

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

APRIL 2, 2014

1. Mike Hamlett 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 7:41 P.M.
4. Present: Council Members Cleary, Mueller, Olmo, Savas, Spina, Tsigounis  
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Laufeld, Hamlett, Mann, Chief Wrixon, Chief Ulshoefer.
5. Motion by Council Member Olmo and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of March 19, 2014.

Roll Call: Yes – Unanimous

Motion adopted.

## COMMUNICATIONS

6. Minutes of the following meetings:

Library Board of Trustees  
Planning Board

February 24, 2014  
March 11, 2014

Filed.

## REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Spina said the Environmental Commission had a meeting and announced on April 26<sup>th</sup> there will be a Northern Valley Environmental Fair at Kennedy Field in Norwood from 11:00 AM to 4:00 pm. On May 10<sup>th</sup> there will be a paper shredding truck from 9:00 AM to 1:00 PM at the High School. The Board of Health would like the Borough to reconsider an ordinance to limit pets. A representative from Bergen County discussed different programs that are available.

Council Member Tsigounis said she attended the viewing of “Chasing Ice” at the Library last week. It was very nice. It was about Photographer James Bilog’s photos on climate change. The Seniors will continue their computer training utilizing the High School Juniors. Thanks to the Fire Department for their quick response to an electrical fire in the box at the Senior Center. The Historical Committee chairperson has to have hip surgery. We are also looking for new members.

Council Member Cleary said he attended the first OEM meeting at the firehouse.

Council Member Mueller said we are continuing to look at tax appeals. We are looking into rolling annual revaluations to cut down on the appeals.

## NEW BUSINESS

## INTRODUCTION OF ORDINANCE

Ordinance No. 14-04-1461 – 2014 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A 40A:4-45.14)

8. Motion at 7:46 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Ordinance No. 14-04-1461 – 2014 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A.40A:4-45.14) on first reading by title only.

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

9. Council Member Olmo read the title:

2014 “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 60A)

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

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. 14-04-1461, entitled:

2014 “CAP” ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
 APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
 (N.J.S.A. 40A:4-45.14)

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, April 16, 2014 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 Cleary, Mueller, Olmo, Savas, Spina, Tsigounis  
 No - None  
 Absent – None  
 Abstain – None  
 Resolution adopted.

Ordinance No. 14-05-1462 – Amend Chapter 255 Towing

11. Motion at 7:48 PM by Council Member Cleary and seconded by Council Member Olmo to introduce Ordinance No. 14-05-1462 – Amend Chapter 255 Towing on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

12. Council Member Cleary read the title:

## AMEND CHAPTER 255 TOWING

(Ordinance in full on pages 61A through 61B)

13. Resolution by Council Member Cleary and seconded by Council Member Mueller:

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. 14-05-1462, entitled:

## AMEND CHAPTER 255 TOWING

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, April 16, 2014 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.

Bond Ordinance No. 14-06-1463 – Multipurpose Bond Ordinance

14. Resolution by Council Member Olmo and seconded by Council Member Cleary to amend 2014 Temporary Capital Budget.

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

(Resolution in full on pages 61C through 61D)

15. Council Member Olmo announced receipt of Supplemental Debt Statement.

(Supplemental Debt Statement in full on pages 61E through 61I)

16. Motion at 7:49 PM by Council Member Olmo and seconded by Council Member Savas to introduce Bond Ordinance No. 14-06-1463 – Multi-purpose Bond Ordinance on first reading by title only.

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

17. Council Member Olmo read the title:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$485,000 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 62A through 62D)

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

BE IT RESOLVED that Ordinance 14-06-1463 entitled:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$485,000 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 16th day of April, 2014, 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 Cleary, Mueller, Olmo, Savas, Spina, Tsigounis  
 No - None  
 Absent – None  
 Abstain – None  
 Resolution adopted.

NEW BUSINESS

INTRODUCTION OF 2014 BUDGET

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

BE IT RESOLVED, that the following statement of revenues and appropriations attached hereto constitute the local Budget of the Borough of Cresskill, Bergen County, New Jersey for the year 2014.

BE IT FURTHER RESOLVED, that the said budget be published in the Record in the issue of April 11, 2014, and that a hearing on the Budget will be held at the Municipal Building on May 7, 2014 at 7:30 PM or as soon thereafter as the matter may be reached.

Introduced by \_\_\_\_\_

Seconded by \_\_\_\_\_

ATTEST

Approved: April 2, 2014

\_\_\_\_\_  
 Borough Clerk

\_\_\_\_\_  
 Mayor

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

(2014 Budget in full on pages 63A through 63MMM)

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

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CONSENT AGENDA

NEW BUSINESS

\*Resolutions

21. 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 2013 4<sup>th</sup> quarter taxes:

<u>BLOCK</u>	<u>LOT</u>	<u>QUALIFIER</u>	<u>NAME</u>	<u>AMOUNT</u>
203	1		Cheryl J. Giannone 42 Pierce Avenue Cresskill, NJ 07626	\$1,034.00

22. 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 for 2013, payable to Mr. Robert E. Spiotti, Esq. due to Stipulation of Settlements on the property assessments for the following:

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSMENT ADJUSTMENT</u>	
300	2	Original Assessment:	\$1,330,000.00
		Tax Court Judgment:	<u>\$1,183,700.00</u>
		Decrease in Assessment:	\$ 146,300.00
		Tax Rate:	<u>2.413</u>
		Tax Refund:	\$ 3,530.22
189	1	Original Assessment:	\$ 348,000.00
		Tax Court Judgment:	<u>\$ 315,000.00</u>
		Decrease in Assessment:	\$ 33,000.00
		Tax Rate:	<u>2.413</u>
		Tax Refund:	\$ 796.29

23. BE IT RESOLVED that the following solicitor's license, which has been approved by the Chief of Police, be issued under the provisions of Chapter 140 of the Code of the Borough of Cresskill for the term ending December 31, 2014:

14-882  
George A. Corbo, Jr.  
(Home Run IceCream)  
25 South Prospect Avenue  
Bergenfield, NJ 07621  
Purpose: Ice Cream Sales

24. 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 2013, payable to Hubschman & Roman, Esq. due to Stipulation of Settlement on the property assessment for the following:

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSMENT ADJUSTMENT</u>
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(Original)

91.06	23	Original Assessment:	\$2,475,300.00
		Tax Court Judgment:	<u>\$2,225,000.00</u>
		Decrease in Assessment:	\$ 250,300.00
		Tax Rate:	<u>2.413</u>
		Tax Refund:	\$ 6,039.74

(Revised))

Original Assessment:	\$2,475,300.00
Tax Court Judgment:	<u>\$1,075,000.00</u>
Decrease in Assessment:	\$1,400,300.00
Tax Rate:	<u>2.413</u>
Tax Refund:	\$ 33,789.24

REFUND of Taxes: \$6,039.74 and \$33,789.24

NET Amount Due: \$27,749.50 (\$6,039.74 Applied to 4<sup>th</sup> Quarter Tax Bill)

TOTAL: \$27,749.50

25. 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 2013, payable to Mr. Mark D. Madaio, Esq. due to Stipulation of Settlement on the property assessment for the following:

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSMENT ADJUSTMENT</u>	
70.01	4.01	Original Assessment:	\$ 878,700.00
		Tax Court Judgment:	<u>\$ 397,000.00</u>
		Decrease in Assessment:	481,700.00
		Tax Rate:	<u>2.413</u>
		Tax Refund:	\$ 11,623.42

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

WHEREAS, the following participants are due refunds for various reasons;

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

Miguel Rodriguez  
(for: Elise and Ethan Rodriguez)  
74 Morningside Avenue  
Cresskill, NJ 07626  
Amount: \$140.00

27. WHEREAS, bids were received for the Installation of Emergency Generators In Publicly Owned Buildings and a contract was awarded to Envirocon, LLC in the amount of \$255,593.00; and

WHEREAS, additional plumbing work over the contract amount has been added to the project;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that a change order be issued in the amount of \$2,740.65 to Envirocon, LLC in order to complete the contracted work.

28. WHEREAS, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2014 temporary appropriations for the aforesaid purpose, and N.J.S.A.40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, said total emergency temporary resolutions adopted in the year 2014 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A.40A:4-20) including this resolution total \$1,252,200;



WHEREAS, a premium was received by the Borough in the amount of \$85,000.00 paid by the lien holder at the Tax Sale held December 5, 2013 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 \$123,988.76 be paid to:

US Bank CUST for Pro Cap III, LLC

Mailed to:

U.S. Bank TLSG  
50 South 16<sup>th</sup> Street – Suite 1950  
Philadelphia, PA 19102

30. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 12-00001, for Block 1.03, Lot 2, also known as 8 Mountain View Road, in the amount of \$26,876.61; and

WHEREAS, a premium was received by the Borough in the amount of \$8,500.00 paid by the lien holder at the Tax Sale held November 29, 2012 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 \$35,376.61 be paid to:

Mrs. MM Inc.

Mailed to:

Rita Ryan  
425 Mountain Avenue  
Ridgewood, NJ 07450

31. 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, 2014 subject to requirements of Chapter 246 of the Code of the Borough of Cresskill.

License No. 14-394  
2005 Chrysler Sedan  
Serial #2C3AA63H35H564805

32. WHEREAS, it is necessary to secure a permit from the New Jersey Department of Environmental Protection (NJDEP) for construction of sewer mains; and

WHEREAS, it is necessary to assure the NJDEP that the Borough of Cresskill consents to submission of the permit application, that the existing sewers being connected have adequate conveyance capacity, that the permitted sewer will be and was constructed in accordance with the approval plans and specifications and that the Borough of Cresskill will operate and maintain these mains once constructed.

NOW, THEREFORE, BE IT RESOLVED that the Mayor or Borough Clerk is authorized to execute applications, on the recommendation of the Borough Engineer, and correspond with the NJDEP regarding applications for construction and operation of sewer mains.

BE IT FURTHER RESOLVED that the Borough Clerk shall forward a copy of this resolution to the Borough Engineer, Planning Board, Zoning Board of Adjustment, and the Superintendent of the Department of Public Works.

33. BE IT RESOLVED, as recommended by the Municipal Pool Commission, that the following refund, due to double payment for 2014 Pool Membership, be authorized from the Municipal Swim Club Account:

Maryellen Mullarkey  
 121 6<sup>th</sup> Street  
 Cresskill, NJ 07626  
 Amount: \$370.00

34. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill that Michael Palmer be approved for employment, with no benefits, as a part-time Police Dispatcher in the Cresskill Police Department on a 6-month probationary period, at a salary of \$12.50 per hour, effective immediately.

Miscellaneous Business

35. Approve the following Raffle Licenses:

RL 1350	Cresskill Woman's Club	April 24, 2014
RL 1351	Cresskill Woman's Club	April 24, 2014
RL 1352	Cresskill UNICO	April 30 – May 3, 2014

REMARKS FROM MEMBERS OF THE PUBLIC CONCERNING THE CONSENT AGENDA ONLY [Reported by Borough Clerk Barbara A. Nasuto.]

36. No one wished to be heard.
37. Motion by Council Member Olmo and seconded by Council Member Cleary to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous Motion adopted.

38. Motion by Council Member Olmo 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.

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

Roll Call: Yes - Unanimous Motion adopted.

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PRESENTATION OF BILLS

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

(Resolution in full on pages 67A through 67D)

Roll Call: Yes – Unanimous Resolution adopted.

REMARKS FROM THE PUBLIC FOR THE GOOD AND WELFARE OF THE BOROUGH [Reported by Borough Clerk Barbara A. Nasuto.]

41. Rena Shindleman, 32 Florence Avenue said she has lived in town since 1971. She said the State passed a Bill of Rights for Seniors in 1974 to help them stay in their homes. She said she called for assistance from the Police Department on February 7<sup>th</sup> to help shovel them out. She was passed from the Police to the Fire Department and back again. She called 7 times and no one came to help them. She finally got a neighbor and his

daughter to help shovel. Also, she was not aware that Carolyn Schultz was the Senior Services Director. She called her to help and Ms. Schultz was supposed to send someone to dig them out but no one came. She feels this is disgraceful that there is no one to help seniors in this type of situation. The town should have volunteers that will help out. Mayor Romeo said her point is well taken and he will see what can be done.

Mayor Romeo said he was stopped by a parent about the condition of the basketball courts. Chief Wrixon said he will be monitoring it but we need signs regarding the use and maintenance. Mayor Romeo suggested containing Mr. Burke at the High School to get the word out that the courts will be closed if they are not taken care of and garbage put in the containers.

Mayor Romeo said we will also work on the signage on Union Avenue regarding parking in front of the stores. Chief Wrixon said he is working with Supt. Terhune on the signage. We also need two-fifteen minutes spots on Willow. Councilman Cleary said we may need more time for those spots as it takes a long time to get your prescriptions at the drug store. Council also discussed parking by the corner of Union Avenue and Piermont Road.

No one else wished to be heard.

42. Motion by Council Member Olmo and seconded by Council Member Mueller to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

43. Motion at 8:03 P.M. by Council Member Olmo and seconded by Council Member Cleary 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