

Ordinance No. 10-09-1388 – Forward Planning Committee

10. Motion at 7:46 P.M. by Council Member Savas and seconded by Council Member Brennan to introduce Ordinance No. 10-09-1388 Forward Planning Committee on final reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

11. Council Member Savas read the title:

AN ORDINANCE TO CREATE A FORWARD PLANNING COMMITTEE

(Ordinance in full on pages 64A through 64C of Mayor and Council Regular Meeting dated April 21, 2010.)

12. The Borough Clerk announced that the ordinance was published in The Press Journal on April 22, 2010, posted in the Borough Hall, and copies made available to the public. Planning Board approval has been received.
13. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
14. William Bogen, 194 8th Street asked for a brief outline of the ordinance. Mayor Romeo said when he got into office they held a Forward Planning meeting every 4 years where they laid out the problems or goals for the next 4 years. The meetings were a great success so we decided to have a committee to plan out each decade. They will deal with the BOE, Finance, Police, Fire, Ambulance Corp, OEM, etc. The committee consisting of officials and residents will meet 4 times a year and report in writing to the Mayor and Council. We feel this is a very proactive move.

No one else wished to be heard.

15. Motion by Council Member Savas and seconded by Council Member Brennan to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

16. Resolution by Council Member Savas 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. 10-09-1388, entitled:

AN ORDINANCE TO CREATE A FORWARD PLANNING COMMITTEE

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

Roll Call: Yes – Unanimous Resolution adopted.

Ordinance No. 10-10-1389 – Amend Chapter 101 Construction Codes, Uniform

17. Motion at 7:49 P.M. by Council Member Mueller and seconded by Council Member Brennan to introduce Ordinance No. 10-10-1389 Amend Chapter 101 Construction Codes, Uniform on final reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

18. Council Member Mueller read the title:

AMEND CHAPTER 101 CONSTRUCTION CODES, UNIFORM

29. Motion by Council Member Mueller and seconded by Council Member Brennan to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

30. Resolution by Council Member Mueller 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. 10-11-1390, entitled:

AMEND CHAPTER 275, ZONING, ARTICLE IV,
R-40, R-15 AND R-10 ONE-FAMILY RESIDENCE ZONES

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

Roll Call: Yes – Unanimous Resolution adopted.

Ordinance No. 10-12-1391 - Amend Chapter 218 Site Development Plan

31. Motion at 7:54 P.M. by Council Member Tsigounis and seconded by Council Member Savas to introduce Ordinance No. 10-12-1391 Amend Chapter 218 Site Development Plan on final reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

32. Council Member Tsigounis read the title:

AMEND CHAPTER 218 SITE DEVELOPMENT PLAN

(Ordinance in full on page 66A of
Mayor and Council Regular Meeting dated April 21, 2010.)

33. The Borough Clerk announced that the ordinance was published in The Press Journal on April 22, 2010, posted in the Borough Hall, and copies made available to the public. Planning Board approval has been received.
34. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
35. Mayor Romeo said we needed to tighten up this ordinance because we've had some builders saying they were putting additions on homes and when the Building Inspector checked it out they had demolished the entire house. They were doing this without site plan approval. Now if more than two of the four perimeter walls are removed at any time, the job will be stopped and they will have to abide by a different set of rules and fees.

No one else wished to be heard.

36. Motion by Council Member Tsigounis and seconded by Council Member Brennan to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

37. Resolution by Council Member Tsigounis 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. 10-12-1391, entitled:

AMEND CHAPTER 218 SITE DEVELOPMENT PLAN

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

Roll Call: Yes – Unanimous Resolution adopted.

Ordinance No. 10-13-1392 – 2010 Salaries

38. Motion at 7:55 P.M. by Council Member Mueller and seconded by Council Member Brennan to introduce Ordinance No. 10-13-1392 Salaries on final reading by title only.

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

39. Council Member Mueller read the title:

AN ORDINANCE TO FIX THE SALARIES, WAGES AND
 COMPENSATION OF THE OFFICERS AND EMPLOYEES
 OF THE BOROUGH OF CRESSKILL - YEAR 2010

(Ordinance in full on pages 66B through 66F of
 Mayor and Council Regular Meeting dated April 21, 2010.)

40. The Borough Clerk announced that the ordinance was published in The Press Journal on April 22, 2010, posted in the Borough Hall, and copies made available to the public.
41. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
42. Jean Quinn, 34 Glen View Terrace asked for an overview of the ordinance. Mayor Romeo said by law we have to allocate money for each quarter until we pass the budget. We need to make payroll and meet expenses. We haven't passed the budget yet because the State is still going back and forth with us on state aid and rules and regulations in the CAP waivers that they're putting in. We expect to pass the budget in June. Ms. Quinn asked if we had a preliminary budget. Borough Clerk Nasuto said she would get her a copy after the meeting.

No one else wished to be heard.

43. Motion by Council Member Mueller and seconded by Council Member Brennan to close the public hearing.

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

44. Resolution by Council Member Mueller 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. 10-13-1392, entitled:

AN ORDINANCE TO FIX THE SALARIES, WAGES AND
 COMPENSATION OF THE OFFICERS AND EMPLOYEES
 OF THE BOROUGH OF CRESSKILL - YEAR 2010

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

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

NEW BUSINESS

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

46. BE IT RESOLVED, as recommended by the Municipal Pool Commission, that the following refund from the Municipal Swim Club Account be authorized due to request for cancellation of 2010 membership:

Hanna Walther
 30 7th Street
 Cresskill, NJ 07626
 Amount: \$150.00

47. WHEREAS, GRACE HWANG has made application to the Tax Court of New Jersey to have the assessment of the property listed below adjusted; and

WHEREAS, the parties to said action have agreed upon an adjustment of the assessment; and

WHEREAS, the Mayor & Council are satisfied that, all things considered, the settlement, as set forth below, is not unreasonable;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the adjustment 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>	
91.8	6	14 East Hill Court	
Year: 2006	<u>Original Assessment</u>	<u>County Board Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 756,400.00	N/A	\$ 756,400.00
IMPROVEMENTS	<u>\$2,866,900.00</u>	<u>DIRECT</u>	<u>\$2,366,900.00</u>
TOTAL	\$3,623,300.00	APPEAL	\$3,123,300.00

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.

48. 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 2009 in the amount of \$10,118.37. 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

49. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 2009-18, Block 160, Lot 9, also known as 54 Delmar Avenue, in the amount of \$3,434.29.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$3,434.29 be refunded to:

Robert U. Del Vecchio, P/T
P.O. Box 196
Hawthorne, NJ 07507

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

WHEREAS, the participants are unable to attend;

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

Aileen Song
(for: Daniel Song)
57 Roosevelt Street
Cresskill, NJ 07626
Amount: \$140.00

Ksenija Batistich
(for: Mark Batistich)
100 12th Street
Cresskill, NJ 07626
Amount: \$135.00

Ksenija Kassis
(for: Geoffrey Kassis)
36 Poplar Street
Cresskill, NJ 07626
Amount: \$270.00

Sally Gundling
(for: Evan Gundling)
168 10th Street
Cresskill, NJ 07626
Amount: \$135.00

Viki Harel
(for: Stav Harel)
19 Holly Lane
Cresskill, NJ 07626
Amount: \$135.00

Ekaterina Beniaminob
(for: A. and M. Benjamin)
184 Madison Ave.
Cresskill, NJ 07626
Amount: \$150.00

Delia Largmann
(for: Sydney Largman)
151 Lexington Ave.
Cresskill, NJ 07626
Amount \$ 75.00

51. WHEREAS, the following permits have been issued under Section 132-91 of the Code of the Borough of Cresskill and cash bonds deposited therefor; and

WHEREAS, the Superintendent of Public Works has inspected the work and found it to meet all requirements of the applicable Section;

NOW, THEREFORE, BE IT RESOLVED that the proper officials be and hereby are directed to return the bonds held under the following permits:

<u>Code Sec.</u>	<u>Permit #</u>	<u>Name</u>	<u>Amount</u>
132-91	3347	Richard Vincentz 82 Pershing Place Cresskill, NJ 07626	\$50.00
132-91	3888	Barbara Robinson 67 Roosevelt Street Cresskill, NJ 07626	\$50.00

52. WHEREAS, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2010 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 2010 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$525,000.00; and

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20:

1. The following temporary appropriations be and the same are hereby made for:

OPERATIONS - WITHIN CAPS

General Administration

Salaries and Wages \$ 5,000.00

Municipal Clerk

Salaries and Wages 20,000.00

Other Expenses 3,000.00

Financial Administration

Salaries and Wages 5,000.00

Other Expenses 2,000.00

Tax Assessment

Salaries and Wages 2,000.00

Other Expenses 2,000.00

Legal

Other Expenses 5,000.00

Engineering

Other Expenses 5,000.00

Planning Board

Other Expenses 5,000.00

Zoning Board

Salaries and Wages 2,000.00

Construction Code

Salaries and Wages 5,000.00

Plumbing Inspector

Salaries and Wages 2,000.00

Electrical Inspector

Salaries and Wages 1,000.00

Liability Insurance

10,000.00

Police

Motions

55. Approve applications of Christan J. Medina and Christopher M. Niland to the Cresskill Volunteer Fire Department.

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

56. No one wished to be heard.
57. Motion by Council Member Savas and seconded by Council Member Brennan to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous Motion adopted.

58. Motion by Council Member Savas 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.

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

Roll Call: Yes - Unanimous Motion adopted.

PRESENTATION OF BILLS

60. Resolution by Council Member Brennan and seconded by Council Member Savas:

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

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.]

61. Mayor Romeo said the Grand Marshal for the Memorial Day parade will be Nick Oresko, a resident of Sunrise who was awarded the Congressional Medal of Honor.

William Zally, 24 Milton Street asked if anyone followed up on the issues regarding Horizon Square. Mayor Romeo said we are looking at the original plans right now. I believe there is a requirement for a fence, so we will be contacting them to replace it. Chuck Vaccaro is checking on the agreement regarding the garbage receptacles. We are also addressing the Body Shop. He pre-dates the zoning ordinance, but that doesn't mean we can't get the place cleaned-up. Mr. Zally said he is parking his flatbed on the corner lot sidewalk. Mayor Romeo said we'll take care of that also.

Pauline Rooney, 5 Tenakill Park Drive East said the DiRese building is looking beautiful. The residents in my apartment are very happy with it. Mr. Zally also said they're doing a good job on it. Mayor Romeo said there's a possibility that Dunkin Donuts could move in there. Mrs. Rooney asked if someone would have the owners of Welsh Farms clean up the property, maybe a bit of landscaping. It looks like a junkyard. Mayor Romeo said he would have the Property Maintenance officer look at it tomorrow.

No one else wished to be heard.

62. Motion by Council Member Savas and seconded by Council Member Brennan to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

63. Resolution by Council Member Brennan 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.

64. Motion at 8:08 P.M. by Council Member Savas and seconded by Council Member Brennan to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

Benedict Romeo
Mayor

Barbara A. Nasuto
Borough Clerk