

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETINGSEPTEMBER 4, 2013

1. Bob Ulshoefer 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 7:41 P.M.
4. Present: Council Members Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Laufeld, McKim, Mann, Chief Wrixon
5. Motion by Council Member Tsigounis and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of August 14, 2013.

Roll Call: Yes – Unanimous

Motion adopted.

COMMUNICATIONS

6. Minutes of the following meetings:

Environmental Commission
Planning Board

June 19, 2013
August 6, 2013

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Savas said the Fall Recreation brochure is out. It is available on-line and at the Community Center.

Council Member Brennan said there are a lot of things going on in Cresskill this weekend. The 3MBBQ competition will be held in the swim club parking lot all weekend. Saturday is opening day for Cresskill Junior Football at the 3rd Street field and there will be a 9/11 memorial before kickoff. Cresskill Day is also on Saturday. Union Avenue will be closed down and there will be music, food and vendors. Sunday is the annual Andiamo benefit motorcycle run.

Council Member Olmo said the Swim and Dive teams won their League's competitions. This is their 1st place wins since 1972.

Council Member Cleary said he and Fire Chief Ulshoefer discussed the grant applications the Chief submitted.

NEW BUSINESS

INTRODUCTION OF ORDINANCE

Ordinance No. 13-07-1450 – Amend Chapter 30 – Fire Department

8. Motion at 7:46 PM by Council Member Cleary and seconded by Council Member Olmo to introduce Ordinance No. 13-07-1450 – Amend Chapter 30 – Fire Department on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

9. Council Member Cleary read the title:

AMEND CHAPTER 30 FIRE DEPARTMENT

(Ordinance in full on page 162A.)

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

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. 13-07-1450, entitled:

AMEND CHAPTER 30 FIRE DEPARTMENT

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 18, 2013 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.

11. Mayor Romeo said we are expanding the area to two towns away for potential volunteer members.
12. Borough Clerk Nasuto explained all items on the Consent Agenda.

CONSENT AGENDA

NEW BUSINESS

*Resolutions

13. 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:

Inyoung Seo
(for: Chaerin Seo)
228 Grant Avenue
Cresskill, NJ 07626
Amount: \$260.00

Jennifer Choi
(for: Katie Choi)
28 Highland Avenue
Demarest, NJ 07627
Amount: \$160.00

Kelly Bigelow
(for: Ryan & Nicholas Bigelow)
140 6th Street
Cresskill, NJ 07626
Amount: \$40.00

Gary Ricci
(for: Roan Ricci)
P.O. Box 43
Haworth, NJ 07641
Amount: \$175.00

Darren Amodeo
 (for: Darrio Amodeo)
 338 11th Street
 Cresskill, NJ 07626
 Amount: \$100.00

14. 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, Envirocon, 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, Option 1 was awarded on July 10, 2013 and the remaining Options in the amount of \$196,134.00 for installation at the Cresskill Firehouse, Cresskill Public Library and Cresskill Community Center can now be awarded with the adoption of 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, Options 2, 3 and 4 contract for the above listed premises be awarded to Envirocon, 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.

AND BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Cresskill hereby waive any informality or irregularity in the bid of the Installation of Generators in Publicly Owned Buildings.

15. WHEREAS, by resolution of the Mayor and Council, the Borough Clerk was authorized to advertise invitation to bidders in connection with the Department of Public Works Garage-Oil Water Separator pursuant to Documents and Specifications entitled "Department of Public Works Garage-Oil Water Separator," and

WHEREAS, after due advertisement, bids were received at Borough Hall on June 28, 2013 at 11:00 AM; and

WHEREAS, J. Campoli & Sons, Inc., 28 Milton Street, Cresskill, NJ 07626 submitted a bid in the amount of \$110,148.60, which appears to be the lowest responsible bid received; and

WHEREAS, the Engineer has reviewed the said bid compliance documents and is satisfied that the same can be accepted; and

WHEREAS, the Chief Financial Official has certified that funds are available for this project;

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 Department of Public Works Garage-Oil Water Separator contract be awarded to J. Campoli & Sons, Inc. 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.

AND BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Cresskill hereby waive any informality or irregularity in the bid of the Department of Public Works Garage-Oil Water Separator.

16. WHEREAS, the Fire Chief has requested the purchase of two (2) Draeger Thermal Imaging Cameras, in an amount of \$22,999.98; 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 #A81301 from All Hands Fire Equipment, P.O. Box 1245, Wall, NJ 07719.

17. 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 refunds for overpayment of 2013 3rd quarter taxes:

<u>BLOCK</u>	<u>LOT</u>	<u>Qualifier</u>	<u>Name</u>	<u>AMOUNT</u>
79	202		Alan Araje 4 Lambs Lane Cresskill, NJ 07626	\$3,768.60
210	1		Ocwen Loan Servicing, LLC Tax/Escrow Department 1661 Worthington Road, Suite 100 West Palm Beach, FL 33409 (<i>Re: 200 Wilson Drive</i>)	\$6,620.21

18. WHEREAS, cash escrow deposits have been paid to the Borough of Cresskill for legal fees in connection with Zoning Board applications for variances within the Borough of Cresskill; and

WHEREAS, the applications have been heard and approved by the Zoning Board of Adjustment; and

WHEREAS, balances remain in the escrow accounts which are no longer required;

NOW, THEREFORE, BE IT RESOLVED that the following balances in the Trust Accounts be refunded:

<u>ESCROW #</u>	<u>NAME</u>	<u>AMOUNT</u>
ZE 163	Cresswood Homes, LLC 25 Douglas Drive Cresskill, NJ 07626 (<i>For: 20 Clark Street</i>)	\$14.00
ZE 165	David Kurtz 271 Next Day Hill Ct. Englewood, NJ 07631 (<i>For: 38 Crest Drive South</i>)	\$14.00
ZE 166	Yiftah and Revital Gadish 51 Carleton Terrace Cresskill, NJ 07626	\$14.00

ZE 167	Minetti Family Trust 24 Mountain View Road Cresskill, NJ 07626 (For: 10 Ridge Road)	\$14.00
ZE 168	Agron Ndrejoni 66 Carleton Terrace Cresskill, NJ 07626	\$14.00

19. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that Michael J. Gaeckle be, and hereby is, appointed as part-time School Crossing Marshal at a salary of \$16.13 per hour, effective September 9, 2013.

20. Chapter 159 Resolution – Amend 2013 Budget

WHEREAS, N.J.S.A. 40:A4-87 provides that the Director of Local Government Services may approve the insertion of any Special Item of Revenue in the budget of any County or Municipality when such item shall have been available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amounts;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill requests the Director of Division of Local Government Services to approve the insertion of an Item of Revenue in the 2013 Budget in the sum of \$316.65 which is now available as a revenue from State and Federal Grants off-set by revenue;

BE IT FURTHER RESOLVED, that a like sum of \$316.65 and the same is hereby appropriated under the caption

General Appropriations
Operations Excluded from CAPS
State and Federal Programs Offset by the Revenues
Alcohol Education and Rehabilitation Fund

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 100% Disabled Veteran exemption from taxes as of November 2, 2012, as per Tax Assessor:

Thomas Walsh – Life Estate
46 Florence Avenue
Cresskill, NJ 07626

Block 125, Lot 27.01

Refund 2012 Taxes: \$1,178.00
Refund 2013 Taxes: \$4,368.67

22. WHEREAS, application was made for a building permit and escrow money was deposited; and

WHEREAS, final inspection was made and certificate of occupancy was issued.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following balance in Developer's Trust account #141 be returned to:

<u>Applicant</u>	<u>Acct. No.</u>	<u>Block</u>	<u>Lot</u>	<u>Amount</u>
Virginia Quinn 5 Michele Court	DE-141	76	67.08	\$2,267.37

23. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that Christopher Karach be approved for part time seasonal help as Laborer in the Public Works Department at a salary of \$11.50 per hour effective September 3, 2013.
24. WHEREAS, the Borough of Cresskill has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et seq. to participate in the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund; and

WHEREAS, said Agreement requires that one municipal representative be appointed by the governing body of the community to be part of the Open Space Trust Municipal Park Improvement and Land Acquisition Program Regional Committee for the term of one year coinciding with the fiscal year September 1, 2013 through August 31, 2014;

NOW, THEREFORE, BE IT RESOLVED, that the governing body hereby appoints Andrew Vaccaro as its representative to participate on the Open Space Trust Municipal Program Regional Committee.

25. 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 302, Lot 1 for 2010 and 2011:

	<u>2010</u>	<u>2011</u>
Original Assessment:	\$1,406,800.00	\$1,406,800.00
Tax Court Judgment:	\$1,275,000.00	\$1,050,000.00
Decrease in Assessment:	\$ 131,800.00	\$ 356,800.00
Tax Rate:	<u>2.300</u>	<u>2.348</u>
Tax Refund:	\$ 3,031.40	\$ 8,377.66
Total:	<u>\$ 11,409.06</u>	

Check to: Marcus Brody, Esq.
Attorney at Law
5 Becker Farm Road
Roseland, NJ 07068
(for: 4 Adams Drive)

26. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following August and September 2013 payrolls be ratified and approved:

August 23, 2013

Current Fund	\$ 277,439.30
Social Security/Medicare	12,385.45
Community Center	3,788.38
Municipal Swim	20,984.62
Library	<u>15,662.12</u>
	\$ 330,259.87

September 6, 2013

Current Fund	\$ 263,271.96
Social Security/Medicare	11,166.63
Community Center	2,889.93
Municipal Swim	19,011.72
Library	<u>15,499.66</u>
	\$ 311,839.90

27. WHEREAS, escrow money was deposited with the Borough of Cresskill by 191 County Road, LLC for work done at 191 County Road, Block 71, Lot 1; and

WHEREAS, the Borough Engineer has made final inspection and a certificate of occupancy was issued for this property; and

WHEREAS, the Borough Engineer has requested a Maintenance Bond of \$48,000.00 be posted for two (2) years and an escrow of \$1,000 to remain in Developer's Escrow 1636.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that in accordance with the Borough Engineer's letter of September 3, 2013, a refund of \$2,100.00 in Developer's Trust 1636 be returned to 191 County Road LLC.

Motions

28. Appoint Edward J. Wrixon, III to the Cresskill Volunteer Fire Department.

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

29. Council Member Savas asked what the function is of the thermal imaging cameras mentioned in Resolution #4 (#16). Council Member Olmo said during a fire the camera can detect a change in temperature through a wall without breaking it down.

No one else wished to be heard.

30. Motion by Council Member Tsigounis and seconded by Council Member Cleary to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous Motion adopted.

31. Motion by Council Member Tsigounis 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.

32. Motion by Council Member Tsigounis 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

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

(Resolution in full on pages 167A through 167E.)

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.]

34. Mayor Romeo said we have approved the generators for all our municipal buildings. If we have another extended power outage residents will be able to stay warm and charge their electronic devices and have internet access. Chief Wrixon and Chief Ulshoefer have almost completed the Emergency Management Plan. When completed, we will get it out to all our residents. Chief Wrixon said he is looking into the cost to send it out bulk mail to all residents like the newsletter. Mayor Romeo said there was a water main break at the corner of East Madison Ave. and County Rd. which is now repaired.

No one else wished to be heard.

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

Roll Call: Yes – Unanimous

Motion adopted.

36. Motion at 7:56 P.M. by Council Member Tsigounis and seconded by Council Member Savas to adjourn the meeting.

Roll Call: Yes - Unanimous.

Motion adopted.

Benedict Romeo
Mayor

Barbara A. Nasuto
Borough Clerk