Borough Clerk announced that the ordinance was published in The Press Journal on April 2, 2009, 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 basically granting us permission to raise the “Cap” from 2½% to 3½%, which is more realistic to get a budget passed in this day and age.

No one else wished to be heard.

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

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

15. Resolution by Council Member Brassel 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. 09-03-1371, entitled:

2009 “CAP” ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
 APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
 (N.J.S.A.40A:4-45.14)

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

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

NEW BUSINESS

## INTRODUCTION OF ORDINANCE

Bond Ordinance No. 09-04-1372 – Acquisition of a Street Sweeper

16. Resolution by Council Member Brassel and seconded by Council Member Olmo to approve Temporary 2009 Capital Budget.

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

(Resolution in full on pages 56A through 56B.)

17. Council Member Brassel announced receipt of Supplemental Debt Statement.

(Supplemental Debt Statement in full on pages 56C through 56H.)

18. Motion at 7:50 PM by Council Member Brassel and seconded by Council Member Olmo to introduce Bond Ordinance No. 09-04-1372 – Acquisition of a Street Sweeper on first reading by title only.

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

19. Council Member Brassel read the title:

“BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF A NEW STREET SWEEPER IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$185,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS”

(Bond Ordinance in full on pages 56I through 56L.)

20. Resolution by Council Member Brassel and seconded by Council Member Brennan:

BE IT RESOLVED that Ordinance No. 09-04-1372 entitled:

“BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF A NEW STREET SWEEPER IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$185,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS”

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 6th day of May, 2009, at 7:30 o'clock, P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Mayor and Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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

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

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CONSENT AGENDA

NEW BUSINESS

\*Resolutions

22. BE IT RESOLVED, as recommended by the Municipal Pool Commission, that the following refunds from the Municipal Swim Club Account be authorized due to overpayment of fees:

Michelle Attardi  
 49 Crest Drive South  
 Amount: \$32.00

Mr. and Mrs. G. Lahm  
 84 Jefferson Ave.  
 Amount: \$32.00

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

April 10, 2009

Current Fund	\$ 234,351.23
Social Security/Medicare	11,750.33
Community Center	<u>1,269.71</u>
	\$ 247,371.27

24. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that Captain James Domville is hereby appointed and directed to serve as Cresskill Volunteer Ambulance and Emergency Services Commissioner (the “Commissioner”) and Detective Sergeant Norman Saunders as Deputy Commissioner to act on behalf of, and under the direction of the governing body to retain control over and protect those assets of the Borough of Cresskill which are being used to provide emergency services to the residents of the Borough of Cresskill. The Cresskill Volunteer Ambulance and Emergency Medical Services will continue to operate under the Police Department.

25. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the following be approved for employment in the 2009 Summer Recreation Program:

Nature Instructor

Dana Tunick  
 41 Brownstone Way #306  
 Englewood, NJ 07631  
 Salary: \$1,350.00

26. WHEREAS, the Recreation Committee has scheduled a junior golf program, and

WHEREAS, due to a scheduling conflict participant is unable to attend;

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

Denise Benfante  
 (for: *Kenneth Benfante*)  
 184 5<sup>th</sup> Street.  
 Cresskill, NJ 07626  
 Amount: \$85.00

27. WHEREAS, bids for the project known as “Collection of Solid Waste” were authorized via Resolution #12 at the December 17, 2008 meeting of the Mayor and Council for receipt on Thursday, February 26, 2009 at 10:00 AM in the Council Chambers and at the time of bid receipt, several bids were received, opened and read aloud by the Borough Clerk; and

WHEREAS, questions arose while reviewing the bids on said project; and

WHEREAS, the Mayor and Council wish to pursue this project and have requested the Superintendent of Public Works review and revise the scope of the project.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council hereby rejects the bids submitted on February 26, 2009; and

BE IT RESOLVED:

1. That the specifications for the Collection of Solid Waste in the Borough of Cresskill be and the same are hereby approved.
2. That immediately upon said approval and not later than thirty {30} days after the date thereof, the Clerk of this body be and hereby is directed to advertise for bids for the project at least ten {10} days before receipt of bids in The Record and The Press Journal papers printed in this County.
3. That said advertisement shall read as follows:

“BOROUGH OF CRESSKILL  
 RE-BID  
Collection of Solid Waste”

Notice is hereby given that sealed bids will be received by the Mayor and Council of the Borough of Cresskill for the Collection of Solid Waste in the Borough of Cresskill, in the County of Bergen. Bids will be opened and read in public at the Municipal Building on Tuesday, June 16, 2009, at 10:00 AM Prevailing Time. Specifications and forms of bids for the proposed work are on file in the office of the Borough Clerk and may be inspected by prospective bidders during business hours on or after April 20, 2009.

Bidders will be furnished with a copy of the specifications on proper notice. Bids must be made on standard proposal forms in the manner designated therein and required by the specifications, must be enclosed in sealed envelopes bearing the name of the bidder on the outside, labeled “Collection of Solid Waste” and addressed to: Mayor and Council, Borough of Cresskill, and must be accompanied by a Non-Collusion Affidavit and a certified check or bid bond for not less than ten (10%) percent of the amount of bid, provided said check/bond need not be more than \$20,000 nor shall not be less than \$500 and be delivered at the place on or before the hour named above. The standard proposal form and the Non-Collusion Affidavit are attached to the supplemental specifications, copies of which will be furnished on application to the Borough Clerk.

The Borough of Cresskill reserves the right to reject any and all bids, to waive any informalities or irregularities in the bids received and to accept the bid of the lowest, responsible bidder.

Prior to the award of this Contract, and in accordance with Chapter 127, PL 1975, the Contractor shall file an Affirmative Action Plan with the State Treasurer.

By order of the Mayor and Council  
Barbara Nasuto  
Borough Clerk”

4. That the said Clerk be and hereby is empowered and directed to insert in the space for dates such convenient hour and day as will cause the opening of bids to take place not less than ten (10) days after the date of the first publication of the advertisement, to notify each and every member of this body, in writing, that a meeting thereof will be held on the day at the hour named to receive all bids sent or delivered.
28. WHEREAS, bids for the project known as “Collection of Recyclable Materials” were authorized via Resolution #13 at the December 17, 2008 meeting of the Mayor and Council for receipt on Thursday, February 26, 2009 at 11:00 AM in the Council Chambers and at the time of bid receipt, several bids were received, opened and read aloud by the Borough Clerk; and

WHEREAS, questions arose while reviewing the bids on said project; and

WHEREAS, the Mayor and Council wish to pursue this project and have requested the Superintendent of Public Works review and revise the scope of the project.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council hereby rejects the bids submitted on February 26, 2009; and

BE IT RESOLVED:

1. That the specifications for the Collection of Recyclable Materials in the Borough of Cresskill be and the same are hereby approved.
2. That immediately upon said approval and not later than thirty {30} days after the date thereof, the Clerk of this body be and hereby is directed to advertise for bids for the project at least ten {10} days before receipt of bids in The Record and The Press Journal papers printed in this County.
3. That said advertisement shall read as follows:

“BOROUGH OF CRESSKILL  
RE-BID  
Collection of Recyclable Materials”

Notice is hereby given that sealed bids will be received by the Mayor and Council of the Borough of Cresskill for the Collection of Recyclable Materials in the Borough of Cresskill, in the County of Bergen. Bids will be opened and read in public at the Municipal Building on Tuesday, June 16, 2009, at 11:00 AM Prevailing Time. Specifications and forms of bids for the proposed work are on file in the office of the Borough Clerk and may be inspected by prospective bidders during business hours on or after April 20, 2009.

Bidders will be furnished with a copy of the specifications on proper notice. Bids must be made on standard proposal forms in the manner designated therein and required by the specifications, must be enclosed in sealed envelopes bearing the name of the bidder on the outside, labeled “Collection of Recyclable Materials” and addressed to: Mayor and Council, Borough of Cresskill, and must be accompanied by a Non-Collusion Affidavit and a certified check or bid bond for not less than ten (10%) percent of the amount of bid, provided said check/bond need not be more than \$20,000 nor shall not be less than \$500 and be delivered at the place on or before the hour named above. The standard proposal form and the Non-Collusion Affidavit are attached to the supplemental specifications, copies of which will be furnished on application to the Borough Clerk.

The Borough of Cresskill reserves the right to reject any and all bids, to waive any informalities or irregularities in the bids received and to accept the bid of the lowest, responsible bidder.

Prior to the award of this Contract, and in accordance with Chapter 127, PL 1975, the Contractor shall file an Affirmative Action Plan with the State Treasurer.

By order of the Mayor and Council  
Barbara Nasuto  
Borough Clerk”

5. That the said Clerk be and hereby is empowered and directed to insert in the space for dates such convenient hour and day as will cause the opening of bids to take place not less than ten (10) days after the date of the first publication of the advertisement, to notify each and every member of this body, in writing, that a meeting thereof will be held on the day at the hour named to receive all bids sent or delivered.

#### Motions

29. Appoint Brad Levitzski to the Fire Department.
30. Appoint Margita Batistic and Arthur McLaughlin to the Zoning Board of Adjustment.

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

31. No one wished to be heard.
32. 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.

33. 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.

34. 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.

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#### PRESENTATION OF BILLS

35. Resolution by Council Member Brassel and seconded by Council Member Brennan:

(Resolution in full on pages 60A through 60D.)

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.]

36. Howard Tiedemann, 101 7<sup>th</sup> Street thanked the Mayor and Council for the award and gift presented to him by the Mayor at the Firemen’s Dinner for his 60 years of service as a Cresskill Fireman.

Mayor Romeo reminded everyone to attend EARTHfest this Saturday at 9:00 am on 3<sup>rd</sup> Street. Councilman Brassel said the Mayor will be planting a tree at 8:45 am.

No one else wished to be heard.

37. 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.

38. Motion at 7:56 P.M. by Council Member Brennan 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