

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

JUNE 2, 2010

1. Marc Lightdale 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 Press Journal and The Record and delivery to all members of the governing body.
3. Mayor Romeo called the meeting to order at 7:37 P.M.
4. Present: Council Members Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Laufeld, McKim, Chief Wrixon
5. Motion by Council Member Savas and seconded by Council Member Brennan to approve the minutes of the Mayor and Council Regular meeting of May 19, 2010.

Roll Call: Yes – Unanimous

Motion adopted.

COMMUNICATIONS

6. Minutes of the following meetings:

Environmental Commission	April 15, 2010
Library Board of Trustees	April 19, 2010
Planning Board	May 11, 2010

Filed.

7. Motion by Council Member Savas and seconded by Council Member Olmo to suspend the regular order of business for the Good and Welfare of the Borough.

Roll Call: Yes – Unanimous

Motion adopted.

8. Pete Radovich, 177 6th Street said he was representing over 100 families who are part of the club soccer teams. For years we have been very frustrated with the condition of the fields that the children play on. The main concern is safety. There are major divots and cement pillars on the Cook playing field. Secondly, it's an embarrassment for the town. We are not here for a handout; we want to be part of the process to make these fields safer and fields that we can be proud of. (Mr. Radovich gave Mayor Romeo photos.) Mayor Romeo asked for a run down of the fields. Mr. Radovich said Ackerman field is the worst. Regan Field has the most potential, but we've been asked not to play on it because they want to fix it, but it looks the same. Merritt field is the nicest and Bryan field a close second.
Mayor Romeo said Regan field is currently under repair. The soccer season goes for 9 months so there is little time to fix it. We've discussed re-crowning the field and putting in drainage, but the problem is the 18 month wait to get the permits from the DEP. We wanted to make a soccer field over on Mezzine Drive but the DEP permits again come into play. Ackerman field is under open space, not really a field and we can't change the terrain. I spoke with Dr. Bellina and she is going to get me a copy of the schedules for Merritt and Bryan fields so we can fit in as many of your games as we can. Cook field

Council Member Cleary said he attended the last JIF meeting.

UNFINISHED BUSINESS

11. Motion at 8:10 PM by Council Member Olmo and seconded by Council Member Brennan to suspend the regular order of business to hold a public meeting on the 2010 Budget.

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

12. Resolution by Council Member Olmo and seconded by Council Member Savas to waive reading in full of the 2010 budget.

(Resolution in full on page 94A.)

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

(2010 Budget in full on pages 67A through 67000.)
 of Regular Mayor and Council Meeting held April 21, 2010.)

13. Resolution by Council Member Olmo and seconded by Council Member Brennan to conduct Self-Examination of Annual Budget.

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

(Resolution in full on page 94B.)

14. Mayor Romeo opened the meeting to the public on the 2010 budget. [Reported by Deputy Borough Clerk Patricia A. McKim.]

15. Jean Quinn, 34 Glenview Terrace said in comparing the 2009 and 2010 budget I can see where the DPW's estimated budget for a dump truck went from to 260K in 2009 to 405K in 2010. Mayor Romeo said that is part of the Capital budget, which is basically the "wish list". It doesn't mean we are going to give it to them. CFO Laufeld said the increase is because they've requested more equipment this year. Ms. Quinn said last year we budgeted for the lower part of Grant Ave. to be paved, and budgeted for the upper portion of it in this year's budget. Mayor Romeo said the lower part, from the bridge down will be paved by the fall and the upper portion will be part of the road program and paved next year. Ms. Quinn asked what the Bailout System is for the Fire Dept. Councilman Brennan said it is state mandated system to get the firemen out of a burning building quickly. Ms. Quinn said the lights for the field by the high school you were speaking about is 270K. Mayor Romeo said that will be paid for out of Open Space money which came from the .01 tax implemented 8 years ago. We will be building lighted basketball courts which will be paid for with grant money from the County.

Amy Chan, 35 Glenview Terrace asked if the town would need to add more money to build the basketball courts and lighting the field. Mayor Romeo said with the grant money and .01 tax, no additional money is needed. Ms. Chan asked if the estimated money used for capital items is used for tax assessments. CFO Laufeld said no one is taxed on capital projects. Ms. Chan and Ms. Quinn asked what was driving the tax

increase. Mayor Romeo advised we have salary and health insurance increases, fire hydrant service from United Water and a contractual retirement fund for Police and Fire Dept., because the state is no longer contributing. We have tax reserve money for uncollected taxes. Ms. Quinn asked if we held tax lien sales. CFO Laufeld advised we have them annually in December. Mayor Romeo said we have lost state aid, are down on our investments and fees and permits are way down. Our revenue is down and state mandated expenses are up making a difference in the budget of close to 700K that we have to come up with. CFO Laufeld said another major factor is the reduction of 13M in assessed valuations due to tax appeals. Mayor Romeo said we had 110 tax appeals this year.

Richard Calabrese, 32 Engle Street said we should have a tax reassessment, change the tax rate and make everybody equal. Mr. Calabrese asked if there was any talk about employees paying into their health benefits. Mayor Romeo said that is part of the negotiations for the next Police and DPW contract. Mayor Romeo said we have cut 17 employee positions, mostly through attrition, and replacing only 5 over the past 3 years. Every dept. cut 10% from their operating budget last year and we have asked they do the same this year. There was a spending freeze put in place on March 1st. Every dept. head knows we have to come back with a surplus at the end of this year. It's going to be tougher next year, especially if there is a 2½% CAP. We will be meeting with all departments to see what else we can do.

Robert Soudant, 166 Palisade Avenue, a former Councilman said if you traded out some of your police vehicles, of which the maintenance is very expensive, that could cover the cost of the soccer field lighting. Chief Wrixon said we try to rotate in two new cars a year which has reduced maintenance costs drastically. Mayor Romeo said we've also skipped a few years of purchasing cars to save money. Mr. Soudant said when things were good we were putting in capital expenditures that now have recurring expenses, things we wouldn't be doing today. Mayor Romeo said when things were good we arbitrated a one million dollar loan for the Community Center and the interest was almost \$100,000 over a year and a half. The majority of the Community Center was done with donations. It is self sufficient as of this year with the fees and rental charges paying for the utilities.

Mr. Soudant said he knows the overall problem is outside the purview of the Mayor and Council. Bergen County has 68 Police Departments with 68 Police Chiefs as well as other Police personnel. In Jupiter Florida, they have one school superintendent for the whole county. If Bergen County and the State of New Jersey keep at this pace, we will become a third rate state. We need to merge towns, not just services.

No one else wished to be heard.

16. Motion by Council Member Olmo and seconded by Council Member Brennan to close the public hearing.

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

17. Resolution by Council Member Olmo and seconded by Council Member Brennan to adopt the 2010 budget.

(Resolution in full on pages 95A through 95B.)

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

18. Motion by Council Member Olmo and seconded by Council Member Brennan to resume the regular order of business.

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

UNFINISHED BUSINESS

ORDINANCE ON FINAL READING

Ordinance No. 10-14-1393 – Amend Chapter 49, Article XVIII – Sexual Harassment Policy

19. Motion at 8:45 P.M. by Council Member Cleary and seconded by Council Member Brennan to introduce Ordinance No. 10-14-1393 Amend Chapter 49, Article XVIII – Sexual Harassment Policy on final reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

20. Council Member Cleary read the title:

AMEND CHAPTER 49, ARTICLE XVIII
 SEXUAL HARASSMENT POLICY

(Ordinance in full on pages 87A of
 Mayor and Council Regular Meeting dated May 19, 2010.)

21. The Borough Clerk announced that the ordinance was published in The Press Journal on May 20, 2010, posted in the Borough Hall, and copies made available to the public.
22. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
23. No one wished to be heard.
24. Motion by Council Member Cleary and seconded by Council Member Brennan to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

25. 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. 10-14-1393, entitled:

AMEND CHAPTER 49, ARTICLE XVIII
 SEXUAL HARASSMENT POLICY

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

Roll Call: Yes – Unanimous Resolution adopted.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

27. WHEREAS, the Recreation Committee has scheduled various programs; and
 WHEREAS, the participants are not able to attend or are due a fee reimbursement;
 NOW, THEREFORE, BE IT RESOLVED that the recreation fees be returned to:

Susan Carbonell
 232 Truman Drive
 Cresskill, NJ 07626

Amount: \$115.00

Laura Johnston
(for: Luka Johnston)
 222 Piermont Road
 Cresskill, NJ 07626

Amount: \$100.00

Audrey Dello Russo
(for: Kristen Dello Russo)
 44 Churchill Road
 Cresskill, NJ 07626

Amount: \$50.00

Mei Huang
(for: Enoch & Isabella Jiang)
 36 Douglas Drive
 Cresskill, NJ 07626

Amount: \$28.00

28. WHEREAS, the Recreation Committee had a Spring Festival on May 15, 2010; and
 WHEREAS, Ken Werkheiser paid a fee to participate as a vendor and was unable to attend;

NOW THEREFORE BE IT RESOLVED that the fee be reimbursed to:

Ken Werkheiser
 Werkheiser's Confections
 740 Neola Road
 Stroudsburg, PA 18360
 Amount: \$75.00

29. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that Police Chief Edward Wrixon is hereby appointed and directed to serve as Coordinator of the Office Emergency Management and Thomas Colimano as Deputy Coordinator effective from March 26, 2010.

30. WHEREAS, HUDSON CITY SAVINGS BANK 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>	
82	1	82 Union Avenue	
Year: 2009	Original	County Board	Requested Tax
	<u>Assessment</u>	<u>Board Judgment</u>	<u>Court Judgment</u>
LAND	\$ 732,000	DIRECT	\$ 732,000
IMPROVEMENTS	<u>\$ 518,000</u>	APPEAL	<u>\$ 518,000</u>

TOTAL	\$1,250,000 AFFIRMED		\$1,250,000 AFFIRMED
Year: 2010	<u>Original</u>	<u>County Board</u>	<u>Requested Tax</u>
	<u>Assessment</u>	<u>Board Judgment</u>	<u>Court Judgment</u>
LAND	\$ 732,000	DIRECT	\$ 732,000
IMPROVEMENTS	<u>\$ 518,000</u>	APPEAL	<u>\$ 518,000</u>
TOTAL	\$1,250,000 AFFIRMED		\$1,250,000 AFFIRMED

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.

31. **AUTHORIZE ACCEPTANCE OF A PROPOSAL FROM
SIGNATURE INFORMATION SOLUTIONS
FOR THE BOROUGH OF CRESSKILL TO PROVIDE A WEEKLY
DATA TRANSMISSION OF BOROUGH TAX RECORDS**

WHEREAS, the Borough of Cresskill has received a proposal from Signature Information Solutions, a tax search firm, requesting a data transmission once a week from the Cresskill Tax office for the tax records; and

WHEREAS, said request relates to information that is open and public and would be available upon request; and

WHEREAS, Signature Information Solutions has proposed to pay the Borough of Cresskill a sum of \$400.00 per year (June 2010 – June 2011) for providing this service; and

WHEREAS, the aforesaid proposal has been reviewed and a recommendation has been received from the Municipal Tax Collector that the Borough accept the proposal;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the proposal received from Signature Information Solutions, with a mailing address of PO Box 8488, Trenton, NJ, for the Borough of Cresskill to provide a data transmission once a week from the Borough of Cresskill Tax Office of the Borough Tax records in return for payment of \$400.00 per year is hereby accepted.

32. **WHEREAS, Cresskill and Demarest have agreed to explore sharing and/or consolidation of certain municipal services, while each maintaining its municipal identity and governmental functions while seeking innovative cost saving measures through consolidation or sharing of services and procurement; and**

WHEREAS, the Boroughs of Cresskill and Demarest have agreed to retain a consultant to study the sharing of services between the Boroughs toward the end of providing improved services at a reduced cost to the Boroughs.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Cresskill authorize the appropriation of funds, not to exceed Five Thousand Dollars (\$5000.00) to share the cost of the aforesaid study with the Borough of Demarest; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Municipal Clerk of Demarest, the Bergen County Executive upon adoption.

33. WHEREAS, ALFRED HATAB 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>
41	1.06 C003H	5 Tenakill Park Drive

Year: 2008

	<u>Original Assessment</u>	<u>County Board Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 125,000	\$ 125,000	\$ 125,000
IMPROVEMENTS	<u>\$ 249,000</u>	<u>\$ 249,000</u>	<u>\$ 184,800</u>
TOTAL	\$ 374,000	\$ 374,000	\$ 309,800

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.

34. WHEREAS, ADRIANA KARDOULIAS 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>
41	1.06 C002C	5 Tenakill Park Drive

Year: 2008

	<u>Original Assessment</u>	<u>County Board Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 125,000	\$ 125,000	\$ 125,000
IMPROVEMENTS	<u>\$ 250,000</u>	<u>\$ 250,000</u>	<u>\$ 212,000</u>
TOTAL	\$ 375,000	\$ 375,000	\$ 337,000

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.

- 35. WHEREAS, EMIIO PELAEZ 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>
91.04	15	47 Huyler Landing Road

Year: 2009

	<u>Original Assessment</u>	<u>County Board Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 733,600	N/A	\$ 733,600
IMPROVEMENTS	<u>\$1,649,500</u>		<u>\$1,486,400</u>
TOTAL	\$2,383,100		\$2,220,000

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.

- 36. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following June 2010 payroll be ratified and approved:

<u>June 4, 2010</u>	
Current Fund	\$ 225,616.00
Social Security/Medicare	10,315.90
Community Center	<u>1,539.44</u>
	\$ 237,471.34

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

- 37. Richard Calabrese, 32 Engle Street asked for an explanation of Resolution #5 (31). CFO Laufeld said the records are sent to them electronically for the purpose of tax searches. They pay us \$400 a year.

No one else wished to be heard.

- 38. Motion by Council Member Savas and seconded by Council Member Olmo to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous Motion adopted.

39. 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.

40. 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

41. Resolution by Council Member Olmo and seconded by Council Member Brennan:

(Resolution in full on pages 101A through 101C.)

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. William Zally, 24 Milton Street said the owner of the old DiRese property is concerned about a flat bed truck that pulls up everyday with a white car on it and parks it right in front of his property. He was wondering if it could be made a no parking zone. Mayor Romeo asked Chief Wrixon to have an officer check it out.

Mr. Soudant said there is a house on the corner of East Madison Ave. and County Road where they have not cut the lawn yet this year. They also store plate glass windows and a vehicle with commercial plates there. Mayor Romeo said he will send the Property Maintenance Officer to check it out.

Mayor Romeo thanked Howard Tiedemann for a great Memorial Day parade.

No one else wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

44. Motion at 8:54 P.M. by Council Member Savas and seconded by Council Member Olmo to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

Benedict Romeo
Mayor

Barbara A. Nasuto
Borough Clerk