

WHEREAS, due to the retirement of the Chief, Cresskill appointed an Officer in Charge to maintain leadership in the Cresskill Police Department; and

WHEREAS, notice for the Chief of Police position was posted, applications received and interviews conducted;

NOW THEREFORE BE IT RESOLVED that having received the recommendation of the Police Committee, the Mayor is pleased to appoint Edward J. Wrixon for the position of Chief of Police of the Cresskill Police Department, effective immediately and asks for confirmation.

Introduced: Council Member Brennan
 Seconded: Council Member Olmo

Roll Call:	Council Members	Brassel	Yes
		Brennan	Yes
		Cleary	Yes
		Olmo	Yes
		Savas	Absent
		Thomasma	Absent

10. Borough Clerk Nasuto swore in Police Chief Edward J. Wrixon.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

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

WHEREAS, due to scheduling conflicts the participants are unable to attend;

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

Zaid Mohammed
 (for: Tarek Mohammed)
 175 14th Street
 Cresskill, NJ 07626
 Amount: \$90.00

Chang Hye Bae
 (for: Branden Bae)
 54 Morningside Ave.
 Cresskill, NJ 07626
 Amount: \$35.00

Maureen Byrne
 41 Margie Ave.
 Cresskill, NJ 07626
 Amount: \$135.00

Hayoung Jang
 2 Palisade Ave.
 Cresskill, NJ 07626
 Amount: \$115.00

13. RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF CRESSKILL AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$1,616,000 BOND ANTICIPATION NOTE, DATED MARCH 13, 2009 AND PAYABLE MARCH 12, 2010 AS A ‘QUALIFIED TAX-EXEMPT OBLIGATION’ PURSUANT TO SECTION 265 (b) (3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Cresskill, in the County of Bergen, New Jersey (the “Borough”) from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the “Code”), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue a \$1,616,000 bond anticipation note, dated March 13, 2009 and payable March 12, 2010 (the “Note”); and

WHEREAS, the Borough desires to designate the Note as a “qualified tax-exempt obligation” pursuant to Section 265 (b) (3) of the Code;

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

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Note be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a “qualified tax-exempt obligation” for the purpose of Section 265 (b) (3) of the Code.

SECTION 4. It is hereby determined and stated that said Note (1) is not a “private activity bond” as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2009.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2009.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265

(b) (3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2009 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

The foregoing resolution was adopted by the following roll call vote:

Ayes: Council Members Brassel, Brennan, Cleary, Olmo
 Nays: None
 Absent: Council Members Savas, Thomasma
 Abstain: None

ATTEST: _____
 Borough Clerk

14. BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill that the following transfers be made in the 2008 budget appropriation reserves:

CURRENT ACCOUNT

	<u>Account</u>	<u>From</u>	<u>To</u>
Garbage Disposal Costs	465-020	5,000.00	
Police – O/E	240-020		5,000.00

15. WHEREAS, by resolution of the Mayor and Council, the Borough Clerk was authorized to advertise invitations to bidders in connection with One Type III E450 Ambulance pursuant to Documents and Specifications entitled “One Type III E450 Ambulance,” and

WHEREAS, after due advertisement, bids were received at the Borough Hall on March 10, 2009 at 10:00 AM; and

WHEREAS, Bird Specialty Equipment, Inc., T/A Vickery Companies, 166 Gold Mine Road, Flanders, NJ 07836 submitted a bid in the amount of \$126,240.00, which appears to be the lowest responsible bid received; and

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

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 One Type III E450 Ambulance contract be awarded to Bird Specialty Equipment, Inc., T/A Vickery Companies, 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 One Type III E450 Ambulance.

16. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the Mayor be, and hereby is, authorized to execute the Developer’s Agreement with New Jersey CVS Pharmacy, L.L.P., and the related Drainage Easement Agreement.

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

March 13, 2009

Current Fund	\$ 237,212.67
Social Security/Medicare	10,012.65
Community Center	<u>1,750.10</u>
	\$ 248,975.42

18. 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, 2009 to the following:

License No. 09-339
Matthew Vaccarino
181 11th Street
Cresskill, NJ 07626

19. WHEREAS, Matthew Vaccarino has applied for a Taxi Owner's License and has paid the required fees; and

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

NOW, THEREFORE, BE IT RESOLVED that the license be authorized for term ending December 31, 2009 subject to requirements of Chapter 246 of the Code of the Borough of Cresskill.

License No. 09-338
2005 Lincoln Town Car
Serial #1LNHM81W95Y606961

20. 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, 2009 to the following:

License No. 09-342
William J. Weyer
157 Knickerbocker Road
Cresskill, NJ 07626

21. WHEREAS, William J. Weyer, Punctual Pickups LLC, has applied for Taxi Owner's Licenses for two vehicles and has paid the required fees; and

WHEREAS, the vehicles have been inspected and approved by Captain Edward Wrixon;

NOW, THEREFORE, BE IT RESOLVED that the licenses be authorized for term ending December 31, 2009 subject to requirements of Chapter 246 of the Code of the Borough of Cresskill.

License No. 09-340
2005 Chrysler 300C
Serial #2C3AA63H35H564805

License No. 09-341
2003 Lincoln Town Car
Serial #1L1FM81W43Y640151

Motions

22. Appoint John McCann to the Recreation Committee, effective immediately.

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

23. No one wished to be heard.
24. Motion by Council Member Brennan and seconded by Council Member Brassel to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous Motion adopted.

25. Motion by Council Member Brennan and seconded by Council Member Brassel 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.

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

Roll Call: Yes - Unanimous Motion adopted.

PRESENTATION OF BILLS

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

(Resolution in full on pages 47A through 47F.)

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.]

28. No one wished to be heard.
29. Motion by Council Member Brennan and seconded by Council Member Brassel to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

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

Roll Call: Yes - Unanimous. Motion adopted.

Benedict Romeo
Mayor

Barbara A. Nasuto
Borough Clerk