

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETINGAPRIL 4, 2012

1. Howard Tiedemann 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 Cleary, Mueller, Olmo, Savas, Tsigounis  
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Laufeld, McKim, Mann, Chief Wrixon  
Absent: Council Member Brennan
5. Motion by Council Member Cleary and seconded by Council Member Olmo to approve the minutes of the Mayor and Council Regular meeting of March 21, 2012.

Roll Call: Yes – Unanimous

Motion adopted.

## COMMUNICATIONS

6. Minutes of the following meetings:

Library Board of Trustees  
Planning Board

February 27, 2012  
March 13, 2012

Filed.

## REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Tsigounis said the High School is holding senior to senior computer classes. The high school seniors are teaching basic computer skills to Cresskill senior citizens.

Council Member Savas said a while ago she had requested procedural policies from various departments. I have received a draft copy of the mission statement and policies for the Senior Citizens.

Council Member Olmo said the Recreation Committee will be changing their meetings to the last Wednesday of the month to accommodate their members and Council Liaison.

Council Member Cleary said he attended the JIF meeting last month. Radio ham operators will be holding a field day on 3<sup>rd</sup> Street on the 4<sup>th</sup> weekend in June. There will be antennas in the trees and a trailer with a large mast. They are going to give their call signs throughout the world and see how many names they can contact on various bands.

Council Member Mueller said Care One at Dunroven's final hearing before the Zoning Board has been postponed until the May meeting.

## UNFINISHED BUSINESS

## ORDINANCE ON FINAL READING

Bond Ordinance No. 12-05-1427 – Multipurpose Bond Ordinance

8. Motion at 7:41 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Bond Ordinance No. 12-05-1427 – Multi-purpose Bond Ordinance on final reading by title only.

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

9. Council Member Olmo read the title:

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$160,000 FOR THE MAKING OF A PUBLIC IMPROVEMENT AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, 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 50I through 50N in Minutes of Regular Mayor and Council Meeting held March 21, 2012.)

10. The Borough Clerk announced the Bond Ordinance was published in the The Record on March 23, 2012, posted in the Borough Hall, and copies made available to the public.
11. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
12. No one wished to be heard.
13. Motion by Council Member Olmo and seconded by Council Member Savas to close the public hearing.

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

14. 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. 12-05-1427, entitled:

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$160,000 FOR THE MAKING OF A PUBLIC IMPROVEMENT AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, 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.

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

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

## NEW BUSINESS

### INTRODUCTION OF ORDINANCE

Ordinance No. 12-06-1428 – 2012 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A.40A:4-45.14)

15. Motion at 7:43 PM by Council Member Olmo and seconded by Council Member Savas to introduce Ordinance No. 12-06-1428 – 2012 “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, Tsigounis  
 No - None  
 Absent – Council Member Brennan  
 Abstain – None  
 Motion adopted.

16. Council Member Olmo read the title:

2012 “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.)

17. 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. 12-06-1428, entitled:

2012 “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 18, 2012 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, Tsigounis  
 No - None  
 Absent – Council Member Brennan  
 Abstain – None  
 Resolution adopted.

## NEW BUSINESS

## INTRODUCTION OF 2012 BUDGET

18. 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 2012.

BE IT FURTHER RESOLVED, that the said budget be published in the Record in the issue of April 13, 2012, and that a hearing on the Budget will be held at the Municipal Building on May 2, 2012 at 7:30 PM or as soon thereafter as the matter may be reached.

Introduced by Council Member Olmo

Seconded by Council Member Cleary

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

(2012 Budget in full on pages 61A through 61MMM.)

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

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

(Resolution in full on page 61NNN.)

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

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## CONSENT AGENDA

## NEW BUSINESS

\*Resolutions

21. 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 118	Mr. Carlos Valencia	\$14.00

212 Lexington Avenue  
Cresskill, NJ 07626

ZE 119                      Justin You and Sun Y. Chung                      \$14.00  
207 Phelps Avenue  
Cresskill, NJ 07626

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 refund for overpayment of 1<sup>st</sup> quarter 2012 taxes due to Homestead Rebate credit to:

<u>BLOCK</u>	<u>LOT</u>	<u>Qualifier</u>	<u>Name</u>	<u>AMOUNT</u>
91.02	1		Gary Altomara 121 Engle Street Cresskill, NJ 07626	\$ 500.00

23. WHEREAS, Matthew Vaccarino has applied for a 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, 2012 subject to requirements of Chapter 246 of the Code of the Borough of Cresskill.

License No. 12-369  
2005 Lincoln Town Car  
Serial #1LNHM81W95Y606961

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 due to Stipulation of Settlement on property assessment for Block 84, Lot 61 for 2010 and 2011:

	<u>2010</u>	<u>2011</u>
Original Assessment:	\$571,700.00	\$571,700.00
Tax Court Judgment:	<u>\$335,000.00</u>	<u>\$335,000.00</u>
Decrease in Assessment:	\$236,700.00	\$236,700.00
Tax Rate:	<u>2.300</u>	<u>2.348</u>
Tax Refund:	\$ 5,444.10	\$ 5,557.72
 TOTAL:	 \$11,001.82	

Check to:            Susana Gutierrez Manna, Esq.  
Attorney Trust Account  
249 Irving Avenue  
Closter, NJ 07624  
(for: 168 County Road)

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 due to Stipulation of Settlement on property assessment for Block 91.05, Lot 4 for 2010 and 2011:

	<u>2010</u>	<u>2011</u>
Original Assessment:	\$2,354,600.00	\$2,354,600.00
Tax Court Judgment:	<u>\$2,000,600.00</u>	<u>\$2,000,600.00</u>
Decrease in Assessment:	\$ 354,000.00	\$ 354,000.00
Tax Rate:	<u>2.300</u>	<u>2.348</u>
Tax Refund:	\$ 8,142.00	\$ 8,311.92
 TOTAL:	 \$16,453.92	

Check to: Cole, Schotz, Meisel, Forman & Leonard, P.A.  
 Attn: Carl A. Rizzo, Esq., in trust for Jeffrey Rotenberg  
 25 Main Street  
 Hackensack, NJ 07601  
*(for: 16 South Pond Road)*

26. 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 Stipulation of Settlement on property assessment for Block 207, Lot 16 for 2011:

	<u>2011</u>
Original Assessment:	\$639,500.00
Tax Court Judgment:	<u>\$530,000.00</u>
Decrease in Assessment:	\$109,500.00
Tax Rate:	<u>2.348</u>
Tax Refund:	\$ 2,571.06
 TOTAL:	 \$2,571.06

Check to: Lawrence B. Diener, Esq.  
 Attorney Trust Account  
 25 Main Street Court Plaza North Ste. 200  
 Hackensack, NJ 07601  
*(for: 14 Lancaster Road)*

27. WHEREAS, Masatoshi Sugio is the taxpayer of real estate designated as Block 208, Lot 6 on the official tax map of the Borough of Cresskill and better known as 40 Kennedy Drive, Cresskill, New Jersey; and

WHEREAS, Masatoshi Sugio 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 apply to the tax year 2011; and

WHEREAS, the Mayor and Council are satisfied that, all things considered, 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 assessment of the property specified below be and is hereby ratified as follows:

<u>Block</u>	<u>Lot</u>	<u>Street Address</u>	
208	6	40 Kennedy Drive	
<u>Years: 2011</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
	\$ 671,300		\$ 671,300
	<u>\$ 725,100</u>	N/A	<u>\$ 541,700</u>
	\$ 1,396,400		\$1,213,000

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.

28. WHEREAS, Marc Arginteanu is the taxpayer of real estate designated as Block 34, Lot 285 on the official tax map of the Borough of Cresskill and better known as 188 Jefferson Avenue, Cresskill, New Jersey; and

WHEREAS, Marc Arginteanu has made application to the Tax Court of New Jersey to have the assessment of the property listed above adjusted for tax year 2010; 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 apply to tax years 2011; and

WHEREAS, the Mayor and Council are satisfied that, all things considered, 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>	
34	285	188 Jefferson Avenue	
<u>Year: 2010</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 340,000	\$ 340,000	\$ 340,000
IMPROVEMENTS	\$ <u>125,600</u>	\$ <u>125,600</u>	<u>35,000</u>
TOTAL	\$ 465,600	\$ 465,600	\$ 375,000
<u>Year: 2011</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 340,000	\$ 340,000	\$ 340,000
IMPROVEMENTS	\$ <u>125,600</u>	\$ <u>125,600</u>	<u>35,000</u>
TOTAL	\$ 465,600	\$ 465,600	\$ 375,000

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.

29. WHEREAS, application was made to the Planning Board and escrow money was deposited for a new home; and

WHEREAS, final inspection was made and certificate of occupancy was issued.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following balance in Developer's Trust account #1449 be returned to:

<u>Applicant</u>	<u>Acct. No.</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Buckingham Homes, LLC [payable to Concetta Limozinere]	DE-1449	48	682	\$851.58

[for 122 6<sup>th</sup> Street]

30. WHEREAS, improvements were made to Block 208, Lot 7, premises known as 48 Kennedy Road; and

WHEREAS, a certificate of occupancy was issued in December 2010 and an omitted assessment was put on the property; and

WHEREAS, after disputing the omitted assessment, the Tax Assessor agreed that the omitted assessment would be withdrawn for 2010; and

WHEREAS, the homeowner filed an appeal and the Borough withdrew the omitted 2010 assessment; and

WHEREAS, the County could not send an amended judgment and the omitted assessment was paid by the homeowner's bank in error and the County recommended a resolution be adopted by the Mayor and Council to correct this issue.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following refund be made:

<u>APPLICANT</u>	<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
Cindy & Gregg Wolfer	208	7	\$28,874.20

31. 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:

Mary Cumella  
(for: Angela Cumella)  
13 Beechwood Road  
Cresskill, NJ 07626  
Amount: \$10.00

Muhamet Mamo  
(for: Lindi Mamo)  
46 Chestnut Street  
Cresskill, NJ 07626  
Amount: \$10.00

Kanako Tsurushima  
(for: Riku Tsurushima)  
129 Stonegate Trail  
Cresskill, NJ 07626  
Amount: \$200.00

32. WHEREAS, the Building Department issued permits to Denise Ripke for the installation of a generator; and

WHEREAS, it was determined that the plumbing portion of the permit is no longer needed due to the unavailability of a gas connection;

NOW, THEREFORE, BE IT RESOLVED that the following plumbing permit fee refund be made:

<u>Permit #</u>	<u>Owner</u>	<u>Amount</u>
11-453	Denise Ripke 139 Jefferson Avenue Cresskill, NJ 07626	\$50.00

33. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following April 2012 payroll be ratified and approved:

April 6, 2012

Current Fund	\$ 248,279.68
Social Security/Medicare	11,009.15
Community Center	1,837.69
Library	<u>14,558.65</u>
	\$ 275,685.17

34. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 11-00004, for Block 75, Lot 47, also known as 135 Westervelt Place, Cresskill, NJ in the amount of \$14,478.21; and

WHEREAS, a premium was received by the Borough in the amount of \$17,300.00 paid by the lien holder at the Tax Sale held December 1, 2011 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 \$31,778.21 be paid to:

One People, Inc.

Mail to: One People, Inc.  
323 East Saddle River Road  
Upper Saddle River, NJ 07458

35. WHEREAS, bids for the project known as "Third Street Recreational Complex Pavilion" were authorized via Resolution #8 at the March 21, 2012 meeting of the Mayor and Council for receipt on Tuesday, April 3, 2012 at 11:00 AM in the Council Chambers and at the time of bid receipt, three bids were received, opened and read aloud by the Borough Clerk; and

WHEREAS, the bid proposals were determined to be substantially in excess of the estimates projected on said project; and

WHEREAS, the Mayor and Council wish to pursue this project and have requested the Borough Engineer review and revise the scope of the project.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council hereby rejects the bids submitted on April 3, 2012; and

BE IT RESOLVED:

1. That the specifications for Third Street Recreation Complex Pavilion 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, a paper printed in this County.
3. That said advertisement shall read as follows:

"BOROUGH OF CRESSKILL  
RE-BID

THIRD STREET RECREATIONAL COMPLEX PAVILION

Notice is hereby given that sealed Bids for Third Street Recreational Complex Pavilion will be received by the Borough of Cresskill, in the County of Bergen, and State of New Jersey, at the Municipal Office Building, 67 Union Avenue, Borough of Cresskill, New Jersey, on Tuesday, April 17, 2012, at 11:00 AM, Prevailing Time, and then publicly opened and read aloud.

The work to be done under this Contract consists of the excavation and disposal of Regulated Material, installation of Helical Piles, construction of structural concrete members, erecting and assembling a 36' x 52' Pre-Engineered Pavilion Structure **as supplied by Owner**, the installation of lighting and electrical systems within the Pavilion Structure and the construction of ancillary site improvements.

Items covering the various phases of the work under this Contract are as follows:

<u>ITEM</u>	<u>QUANTITY</u>
• Soil Erosion and Sediment Control Measures	LUMP SUM
• Transplant Tree <5" DBH	2 UNITS
• Clearing Site	LUMP SUM
• Excavation and Disposal of Regulated Material	210 C.Y.
• 12"- 8 Ton Helical Pile	LUMP SUM
• Structural Concrete	39 C.Y.
• Erecting & Assembling 36' x 52' Pre-Engineered Pavilion Structure as Supplied by Owner	LUMP SUM
• Pavilion Lighting & Electrical Systems	LUMP SUM
• Concrete Sidewalk, 4" Thick	35 S.Y.
• Topsoiling, 4" Thick, Fertilizing, Seeding, Type "A-3", and Straw Mulching	310 S.Y.

All work shall be completed by June 20, 2012.

Copies of the Plans, Specifications and Contract Documents will be on file and open to public inspection at the Borough Clerk's Office, Municipal Building, 67 Union Avenue, Borough of Cresskill, New Jersey, on and after April 9, 2012 between the hours of 9:00 AM and 4:00 PM, Prevailing Time. Copies of the plans, specifications and contract documents may also be examined or obtained by properly qualified contractors at the office of Azzolina & Feury Engineering Inc., 30 Madison Avenue, Paramus, New Jersey, Telephone: (201) 845-8500, on and after April 9, 2012 between the hours of 9:00 AM and 4:00 PM, excluding legal holidays, upon payment of \$100.00, no part of which will be refunded.

Each Bid must be made upon the prescribed forms furnished with the Contract Drawings and Specifications, must be accompanied by a Consent of Surety, and by a certified or cashier's check, drawn on a solvent bank, or bid bond, in the sum of ten percent (10%) of the amount bid, but in no case more than \$20,000.00. The check or bid bond shall be made payable to the Borough of Cresskill, the Owner. The check or bid bond of the bidder to whom the Contract is awarded shall be held by the Owner as a guarantee that the Contract shall be executed and its performance properly secured and in default thereof, said check or bid bond and the amount represented thereby will be forfeited to the aforesaid Owner as liquidated damages. Bids must be accompanied, in the case of corporations not chartered in the State of New Jersey, by proper certificate that such corporation is authorized to do business in the State of New Jersey.

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.

Every corporation or partnership submitting a bid shall accompany said bid with a statement setting forth the names and addresses of all stockholders in the corporation who own ten percent (10%) or more of its stock of any class, or of all individual partners in the partnership who own a ten percent (10%) or greater interest therein. Said statement may also be submitted prior to the bid.

Any extra work, not originally contemplated under this Contract, shall be covered by a change order. In the event that such extra work involves labor or material for which a unit price has been bid, the aforementioned unit price which has been bid, shall be used to fix payment for this extra work, and shall be the maximum payable by the Borough therefor.

Each bid must be enclosed in a sealed envelope bearing the name and address of the bidder, be addressed to the Borough of Cresskill, Bergen County, New Jersey, and shall be endorsed: "Bids for Third Street Recreational Complex Pavilion, ENCLOSED - DO NOT OPEN". Bids must be hand delivered by the bidder or an authorized representative, at the time and place stated in this advertisement. Mailed bids or bids delivered prior to the specified time will not be accepted. 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 from the lowest responsible bidder.

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

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.

#### Miscellaneous Business

36. Approve the following Raffle License:

RL 1327

UNICO

May 2 – 5, 2012

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

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

Roll Call: Yes - Unanimous Motion adopted.

39. Motion by Council Member Cleary and seconded by Council Member Mueller 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.

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

Roll Call: Yes - Unanimous Motion adopted.

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#### PRESENTATION OF BILLS

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

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

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.]

42. Mayor Romeo asked Howie Tiedemann if they had a car for the VFW members to ride in for the Memorial Day parade. Mr. Tiedemann said they were all set, however he would not be attending the parade this year.

No one else wished to be heard.

43. Motion by Council Member Cleary and seconded by Council Member Olmo to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

44. Motion at 7:49 P.M. by Council Member Cleary and seconded by Council Member Savas 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