

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

APRIL 7, 2010

1. Detective Sergeants Norman Saunders and Joseph Trumbetti 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 Press Journal and The Record and delivery to all members of the governing body.
3. Mayor Romeo called the meeting to order at 7:35 P.M.
4. Present: Council Members Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis
Also Present: Attorney Salvatore, Borough Officials Vaccaro, Laufeld, McKim, Chief Wrixon, Captain Domville, Members of the Police Department
5. Mayor Romeo said 2 months ago he received a phone call from Welfare Director Carolyn Schultz saying she had received a check from the VFW for \$40K for our Good Will fund. They had a treasury accumulating money for 30 years and decided to donate \$40K to help our citizens. This fund started by asking builders and homeowners to donate \$100 and it slowly grew, but this generous donation has put us over the top.
6. Mayor Romeo read a Proclamation honoring Howard Tiedemann and Members of the VFW for their dedication and generosity to the residents of the Borough of Cresskill.

(Proclamation in full on page 54A.)

7. Mayor Romeo said when money was being raised for the Community Center; the VFW sold a piece of land on Legion Drive and donated \$200K to the Borough. It's hard to explain how grateful we are for everything they have done, but I tried in a recent letter I would like to read.

(Letter in full on page 54B.)

NEW BUSINESS

8. Resolution by Council Member Brennan and seconded by Council Member Savas:

WHEREAS, Police Chief Wrixon met with the Police Committee regarding police promotions; and

WHEREAS, the Police Committee reviewed the recommendations and agreed with the promotions proposed;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following promotions be made in accordance with Ordinance No. 02-35-1243, effective immediately:

Norman Saunders	-	Lieutenant
Joseph Trumbetti	-	Lieutenant

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

9. Borough Clerk Nasuto swore in Lieutenants Norman Saunders and Joseph Trumbetti.

COMMUNICATIONS

10. Minutes of the following meetings

Environmental Commission
 Planning Board

February 18, 2010
 March 9 & 23, 2010

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

11. Council Member Cleary said the Fire Dept. is getting their gear ready for the spring.

Council Member Olmo said Bergen County Health Services have been doing their inspections in town and things are being much more scrutinized than in past years.

UNFINISHED BUSINESS

ORDINANCE ON FINAL READING

Ordinance No. 10-07-1386 – 2010 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A.40A:4-45.14)

12. Motion at 7:45 PM by Council Member Olmo and seconded by Council Member Brennan to introduce Capital Ordinance No. 10-07-1386 – 2010 “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 Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis
 No - None
 Absent – None
 Abstain – None
 Motion adopted.

13. Council Member Olmo read the title:

2010 “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 48A of Regular
 Mayor and Council Meeting held March 17, 2010.)

14. The Borough Clerk announced that the ordinance was published in The Press Journal on March 18, 2010, posted in the Borough Hall and copies made available to the public.
15. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
16. Richard Calabrese, 32 Engle Street said he read in The Record about the amount other town’s municipal budgets are increasing by dollar amount as well as percentage. Does what you just introduced mean you have a budget?
 Mayor Romeo said we are working on the budget now. This is just the “CAP” ordinance. CFO Laufeld explained the ordinance is to allow us to go up to a 3½ percent CAP. If we don’t utilize it we can bank it for the next two years. Mayor Romeo said the Governor

wants a 2½ percent CAP. It's not mandated for this year but will be next year. We are trying to get as much of the fiscal problems resolved this year. We're going to need all the leeway we can get.

No one else wished to be heard.

17. Motion by Council Member Olmo and seconded by Council Member Brennan to close the public hearing.

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

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

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. 10-07-1386, entitled:

2010 "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 Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis
 No - None
 Absent – None
 Abstain – None
 Resolution adopted.

NEW BUSINESS

INTRODUCTION OF ORDINANCE

Bond Ordinance No. 10-08-1387 – New Telephone System

19. Resolution by Council Member Olmo and seconded by Council Member Brennan to approve Temporary 2010 Capital Budget.

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

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

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

(Supplemental Debt Statement in full on pages 56C through 56H.)

21. Motion at 7:49 PM by Council Member Olmo and seconded by Council Member Brennan to introduce Bond Ordinance No. 10-08-1387 – New Telephone System on first reading by title only.

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

22. Council Member Olmo read the title:

“BOND ORDINANCE TO AUTHORIZE THE ACQUISITION AND INSTALLATION OF A NEW TELEPHONE SYSTEM FOR THE MUNICIPAL BUILDING IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$32,000 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 57A through 57D.)

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

BE IT RESOLVED that Ordinance No. 10-08-1387 entitled:

“BOND ORDINANCE TO AUTHORIZE THE ACQUISITION AND INSTALLATION OF A NEW TELEPHONE SYSTEM FOR THE MUNICIPAL BUILDING IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$32,000 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 21st day of April, 2010, at 7:30 o'clock, P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Mayor and Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

25. WHEREAS, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2010 temporary appropriations for the aforesaid purpose, and N.J.S. 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 2010 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$1,024,656.00; and

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. 40A:4-20:

26. WHEREAS, Cresskill-Alpine Baseball League has applied for a parade permit for Saturday, April 17, 2010, in accordance with the provisions of Section 230-67 of the Code of the Borough of Cresskill; and

WHEREAS, the said applicants appear to have met all requirements of the said code;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that a permit be issued to the Cresskill-Alpine Baseball League for a parade on April 17, 2010, rain date April 18, 2010 on the following route:

1. Assemble at the Cresskill High School at 9:30 AM.
2. Beginning at 10:00 AM, parade will march onto Cresskill Avenue, turn left onto Union Avenue and continue through town.
3. Parade will then proceed on Dogwood Lane and down Margie Avenue to the International Field at Piermont Road and Margie Avenue.

27. WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2009 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and indicate the assent of the Borough of Cresskill to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that Cresskill endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates Andrew Vaccaro, 67 Union Avenue, to ensure that the said application is properly filed.

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

28. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following March and April 2010 payrolls be ratified and approved:

March 26, 2010

Current Fund	\$ 236,670.70
Social Security/Medicare	10,852.26
Community Center	<u>1,400.06</u>
	\$ 248,923.02

April 9, 2010

Current Fund	\$ 217,841.21
Social Security/Medicare	9,792.67
Community Center	<u>1,184.76</u>
	\$ 228,818.64

Miscellaneous Business

29. Approve the following Raffle Licenses:

RL 1295	HSA St. Therese School	June 1 – Aug. 31, 2010
RL 1296	UNICO	May 5 – 8, 2010

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

30. No one wished to be heard.
31. Motion by Council Member Savas and seconded by Council Member Brennan to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous Motion adopted.

32. Motion by Council Member Savas and seconded by Council Member Brennan 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.

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

Roll Call: Yes - Unanimous Motion adopted.

PRESENTATION OF BILLS

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

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

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.]

35. Mayor Romeo announced the Little League parade is on April 17th, EARTHfest is on April 24th, and the Spring Festival is May 15th with a rain date of May 22, 2010.

Mayor Romeo said if anyone is doing repairs from storm damage, we have waived the permit fees. Washington has declared Northern New Jersey as a disaster area. There is some information here at the Borough Hall if you want to apply for aid from FEMA.

There is a borough wide food drive next week, April 12th through the 16th. You can drop off food at any of the schools or borough hall or leave it curbside on Saturday morning and the Fire Dept. will pick it up. We are feeding approximately 44 families.

I would like to thank the VFW again and Joe and Norman thank you and congratulations.

No one else wished to be heard.

36. Motion by Council Member Savas and seconded by Council Member Brennan to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

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

RESOLVED that pursuant to Subsection 7(b) of the Open Public Meetings Act the public can be excluded from a public meeting so that proceedings can be conducted in closed session and the Mayor and Council now intending to discuss:

pending or anticipated litigation involving Cresskill;

personnel matters involving employment, appointment, termination, evaluation, discipline or promotion of Cresskill personnel;

negotiations involving employees of Cresskill; Police Contract

protection of the safety of public property;

matters which, if disclosed, would work an unwarranted invasion of privacy;

purchase or lease of real property;

deliberations after a public hearing that may result in the imposition of a penalty or loss or suspension of a license or permit;

matters which, if disclosed, would impair a right to receive United States Government funds;

matters rendered confidential by Federal or State law;

this meeting shall be continued in closed session and the discussion in closed session shall be disclosed to the public upon taking final action thereon, provided disclosure shall not release the attorney-client privilege or constitute an undue invasion of privacy.

RESOLVED further that although not now anticipated, the Mayor and Council reserve the right to return to open session upon conclusion of the closed session.

Roll Call: Yes - Unanimous. Resolution adopted.

38. Motion at 7:55 P.M. by Council Member Savas and seconded by Council Member Brennan to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

Benedict Romeo
Mayor

Barbara A. Nasuto
Borough Clerk