

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETINGAPRIL 6, 2011

1. Travis Morrison led the Salute to the Flag and Pledge of Allegiance.
2. The Deputy 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 Cleary, Mueller, Olmo, Savas, Tsigounis
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Laufeld, Mann, Santhagens, Chief Wrixon
Absent: Council Member Brennan
5. Motion by Council Member Olmo and seconded by Council Member Savas to approve the minutes of the Mayor and Council Regular meeting of March 16, 2011.

Roll Call: Yes – Unanimous

Motion adopted.

COMMUNICATIONS

6. Minutes of the following meetings:

Board of Health	January 24, 2011
Library Board of Trustees	February 28, 2011
Planning Board	March 8 & 22, 2011

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Tsigounis said she attended the Library Board of Trustees and Senior Center Board of Trustees meetings and both are fine.

Council Member Cleary said he attended the JIF meeting in Westwood and obtained a copy of the seminar he and Councilman Mueller attended in Bergenfield in February.

NEW BUSINESS

INTRODUCTION OF ORDINANCE

Bond Ordinance No. 11-03-1405 – Multi-purpose Bond Ordinance

8. Resolution by Council Member Olmo and seconded by Council Member Savas to amend 2011 Temporary Capital 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 pages 63A through 63B.)

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

(Supplemental Debt Statement in full on pages 63C through 63H.)

10. Motion at 7:40 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Bond Ordinance No. 11-03-1405 – Multi-purpose Bond Ordinance 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.

11. 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 IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$590,000 TO PAY THE COST THEREOF, TO APPROPRIATE CAPITAL FUND BALANCE AND BOROUGH RESERVE FUNDS, 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 63I through 63L.)

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

BE IT RESOLVED that Ordinance No. 11-03-1405 entitled:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS 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 APPROPRIATE THE SUM OF \$590,000 TO PAY THE COST THEREOF, TO APPROPRIATE CAPITAL FUND BALANCE AND BOROUGH RESERVE FUNDS, 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 20th day of April, 2011, 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, Tsigounis
 No - None
 Absent – Council Member Brennan
 Abstain – None
 Resolution adopted.

13. Motion at 7:42 PM by Council Member Tsigounis and seconded by Council Member Cleary to introduce Ordinance No. 11-04-1406 – Amend Chapter 38, Article III – Provisions Applicable To Both Planning Board and Zoning Board Of Adjustment – Fees on first reading by title only.

Roll Call: Yes-Unanimous Motion adopted.

14. Council Member Tsigounis read the title:

AMEND CHAPTER 38, ARTICLE III – PROVISIONS
APPLICABLE TO BOTH PLANNING BOARD AND
ZONING BOARD OF ADJUSTMENT - FEES

(Ordinance in full on page 64A.)

15. Resolution by Council Member Tsigounis and seconded by Council Member Savas:

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. 11-04-1406, entitled:

AMEND CHAPTER 38, ARTICLE III – PROVISIONS
APPLICABLE TO BOTH PLANNING BOARD AND
ZONING BOARD OF ADJUSTMENT - FEES

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 20, 2011 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.

Ordinance No. 11-05-1407 – Amend Chapter 275 Zoning, Article XXX – Development Fees for Affordable Housing

16. Motion at 7:43 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Ordinance No. 11-05-1407 – Amend Chapter 275 Zoning, Article XXX – Development Fees for Affordable Housing on first reading by title only.

Roll Call: Yes-Unanimous Motion adopted.

17. Council Member Olmo read the title:

AMEND CHAPTER 275 ZONING, ARTICLE XXX,
DEVELOPMENT FEES FOR AFFORDABLE HOUSING

(Ordinance in full on page 64B.)

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

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. 11-05-1407, entitled:

AMEND CHAPTER 275 ZONING, ARTICLE XXX,
DEVELOPMENT FEES FOR AFFORDABLE HOUSING

11-856
 George A. Corbo, Jr.
 (Home Run Ice Cream)
 25 South Prospect Avenue
 Bergenfield, NJ 07621
 Purpose: Ice Cream Sales

22. WHEREAS, Hoe Y. Yang 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, 2011 subject to requirements of Chapter 246 of the Code of the Borough of Cresskill.

License No. 11-362
 2009 Lincoln Town Car
 Serial #2LNHM82V79X624113

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 064	Manfredonia Law Offices 120 Piermont Road Cresskill, NJ 07626 <i>(for: 72 Churchill Road)</i>	\$14.00
ZE 065	Anat Firnberg 36 Smith Terrace Cresskill, NJ 07626	\$14.00
ZE 066	M & A General Contractors LLC 180 11 th Street Cresskill, NJ 07626 <i>(for: 164 5th Street)</i>	\$14.00
ZE 067	Alyson Kelly 288 Concord Street Cresskill, NJ 07626	\$14.00
ZE-068	Allen & Andrea Danzig 21 Oak Street Cresskill, NJ 07626	\$14.00
ZE 069	Calvin & Yoon Kim 127 4 th Street Cresskill, NJ 07626	\$14.00
ZE 073	Marcelo Belen 34 Cedar Street Cresskill, NJ 07626	\$14.00

ZE 075 Jennifer & Elaine Messinger \$14.00
 5 Ridge Road
 Cresskill, NJ 07626

24. WHEREAS, soil permit applications were required for several properties; and

WHEREAS, escrow accounts were established for this work; and

WHEREAS, the work has been completed and inspected;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following refunds of Developer Escrow accounts be made:

<u>Account No.</u>	<u>Block</u>	<u>Lot</u>	<u>Applicant</u>	<u>Amount</u>
DE-021	14.01	14	Yuri Gont 271 Concord Street	\$125.53
DE-025	178	29.01 34-36	American Legion Post 21 75 Legion Drive	\$16.50
DE-033	163	37	Amy & Robert Sung 23 Park Avenue	\$282.04
DE-034	22	30	Peter DeVries 83 Monroe Avenue	\$284.03
DE-035	145	314	Richard Min 164 11 th Street	\$200.28
DE-038	114	34	Arthur G. Toufayan 71 Bloomfield Ave. River Edge, NJ 07661 [for 336 Highland St.]	\$363.80
DE-1656	158	22	Jeong Kim 86 South Street	\$531.38

25. WHEREAS, as part of the Sustainable Jersey Municipal Certification Program, a Green Team should be formed; and

WHEREAS, the Environmental Commission has recommended the following people to be members of the Green Team:

Steve Moldt, Frank DeCarlo, Julia Kislevitz, Mike Kozeradsky,
 Dr. DeLiang Tang, Bobbi Bauer, Simone Tsigounis and Kevin Terhune

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the aforesaid Green Team members be approved to participate and work towards certification of Cresskill in the Sustainable Jersey Municipal Program.

26. WHEREAS, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2011 temporary appropriations for the aforesaid purpose, and N.J.S. 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 2011 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$1,192,000.00;

WHEREAS, this information will be used to track and remedy loss of shade trees and indigenous plant and wild life caused by disease and/or infestation by invasive insects, plants and wildlife; and

WHEREAS, the information can be used to control pests such as Poison Ivy and rats; and

WHEREAS, this information will improve the quality of life of Cresskill residents, by providing a central repository of facts describing the parks and open spaces within the community. Also by educating the public as to the extent, type and sensitivity of the natural resources they live amongst; and

WHEREAS, the Planning Board and the Board of Adjustment will be provided with a valuable tool when evaluating and deliberating on development and subdivision proposals; and

WHEREAS, an Environmental Resource Inventory was recommended in the Master Plan Revision and accepted on Dec. 14, 2010 by the Cresskill Planning Board. Also was recommended in 1998 and 2004.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council authorizes the compilation of an Environmental Resource Inventory for the Borough of Cresskill, and agrees to fund the ERI from the general budget up to and not to exceed \$4,470. The Borough of Cresskill also agrees to provide such other permissible in-kind services to be valued in accordance with the Association of New Jersey Environmental Commission's 2011 Sustainable Land Use Planning Grant Program application form of not less than \$4,455 and not more than \$4,500.

28. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following March and April 2011 payrolls be ratified and approved:

March 25, 2011

Current Fund	\$ 229,488.89
Social Security/Medicare	10,950.35
Community Center	<u>1,428.85</u>
	\$ 241,868.09

April 8, 2011

Current Fund	\$ 242,301.47
Social Security/Medicare	12,040.63
Community Center	<u>1,283.52</u>
	\$ 255,625.62

29. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 10-00001, for Block 41, Lot 1.02, also known as 20 Madison Avenue, in the amount of \$18,075.75.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$18,075.75 be paid to:

Stonefield Investment Fund I, LLC
21 Robert Pitt Drive #202
Monsey, NY 10952

Mail to: Stonefield Investment Fund I, LLC
21 Robert Pitt Drive #202
Monsey, NY 10952

30. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 10-00005, for Block 41, Lot 1.04B, also known as 1 Tenakill Park Drive East, in the amount of \$57,084.38.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$57,084.38 be paid to:

US Bank,Cust/
Empire Tax Fund II LLC

Mail to: US Bank
Custodian for Empire Tax Fund II LLC
2 Liberty Place-TSSG
50 South 16th Street, Suite 1950
Philadelphia, PA 19102-2513

31. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 10-00006, for Block 41, Lot 2, also known as 10 Madison Ave., in the amount of \$20,059.21.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$20,059.21 be paid to:

US Bank,Cust/
Empire Tax Fund II LLC

Mail to: US Bank
Custodian for Empire Tax Fund II LLC
2 Liberty Place-TSSG
50 South 16th Street, Suite 1950
Philadelphia, PA 19102-2513

Motions

32. Appoint James McGloin, Jeffrey Pizzuto, and Matthew J. Sanders to Cresskill Emergency Medical Services for a six month probationary period.

Miscellaneous Business

33. Approve the following Raffle Licenses:

RL 1312	UNICO	May 4 – 7, 2011
RL 1313	Triple Negative Breast Cancer Foundation	May 19, 2011

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

34. No one wished to be heard.
35. 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.

36. Motion by Council Member Olmo and seconded by Council Member Mueller to consider all items marked with an asterisk as a single question.

On the question: Deputy 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.

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

Roll Call: Yes - Unanimous Motion adopted.

PRESENTATION OF BILLS

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

(Resolution in full on pages 71A through 71E.)

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.]

39. Mike Morrison, 314 Brookside Avenue asked the status of the Grant Avenue paving project. Council Member Olmo said it was too late to do it last year and the results wouldn't have been very good. It should be done in the very near future; we are just waiting on the asphalt. It will be milled from the bridge down.

Pauline Rooney, 5 Tenakill Park Drive East asked the status of the Madison Avenue project including Mooseheads. Mayor Romeo said we had a meeting with the builder two weeks ago and he will be coming in for the permits very soon and demolish the buildings. The builder decided rather than wait for CSX, which has been the holdup; he will tear them down and start rebuilding. We will widen the road after we receive final approvals.

Mayor Romeo said we will be going out to bid soon for the lighting of Cook Park as well as the lighted basketball courts.

Mike Morrison asked if we were still looking at putting an ice skating pond in town. Mayor Romeo said there did not seem to be much interest. We can look at it again for the back of Lincoln Drive along the Tenakill. We'll address it at the next COW meeting.

Travis Morrison, 314 Brookside Avenue said for his Eagle Scout project, he had an idea for a dog park in the same area and maybe we could also put in an environmental park. Mayor Romeo said we just approved funding for the ANJEC (Association of New Jersey Environmental Commissions) project. Council Member Tsigounis can put you in touch with the Environmental Commission if you want to do something environmentally related.

No one else wished to be heard.

40. Motion by Council Member Olmo and seconded by Council Member Savas to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

41. Motion at 7:56 P.M. by Council Member Olmo and seconded by Council Member Savas to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

Benedict Romeo
Mayor

Patricia McKim
Deputy Borough Clerk