

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

JULY 10, 2013

1. Pauline Rooney 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 7:52 P.M.
4. Present: Council Members Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Mann, Hamlett, Chief Wrixon, Chief Ulshoefer
5. Motion by Council Member Tsigounis and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of June 19, 2013.

Roll Call: Yes – Unanimous

Motion adopted.

COMMUNICATIONS

6. Minutes of the following meetings:

Board of Health	March 25, 2013
Planning Board	June 11 and 25, 2013
Recreation Committee	May 29, 2013

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Cleary said he was unable to attend the Board of Health meeting.

UNFINISHED BUSINESS

ORDINANCE ON FINAL READING

Ordinance No. 13-05-1448 – Amend Chapter 192 – Article III – Lightning Detection

8. Motion at 7:54 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Ordinance No. 13-05-1448 – Amend Chapter 192 – Article III – Lightning Detection on final reading by title only.

Roll Call: Yes – Unanimous

Motion adopted.

9. Council Member Olmo read the title:

AMEND CHAPTER 192 – ARTICLE III – LIGHTNING DETECTION

(Ordinance in full on pages 113A through 113B in Minutes of
Regular Mayor and Council Meeting held June 19, 2013.)

18. Council Member Olmo read the title:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$230,000 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.

(Bond Ordinance in full on pages 141A through 141C.)

19. Resolution by Council Member Olmo and seconded by Council Member Savas:

BE IT RESOLVED that Ordinance No. 13-06-1449 entitled:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$230,000 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 7th day of August, 2013, 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, Olmo, Savas, Tsigounis
 No - None
 Absent – None
 Abstain – None
 Resolution adopted.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

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 Stipulation of Settlement on property assessment for Block 91.06, Lot 20 for 2012:

	<u>2012</u>
Original Assessment:	\$1,512,500.00
Tax Court Judgment:	<u>\$1,430,900.00</u>
Decrease in Assessment:	\$ 81,600.00
Tax Rate:	<u>2.324</u>
Tax Refund:	\$ 1,896.38

Check to: Hubschman & Roman, P.C.
 Attorneys at Law
 318 Bergen Boulevard
 Palisades Park, NJ 07650
(for: 113 Hoover Drive)

22. 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 Stipulation of Settlement on property assessment for Block 301, Lot 15 for 2012:

2012

Original Assessment:	\$1,535,700.00
Tax Court Judgment:	<u>\$1,452,800.00</u>
Decrease in Assessment:	\$ 82,900.00
Tax Rate:	<u>2.324</u>
Tax Refund:	\$ 1,926.60

Check to: Hubschman & Roman, P.C.
 Attorneys at Law
 318 Bergen Boulevard
 Palisades Park, NJ 07650
(for: 70 Jackson Drive)

23. 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 Stipulation of Settlement on property assessment for Block 213, Lot 4 for 2012:

2012

Original Assessment:	\$2,086,300.00
Tax Court Judgment:	<u>\$1,973,700.00</u>
Decrease in Assessment:	\$ 112,600.00
Tax Rate:	<u>2.324</u>
Tax Refund:	\$ 2,616.82

Check to: Hubschman & Roman, P.C.
 Attorneys at Law
 318 Bergen Boulevard
 Palisades Park, NJ 07650
(for: 88 Eisenhower Drive)

24. 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 Stipulation of Settlement on property assessment for Block 91.06, Lot 18 for 2012:

2012

Original Assessment:	\$1,871,000.00
Tax Court Judgment:	<u>\$1,770,000.00</u>
Decrease in Assessment:	\$ 101,000.00
Tax Rate:	<u>2.324</u>
Tax Refund:	\$ 2,347.24

Check to: Hubschman & Roman, P.C.
 Attorneys at Law
 318 Bergen Boulevard
 Palisades Park, NJ 07650
(for: 56 Huyler Landing Road)

25. 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:

Akiko Takahashi
(for: *Rey Takahashi*)
301 Brookside Avenue
Cresskill, NJ 07626
Amount: \$120.00

Gary Savill
(for: *Lindsey Savill*)
203 West Morningside Avenue
Cresskill, NJ 07626
Amount: \$17.00

Jesus Arozamena
(for: *James Arozamena*)
181 14th Street
Cresskill, NJ 07626
Amount: \$190.00

Tara Haggerty
(for: *Sydni Haggerty*)
54 Pierce Avenue
Cresskill, NJ 07626
Amount: \$56.00

26. 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, 2013:

13-867
Adam Lowe
(Power Home Remodeling Group)
6 Commerce Drive
Cranford, NJ 07016
Purpose: Free Estimates for Windows/Siding/Roofing

13-868
Ronald Mattos
(Power Home Remodeling Group)
6 Commerce Drive
Cranford, NJ 07016
Purpose: Free Estimates for Windows/Siding/Roofing

13-869
Edward Ryan
(Power Home Remodeling Group)
6 Commerce Drive
Cranford, NJ 07016
Purpose: Free Estimates for Windows/Siding/Roofing

13-870
Matthew Horsch
(Renewal by Andersen)
70 Jackson Drive, Suite A
Cranford, NJ 07016
Purpose: Free In Home Consultation for Windows

27. WHEREAS, Renewal by Andersen and Power Home Remodeling Group have submitted applications for Solicitor's licenses; and

WHEREAS, after background checks were conducted, some applications were rejected by Chief Edward Wrixon; and

WHEREAS, in accordance with the provisions of Section 140-4 of the Code of the Borough of Cresskill, fees paid minus a \$5.00 processing fee for each application be refunded for rejected applications;

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Cresskill approve the following Solicitor's fees be refunded:

Renewal by Anderson
70 Jackson Drive, Suite A
Cranford, NJ 07016
Amount: \$60.00

Power Home Remodeling Group
6 Commerce Drive
Cranford, NJ 07016
Amount: \$40.00

28. Dedication by Rider, Accumulated Absences

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of certain revenues; and

WHEREAS, N.J.S.A. 40A:4-39 provides that a municipality may dedicate certain revenues in any budget when the character of the revenue is not subject to reasonably accurate estimate in advance by including in said budget a statement dedicating such revenues to the purpose or purposes for which they are received; and

WHEREAS, N.J.A.C. 5:30-15 permits municipalities to receive amounts for costs incurred for Accumulated Absences:

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

1. The Mayor and Council of the Borough of Cresskill does hereby request permission of the Director of the Division of Local Government Services to pay expenditures Accumulated Absences created in accordance with N.J.A.C. 5:30-15 as per N.J.S.A. 40A:4-39.
2. The Borough Clerk of the Borough of Cresskill is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

29. Dedication by Rider, Street Opening Trust Escrow

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of certain revenues; and

WHEREAS, N.J.S.A. 40A:4-39 provides that a municipality may dedicate certain revenues in any budget when the character of the revenue is not subject to reasonably accurate estimate in advance by including in said budget a statement dedicating such revenues to the purpose or purposes for which they are received; and

WHEREAS, Chapter 230 of Borough code permits Borough of Cresskill to receive amounts for costs incurred for Street Opening Trust Escrow:

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

1. The Mayor and Council of the Borough of Cresskill does hereby request permission of the Director of the Division of Local Government Services to pay expenditures Accumulated Absences created in accordance with Borough Code Chapter 230 and N.J.S.A. 40A:4-39.
2. The Borough Clerk of the Borough of Cresskill is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

30. RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY
VIA ON-LINE AUCTION

WHEREAS, the Borough of Cresskill is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough of Cresskill is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, as follows:

1. The sale of surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough of Cresskill.
 2. The sale will be conducted online and the address of the auction is govdeals.com.
 3. The sale is being conducted pursuant to Local Finance Notice 2008-9.
 4. A list of the surplus property to be sold is indicated on Schedule A attached hereto.
 5. The surplus property as identified shall be sold in an “as is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
 6. The Borough of Cresskill reserves the right to accept or reject any bid submitted.
31. 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, 2013 to the following:

License No. 13-388
Paul Benedekovich
241 Wayne Avenue
Cliffside Park, NJ 07010

32. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following June and July 2013 payrolls be ratified and approved:

June 28, 2013

Current Fund	\$ 282,711.29
Social Security/Medicare	13,155.23
Community Center	1,335.38
Municipal Swim	10,283.80
Library	<u>15,671.79</u>
	\$ 323,157.49

July 12, 2013

Current Fund	\$ 266,846.71
Social Security/Medicare	11,650.02
Community Center	2,075.33
Municipal Swim	18,962.48
Library	<u>13,879.16</u>
	\$ 313,413.70

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

Ido & Elinor Solomon
28 Maple Street
Cresskill, NJ 07626
Amount: \$450.00

Lee Merritt
3 Meadow Street
Cresskill, NJ 07626
Amount: \$160.00

34. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill that the following be approved for employment, with no benefits, as part-time Police Dispatchers in the Cresskill Police Department, at a salary in accordance with Ord. No. 13-02-1445.

<u>Name</u>	<u>Effective Date</u>
Cathy Hughes	4-9-10
Lazime Delihassani	3-1-13
Joseph Maddolin	3-19-13

35. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that following persons be approved for part-time employment at the Community Center, effective immediately, at an hourly rate of \$10.00:

James Brennan
Matt Infante

36. WHEREAS, by resolution of the Mayor and Council, the Borough Clerk was authorized to advertise invitation to bidders in connection with the Installation of Generators in Publicly Owned Buildings pursuant to Documents and Specifications entitled "Installation of Generators in Publicly Owned Buildings," and

WHEREAS, after due advertisement, bids were received at Borough Hall on June 25, 2013 at 11:00 AM; and

WHEREAS, Environcon, LLC, 490 Schooley's Mountain Road, Hackettstown, NJ 07840 submitted a bid in the amount of \$255,593.00, which appears to be the lowest responsible bid received; and

WHEREAS, the Superintendent of Public Works has reviewed the said bid compliance documents and is satisfied that the same can be accepted; and

WHEREAS, funds are available at this time for Option 1 in the amount of \$59,459.00 for installation at the Senior Activity Center; and

WHEREAS, the remaining Options will be awarded upon adoption of the Bond Ordinance 13-06-1449;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, County of Bergen, and State of New Jersey, that the Installation of Generators in Publicly Owned Buildings, Option 1 contract for the Senior Activity Center be awarded to Environcon, LLC and that the Mayor and Borough Clerk be, and hereby are, authorized to sign an agreement for same, subject to the following conditions:

1. Compliance with all provisions of the Notice to Bidders and applicable Plans and Specifications.
2. Execution of a contract.

REMARKS FROM THE PUBLIC FOR THE GOOD AND WELFARE OF THE BOROUGH
[Reported by Deputy Borough Clerk Patricia A. McKim.]

45. Pauline Rooney, 5 Tenakill Park Drive East said Howie Tiedemann was operated on for gall stones but is doing better now. He also needs cataract surgery. He is going to be 90 years old on July 19th and we will be having a cake for him at the next Senior Citizen's meeting on July 22nd.

No one else wished to be heard.

46. Motion by Council Member Tsigounis and seconded by Council Member Cleary to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

47. Motion at 8:05 P.M. by Council Member Tsigounis and seconded by Council Member Olmo to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

Benedict Romeo
Mayor

Barbara A. Nasuto
Borough Clerk