

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

APRIL 5, 2017

1. Marc DeStefano 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 7:43 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 March 15, 2017.

Roll Call: Yes – Unanimous

Motion adopted.

## COMMUNICATIONS

6. Minutes of the following meetings:

Board of Health  
Recreation Committee

November 28, 2016  
February 22, 2017

Filed.

## REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Spina said there've been two meetings of the exploratory group for the Northern Valley Greenway. Representatives and liaisons from the six towns involved have attended. They'll come to a Mayor and Council meeting in the near future and provide an update.

Council Member Savas said 77 children are signed up for spring camp next week. Also, we've been receiving applications for summer recreation counselor positions. A reminder that on April 30<sup>th</sup> you can bring hazardous waste like paint cans to Bergen Community College for proper disposal. Also, the yearly paper shredding event will take place on May 13<sup>th</sup> from 9am to 1pm at the High School.

Council Member Cleary said he attended the JIF meeting last month.

Council Member Mueller said that on April 29<sup>th</sup> from 8am to 11am, in front of the bagel shop, the Police will be hosting "Coffee with a Cop". It's an opportunity for the residents to come out and meet our officers.

## UNFINISHED BUSINESS

## ORDINANCE ON FINAL READING

Ordinance No. 17-01-1495 – Amend Chapter 44 – Officers and Employees, Article VI – Borough Administrator

8. Motion at 7:48 PM by Council Member Savas and seconded by Council Member Cleary to introduce Ordinance No. 17-01-1495 Amend Chapter 44 – Officers and Employees, Article VI – Borough Administrator on final reading by title only.

Roll Call: Yes-Unanimous Motion adopted.

9. Council Member Savas read the title:

AMEND CHAPTER 44 – OFFICERS AND EMPLOYEES  
ARTICLE VI – BOROUGH ADMINISTRATOR

(Ordinance in full on page 40A in Minutes of Regular  
Mayor and Council Meeting held March 15, 2017.)

10. The Borough Clerk announced the Ordinance was published in The Record on March 18, 2017, posted in Borough Hall, and copies made available to the public.
11. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
12. Mayor Romeo said we are changing some of the waiting times and chain of command on some of the borough offices.

No one else wished to be heard.

13. Motion by Council Member Savas and seconded by Council Member Cleary to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

14. Resolution by Council Member Savas 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. 17-01-1495, entitled:

AMEND CHAPTER 44 – OFFICERS AND EMPLOYEES  
ARTICLE VI – BOROUGH ADMINISTRATOR

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

Roll Call: Yes – Unanimous Resolution adopted.

## NEW BUSINESS

## INTRODUCTION OF ORDINANCE

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)

15. Motion at 7:49 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 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.

16. 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.)

17. 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)

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, April 19, 2017 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 – Council Members Cleary, Mueller, Olmo, Savas, Spina  
 No – None  
 Absent – None  
 Abstain – None  
 Excused – Council Member Tsigounis  
 Resolution adopted.

NEW BUSINESS

INTRODUCTION OF 2017 BUDGET

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

BE IT RESOLVED, that the following statement of revenues and appropriations attached hereto constitute the local Budget of the Borough of Cresskill, Bergen County, New Jersey for the year 2017.

BE IT FURTHER RESOLVED, that the said budget be published in the Record in the issue of April 13, 2017, and that a hearing on the Budget will be held at the Municipal Building on May 3, 2017 at 7:30 PM or as soon thereafter as the matter may be reached.

Introduced by: Council Member Olmo

Seconded by: Council Member Cleary

ATTEST

Approved: April 5, 2017

\_\_\_\_\_  
 Borough Clerk

\_\_\_\_\_  
 Mayor

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

(2017 Budget in full on pages 51A through 51HHH.)

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

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## CONSENT AGENDA

### NEW BUSINESS

#### \*Resolutions

20. 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>
4 <sup>th</sup> qtr 2016	181	2	CT033	CoreLogic Real Estate Tax Svc Attn: Refund Department P.O. Box 961250 Fort Worth, TX 76161-9858 <i>(for: 141 Broadway)</i>	\$ 5,557.00
3 <sup>rd</sup> qtr 2016	179	40		Stoyan & Assia Slavov 57 Palisades Avenue Cresskill, NJ 07626	\$ 2,528.32
3 <sup>rd</sup> qtr 2016	66	5		New Horizon Abstract, Inc. Attn: Michael Kileen 977 Highway 33 West, Ste. 102 Monroe Township, NJ 08831 <i>(for: 22 Jefferson Avenue)</i>	\$ 2,127.07
3 <sup>rd</sup> qtr 2016	179	49		Toru & Rieko Okamoto 45 Palisades Avenue Cresskill, NJ 07626	\$ 2,108.65
4 <sup>th</sup> qtr 2016	187	2		CoreLogic Real Estate Tax Svc Attn: Refund Department P.O. Box 961250 Fort Worth, TX 76161-9858 <i>(for: 8 Beechwood Road)</i>	\$ 2,967.58
4 <sup>th</sup> qtr 2016	162	19		Michael Jung Hoon Kwak Bonami Lee Moon Ok Kwak 11629 Royal Derwent Avenue Las Vegas, NV 89138 <i>(for: 4 Weil Place)</i>	\$ 5,032.15

21. April is Child Abuse Prevention Month

WHEREAS, we all have a responsibility as individuals, neighbors, community members and citizens of Cresskill, New Jersey to help create healthy, nurturing and safe experiences for children; and

WHEREAS, healthy and safe childhoods help produce confident and successful adults; and

WHEREAS, child abuse and neglect often occur when people find themselves in stressful situations, without community resources, and don't know how to cope; and

WHEREAS, incidences of child abuse and neglect can be reduced by making sure all families have the support they need and deserve to raise their children in a healthy environment; and

WHEREAS, it is recognized that no person can do everything but that everyone can do something and together we can create change for the better; and

WHEREAS, effective prevention programs succeed because of partnerships among nonprofit organizations, government agencies, volunteer organizations, schools, service clubs, houses of worship, law enforcement agencies, and the business community; and

WHEREAS, display a pinwheel or planting a pinwheel garden in April will serve as a positive reminder that all children deserve Great Childhoods – happy, healthy and safe.

NOW, THEREFORE, I, Benedict Romeo, Mayor of Cresskill, New Jersey, do hereby proclaim April 2017 as Child Abuse Prevention Month in Cresskill, New Jersey and I urge all citizens to engage in activities that strengthen families and communities to provide the optimal environment for children to learn, grow and thrive so that all children have the benefit of happy, healthy and safe childhoods.

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Benedict Romeo, Mayor

## 22. 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-1662	90	23-25	Rio Vista LLC 47 Rio Vista Drive Alpine, NJ 07620 (for: 180 Truman Dr.)	\$ 255.39
DE-181	192	12	289 Brookside Avenue, LLC 12-56 River Road Fair Lawn, NJ 07410 (for: 289 Brookside Ave.)	\$ 127.50
DE-192	37	117-120	Lyle Allan, Jr. 55 Magnolia Avenue Cresskill, NJ 07626	\$ 291.75
DE-236	159	12	NJR Investment Properties II, LLC	\$1,828.75

550 Sylvan Ave., Suite 204  
Englewood Cliffs, NJ 07632  
(for: 150 South St.)

DE-258	144.01	1	Ghizela Altman 200 Winston Drive, #405 Cliffside Park, NJ 07010 (for: 84 12 <sup>th</sup> St.)	\$ 167.00
DE-262	72	10	Milena Ledven 3 Oxford Place Cresskill, NJ 07626	\$ 56.50
DE-265	178	37	Elite Developers LLC 150 E. Fairmount Avenue Maywood, NJ 07607 (for: 66 E. Madison Ave.)	\$ 169.50
DE-248	86	138-141	Joshua & Eun-Jung Kim 10 Lakeview Drive Old Tappan, NJ 07675 (for: 4 New St.)	\$ 558.00

23. WHEREAS, application has been made by Jusstemel, Inc, T/A The Peddler, 44 East Madison Avenue, Cresskill, New Jersey, for person-to-person transfer and place-to-place transfer of Plenary Retail Consumption License No. 0208-33-005-008; and

WHEREAS, the said applicant has complied with all applicable requirements of the Statutes of New Jersey; and

WHEREAS, no written objections to this transfer have been received; and

WHEREAS, the applicant has disclosed, and the authority reviewed, the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

WHEREAS, the authority has received a written statement under oath, affirming that the transferee is aware there are no obligations outstanding to the New Jersey alcoholic beverage manufacturers, wholesalers, and distributors;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following transfer license be approved:

APPLICANT

T/A

Jusstemel, Inc.  
License No. 0208-33-005-008

The Peddler  
44 East Madison Avenue  
Cresskill, NJ 07626

24. 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:

Gili Wolf  
(for: Roy & Yonathan Wolf)  
422 11th Street  
Cresskill, NJ 07626  
Amount: \$40.00

Kihyun Kim  
(for: Jun Kim)  
119 Broadway  
Cresskill, NJ 07626  
Amount: \$95.00

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 27, Lot 69.01 for 2016:

	<u>2016</u>
Original Assessment:	\$1,779,500.00
Tax Court Judgment:	<u>\$1,700,000.00</u>
Decrease in Assessment:	\$ 79,500.00
Tax Rate:	<u>2.641</u>
Tax Refund:	\$ 2,099.60

Check to: Beattie Padovano Trust Account  
50 Chestnut Ridge Road, Suite 208  
P.O. Box 244  
Montvale, NJ 07645-0244  
(for: 350 Madison Avenue)

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 refund due to Stipulation of Settlement on property assessment for Block 83, Lot 69 for 2014 and 2015:

	<u>2014</u>	<u>2015</u>
Original Assessment:	\$ 886,000.00	\$ 886,000.00
Tax Court Judgment:	\$ 600,000.00	\$ 600,000.00
Decrease in Assessment:	\$ 286,000.00	\$ 286,000.00
Tax Rate:	<u>2.482</u>	<u>2.559</u>
Tax Refund:	\$ 7,098.52	\$ 7,318.74
Total:	\$ 14,417.26	

Check to: Michael I. Schneck  
Trustee for Sandals Associates  
301 South Livingston Avenue, Suite 105  
Livingston, NJ 07039  
(for: 155 County Road)

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

March 31, 2017

Current Fund	\$ 308,254.79
Social Security/Medicare	14,039.66
Community Center	3,207.94
Library	<u>11,860.66</u>
	\$ 337,363.05

28. **2017 TEMPORARY BUDGET**

**WHEREAS**, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2017 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

**WHEREAS**, said total emergency temporary resolutions adopted in the year 2017 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$1,780,000;

**NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A.40A:4-20:

1. The following temporary appropriations be and the same are hereby made for:

**OPERATIONS - WITHIN CAPS**

Municipal Clerk	
Salaries and Wages	\$ 20,000.00
Financial Administration	
Salaries and Wages	5,000.00
Revenue Administration	
Salaries and Wages	10,000.00
Planning Board	
Salaries and Wages	3,000.00
Other Expenses	2,000.00
Zoning Board	
Salaries and Wages	1,000.00
Construction Code Official	
Salaries and Wages	5,000.00
Police Department	
Salaries and Wages	150,000.00
Police School Marshals	
Salaries and Wages	30,000.00
Fire Department	
Salaries and Wages	25,000.00
Emergency Medical Services	
Salaries and Wages	25,000.00
Streets and Roads	
Salaries and Wages	50,000.00
Board of Health	
Salaries and Wages	7,000.00
Library	
Other Expenses	70,000.00
Telephone	10,000.00
Social Security	15,000.00
Defined Contribution Retirement Program	7,000.00
	Total
	<u>\$ 435,000.00</u>

2. That said emergency temporary appropriations will be provided for in the 2017 budget under the various titles listed above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

\_\_\_\_\_  
Benedict Romeo, Mayor

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Barbara A. Nasuto, Borough Clerk

29. Resolution Supporting the 2017 UDrive. UText, UPay. Distracted Driving Crackdown  
April 1 - 21, 2017

WHEREAS, distracted driving is a serious, life-threatening practice that is preventable;  
and

WHEREAS, distracted driving can result in injuries and deaths to all road users  
(motorists, pedestrians and bicyclists); and



WHEREAS, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

WHEREAS, in 2014 alone distracted driving-related crashes resulted in 3,179 deaths and 431,000 injuries on our nation's roads; and

WHEREAS, in New Jersey distracted driving was listed as a contributing circumstance in more than 800,000 crashes between 2010-2014; and

WHEREAS, the State of New Jersey will participate in the nationwide *Distracted Driving 2017 Crackdown* from April 1 - 21, 2017 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

WHEREAS, the national slogan for the campaign is UDrive. UText. UPay; and

WHEREAS, a reduction in distracted driving in New Jersey will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill declares its support for the *Distracted Driving 2017 Crackdown* both locally and nationally from April 1 - 21, 2017 and pledges to increase awareness of the dangers of distracted driving.

#### Miscellaneous Business

30. Approve the following Raffle License:

RL 1389                      Cresskill UNICO                      May 10 – May 13, 2017

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

31. No one wished to be heard.
32. 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.

33. 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.

34. 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

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

(Resolution in full on pages 56A through 56H.)

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.]

36. Susan Rowley of the Environmental Commission presented the Mayor and Council with a permit request for signage to be put up throughout town for the Northern Valley Earth Fair. Mayor Romeo said it was okay, but please remove all the signs the day after the event. Also, notify the Fire Dept. and Kevin at the DPW where you're planning to put the 4' x 8' sign across from the Fire House so it isn't obstructing anyone's view.

Robert Nusspickle, 200 Phelps Avenue asked how long the construction for Union Ave. and Piermont Rd. was going to take this month. Chief Wrixon said they're actually replacing the water main on Allen Street, but will start on Piermont Road. Piermont Road will be closed 2 to 3 days starting Monday, April 10<sup>th</sup>. The entire job should take about 3 weeks, from 8am to 4pm weekdays, ending at Union Avenue.

Mr. Nusspickle asked if this work is related to the traffic flow issues on Madison Avenue. Mayor Romeo said no. We've been waiting for approval from CSX for quite a while for the Madison Avenue project. Once approved, the County will go out to bid.

Mr. Nusspickle asked if there is a temporary fix for Madison Avenue. Chief Wrixon said they have discussed some ideas, but none are feasible.

No one else wished to be heard.

37. 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.

38. Motion at 8:04 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