





BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF BROOKSIDE AVENUE (SECTION 2) IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$630,000 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 4th day of June, 2014, at 7:30 o'clock, P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Mayor and Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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

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

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#### CONSENT AGENDA

#### NEW BUSINESS

#### \*Resolutions

17.      BE IT RESOLVED:

1.      That the specifications for the Two (2) 2015 Dump Trucks with Snow Plows 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

Two (2) 2015 Dump Trucks with Snow Plows

Notice is hereby given that sealed bids will be received by the Mayor and Council of the Borough of Cresskill for Two (2) 2015 Dump Trucks with Snow Plows in the Borough of Cresskill. Bids will be opened and read in public at the Municipal Building on Thursday, June 12, 2014, at 10:00 AM Prevailing Time. Specifications and forms of bids for the proposed work are on file in the office of the Borough Clerk and may be inspected by prospective bidders during business hours on or after May 23, 2014.

Bidders will be furnished with a copy of the specifications on proper notice. Bids must be made on standard proposal forms in the manner designated therein and required by the specifications, must be enclosed in sealed envelopes bearing the name of the bidder and labeled Two 2015 Dump Trucks with Snow Plows on the outside and addressed to: Mayor and Council, Borough of Cresskill, and must be accompanied by a Non-Collusion

Affidavit, and be delivered at the place on or before the hour named above. The standard proposal form and the Non-Collusion Affidavit are attached to the supplemental specifications, copies of which will be furnished on application to the Borough Clerk.

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 of the lowest, responsible bidder.

Prior to the award of this Contract, and in accordance with Chapter 127, PL 1975, the Contractor shall file an Affirmative Action Plan with the State Treasurer.

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

4. 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.
18. WHEREAS, the Recreation Committee has scheduled various programs; and

WHEREAS, the following participant will be moving;

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

Jennifer Han  
(for: Alexandra Han)  
1112 Tenakill Park Drive West  
Cresskill, NJ 07626  
Amount: \$15.00

19. WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended, and the HOME Investment Partnership Act of 1990, as amended; and

WHEREAS, the Grantee or a unit of general local government that directly or indirectly receives CDBG funds may not sell, trade or otherwise transfer all or any such portion of such funds to another metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended.

WHEREAS, the current Interlocal Services Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, by June 20, 2014 each municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the Borough of Cresskill and its residents to participate in said programs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that it hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant municipality in the Urban County entitlement programs being the Community Development Block Grant Program and the HOME Investment Partnership Act Program for the Program Years 2015, 2016 and 2017 (July 1, 2015 – June 30, 2018); and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Bergen County Division of Community Development no later than June 20, 2014.

20. BE IT RESOLVED, as recommended by the Municipal Pool Commission, that the following refund be authorized from the Municipal Swim Club Account:

Hwang Lee  
1103 Tenakill Park Drive West  
Cresskill, NJ 07626  
Amount: \$450.00

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 159	Premier Guidance LLC 301 State Route 17 – Suite 800 Rutherford, NJ 07070 (For: 30 Heatherhill Rd.)	\$14.00
ZE 185	All Star Construction LLC 480 W. Saddle River Road Saddle River, NJ 07675 (For: 150 South Street)	\$14.00
ZE 186	Mark D. Madaio, Esq. P.O. Box 577 Bergenfield, NJ 07621-0577 (For: 72 Madison Ave.)	\$14.00
ZE 187	Imagen Architecture, LLC 24 W. Railroad Ave., PBM#285 Tenafly, NJ 07670 (For: 81 Heatherhill Rd.)	\$14.00
ZE 190	Heather Gray 1302 Tenakill Park Dr. West Cresskill, NJ 07626 (For: 28 Clark Street)	\$14.00
ZE 191	Efrain Ramirez 190 7 <sup>th</sup> Street Cresskill, NJ 07626 (For: 155 Jefferson Ave.)	\$14.00
ZE 193	Rebecca Kelly 615 Fermery Drive New Milford, NJ 07646-1019 (For: 24 Crest Drive South)	\$14.00

ZE 194	Rocco Blasi 9 Heatherhill Court Cresskill, NJ 07626	\$14.00
ZE 198	Francis Reiner 19 Pierce Ave. Cresskill, NJ 07626	\$14.00
ZE 199	Joseph Gottlieb 11 Margie Avenue Cresskill, NJ 07626	\$14.00

22. WHEREAS, the Borough of Cresskill wants to sod one of the recreation fields on Third Street and solicited quotes; and

WHEREAS, it received a quote for new sod with 1/4" soil below thatch layer @ \$.60 per sq. ft. which was more than we budgeted for and a price for used Met-Life Stadium sod (used for one game), 1" thick @ \$.40 per sq. ft.; and

WHEREAS, we are unable to get additional quotes for used sod;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Cresskill enter into a contract with Tuckahoe Turf Farms, PO Box 148, 401 Myrtle Avenue, Hammonton, NJ 08037-0148, for the Giants sod at a cost of \$.40 per sq. ft., cut off, ground preparation and installed, using Municipal Open Space Funds for this project.

23. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following May 2014 payroll be ratified and approved:

May 16, 2014

Current Fund	\$ 282,159.62
Social Security/Medicare	12,815.06
Community Center	2,033.50
Library	<u>14,569.40</u>
	\$ 311,577.58

24. BE IT RESOLVED:

1. That the specifications for Brookside Avenue Improvement – Section 2 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

Brookside Avenue Improvement – Section 2

Sealed Bids for Brookside Avenue Improvement – Section 2 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 Thursday, June 12, 2014, at 11:00 AM, Prevailing Time, and then publicly opened and read aloud.

The work to be done under this Contract consists of traffic control, clearing site including the removal and disposal of existing concrete curbs, sidewalks and gutter sections, excavating for test pits, installing new storm drain facilities, constructing granite curb, excavating unclassified materials, HMA milling, constructing dense graded aggregate base

course, constructing HMA intermediate and surface course pavements, constructing concrete sidewalks and driveways, constructing HMA driveways, installing detectable warning surfaces, applying traffic stripes and pavement markings, topsoiling, fertilizing, seeding and mulching, and other incidental work.

The work of this project shall be completed on or before **August 31, 2014**, weather permitting.

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 or after Tuesday, May 27, 2014, 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 Tuesday, May 27, 2014, 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 Brookside Avenue Improvement – Section 2, 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 A. Nasuto  
Borough Clerk

4. 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.

25. GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

26. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that Ted Cebulski be approved for part time seasonal help as Laborer in the Public Works Department at a salary of \$11.50 per hour effective May 19, 2014.

27. Resolution to Approve the Corrective Action Plan for the Fiscal Year 2013  
Audit Report of the Borough of Cresskill

WHEREAS, the Division of Local Government Services requires the Chief Financial Officer to file a "Corrective Action Plan" outlining the actions to be taken by the Borough relative to the findings and recommendations in the annual audit report; and

WHEREAS, the “Corrective Action Plan” shall be prepared by the Chief Financial Officer with assistance from other officials affected by the audit findings and recommendations; and

WHEREAS, the governing body is required by resolution, to approve said “Corrective Action Plan”; and

WHEREAS, the “Corrective Action Plan”, as prepared by the Chief Financial Officer and approved by the Governing Body, shall be placed on file and made available for public inspection in the Borough Clerk’s office;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill approves the “Corrective Action Plan” for the Fiscal Year 2013 Audit Report submitted by the Chief Financial Officer.

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

14-888

Robert Galarza  
(Power Home Remodeling Group)  
485 Route 1 South  
Iselin, NJ 08830

Purpose: Free Estimates for Windows/Siding/Roofing

14-889

Anthony Paonessa  
(Power Home Remodeling Group)  
485 Route 1 South  
Iselin, NJ 08830

Purpose: Free Estimates for Windows/Siding/Roofing

14-890

Christopher Leva  
(Power Home Remodeling Group)  
485 Route 1 South  
Iselin, NJ 08830

Purpose: Free Estimates for Windows/Siding/Roofing

#### Motions

29. Appoint the following to the Cresskill Emergency Medical Services for a six-month probationary period, effective immediately:

Michael Kraus  
Joseph Rector

Robert Dirr  
Thomas Shine, Jr.

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

30. Mayor Romeo said the used sod is for Regan Field.

No one else wished to be heard.

31. 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.

32. Motion by Council Member Olmo and seconded by Council Member Cleary 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.

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

Roll Call: Yes - Unanimous Motion adopted.

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#### PRESENTATION OF BILLS

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

(Resolution in full on pages 93A through 93C.)

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.]

35. Geraldine Kearns of Mahwah said she participated in the Prescription Drug Take Back Program the Police Dept. held last month. Chief Wrixon said they took in 81 lbs. of prescription medications.

Mayor Romeo said the Memorial Day parade is this Monday at 10:00 am.

No one else wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

37. Motion at 7:53 P.M. by Council Member Olmo and seconded by Council Member Cleary to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

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Benedict Romeo  
Mayor

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Barbara A. Nasuto  
Borough Clerk