

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

AUGUST 8, 2012

1. The Eagle Scouts 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 7:42 P.M.
4. Present: Council Members Brennan, Cleary, Mueller, Savas
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Laufeld, McKim, Mann, Hamlett, Chief Wrixon
Absent: Council Members Olmo, Tsigounis
5. Mayor Romeo read a Proclamation for Justin Miller of Boy Scout Troop 139.
6. Motion by Council Member Cleary and seconded by Council Member Brennan to approve the minutes of the Mayor and Council Regular meeting of July 18, 2012.

Roll Call: Yes – Unanimous

Motion adopted.

COMMUNICATIONS

7. Minutes of the following meeting:

Environmental Commission
Planning Board

June 20, 2012
July 24, 2012

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

8. Council Member Savas said the Summer Recreation Program is finished. We had 509 kids and this was the first year we had a full day program in addition to the half day. We will be reviewing our procedures as well as incidents that occurred to make improvements for next year.

Council Member Cleary said his neighbor was recently diagnosed at Holy Name Hospital with Lyme disease. There are currently (4) Cresskill residents that have Lyme disease.

NEW BUSINESS

INTRODUCTION OF ORDINANCE

Ordinance No. 12-11-1433 - An Ordinance to Fix the Salaries, Wages and Compensation for the Police Superiors and Officers of the Borough of Cresskill

9. Motion at 7:46 PM by Council Member Brennan and seconded by Council Member Cleary to introduce Ordinance No. 12-11-1433 – An Ordinance to Fix the Salaries, Wages and Compensation for the Police Superiors and Officers of the Borough of Cresskill on first reading by title only.

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

10. Council Member Brennan read the title:

AN ORDINANCE TO FIX THE SALARIES, WAGES AND
 COMPENSATION FOR THE POLICE SUPERIORS AND
 OFFICERS OF THE BOROUGH OF CRESSKILL

(Ordinance in full on pages 129A through 129B.)

11. Resolution by Council Member Brennan and seconded by Council Member Cleary:

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. 12-11-1433, entitled:

AN ORDINANCE TO FIX THE SALARIES, WAGES AND
 COMPENSATION FOR THE POLICE SUPERIORS AND
 OFFICERS OF THE BOROUGH OF CRESSKILL

does now pass on first reading and remain on file with the Borough Clerk for public inspection until public hearing thereon and further consideration thereof.

Such hearing shall be held at the Borough Hall in Cresskill on Wednesday, September 5, 2012 at 7:30 P.M., or as soon thereafter as it can be reached, at which time and place all persons interested in said ordinance will be heard.

The Borough Clerk is hereby directed to publish said ordinance in full, with the notice of hearing thereon, in an official newspaper according to law, also to mail copies of said ordinance when and as required by law.

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

Ordinance No. 12-12-1434 – Amend Chapter 192 – Parks and Recreation Areas

12. Motion at 7:47 PM by Council Member Savas and seconded by Council Member Cleary to introduce Ordinance No. 12-12-1434 – Amend Chapter 192 – Parks and Recreation Areas on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

13. Council Member Savas read the title:

AMEND CHAPTER 192 – PARKS AND RECREATION AREAS

(Ordinance in full on page 129C.)

14. Resolution by Council Member Savas and seconded by Council Member Cleary:

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. 12-12-1434, entitled:

AMEND CHAPTER 192 – PARKS AND RECREATION AREAS

does now pass on first reading and remain on file with the Borough Clerk for public inspection until public hearing thereon and further consideration thereof.

Such hearing shall be held at the Borough Hall in Cresskill on Wednesday, September 5, 2012, at 7:30 P.M., or as soon thereafter as it can be reached, at which time and place all persons interested in said ordinance will be heard.

The Borough Clerk is hereby directed to publish said ordinance in full, with the notice of hearing thereon, in an official newspaper according to law, also to mail copies of said ordinance when and as required by law.

Roll Call: Yes – Unanimous Resolution adopted.

Ordinance No. 12-13-1435 – Amend Chapter 263 – Vehicles and Traffic

15. Motion at 7:48 PM by Council Member Brennan and seconded by Council Member Cleary to introduce Ordinance No. 12-13-1435 – Amend Chapter 263 – Vehicles and Traffic on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

16. Council Member Brennan read the title:

AMEND CHAPTER 263 – VEHICLES AND TRAFFIC

(Ordinance in full on page 130A.)

17. Resolution by Council Member Brennan and seconded by Council Member Cleary:

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. 12-13-1435, entitled:

AMEND CHAPTER 263 – VEHICLES AND TRAFFIC

does now pass on first reading and remain on file with the Borough Clerk for public inspection until public hearing thereon and further consideration thereof.

Such hearing shall be held at the Borough Hall in Cresskill on Wednesday, September 5, 2012 at 7:30 P.M., or as soon thereafter as it can be reached, at which time and place all persons interested in said ordinance will be heard.

The Borough Clerk is hereby directed to publish said ordinance in full, with the notice of hearing thereon, in an official newspaper according to law, also to mail copies of said ordinance when and as required by law.

Roll Call: Yes – Unanimous Resolution adopted.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

19. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that Wayne Zelna be appointed as a permanent Police Officer for the Borough of Cresskill, effective June 21, 2012, as recommended by Police Chief Edward Wrixon.

20. RENEWAL OF MEMBERSHIP IN THE BERGEN COUNTY
MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Borough of Cresskill is a member of the Bergen County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2012 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW, THEREFORE, be it resolved as follows:

1. The Borough of Cresskill agrees to renew its membership in the Bergen County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
 2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Bergen County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.
21. WHEREAS, the Superintendent of Public Works has requested the purchase of a GMC Sierra 2500 HD Regular Cab Pickup Truck in the amount of \$30,845.00; and

WHEREAS, the Chief Financial Officer has verified that the funds are available;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cresskill authorizes the purchase under State Contract #A78847 T2754 from Flemington Chevy Buick GMC Cadillac LLC, 211 Route 208 & 31, Flemington, NJ 08822.

22. 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:

Denyse Wooldridge
(for: *Amianna & Hunter Wooldridge*)
50 Cresskill Avenue
Cresskill, NJ 07626
Amount: \$34.00

Tzila Weissy
(for: *Danna & Maya Weissy*)
126 14th Street
Cresskill, NJ 07626
Amount: \$34.00

Eunhee Kang
(for: *Sungwoo Kang*)
13 Heatherhill Road
Cresskill, NJ 07626
Amount: \$17.00

Cheten Patel
(for: *Riddhi and Sagar Patel*)
110 E. Madison Ave.
Cresskill, NJ 07626
Amount \$34.00

Eraz Adoni
(for: *Tom Adoni*)
21 Cedar Street
Cresskill, NJ 07626
Amount: \$55.00

Hanna Zavatzky
(for: *Ran Zavatzky*)
94 Westervelt Place
Cresskill, NJ 07626
Amount \$17.00

Younsoo Kang
(for: *Yeo Jun & Yeowon Kang*)
141 Broadway
Cresskill, NJ 07626
Amount: \$34.00

23. WHEREAS, escrow money was deposited for soil movement permits and new construction; and

WHEREAS, the work has been completed and inspected by the Borough Engineer;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council, Borough of Cresskill that the following escrow balances be refunded to:

<u>Account Number</u>	<u>Name and Address</u>	<u>Amount</u>
DE 124	Beth Odabashian 164 th 9 th Street Cresskill, NJ 07626	\$ 282.08
DE 010	Mesih Berberoglu 90 E. Madison Ave. Cresskill, NJ 07626	\$ 209.07
DE 037	Jasmeena Amin 265 Highland Street Cresskill, NJ 07626	\$ 500.09
DE 044	Himansu Amin 265 Highland Street Cresskill, NJ 07626	\$ 464.59
DE 045	Peter & Dorit Rosenberg 113 Palisade Ave. Cresskill, NJ 07626	\$ 410.08
DE 056	Di Staulo Const. III, LLC P.O. Box 714 Alpine, NJ 07620 (for: 123 Truman Drive)	\$1,309.52
DE 063	M&A Gen. Contrs. LLC 180 11 th Street Cresskill, NJ 07626 (for: 20 Heatherhill Ct.)	\$ 464.59
DE 074	Anthony Greco 201 Brookside Ave. Cresskill, NJ 07626	\$ 500.09
DE 076	DYK Construction 69 Engle Street Cresskill, NJ 07626	\$ 211.57
DE 092	Zaid Mohammed 175 14 th Street Cresskill, NJ 07626	\$ 391.07

24. BE IT RESOLVED:

1. That the specifications for the One (1) 2013 Dump Truck with Salt Spreader 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

One (1) 2013 Dump Truck with Salt Spreader

Notice is hereby given that sealed bids will be received by the Mayor and Council of the Borough of Cresskill for One (1) 2013 Dump Truck with Salt Spreader in the Borough of Cresskill. Bids will be opened and read in public at the Municipal Building on Tuesday, August 28, 2012, at 11:00 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 August 10, 2012.

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 One 2013 Dump Truck with Salt Spreader 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.
25. 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, retroactive to March 15, 2012 at a salary of \$12.50 per hour.

Robert Rickowich
Jorge Vela
Michael Hamersma

26. A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT FOR THE MAINTENANCE AND REPAIR OF FIRE DEPARTMENT VEHICLES BY AND BETWEEN THE BOROUGH OF CRESSKILL AND THE BOROUGH OF PARAMUS

WHEREAS, The Borough of Paramus and the Borough of Cresskill seek to enter into an Interlocal Agreement wherein the Borough of Paramus will provide labor and maintenance services on vehicles owned by the Borough of Cresskill; and

WHEREAS, both of the parties to such an Agreement are authorized by law to enter into an agreement with one another to provide jointly for any lawful service to and for the residents of the respective municipalities pursuant to the provisions of the “Interlocal Services Act” N.J.S.A 40:8A-1 et seq; and

WHEREAS, the governing bodies of the Borough of Paramus and the Borough of Cresskill recognize the implementation of an Interlocal Agreement to provide labor and maintenance services is in the best interest of the taxpayers of the respective municipalities.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill, hereby authorize the execution of an Interlocal Service Agreement with the Borough of Paramus for a period of one (1) year.

BE IT FURTHER RESOLVED that the Agreement shall commence on August 1, 2012 and end on July 31, 2013.

BE IT FURTHER RESOLVED that the cost of same shall be set forth in the Agreement which is attached hereto.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Cresskill hereby authorize the execution of an Interlocal Service Agreement with the Borough of Paramus, subject to the approval of the Paramus Borough Attorney.

BE IT FURTHER RESOLVED that the Agreement shall take effect upon the execution of same and adoption of Resolution by both parties as provided by law.

BE IT FURTHER RESOLVED that a copy of the Agreement be maintained on file and open to public inspection at the office of the Borough Clerk.

27. WHEREAS, the Borough of Cresskill has been served for over 100 hundred years by volunteer firefighters dedicated to saving the lives of the residents of this Borough; and

WHEREAS, the residents of this municipality depend on these volunteer firefighters to provide these essential emergency services; and

WHEREAS, members of the Volunteer Division of the Cresskill Fire Department have and will in the future, sustain certain economic losses by virtue of the performance of their duties as volunteer firefighters in the servicing of this municipality; and

WHEREAS, the Borough of Cresskill hired a consultant to investigate and report to the Mayor and Council on ensuring adequate fire protection and ideas to provide assistance to members of the Volunteer Division of the Cresskill Fire Department to reimburse those members thereof for their economic loss and to encourage participation with the Volunteer Division of the Cresskill Fire Department; and

WHEREAS, a committee established to represent the members of the Volunteer Division of the Cresskill Fire Department have approved these recommendations.

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

- 1) Any member of the Volunteer Division of the Cresskill Fire Department who shall respond to forty percent (40%) of alarms (Fire Department responses) during any month and fifty percent (50%) of drills in the same month shall be entitled to an additional allowance above any annual clothing allowance previously fixed by resolution or ordinance of this Mayor and Council, in an amount equal to two hundred dollars (\$200.00) per month, which will be paid quarterly. Any member of the Volunteer Division of the Cresskill Fire Department who fails to reach said percentage for three (3) out of the four (4) quarters, shall not be entitled to any clothing allowance. An annual Clothing allowance shall be fixed at six hundred dollars (\$600.00). The maximum payment any member of the Volunteer Division of the Cresskill Fire Department can receive annually shall be three thousand dollars (\$3,000.00).
- 2) The payments set forth in Paragraph 1 shall constitute reimbursement for various expenses which will be incurred by the members of the Volunteer Division of the

Cresskill Fire Department in the faithful performance of their duties and shall not be considered as salary and therefore no medical or pension benefits will be provided.

- 3) All members of the Volunteer Division of the Cresskill Fire Department are entitled to such yearly clothing allowance as shall be fixed and set forth in paragraph 1.
 - 4) A Two Platoon system that has been adopted by ordinance shall be used to determine all members of the Volunteer Division Percentage for this stipend program.
 - 5) The Chief of the Cresskill Fire Department shall institute such procedure for verification of attendance which shall be approved annually by the governing body. Such procedure shall include, but shall not be limited to a requirement that every firefighter personally sign a roster after each alarm indicating his/her attendance at such alarm and appropriate apparatus designation.
 - 6) This resolution shall take effect as of July 1, 2012.
28. WHEREAS, Grace Hwang is the taxpayer of real estate designated as Block 91.08, Lot 6 on the official tax map of the Borough of Cresskill and better known as 14 East Hill Court, Cresskill, New Jersey; and

WHEREAS, Grace Hwang has made application to the Tax Court of New Jersey to have the assessment of the property listed above adjusted for tax year 2010; and

WHEREAS, the parties to said action have agreed upon an adjustment of the assessment for tax year 2010; and

WHEREAS, the Mayor and Council are satisfied that, all things considered, the settlement, as set forth below, is reasonable.

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>	
91.08	6	14 East Hill Court	
<u>Year: 2010</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND:	\$ 756,400	DIRECT	\$ 756,400
IMPROVEMENTS:	\$ 2,866,900	APPEAL	\$ 2,543,600
TOTAL:	\$ 3,623,300		\$ 3,300,000

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 adjustment to the assessment.

29. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following July and August 2012 payrolls be ratified and approved:

July 27, 2012

Current Fund	\$ 241,390.71
Social Security/Medicare	11,213.72
Community Center	3,573.05
Municipal Pool	26,062.25
Library	14,796.10
	<u>\$ 297,035.83</u>

