

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETINGMAY 7, 2014

1. Chuck Vaccaro 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 7:39 P.M.
4. Present: Council Members Cleary, Mueller, Olmo, Savas, Spina
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Laufeld, Mann, Hamlett, Deputy Chief Domville
Absent: Council Member Tsigounis
5. Motion by Council Member Olmo and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of April 16, 2014.

Roll Call: Yes – Unanimous

Motion adopted.

COMMUNICATIONS

6. Minutes of the following meetings:

Library Board of Trustees	March 17, 2014
Planning Board	April 8, 2014
Recreation Committee	March 26, 2014

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Spina said the Board of Education decided that Michael Burke will be the new Superintendent. The Board also is pleased and expressed thanks for the Borough's plans to improve Brookside Avenue.

Council Member Savas said the Community Center Board met last week. Although there was not a quorum, we discussed ways to have the Community Center open to the general public more often. The Board discussed programs/events during the week to have and what the staffing needs would be. Also we have to recognize that we need volunteers in town for a lot of the different boards and committees. We need to find a way to let the public know of this need.

Council Member Olmo said the pool area is almost ready for Memorial Day. We also lost Mr. Azelby and Mr. Grey recently. There are not too many veterans of this era left.

Council Member Cleary said the Police Department completed their accreditation and we thank them for all their work on this.

UNFINISHED BUSINESS

Public Hearing – 2014 Budget

8. Motion at 7:44 PM by Council Member Olmo and seconded by Council Member Cleary to suspend the regular order of business to hold a public hearing on the 2014 Budget.

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

9. Resolution by Council Member Olmo and seconded by Council Member Cleary to waive reading in full of the 2014 Budget.

(Resolution in full on page 78A)

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

(2014 Budget in full on pages 63A through 63MMM
 of Regular Mayor and Council Meeting held April 2, 2014.)

10. Mayor Romeo opened the meeting to the public on the 2014 Budget. [Reported by Borough Clerk Barbara A. Nasuto.]

11. Mayor Romeo said CFO Laufeld did a great job putting the budget together with Finance Chairman Olmo. It is a good budget. We had an increase in the garbage costs – contract of \$300,000. We also had an increase in surplus. The department heads gave back 10-20% which helped the budget. The budget reflects an increase of \$134 on the average assessed home of \$606,000. Mayor Romeo also thanked our auditor, Paul Lerch.

No one else wished to be heard.

12. 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, Spina
 No – None
 Absent – Council Member Tsigounis
 Abstain – None
 Motion adopted.

13. Resolution by Council Member Olmo and seconded by Council Member Cleary to adopt the 2014 Budget.

(Resolution in full on pages 78B through 78C)

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

14. Motion by Council Member Olmo and seconded by Council Member Savas to resume the regular order of business.

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

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

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

WHEREAS, the following participants are due refunds;

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

Darren Amodeo (for: <i>Dario Amodeo</i>) 338 11 th Street Cresskill, NJ 07626 Amount: \$155.00	Fatma Slovak (for: <i>Suzanne Slovak</i>) 1104 Tenakill Park Drive West Cresskill, NJ 07626 Amount: \$120.00
Joanie Kopezybnski (for: <i>Luke Kopczyński</i>) 33 Florence Avenue Cresskill, NJ 07626 Amount: \$120.00	Deepthi Nair (for: <i>Akshay Nair</i>) 134 Knickerbocker Road Cresskill, NJ 07626 Amount: \$120.00
Kun Lee (for: <i>Davin Lee</i>) 61 Legion Drive Cresskill, NJ 07626 Amount: \$190.00	Soyoung Cho (for: <i>Jaeho Cho</i>) 53 Crest Drive South Cresskill, NJ 07626 Amount: \$120.00
Jennifer Han (for: <i>Alexandra Han</i>) 1112 Tenakill Park West Cresskill, NJ 07626 Amount: \$190.00	Ming Feng (for: <i>Edward Feng</i>) 92 Morningside Avenue Cresskill, NJ 07626 Amount: \$140.00
Jenny An (for: <i>Robbin Kim</i>) 112 Magnolia Avenue Cresskill, NJ 07626 Amount: \$190.00	

17. RESOLUTION AMENDING PERSONNEL POLICIES AND PROCEDURES

WHEREAS, it is the policy of the Borough of Cresskill to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Borough of Cresskill maintains a Policies and Procedures Manual to effectuate the efficient and consistent treatment of all employees and further, to ensure that employees and prospective employees are treated in a manner consistent with the laws and regulations cited above; and

WHEREAS, the Municipal Excess Liability Joint Insurance Fund (hereinafter, the MEL), for which the Borough of Cresskill is a member, requires the update of the Borough of Cresskill's Policies and Procedures Manual to ensure compliance and adherence to recent changes to Federal and State laws and regulations and through recent court case rulings.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the revised Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that as with past revisions to the Manual, these personnel policies and procedures revisions shall apply to all Borough of Cresskill officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Borough of Cresskill employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Mayor and Council.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough of Cresskill's Risk Management Consultant, PIA, Inc. for their review and filing with the MEL in accordance with the requirements set forth by the Fund.

18. A RESOLUTION TO AFFIRM THE BOROUGH OF CRESSKILL'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Borough of Cresskill to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act,

WHEREAS, the Mayor and Council of the Borough of Cresskill has determined that certain procedures need to be established to accomplish this policy;

NOW, THEREFORE BE IT ADOPTED by the Mayor and Council that:

Section 1: No official, employee, appointee or volunteer of the Borough of Cresskill by whatever title known, or any entity that is in any way of part of the Borough of Cresskill shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer or entity is engaged in or acting on behalf of the Borough of Cresskill's business or using the facilities or property of the Borough of Cresskill.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Cresskill to provide services that otherwise could be performed by the Borough of Cresskill.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Mayor and Council shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint, so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Mayor and Council shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Cresskill as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Borough Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Mayor and Council shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Cresskill. This communication shall include a statement from the governing body expressing an unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Cresskill's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough of Cresskill in order for the public to be made aware of this policy and the Borough of Cresskill's commitment to the implementation and enforcement of this policy.

19. WHEREAS, Camp Merritt Post 21 of the American Legion has applied for a parade permit on Memorial Day, May 26, 2014, 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 26, 2014, on the following route:

1. Assemble at Merritt Circle, 12th 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.

20. WHEREAS, the following permits have been issued under Sections 132-91 and 132-27 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	4020	Hollywood Landscaping 395 Closter Dock Road Closter, NJ 07624 <i>(for: 23 Strivers Street)</i>	\$50.00
132-91	4022	T.P.C. Landscape Design, Inc. P.O. Box 284 River Edge, NJ 07661 <i>(for: 86 Union Avenue)</i>	\$50.00
132-27	3995	Biosphere P.O. Box 499 Saddle River, NJ 07458 <i>(for: 180 Truman Drive)</i>	\$100.00
132-27	4009	A. Ndrejoni 66 Carleton Terrace Cresskill, NJ 07626 <i>(for: 66 Carleton Terrace)</i>	\$100.00
132-27	4021	Lumaj Builders, LLC 545 Route 17 South, Ste. 2005 Ridgewood, NJ 07450 <i>(for: 19 Elmwood Terrace)</i>	\$100.00

21. 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 a duplication of payment for 2nd Quarter 2014 taxes:

<u>BLOCK</u>	<u>LOT</u>	<u>QUALIFIER</u>	<u>NAME</u>	<u>AMOUNT</u>
196	16		Aleksandr Druk	\$2,058.00

Check To: Aleksandr Druk
C/O Roberta S. Weisinger, Esq.
2050 Center Avenue, Suite 450
Fort Lee, NJ 07024

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

May 2, 2014

Current Fund	\$ 284,909.80
Social Security/Medicare	12,780.58
Community Center	2,079.35
Library	<u>14,525.19</u>
	\$ 314,294.92

REMARKS FROM MEMBERS OF THE PUBLIC CONCERNING THE CONSENT AGENDA ONLY [Reported by Borough Clerk Barbara A. Nasuto.]

23. No one wished to be heard.
24. 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.

25. Motion by Council Member Olmo and seconded by Council Member Savas 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.

26. 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.

PRESENTATION OF BILLS

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

(Resolution in full on pages 83A through 83E)

Roll Call: Yes – Unanimous Resolution adopted.

REMARKS FROM THE PUBLIC FOR THE GOOD AND WELFARE OF THE BOROUGH [Reported by Borough Clerk Barbara A. Nasuto.]

28. Mayor Romeo said the Memorial Day Parade will be on Monday, May 26th at 10:00 a.m.

No one else wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

30. Motion at 7:52 P.M. by Council Member Olmo and seconded by Council Member Cleary to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

Benedict Romeo
Mayor

Barbara A. Nasuto
Borough Clerk