

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETINGAPRIL 3, 2013

1. Barbara Mann 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 7:44 P.M.
4. Mayor Romeo introduced Atty. John Manfredonia who is covering for Atty. Salvatore.
5. Present: Council Members Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis
Also Present: Attorney Manfredonia, Borough Officials Vaccaro, Laufeld, McKim, Mann, Captain Domville
6. Motion by Council Member Tsigounis and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of March 20, 2013.

Roll Call: Yes – Unanimous

Motion adopted.

COMMUNICATIONS

7. Minutes of the following meetings:

Board of Health	November 19, 2012
Library Board of Trustees	February 25, 2013
Planning Board	March 12, 2013
Recreation Committee	February 27, 2013

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

8. Council Member Tsigounis said Historian Carol Banicki and the Social Studies Supervisor Mike Pasciuto are incorporating the History of Cresskill into the school curriculum. The 2nd grade will write an essay called “Why do I love living and learning in Cresskill”, the 4th grade will do an author reenactment of the American Revolution and how it relates to Cresskill, and the 7th grade will work on a documentary following a 20 question quiz, that will take a lot of research and they will get that in May.

Council Member Savas said the Spring Recreation program starting Monday will include kindergarten age children in addition to the 1st through 8th grade. We're expecting approximately 50 kids.

Council Member Brennan said the auction for the Borough's electricity usage is complete and we should save about \$1,000 a month over the next two years. We will be looking at auctioning the Borough's gas next.

We have a new ambulance that is being fitted to go on the road.

Captain Domville said we exceeded 1,000 ambulance calls last year and have already surpassed the number of calls this time last year.

Council Member Cleary said the Bergen County Amateur Radio Club want to hold their field day on 3rd street again.

Council Member Mueller said the tax appeals should finally abate since the cutoff date was April 1st.

NEW BUSINESS

INTRODUCTION OF ORDINANCE

Ordinance No. 13-03-1446 – 2013 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14)

9. Motion at 7:50 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Ordinance No. 13-03-1446 – 2013 “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 Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis
 No - None
 Absent – None
 Abstain – None
 Motion adopted.

10. Council Member Olmo read the title:

2013 “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 67A.)

11. 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. 13-03-1446, entitled:

2013 “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 17, 2013 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 Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis
 No - None
 Absent – None
 Abstain – None
 Resolution adopted.

Bond Ordinance No. 13-04-1447 – Multipurpose Bond Ordinance

12. Resolution by Council Member Olmo and seconded by Council Member Cleary to amend 2013 Temporary Capital Budget.

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

(Resolution in full on pages 68A through 68B.)

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

(Supplemental Debt Statement in full on pages 68C through 68F.)

14. Motion at 7:52 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Bond Ordinance No. 13-04-1447 – Multi-purpose Bond Ordinance on first reading by title only.

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

15. 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 A NEW AUTOMOTIVE VEHICLE, 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 \$535,000 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 68G through 68J.)

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

BE IT RESOLVED that Ordinance 13-04-1447 entitled:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW, ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND A NEW AUTOMOTIVE VEHICLE, 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 \$535,000 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 17th day of April, 2013, 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 Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis
 No - None
 Absent – None
 Abstain – None
 Resolution adopted.

NEW BUSINESS

INTRODUCTION OF 2013 BUDGET

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

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 2013.

BE IT FURTHER RESOLVED, that the said budget be published in the Record in the issue of April 12, 2013, and that a hearing on the Budget will be held at the Municipal Building on May 1, 2013 at 7:30 PM or as soon thereafter as the matter may be reached.

Introduced by _____

Seconded by _____

ATTEST

Approved: _____, 2013

 Borough Clerk

 Mayor

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

(2013 Budget in full on pages 69A through 69MMM.)

18. Resolution by Council Member Olmo and seconded by Council Member Cleary to conduct Self-Examination of Annual Budget.

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

(Resolution in full on page 69NNN.)

19. Mayor Romeo thanked all the Dept. Heads, Council Members Olmo and Mueller and CFO Laufeld for all the work they put into this budget. All departments came in under budget last year. This year we came in under the 2% CAP at 1.65%. The Municipal tax rate increase was .023 which is approximately \$139 on a house assessed at \$606K. We received a very good rating from Moody's on our bond rating and our surplus increased by almost \$200K. Thanks to our Council and all our employees because they really watched every penny they spent.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

21. WHEREAS, the Chief of Police has requested the purchase of a 2013 Chevrolet Tahoe in the amount of \$30,768.00; and

WHEREAS, the Chief Financial Officer has verified that the funds are available;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cresskill authorizes the purchase under State Contract #A82926 from Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, NJ 08002.

22. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that Kathy Robinson be approved for employment as Assistant Art Director for Spring Camp at an hourly rate of \$11.00.

23. WHEREAS, Cresskill-Alpine Baseball League has applied for a parade permit for Saturday, April 20, 2013, in accordance with the provisions of Section 230-67 of the Code of the Borough of Cresskill; and

WHEREAS, the said applicants appear to have met all requirements of the said code;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that a permit be issued to the Cresskill-Alpine Baseball League for a parade on April 20, 2013, rain date April 27, 2013 on the following route:

1. Assemble at the Cresskill High School at 9:30 AM.
2. Beginning at 10:00 AM, parade will march onto Cresskill Avenue, turn left onto Union Avenue and continue through town.
3. Parade will then proceed on Dogwood Lane and down Margie Avenue to the International Field at Piermont Road and Margie Avenue.

24. 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.
25. 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:
- | | |
|---|--|
| Emily Moore
(for: <i>Lizzie Moore</i>)
61 Fifth Street
Cresskill, NJ 07626
Amount: \$90.00 | Miriam Koopaethes
(for: <i>Daniel Koopaethes</i>)
62 Cranford Place
Cresskill, NJ 07626
Amount: \$35.00 |
|---|--|
26. 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 2012 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 Andrew Vaccaro, 67 Union Avenue, 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.
27. 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

2. That said emergency temporary appropriations will be provided for in the 2013 budget under the various titles listed above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

Benedict Romeo, Mayor

Barbara A. Nasuto, Borough Clerk

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

April 5, 2013

Current Fund	\$ 275,473.87
Social Security/Medicare	12,531.34
Community Center	1,663.90
Library	<u>15,070.18</u>
	\$ 304,739.29

Miscellaneous Business

30. Approve the following Raffle License:

RL 1341 UNICO Carnival May 1 – 4, 2013

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 Tsigounis and seconded by Council Member Cleary to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous Motion adopted.

33. 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.

34. 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

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

(Resolution in full on pages 73A through 73C.)

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. Captain Domville said Cresskill EMS only missed calls last year due to two factors that were out of their control, (1) two calls simultaneously with an ambulance out of service and (2) due to the stretcher's weight limit. We have outfitted the new ambulance with a stretcher so the weight limit is no longer an issue. We are the only town in the area that has this stretcher so we will be called by other towns for mutual aid.

Captain Domville said we made \$4,240 for the police vehicles we sold at the on-line auction.

Captain Domville said the Police will soon be conducting evacuation drills for each of the schools. Merritt School children will be walked to the Senior Center; Bryan School, St. Therese and the High School will go to the Community Center. As Councilman Olmo said in the past, having the entrance and egress to the 3rd Street facilities the same is not a good idea. I think we should explore putting pavers and a gate for emergency use only on the Paper Street "Evergreen" and going out next to Schultz Park. We will have two locations for each school to evacuate to in the case of an emergency.

Mayor Romeo said the Little League parade will be held on April 20th. With the help of Councilman Olmo, we have located family members of Fred Tietjen who I would like to honor in my Memorial Day speech.

No one else wished to be heard.

37. Motion by Council Member Tsigounis and seconded by Council Member Cleary to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

38. Resolution by Council Member Cleary and seconded by Council Member Brennan:

RESOLVED that pursuant to Subsection 7(b) of the Open Public Meetings Act the public can be excluded from a public meeting so that proceedings can be conducted in closed session and the Mayor and Council now intending to discuss:

pending or anticipated litigation involving Cresskill;

personnel matters involving employment, appointment, termination, evaluation, discipline or promotion of Cresskill personnel; Personnel Policy

negotiations involving employees of Cresskill;

protection of the safety of public property;

matters which, if disclosed, would work an unwarranted invasion of privacy;

purchase or lease of real property;

deliberations after a public hearing that may result in the imposition of a penalty or loss or suspension of a license or permit;

matters which, if disclosed, would impair a right to receive United States Government funds;

matters rendered confidential by Federal or State law;

this meeting shall be continued in closed session and the discussion in closed session shall be disclosed to the public upon taking final action thereon, provided disclosure shall not release the attorney-client privilege or constitute an undue invasion of privacy.

