

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

SEPTEMBER 16, 2009

1. Deputy Clerk McKim 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 7:36 P.M.
4. Present: Council Members Brassel, Brennan, Cleary, Olmo, Savas, Thomasma
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Laufeld, McKim, Captain Domville

COMMUNICATIONS

5. Minutes of the following meetings:

Planning Board	Aug. 25 & Sept. 8, 2009
Filed.	

REPORTS OF COMMITTEES AND OFFICIALS

6. Council Member Savas said the Food Bank hours have changed to Tuesday evenings and Wednesday and Saturday afternoons and it is still very busy.

Council Member Brassel said he and DPW Supt. Terhune have been reviewing the Landscaping Ordinance making sure it is correct in its' verbiage. Mayor Romeo said to include snow plowing in the landscaping ordinance. Also, we don't want to charge them a lot of money like other towns, maybe \$25 this way they'll be registered.

Council Member Cleary said the Card Access Security System has been completed at the Fire House. The Fire Convention is this week in Atlantic City.

NEW BUSINESS

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

8. 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:

Jenny Chu
(for: Jenine Chu)
7 Ridge Road
Cresskill, NJ 07626
Amount: \$105.00

Antonella Scofield
(for: Julianna Scofield)
 400 Lafayette Street
 Cresskill, NJ 07626
 Amount: \$105.00

Jennifer Kim
(for: Jaclyn Kim)
 91 Roosevelt Street
 Cresskill, NJ 07626
 Amount: \$40.00

Michael Doto
(for: Sophia Doto)
 95 Westervelt Place
 Cresskill, NJ 07626
 Amount: \$125.00

Cathy Di Staulo
(for: Dominic Di Staulo)
 196 Vaccaro Drive
 Cresskill, NJ 07626
 Amount: \$120.00

Danielle Norris
(for: Joe Norris)
 183 Engle Street
 Cresskill, NJ 07626
 Amount: \$40.00

9. Resolution to Approve the Corrective Action Plan for the Fiscal Year 2008
 Audit Report of the Borough of Cresskill

WHEREAS, the Division of Local Government Services requires the Chief Financial Officer to file a “Corrective Action Plan” outlining the actions to be taken by the Borough relative to the findings and recommendations in the annual audit report; and

WHEREAS, the “Corrective Action Plan” shall be prepared by the Chief Financial Officer with assistance from other officials affected by the audit findings and recommendations; and

WHEREAS, the governing body is required by resolution, to approve said “Corrective Action Plan”; and

WHEREAS, the “Corrective Action Plan”, as prepared by the Chief Financial Officer and approved by the Governing Body, shall be placed on file and made available for public inspection in the Borough Clerk’s office;

NOW, THEREFORE, BE RESOLVED, that the Borough Council of the Borough of Cresskill approves the “Corrective Action Plan” for the Fiscal Year 2008 Audit Report submitted by the Chief Financial Officer.

10. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following September 2009 payroll be ratified and approved:

September 11, 2009

Current Fund	\$ 209,038.50
Social Security/Medicare	8,958.11
Community Center	1,273.39
Municipal Pool	<u>18,666.06</u>
	\$ 237,936.06

11. WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2008 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

12. 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 Asst. 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	3875	Kerry & Susanne Kelly 243 Concord Street Cresskill, NJ 07626	\$ 50.00
132-91	3876	A. Macchione Bros. 71 South Newman Street Hackensack, NJ 07601 (for: 334 Jefferson Ave.)	\$ 50.00

13. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 2007-2, Block 3.01, Lot 5, also know as 321 Grant Avenue, Cresskill, NJ in the amount of \$46,509.86;

WHEREAS, a premium was received by the Borough in the amount of \$2,600.00 paid by the lien holder at the Tax Sale held December 5, 2007 and upon redemption is refunded the premium paid;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$49,109.86 be refunded to:

Crusader Lien Services
179 Washington Lane
Jenkintown, PA 19046

14. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the Mayor be, and hereby is, authorized to sign Bill of Sale for the former BCUA pump station on South Street.

15. BE IT RESOLVED:

1. That the specifications for the 2009 Road Resurfacing & Curb Replacement Program 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

2009 Road Resurfacing & Curb Replacement Program

Sealed Bids for the 2009 Road Improvement Program will be received by the Borough of Cresskill, in the County of Bergen, and State of New Jersey, at the Municipal Office Building, 67 Union Avenue, Borough of Cresskill, New Jersey, on Tuesday, October 6, 2009, at 11:00 AM, Prevailing Time, and then publicly opened and read aloud.

The work to be done under this Contract consists of the milling and resurfacing of various roadways within the Borough and associated roadway amenities.

The principal work items of this Contract are as follows:

Base Bid (Jackson Drive & Wilson Drive)

<u>ITEM</u>	<u>QUANTITY</u>
• Maintenance And Protection Of Traffic	LUMP SUM
• Clearing Site	LUMP SUM
• HMA Profile Milling	9,050 S.Y.
• Hot Mix Asphalt 9.5M64 Surface Course, 2” Thick	2,566 TONS
• Remove & Reconstruct Road Pavement Over Sinkhole	20 S.Y.
• Geotextile Underlay	18,904 S.Y.
• Reconstructed Inlet, Type “B”	4 UNITS
• Reset Existing Casting	35 UNITS
• Curb Piece, Type “N-Eco”	40 UNITS
• Bicycle Safe Grate	40 UNITS
• 6”x9”x20” Concrete Vertical Curb	20 L.F.
• Traffic Stripes, Long-Life, Epoxy Resin, 4” Wide	386 L.F.
• Traffic Markings, Thermoplastic	100 S.F.

Alternate Bid “A” (Johnson Court)

<u>ITEM</u>	<u>QUANTITY</u>
• Maintenance And Protection Of Traffic	LUMP SUM

• Clearing Site	LUMP SUM
• HMA Profile Milling	740 S.Y.
• Hot Mix Asphalt 9.5M64 Surface Course, 2" Thick	220 TONS
• Geotextile Underlay	1,710 S.Y.
• Reconstructed Inlet, Type "B"	1 UNIT
• Reset Existing Casting	3 UNITS
• Curb Piece, Type "N-Eco"	4 UNITS
• Bicycle Safe Grate	4 UNITS
• Traffic Stripes, Long-Life, Epoxy Resin, 4" Wide	68 L.F.
• Traffic Markings, Thermoplastic	20 S.F.

Alternate Bid "B" (Van Buren Court)

ITEM

• Maintenance And Protection Of Traffic	<u>QUANTITY</u> LUMP SUM
• Clearing Site	LUMP SUM
• HMA Profile Milling	992 S.Y.
• Hot Mix Asphalt 9.5M64 Surface Course, 2" Thick	210 TONS
• Geotextile Underlay	2,250 S.Y.
• Reset Existing Casting	2 UNITS
• Curb Piece, Type "N-Eco"	3 UNITS
• Bicycle Safe Grate	4 UNITS
• Traffic Stripes, Long-Life, Epoxy Resin, 4" Wide	68 L.F.
• Traffic Markings, Thermoplastic,	20 S.F.

Alternate Bid "C" (Hemlock Drive)

ITEM

• Maintenance And Protection Of Traffic	<u>QUANTITY</u> LUMP SUM
• Clearing Site	LUMP SUM
• HMA Profile Milling	504 S.Y.
• Hot Mix Asphalt 9.5M64 Surface Course, 2" Thick	128 TONS
• Geotextile Underlay	982 S.Y.
• Reconstructed Inlet, Type "B"	2 UNITS
• Curb Piece, Type "N-Eco"	4 UNITS
• Bicycle Safe Grate	4 UNITS
• Traffic Stripes, Long-Life, Epoxy Resin, 4" Wide	68 L.F.
• Traffic Markings, Thermoplastic,	20 S.F.

Alternate Bid "D" (Michelle Court)

ITEM

• Maintenance And Protection Of Traffic	<u>QUANTITY</u> LUMP SUM
• Clearing Site	LUMP SUM
• HMA Profile Milling	782 S.Y.
• Hot Mix Asphalt 9.5M64 Surface Course, 2" Thick	280 TONS
• Geotextile Underlay	2,040 S.Y.
• Reset Existing Casting	3 UNITS
• Curb Piece, Type "N-Eco"	3 UNITS
• Bicycle Safe Grate	4 UNITS
• 6"x9"x20" Concrete Vertical Curb	10 L.F.
• Traffic Stripes, Long-Life, Epoxy Resin, 4" Wide	300 L.F.
• Traffic Markings, Thermoplastic,	20 S.F.
• Detectable Warning Surface	2 UNITS

Copies of the Plans, Specifications and Contract Documents will be on file and open to public inspection at the Borough Clerk's Office, Municipal Building, 67 Union Avenue, Borough of Cresskill, New Jersey, on and after September 22, 2009 between the hours of 9:00 AM and 4:00 PM, Prevailing Time. Copies of the plans, specifications and contract documents may also be examined or obtained by properly qualified contractors at the office of Azzolina & Feury Engineering Inc., 30 Madison Avenue, Paramus, New Jersey, Telephone: (201) 845-8500, on and after September 22, 2009, between the hours of 9:00 AM and 4:00 PM, excluding legal holidays, upon payment of \$100.00, no part of which will be refunded.

Each Bid must be made upon the prescribed forms furnished with the Contract Drawings and Specifications, must be accompanied by a Consent of Surety, and by a certified or cashier's check, drawn on a solvent bank, or bid bond, in the sum of ten percent (10%) of the amount bid, but in no case more than \$20,000.00. The check or bid bond shall be made payable to the Borough of Cresskill, the Owner. The check or bid bond of the bidder to whom the Contract is awarded shall be held by the Owner as a guarantee that the Contract shall be executed and its performance properly secured and in default thereof, said check or bid bond and the amount represented thereby will be forfeited to the aforesaid Owner as liquidated damages. Bids must be accompanied, in the case of corporations not chartered in the State of New Jersey, by proper certificate that such corporation is authorized to do business in the State of New Jersey.

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.

Every corporation or partnership submitting a bid shall accompany said bid with a statement setting forth the names and addresses of all stockholders in the corporation who own ten percent (10%) or more of its stock of any class, or of all individual partners in the partnership who own a ten percent (10%) or greater interest therein. Said statement may also be submitted prior to the bid.

Any extra work, not originally contemplated under this Contract, shall be covered by a change order. In the event that such extra work involves labor or material for which a unit price has been bid, the aforementioned unit price which has been bid, shall be used to fix payment for this extra work, and shall be the maximum payable by the Borough therefor.

Each bid must be enclosed in a sealed envelope bearing the name and address of the bidder, be addressed to the Borough of Cresskill, Bergen County, New Jersey, and shall be endorsed: "Bids for 2009 ROAD IMPROVEMENT PROGRAM, ENCLOSED - DO NOT OPEN". Bids must be hand delivered by the bidder or an authorized representative, at the time and place stated in this advertisement. Mailed bids or bids delivered prior to the specified time will not be accepted. 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 from the lowest responsible bidder.

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.

Miscellaneous Business

16. Approve the following Raffle Licenses:

RL 1284	Cresskill Education Foundation, Inc.	October 19, 2009
RL 1285	HSA St. Therese School	November 12, 2009
RL 1286	HSA St. Therese School	November 6, 2009
RL 1287	HSA St. Therese School	November 6, 2009

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

17. Laura D'Onofrio of The Suburbanite asked for clarification of Resolution #7 (#14). Attorney Salvatore explained that we own the land and the building was operated by the BCUA. They are turning it over to us at no cost, which is why it's a Bill of Sale as opposed to a Deed.

No one else wished to be heard.

18. Motion by Council Member Brennan and seconded by Council Member Olmo to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous Motion adopted.

19. Motion by Council Member Brennan and seconded by Council Member Olmo 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.

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

Roll Call: Yes - Unanimous Motion adopted.

PRESENTATION OF BILLS

21. Resolution by Council Member Thomsma and seconded by Council Member Brennan:

(Resolution in full on pages 125A through 125D.)

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.]

22. Mayor Romeo said last Saturday was Cresskill Day and it was a great success despite the rain. I want to thank the Chamber of Commerce, Mike Hamlett and the vendors for the great showing that we had.

No one else wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

24. Motion at 7:43 P.M. by Council Member Brennan and seconded by Council Member Olmo to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

Benedict Romeo
Mayor

Barbara A. Nasuto
Borough Clerk