BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL BERGEN COUNTY NEW JERSEY

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REGULAR MEETING MARCH 1, 2017

1. Steve Moldt 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 7:38 P.M.

4. Present: Council Members Cleary, Mueller, Olmo, Savas, Spina
Also Present: Attorney Salvatore, Borough Officials Laufeld, Chief Wrixon
Excused: Council Member Tsigounis

5. Motion by Council Member Spina and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of February 15, 2017.

Roll Call: Yes – Unanimous Motion adopted.

6. Council Member Olmo announced receipt of Determination and Award Certificate.

(Determination and Award Certificate on page 33A.)

COMMUNICATIONS

7. Minutes of the following meetings:

| | |
|---|---|
| Planning Board | February 14, 2017 |
| Recreation Committee | January 25, 2017 |

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

8. Council Member Spina said the Rails to Trails exploratory committee will be meeting in the upcoming weeks.

Council Member Savas said she will be meeting with the Community Center next Monday. At the Recreation Committee meeting, parents requested we have a before care program for our Summer Fun Camp. Parents could bring their children at 8:00 am for a fee of $50 per week.
At the Library Board meeting, John Orfini from the High School said he is setting up a program for the library staff to learn CPR and first aid.

Council Member Olmo commended the EMS, Fire and Police Departments for their good work aiding the woman that was hit by the garbage truck at the circle last week.

Council Member Cleary said he will be attending the JIF meeting next Tuesday.

Council Member Mueller said we will be going out to bid so we can implement a Rolling Assessment program to help with the number of tax appeals we receive.

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

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CONSENT AGENDA

NEW BUSINESS

*Resolutions

10. WHEREAS, William J. Weyer, T/A Punctual Pickups LLC, has applied for a Taxi/Limo Owner's License and has paid the required fees; and

WHEREAS, the vehicle has been inspected and approved by Chief Edward Wrixon;

NOW, THEREFORE, BE IT RESOLVED that the license be authorized for term ending December 31, 2017 subject to requirements of Chapter 246 of the Code of the Borough of Cresskill.

License No. 17-421
2017 Toyota Sienna
Serial # 5TDYK3DC1F5684338

11. WHEREAS, Chonghyun Chang, has applied for a Taxi/Limo Owner's License and has paid the required fees; and

WHEREAS, the vehicle has been inspected and approved by Chief Edward Wrixon;

NOW, THEREFORE, BE IT RESOLVED that the license be authorized for term ending December 31, 2017 subject to requirements of Chapter 246 of the Code of the Borough of Cresskill.

License No. 17-418
2013 Lincoln
Serial # 2LMHJ5NK9DBL57558

12. WHEREAS, the Recreation Committee has scheduled various programs; and

WHEREAS, the following participants are unable to attend;

NOW, THEREFORE, BE IT RESOLVED that the recreation fees be returned to:

| | |
|---|---|
| Heiddy Martin | Beatriz Moscarella |
| *(for: Richard Martin)* | *(for: Ryan Moscarella)* |
| 101 Cedar Street | 182 7th Street |
| Cresskill, NJ 07626 | Cresskill, NJ 07626 |
| Amount: $60.00 | Amount: $50.00 |

13. WHEREAS, escrow money was deposited with the Borough of Cresskill by DiStaulo Construction 1, LLC for work done at 135 Truman Drive, Block 91.08, Lot 22; and

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the balance of $109.25 in Developer's Trust 123 be returned to DiStaulo Construction 1, LLC, 196 Vaccaro Drive, Cresskill, NJ 07626.

14. WHEREAS, Stephanie Cho Lee and Gerald J. Lee, is the taxpayer for real estate designated as Block 211, Lot 3 on the official tax map of the Borough of Cresskill and better known as 117 Eisenhower Drive, Cresskill, New Jersey (the "Property"); and

WHEREAS, Stephanie Cho Lee and Gerald J. Lee, has made application to the Tax Court of New Jersey to have the assessments of the property listed above adjusted for tax years 2013 & 2015; and

WHEREAS, the parties have agreed that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall apply for the years of 2014 and 2016; and

WHEREAS, the Mayor and Council are satisfied that after proper review and analysis, the settlement, as set forth below, is reasonable and in the Borough's best interests;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the adjustments of the assessments of the property specified below be and are hereby ratified as follows:

| Block | Lot | Street Address |
|---|---|---|
| 211 | 3 | 117 Eisenhower Drive |

| Years: 2013 & 2015 | Original Assessment | County Board Judgment | Requested Tax Court Judgment |
|---|---|---|---|
| LAND | $ 575,000 | $ 575,000 | $ 575,000 |
| IMPROVEMENTS | $ 638,000 | $ 638,000 | $ 525,000 |
| TOTAL | $1,213,000 | $1,213,000 | $1,100,000 |

BE IT FURTHER RESOLVED that Morrison Mahoney LLP be, and hereby are, authorized to execute the Stipulation of Settlement memorializing the settlement of this matter on behalf of the Borough of Cresskill; and

BE IT FURTHER RESOLVED that the proper officials be, and hereby are, authorized to make the necessary adjustments to the assessments.

15. WHEREAS, escrow monies were deposited with the Borough of Cresskill in connection with Planning Board applications; and

WHEREAS, the work has been completed, inspected and certificates of occupancy were issued for these properties;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the balance of these escrow accounts be refunded as follows:

| Developer Escrow # | Applicant | Amount |
|---|---|---|
| 230 | Ilan Cohen<br>21 Ross Avenue<br>Demarest, NJ 07627<br>*(for 20 Crest Drive North)* | $168.00 |
| 241 | 34 Ridge Road LLC<br>12 Knoll Road<br>Tenafly, NJ 07670<br>*(for 34 Ridge Road)* | $1,307.25 |

16. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 16-00001, for Block 25, Lot 10, also known as 82 Monroe Avenue, Cresskill, NJ, in the amount of $13,076.69; and

WHEREAS, a premium was received by the Borough in the amount of $24,000.00 paid by the lien holder at the Tax Sale held December 1, 2016 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 $37,076.69 be paid to:

TWR-CST for Ebury Fund 2 NJ LLC

Mail to:

TWR-CST for Ebury Fund 2 NJ LLC
P.O. Box 54908
New Orleans, LA 70154

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

17. No one wished to be heard.

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

Roll Call: Yes - Unanimous Motion adopted.

19. Motion by Council Member Spina 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.

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

Roll Call: Yes - Unanimous Motion adopted.

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PRESENTATION OF BILLS

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

(Resolution in full on pages 36A through 36G.)

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. Steve Moldt, 119 Hillside Avenue thanked the Mayor and Council for passing the "Rails to Trails" resolution at the last meeting. Can we have an Environmental Commission member be on the exploratory committee? Council Member Spina said as the CEC liaison he will also be a representative to the Rails to Trails committee and would be happy to have an Environmental Commission member join him.

Jean Quinn, 34 Glenview Terrace asked if the Hungry Peddler property was going to be developed into townhouses like Willow Run. Mayor Romeo said there are no plans at this time. It is zoned R-10 residential, except for where the gas station was, which is a polluted site under remediation. Nothing will be done there for a few years. There are a lot of rumors, but it will probably be 4 to 6 houses. Ms. Quinn asked the status of the Hamrah's property. Mayor Romeo said the store has been sold and they are planning on a deli on the lower floor and offices upstairs. We haven't heard anything on the other piece of property. We're against apartments, so there could be townhouses. Townhouse

owners pay taxes and have a stake in the town. Right now, our COAH obligation has been satisfied through 2025, but the state keeps changing the formula.

Mayor Romeo said we currently have an issue with overcrowding in the schools, but it's not the new or larger developments that are the cause. Our town is aging and the senior citizens are moving out and young families are moving in. We also have a lot of foreigners coming over. Their children get an education here and then they leave. We've purchased four properties to help alleviate the overcrowding. The two near Bryan School will be turned into classrooms for pre-k and kindergarten. The other two will be used for the BOE offices and other classes. This will free up space in all the schools. The School Board will pay the town back if the referendum passes. If it doesn't, we have some backup plans.

Ms. Quinn asked if the Hamrah's property could be bought as open space. We don't want it to be developed like Willow Run. Mayor Romeo said he doesn't see that area as a park and the Hamrah family has the right to sell their property. We want it to be utilized so that it doesn't hurt the town. As for the Willow Run property, people don't know it was zoned as Dual Use, meaning apartments. When Mr. Pendergast was ready to sell, there could have been 80 to 100 apartments with 20% being COAH. The 38 townhouses have the least impact on the town.

Ms. Quinn asked for the Mayor and Council's opinion on the Light Rail train. Mayor Romeo said the County approached us about eight years ago about putting a six story parking garage where the newer Daibes apartments are, which we said absolutely not. I feel if they are going to do it, do it so every town takes care of their own residents. Working with CSX takes forever, even for returned phone calls. We are still waiting for the expansion of the Madison Avenue intersection. The County bumped us by the Emerson project and we are now next in line.

Andy Paspalas, 83 12th Street asked if the potholes around the tracks could be filled. Mayor Romeo said he thought they had been even though we aren't supposed to touch anything between the tracks, but he will check with Kevin at the DPW.

Steve Moldt, 119 Hillside Avenue said the Board of Education will be having public meetings and presentations with the details and reasons why the referendum is necessary. I know there is a lot of speculation right now, and we want the public to be informed and know that the BOE is doing things responsibly.

Frank Romano, 37 Poplar Street asked if CSX decides to put in the rail, is there anything we can do about it. Mayor Romeo said there is nothing we can do whatsoever. Chief Wrixon said a perfect example of CSX's power, is when President Obama came to town several years ago. We had to get him from 3rd Street to East Madison Avenue and back again. I called CSX with the Secret Service to get the train schedule in case there may be one coming through town. They refused to give it to us saying we didn't have the right to that information. Council Member Mueller said the railroads power goes way back to the 1800's when they were given lawful monopolies.

Mr. Romano said this is the first time he has heard about the Rails for Trails. Council Member Mueller said it's all new and we have agreed to explore it. Cresskill has some unique challenges to consider that other towns don't have. It runs right along our Middle and High Schools and how are we going to handle all kinds of people right in the backyard of our schools. This is our major concern with this project. Mayor Romeo said at the speed that CSX works, this project will take many years to come to fruition.

Ms. Quinn asked if the town was getting a deal on Belgian block for the curbs. Council Member Olmo said per square foot, it's cheaper than cement and easier to repair.

Carrie Koch, 100 Cedar Street asked what happened to the Cablevision store. Mayor Romeo said they relocated to Fair Lawn and a photography studio rents the space now.

Mayor Romeo said in 2019, Cresskill will be celebrating our quasquicentennial anniversary. We will be forming a committee and having a big celebration so we will be looking for volunteers if anyone is interested.

No one else wished to be heard.

23. Motion by Council Member Spina and seconded by Council Member Cleary to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

24. Motion at 8:24 P.M. by Council Member Spina and seconded by Council Member Cleary to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

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Benedict Romeo
Mayor

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Barbara A. Nasuto
Borough Clerk