

Ordinance No. 17-02-1496 – 2017 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A 40A:4-45.14)

9. Motion at 7:41 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Ordinance No. 17-02-1496 – 2017 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A.40A:4-45.14) on final reading by title only.

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

10. Council Member Olmo read the title:

2017 “CAP” ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
 APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
 (N.J.S.A. 40A:4-45.14)

(Ordinance in full on page 50A in Minutes of Regular
 Mayor and Council Meeting held April 5, 2017.)

11. The Borough Clerk announced the Ordinance was published in The Record on April 7, 2017, posted in Borough Hall, and copies made available to the public.
12. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
13. No one wished to be heard.
14. Motion by Council Member Olmo and seconded by Council Member Savas to close the public hearing.

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

15. Resolution by Council Member Olmo 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. 17-02-1496, entitled:

2017 “CAP” ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
 APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
 (N.J.S.A. 40A:4-45.14)

pass its second and final reading, is hereby adopted and shall be published according to law.

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

NEW BUSINESS

INTRODUCTION OF ORDINANCE

Bond Ordinance No. 17-03-1497 – Land Acquisition - Block 24, Lot 15 and Block 24, Lot 33

16. Resolution by Council Member Olmo and seconded by Council Member Cleary to amend 2017 Temporary Capital Budget.

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

(Resolution in full on pages 60A through 60B.)

17. Council Member Olmo announced receipt of Supplemental Debt Statement.

(Supplemental Debt Statement in full on pages 60C through 60G.)

18. Motion at 7:43 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Bond Ordinance No. 17-03-1497 – Land Acquisition - Block 24, Lot 15 and Block 24, Lot 33 on first reading by title only.

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

19. Council Member Olmo read the title:

“BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR JOINT USE WITH THE CRESSKILL BOARD OF EDUCATION AND OTHER PUBLIC PURPOSES IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,030,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.”

(Bond Ordinance in full on pages 60H through 60I.)

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

BE IT RESOLVED that Ordinance No. 17-03-1497 entitled:

“BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR JOINT USE WITH THE CRESSKILL BOARD OF EDUCATION AND OTHER PUBLIC PURPOSES IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,030,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.”

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 3rd day of May, 2017, at 7:30 o'clock, P.M., or as soon thereafter as the matter can be reached, at the regular meeting

16 Morningside Ave.
Cresskill, NJ 07626
Amount: \$250.00

54 Magnolia Ave.
Cresskill, NJ 07626
Amount: \$80.00

Doyeon Won
(for: Dongmin)
301 Orchard Terrace
Cresskill, NJ 07626
Amount: \$140.00

Sang Hyun Shim
(for: Joel)
2203 Tenakill Park Drive East
Cresskill, NJ 07626
Amount: \$140.00

Saverio Costa
(for: Victoria)
19 Clark Street
Cresskill, NJ 07626
Amount: \$380.00

26. 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 due to overpayment of taxes:

<u>TAX PERIOD</u>	<u>BLOCK</u>	<u>LOT</u>	<u>QUAL</u>	<u>NAME</u>	<u>AMOUNT</u>
1 st qtr 2016	107	38		Title Resource Group Escrow Accounting 3001 Leadenhall Road Mt. Laurel, NJ 08054 (for: 349 Jefferson Avenue)	\$ 2,517.00
3 rd & 4 th qtr 2016	301	15		Doojin & Heidi Chung 70 Jackson Drive Cresskill, NJ 07626	\$ 4,090.36

27. WHEREAS, Barbara Ann Wasler by Lukoil North America LLC, is the taxpayer of real estate designated as Block 27, Lot 70 on the official tax map of the Borough of Cresskill and better known as 229 Knickerbocker Road, Cresskill, New Jersey (the "Property"); and

WHEREAS, Barbara Ann Wasler by Lukoil North America LLC, has made application to the Tax Court of New Jersey to have the assessment of the property listed above adjusted for tax years 2014 and 2015; 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:

	<u>Block</u> 27	<u>Lot</u> 70	<u>Street Address</u> 229 Knickerbocker Road
<u>Year: 2014</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 974,300	N/A	\$ 768,200
IMPROVEMENTS	<u>\$ 181,800</u>	N/A	<u>\$ 181,800</u>
TOTAL	\$1,156,100	N/A	\$ 950,000

<u>Year: 2015</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND	\$ 652,800	N/A	\$ 652,800
IMPROVEMENTS	<u>\$ 247,200</u>	N/A	<u>\$ 247,200</u>
TOTAL	\$ 900,000	N/A	\$ 900,000

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.

28. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following April 2017 payroll be ratified and approved:

April 13, 2017

Current Fund	\$ 299,645.03
Social Security/Medicare	13,059.51
Community Center	2,348.50
Library	<u>12,782.47</u>
	\$ 327,835.51

29. 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 82, Lot 9 for 2012, 2013 and 2014. Total refund to be applied to the 2017-2018 taxes:

	<u>2012</u>	<u>2013</u>	<u>2014</u>
Original Assessment:	\$ 1,190,700.00	\$ 1,190,700.00	\$ 1,190,700.00
Tax Court Judgment:	\$ 832,500.00	\$ 832,500.00	\$ 832,500.00
Decrease in Assessment:	\$ 358,200.00	\$ 358,200.00	\$ 358,200.00
Tax Rate:	<u>2.324</u>	<u>2.413</u>	<u>2.482</u>
Tax Refund:	\$ 8,324.57	\$ 8,643.37	\$ 8,890.52
Total:	<u>\$ 25,858.46</u>		

30. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 14-00003, Block 86, Lot 104, also known as 25 Oak Street in the amount pf \$54,329.76; and

WHEREAS, a premium was received by the Borough in the amount of \$20,000.00 paid by the lien holder at the Tax Sale held December 4, 2014 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 \$74,329.76 be refunded to:

US Bank Cust PC5 Sterling National

Mailed to:

US Bank Cust PC5 Sterling National
 U.S. Bank Global Corp Trst Srv
 50 S 16th Street- Suite 2050
 Philadelphia, PA 19102

31. WHEREAS, soil permit applications and Planning Board applications were required for several properties; and

WHEREAS, escrow accounts were established for this work; and

WHEREAS, the work has been completed and inspected;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following refunds of Developer Escrow accounts be made:

<u>Account No.</u>	<u>Block</u>	<u>Lots</u>	<u>Applicant</u>	<u>Amount</u>
DE-158	34	289	Anthony Pestana P.O. Box 1013 Alpine, NJ 07620 (for: 184 Jefferson Avenue)	\$ 254.75

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

32. Robert Nusspickle, 200 Phelps Avenue asked if the DOT grant applications were on the website for the public to read. Borough Clerk Nasuto said the applications are usually done by the Engineer. I have copies of the resolutions you could have.

Bernard Yoo, 81 Rose Street asked for an explanation of the bond ordinance. Mayor Romeo said we're purchasing the two properties at the corner of Brookside Avenue for the Board of Education, anticipating they will be moving their administrative offices there. We've already purchased the two houses that abut the kindergarten on Brookside Avenue. If the referendum passes they will build an addition onto Bryan School to help alleviate the overcrowding in the grammar schools.

No one else wished to be heard.

33. 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.

34. 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.

35. 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.

PRESENTATION OF BILLS

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

(Resolution in full on pages 65A through 65J.)

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.]

37. Mayor Romeo congratulated Police Chief Ed Wrixon for completing fire fighter school.

Robert Nusspickle asked if the ordinances and resolutions can be sent via email to residents a few days before a meeting. Borough Clerk Nasuto said we do not have email addresses. Only OEM has the addresses of residents that have signed up with them for emergency notifications. The draft agenda goes on the website the Friday before a meeting, ordinances go on the day after they are introduced and meeting meetings after they are approved.

Richard Calabrese, 42 Engle Street said he has neighbors that put their trash cans out much earlier than the permitted time. Their son, who does not live in the home, puts the trash from his painting business at the curb. Our tax dollars are paying for this pickup. Mayor Romeo asked for the address and said he will speak to them. Mr. Calabrese said he will not give the address because there are many others who put their trash out earlier than allowed. Mayor Romeo said maybe putting out a reverse 911 reminding residents of the allowable hours will help.

Chief Wrixon said they are in the process of revamping the overnight street parking ordinance.

Mr. Yoo asked for an explanation of the "CAP" ordinance. CFO Laufeld said the ordinance allows us to raise the budget appropriation based on the cost of living. This year it's .05% of last year, but you're allowed to go up to 3½%. Whatever is not utilized we can CAP bank it for the next two years for any emergencies. It's basically a savings account.

No one else wished to be heard.

38. 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.

39. Motion at 8:05 P.M. by Council Member Spina and seconded by Council Member Cleary to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

Benedict Romeo
Mayor

Barbara A. Nasuto
Borough Clerk