

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

## REGULAR MEETING

MAY 2, 2012

1. Dean Morgan 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 7:36 P.M.
4. Present: Council Members Brennan, Cleary, Mueller, Savas, Tsigounis  
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Laufeld, McKim, Chief Wrixon  
Absent: Council Member Olmo
5. Motion by Council Member Cleary and seconded by Council Member Brennan to approve the minutes of the Mayor and Council Regular meeting of April 18, 2012.

Roll Call: Yes – Unanimous

Motion adopted.

## COMMUNICATIONS

6. Council Member Mueller announced receipt of Determination and Award Certificate.

(Determination and Award Certificate on page 80A.)

7. Minutes of the following meetings:

Environmental Commission  
Library Board of Trustees

Feb. 15, & Mar. 21, 2012  
March 19, 2012

Filed.

## REPORTS OF COMMITTEES AND OFFICIALS

8. Council Member Tsigounis said the Environmental Commission is having Cresskill Clean-Up Day on Saturday, May 12<sup>th</sup>. Anyone interested can sign up at the Borough Hall at 8:30 am on the morning of May 12<sup>th</sup>.  
The Historical Committee's next meeting will be May 31<sup>st</sup> at 4:00 pm in Borough Hall.  
The senior citizens are planning a trip to Gracie Mansion in NYC in the fall.  
Mayor Romeo said the High School seniors were cleaning up 3<sup>rd</sup> Street today.

Council Member Savas said Jose Nodar of Refined Homes LLC made a donation of \$200 to the Cresskill Food Pantry. Mayor Romeo said Carolyn Schultz advised him of a young resident that wants to do a town wide food drive so he can earn his Eagle Scout status. Council Member Savas said the Recreation Committee changed their meetings to the 4<sup>th</sup> Wednesday of the month, so she was happy she could attend. Recreation has a track program for 6<sup>th</sup> to 8<sup>th</sup> graders and 68 children are participating.  
The spring soccer program has been canceled due to a lack of coaches.  
I recently called the Fire Dept. because I smelled smoke in my neighborhood and they arrived at my house in 2 minutes.

Council Member Brennan said they are ready for the installation of the 3<sup>rd</sup> Street pavilion and it should be completed by mid June.

Council Member Cleary said the Fire Dept. had to send the large ladder truck out for repair due to an oil leak in the ladder mechanism.

Council Member Mueller said Care One at Dunroven's 3<sup>rd</sup> and hopefully final hearing before the Zoning Board will be at the May 24<sup>th</sup> meeting.

## UNFINISHED BUSINESS

### ORDINANCE ON FINAL READING

#### Public Hearing – 2012 Budget

9. Motion at 7:42 PM by Council Member Mueller and seconded by Council Member Cleary to suspend the regular order of business to hold a public hearing on the 2012 Budget.

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

10. Resolution by Council Member Mueller and seconded by Council Member Cleary to waive reading in full of the 2012 Budget.

(Resolution in full on page 81A.)

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

11. Mayor Romeo opened the meeting to the public on the 2012 Budget. [Reported by Deputy Borough Clerk Patricia A. McKim.]
12. Eileen Donovan, 86 Linwood Ave., said when she moved here the taxes for the land were very low. In 2003 they went to \$30,000 and now in 2012, the land taxes are \$83,400. Ms. Donovan asked why they are taxed on the land since they only own their townhouse. Mayor Romeo said an entity owns the land and she owns a percentage of that entity. Attorney Salvatore said in her deed it says that she owns her unit and a certain percentage of what is called “common elements” which includes the land. So you don't own the land right around your house, but you are part owner of all the land and that's how you are assessed. Mayor Romeo said we did the reassessment because the home values were down to 70% of what they were actually worth. Between 50% and  $\frac{2}{3}$  of the property taxes stayed the same or went down and about  $\frac{1}{3}$  went up. Mayor Romeo said she should file a tax appeal which she can do until May 10<sup>th</sup>. Ms. Donovan asked if the town was still buying land. Mayor Romeo said we purchased land we felt was valuable to the aesthetics of the town at only .50 on the dollar, taking advantage of the State's Green Acres grant. We have no plans at this time to purchase any more.

Jeff Calder, 165 4<sup>th</sup> Street said The Suburbanite recently ran stories about local towns and the amount of their tax increases. Mr. Calder asked the Mayor and Council how they think Alpine and Tenaflly could keep their tax increases to only .8% and .9% respectively. Mayor Romeo said he doesn't want to comment on other towns, but feels Alpine's increase is based on the caliber of services they provide. Tenaflly accumulates a lot more debt service than Cresskill, but I really do not know how they kept it so low. Councilman Brennan said Tenaflly's taxes are a lot higher than Cresskill's are currently, so monetarily their increase could be equal to ours. They also have a much larger tax base and

commercial area so they have a lot more contribution. Mayor Romeo said we have renegotiated the DPW and Police contracts, lowering their starting salaries and extending the number of steps before they get top pay which will help us in the future. We have no intention of hiring any new employees and as employees have left their jobs in the Borough Hall; their duties have been picked up by other employees in the office. Mr. Calder asked how much Cresskill was carrying in debt. CFO Laufeld said approximately \$12M. We are at .50% and allowed to go up to 3½% of the equalized valuation, so we are well below.

No one else wished to be heard.

13. Motion by Council Member Mueller and seconded by Council Member Cleary to close the public hearing.

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

14. Resolution by Council Member Mueller and seconded by Council Member Cleary to adopt the 2012 Budget.

(Resolution in full on pages 82A through 82B.)

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

15. Motion by Council Member Mueller and seconded by Council Member Cleary to resume the regular order of business.

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

## NEW BUSINESS

### INTRODUCTION OF ORDINANCE

#### Bond Ordinance No. 12-07-1429 – Multi-purpose Bond Ordinance

16. Resolution by Council Member Mueller and seconded by Council Member Cleary to amend Capital Budget.

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

(Resolution in full on pages 82C through 82F.)

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

(Supplemental Debt Statement in full on pages 82G through 82L.)

18. Motion at 7:58 PM by Council Member Mueller and seconded by Council Member Cleary to introduce Bond Ordinance No. 12-07-1429 – Multi-purpose Bond Ordinance on first reading by title only.

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

19. Council Member Mueller read the title:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINER, NEW ADDITIONAL FURNISHINGS 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 \$973,000 TO PAY THE COST THEREOF, TO APPROPRIATE CAPITAL FUND BALANCE, 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 83A through 83G.)

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

BE IT RESOLVED that Ordinance No. 12-07-1429 entitled:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINER, NEW ADDITIONAL FURNISHINGS 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 \$973,000 TO PAY THE COST THEREOF, TO APPROPRIATE CAPITAL FUND BALANCE, 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 May, 2012, 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, Savas, Tsigounis  
 No - None  
 Absent – Council Member Olmo  
 Abstain – None  
 Resolution adopted.

Ordinance No. 12-08-1430 – 2012 Salaries

21. Motion at 8:00 PM by Council Member Cleary and seconded by Council Member Brennan to introduce Ordinance No. 12-08-1430 – 2012 Salaries on first reading by title only.

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

22. Council Member Cleary read the title:

AN ORDINANCE TO FIX THE SALARIES, WAGES AND  
 COMPENSATION OF THE OFFICERS AND EMPLOYEES  
 OF THE BOROUGH OF CRESSKILL - YEAR 2012

(Ordinance in full on pages 84A through 84E.)

23. Resolution by Council Member Cleary 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. 12-08-1430, entitled:

AN ORDINANCE TO FIX THE SALARIES, WAGES AND  
 COMPENSATION OF THE OFFICERS AND EMPLOYEES  
 OF THE BOROUGH OF CRESSKILL - YEAR 2012

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, May 16, 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 Brennan, Cleary, Mueller, Savas, Tsigounis  
 No - None  
 Absent – Council Member Olmo  
 Abstain – None  
 Resolution adopted.

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

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CONSENT AGENDA

NEW BUSINESS

\*Resolutions

25. WHEREAS, Yun Ock Choi 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. 12-370  
 2003 Lincoln Town Car  
 Serial #1LNHM84W03Y644877

26. WHEREAS, an application for Taxi Driver's License has been received and the applicant has complied with all provisions of the applicable ordinances;

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk be, and hereby is, authorized to issue said license for the period ending December 31, 2012 to the following:

License No. 12-371  
Yong Duk Choi  
378 Knickerbocker Road  
Cresskill, NJ 07626

27. 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:

Anjali Mani  
(for: *Nikhil Mani*)  
478 Tenafly Road  
Tenafly, NJ 07670  
Amount: \$210.00

Luke La Pira  
(for: *Luke La Pira*)  
36 Columbus Road  
Demarest, NJ 07627  
Amount: \$195.00

Ghyde Achkar  
(for: *Anthony Achkar*)  
110 Lexington Avenue  
Cresskill, NJ 07626  
Amount: \$130.00

Wayne Phillips  
(for: *Cameron & Harrison Phillips*)  
15 Eisenhower Drive  
Cresskill, NJ 07626  
Amount: \$280.00

Dongwon Park  
(for: *Juhyoung Park*)  
41 Park Avenue  
Cresskill, NJ 07626  
Amount: \$65.00

Wendy Tilp  
(for: *Danielle Tilp*)  
100 Tenakill Road  
Cresskill, NJ 07626  
Amount: \$50.00

Joan Ferry  
(for: *Claire Ferry*)  
50 Cranford Place  
Cresskill, NJ 07626  
Amount: \$100.00

28. RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF CRESSKILL, AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$4,261,600 BOND ANTICIPATION NOTE AND A \$160,000 SPECIAL EMERGENCY NOTE, BOTH ISSUES DATED MARCH 9, 2012 AND PAYABLE MARCH 8, 2013, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265 (b) (3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Cresskill, in the County of Bergen, New Jersey (the "Borough"), from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, that require issuers of tax exempt obligations, such as the Borough, to account for and rebate certain arbitrage earnings to the United States Treasury and to take such other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue a \$4,261,000 Bond Anticipation Note and a \$160,000 Special Emergency Note, both issues dated March 9, 2012 and payable March 8, 2013 (collectively, the "Notes"); and

WHEREAS, the Borough desires to designate the Notes as "qualified tax-exempt obligations" pursuant to Section 265 (b) (3) of the Code;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Cresskill, in the County of Bergen, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Notes) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265 (b) (3) of the Code.

SECTION 4. It is hereby determined and stated that (1) said Notes are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2012.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Notes) during the calendar year 2012.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265 (b) (3) of the Code; however, the Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes to further provide such original purchaser with a certificate of obligations issued during the calendar year 2012 dated as of the date of delivery of the Notes.

SECTION 8. This resolution shall take effect immediately upon its adoption.

29. 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 2011 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.

30. 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

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling program.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Cresskill that the Borough of Cresskill hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2011 in the amount of \$9,846.06. Documentation supporting this submission is available at 325 Piermont Road and shall be maintained for no less than five years from this date.

Tax reimbursement certified by: Borough of Cresskill

Name of official: Harold Laufeld

Title of official: CFO/Treasurer

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, 2012 subject to requirements of Chapter 246 of the Code of the Borough of Cresskill.

License No. 12-372  
2005 Chrysler Sedan  
Serial #2C3AA63H35H564805

License No. 12-373  
2003 Lincoln Town Car  
Serial #1L1FM81W43Y640151

32. WHEREAS, Camp Merritt Post 21 of the American Legion has applied for a parade permit on Memorial Day, May 28, 2012, 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 Camp Merritt Post 21, American Legion, for a parade to commence at 10:00 AM on May 28, 2012, on the following route:

1. Assemble at Merritt Circle, 12<sup>th</sup> Street north and south of Madison Avenue, and Madison Avenue between Eleventh and Twelfth Streets.
2. After ceremonies at the Monument, parade will march east on Madison Avenue to Veterans Square, where the main ceremonies will be held.
3. At termination of ceremonies, parade will march east on Union Avenue to Washington Street, south to East Madison Avenue, and terminate at the American Legion parking lot.

BE IT FURTHER RESOLVED that the Camp Merritt Post 21, American Legion, shall determine the order and participants in the parade.

33. WHEREAS, the Recreation Committee had scheduled various programs; and

WHEREAS, the programs were cancelled due to low enrollment;

NOW, THEREFORE, BE IT RESOLVED that the recreation fees, paid for by credit card, be returned to:

David Lin  
(for: Emma Lin)  
36 Pershing Place  
Cresskill, NJ 07626  
Amount: \$140.00

Luca Celentano  
(for: Luca Celentano)  
412 11<sup>th</sup> Street  
Cresskill, NJ 07626  
Amount: \$60.00

Deepthi Nair  
(for: Akshay Nair)  
134 Knickerbocker Road  
Cresskill, NJ 07626  
Amount: \$140.00

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

May 4, 2012

Current Fund	\$ 255,385.66
Social Security/Medicare	10,805.48
Community Center	1,857.36
Library	<u>13,790.35</u>
	\$ 281,838.85

Motions

35. Approve election to the Cresskill Fire Department of Peter Giannuzzi as Captain, Kenneth Soule as 1<sup>st</sup> Lieutenant and David Philpott as 2<sup>nd</sup> Lieutenant.

Miscellaneous Business

36. Approve the following Raffle License:

RL 1328      PTA Edward H. Bryan School      June 1, 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 Brennan 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 Brennan 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 Brennan 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 Brennan and seconded by Council Member Savas:

(Resolution in full on pages 89A through 89D.)

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 said the Memorial Day parade will be on Monday, May 28<sup>th</sup> at 10:00 am.

Tom Barnhart, 20 Engle Street asked if his group of skateboarders could participate in the Memorial Day parade. They would have approximately 50 skateboarders going down Madison Avenue and this would put them in the Guinness Book of World Records for fastest parade. Council Member Cleary asked Mr. Barnhart what type of insurance they had. Mr. Barnhart said they would get whatever insurance is required. Mayor Romeo said we would have to check with our insurance carrier. Please leave your name and phone number and we will get back to you.

Howard Tiedemann, 101 7<sup>th</sup> Street said the new mat at the Borough Hall front door looks much nicer. Also, I've seen big piles of branches on a few different streets that have been there for days and sometimes weeks. Mayor Romeo said he will have it taken care of.

No one else wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

44. Resolution by Council Member Cleary and seconded by Council Member Savas:

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;

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.

RESOLVED further that although not now anticipated, the Mayor and Council reserve the right to return to open session upon conclusion of the closed session.

Roll Call: Yes - Unanimous. Resolution adopted.

45. Motion at 8:10 P.M. by Council Member Cleary and seconded by Council Member Brennan 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