

Roll Call: Yes – Council Members Brassel, Brennan, Cleary, Olmo, Savas, Thomasma
 No – None
 Absent – None
 Abstain – None
 Resolution adopted.

(2009 Budget in full on pages 50A through 50LLL of Regular
 Mayor and Council Meeting held April 1, 2009.)

10. Resolution by Council Member Thomasma and seconded by Council Member Brennan to conduct Self-Examination of Annual Budget.

Roll Call: Yes – Council Members Brassel, Brennan, Cleary, Olmo, Savas, Thomasma
 No – None
 Abstain – None
 Absent – None
 Resolution adopted.

(Resolution in full on page 63A.)

11. Mayor Romeo opened the meeting to the public on the 2009 budget. [Reported by Deputy Borough Clerk Patricia A. McKim.]

12. Jean Quinn, 34 Glen View Terrace asked why the town couldn't put off purchasing the wood chipper and dump truck for a year to 18 months or refurbish what we have considering the state of the economy. Mayor Romeo explained they are part of the Capital budget which isn't part of our everyday spending. These are big ticket items with a life span of 10 years or more and are spread out in a bond over 30 years. We put off buying these items for the past few years and have put money in to repair them, but it gets to a point where they aren't worth repairing. Also, we are looking into shared services with other towns to purchase equipment together.

Ms. Quinn asked for the definition of "Accumulated Absences" which has a \$305,000 budget for DPW and Police. Mayor Romeo explained it is terminal leave which we ended for new employees hired after 1983 and unused sick time which employees get paid for at the end of each year as opposed to accumulating them year after year, and we will be working on lowering that figure.

Councilman Brennan said we have lost a great deal of state aid in the last two years, and the state's mandated regulations have raised our expenses every year. Councilman Brassel said the state's mandates are destructive to try to run a community, especially in financial tough times. Mayor Romeo said we are losing money on our investments and the number of building permits issued has decreased drastically because of the economy. We've also lost 11M in ratables over the past two years. We've had increases in spending and losses in revenue which comes to about \$780k.

Ms. Quinn said there is a significant increase in Salary and Wages for the Municipal Clerk. Mayor Romeo said that covers the whole dept. including part-timers. We have kept the increases to 3.95%, where other towns are 4.5%. We are feeding 55 families out of the food bank and there are 43 houses in foreclosure, so we are very well aware of the economic situation.

Mayor Romeo said 1 tax point is \$180,000. If we lay off 3 people with salaries of \$60,000 each, the savings to each household is \$60 for the year. Do I ruin 3 lives for this? Ms. Quinn asked about having workers voluntarily take 1 day off. Mayor Romeo said this would mean asking the unions to reopen negotiations and then you would involve the attorneys and it would get very costly.

Bill Zally, 24 Milton Street asked what percentage the taxes would be going up. Mayor Romeo said 6.9%.

Richard Calabrese, 42 Engle Street asked about furloughs and how it works. Mayor Romeo said we are not in the position that we have to do that. The only way to do that

would be to renegotiate contracts and that would cost quite a bit in legal fees. Councilman Brassel said with furloughs you would have overtime to cover the shifts. Mayor Romeo said we have saved money with Police retirements that were high ranking with high salaries. Mr. Calabrese asked what 6.9% on the average house is in dollar figures. Mayor Romeo said \$274, which is on the low side compared to other towns.

Councilman Brennan said we are all volunteers up here and we look at this budget as our money. We are in this bad financial state because of Mr. Corzine. Our state aid is getting cut and the urban areas are getting more. Ms. Quinn asked what she as a citizen can do. Mayor Romeo said you can start by contacting our legislators who are in direct contact with the Governor.

No one else wished to be heard.

13. Motion by Council Member Thomasma and seconded by Council Member Olmo to close the public hearing.

Roll Call: Yes – Council Members Brassel, Brennan, Cleary, Olmo, Savas, Thomasma
 No – None
 Abstain – None
 Absent – None
 Motion adopted.

14. Resolution by Council Member Thomasma and seconded by Council Member Brennan to adopt the 2009 budget.

(Resolution in full on pages 64A through 64B.)

Roll Call: Yes – Council Members Brassel, Brennan, Cleary, Olmo, Savas, Thomasma
 No – None
 Abstain – None
 Absent – None
 Resolution adopted.

15. Motion by Council Member Thomasma and seconded by Council Member Savas to resume the regular order of business.

Roll Call: Yes – Council Members Brassel, Brennan, Cleary, Olmo, Savas, Thomasma
 No – None
 Abstain – None
 Absent – None
 Motion adopted.

UNFINISHED BUSINESS

ORDINANCE ON FINAL READING

Bond Ordinance No. 09-04-1372 – Acquisition of a Street Sweeper

16. Motion at 8:04 PM by Council Member Thomasma and seconded by Council Member Brennan to introduce Bond Ordinance No. 09-04-1372 – Acquisition of a Street Sweeper on final reading by title only.

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

17. Council Member Thomasma read the title:

“BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF A NEW STREET SWEEPER IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$185,000

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 56I through 56L of Regular
Mayor and Council Meeting held April 15, 2009.)

18. The Borough Clerk announced that the ordinance was published in The Press Journal on April 16, 2009, posted in the Borough Hall and copies made available to the public.
19. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
20. Mayor Romeo said we tried putting off purchasing the street sweeper, but with the new state mandates for storm water management we couldn't wait. We are required to street sweep the whole town more often than in the past. Councilman Brassel said all the state's mandates have put a strangle hold on small communities and basically taken away home rule.

Mr. Calabrese asked how the street sweeper can do the job it's meant to do with cars parked in the street. Mayor Romeo said we haven't gotten to scheduling as of yet.

No one else wished to be heard.

21. Motion by Council Member Thomasma and seconded by Council Member Brennan to close the public hearing.

Roll Call: Yes– Council Members Brassel, Brennan, Cleary, Olmo, Savas, Thomasma
 No – None
 Absent – None
 Abstain – None
 Motion adopted.

22. Resolution by Council Member Thomasma 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. 09-04-1372, entitled:

“BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF A NEW STREET
SWEEPER IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY
OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$185,000
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”

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

Roll Call: Yes– Council Members Brassel, Brennan, Cleary, Olmo, Savas, Thomasma
 No – None
 Absent – None
 Abstain – None
 Resolution adopted.

NEW BUSINESS

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

24. 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:

Ji-Yun Chung
(for: Edward Chung)
49 Pershing Place
Cresskill, NJ 07626
Amount: \$65.00

Joia Cox
(for: Nicole Cox)
262 Piermont Road
Cresskill, NJ 07626
Amount: \$40.00

25. WHEREAS, Daniel M. Trawka has applied for a Taxi Owner's License for one vehicle and has paid the required fee; and
WHEREAS, the vehicle has been inspected and approved by Police Chief 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. 09-343
2005 Mercedes
Serial #WDBNG83J65A4440004

26. 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. 09-344
Daniel M. Trawka
32 Woodland Road
Cresskill, NJ 07626

27. WHEREAS, the following permits have been issued under Sections 132-27 and 132-91 of the Code of the Borough of Cresskill and cash bonds deposited therefor; and
WHEREAS, the Superintendent of Public Works has inspected the work and found it to meet all requirements of the applicable Section;
NOW, THEREFORE, BE IT RESOLVED that the proper officials be and hereby are directed to return the bonds held under the following permits:

<u>Code Sec.</u>	<u>Permit #</u>	<u>Name</u>	<u>Amount</u>
132-27	3855	A. Maccione Bros., Inc. 71 So. Newman Street Hackensack, NJ 07601 (Re: 16 Douglas Drive)	\$100.00

132-91	3856	Melissa Bellehsen 241 East Main Street Bergenfield, NJ 07621 <i>(Re: 83 Monroe Street)</i>	\$ 50.00
132-91	3861	Carolyn Petillo 299 Concord Street Cresskill, NJ 07626	\$ 50.00

28. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following April and May 2009 payrolls be ratified and approved:

April 24, 2009

Current Fund	\$ 219,588.91
Social Security/Medicare	9,948.87
Community Center	<u>1,226.65</u>
	\$ 230,764.43

May 8, 2009

Current Fund	\$ 210,550.28
Social Security/Medicare	9,760.44
Community Center	1,250.87
Municipal Pool	<u>206.06</u>
	\$ 221,767.65

29. WHEREAS, Camp Merritt Post 21 of the American Legion has applied for a parade permit on Memorial Day, May 25, 2009, 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 Camp Merritt Post 21, American Legion, for a parade to commence at 10:00 AM on May 25, 2009, on the following route:

1. Assemble at Merritt Circle, 12th Street north and south of Madison Avenue, and Madison Avenue between Eleventh and Twelfth Streets.
2. After ceremonies at the Monument, parade will march east on Madison Avenue to Veterans Square, where the main ceremonies will be held.
3. At termination of ceremonies, parade will march east on Union Avenue to Washington Street, south to East Madison Avenue, and terminate at the American Legion parking lot.

BE IT FURTHER RESOLVED that the Camp Merritt Post 21, American Legion, shall determine the order and participants in the parade.

30. 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 2008 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.

31. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the Mayor be, and hereby is, authorized to sign Agreements regarding personnel matters.
32. WHEREAS, cash escrow deposits have been paid to the Borough of Cresskill for legal fees in connection with Zoning Board applications for variances in constructing a home and fencing within the Borough of Cresskill; and

WHEREAS, the applications have been heard and approved by the Zoning Board of Adjustment; and

WHEREAS, a balance remains in these escrow accounts, which are no longer required;

NOW, THEREFORE, BE IT RESOLVED that the following balances in the Trust Accounts be refunded:

<u>ESCROW #</u>	<u>NAME</u>	<u>AMOUNT</u>
ZE 011	Seth Polevoy 47 Carleton Terrace Cresskill, NJ 07626	\$14.00
ZE 1664	Ik Gyun Lee 39 Elmore Place Cresskill, NJ 07626	\$14.00

33. BE IT RESOLVED:
 1. That the specifications for One 2009 Broom Street Sweeper in the Borough of Cresskill be and the same are hereby approved.
 2. That immediately upon said approval and not later than thirty {30} days after the date thereof, the Clerk of this body be and hereby is directed to advertise for bids for the project at least ten {10} days before receipt of bids in The Press Journal, a paper printed in this County.
 3. That said advertisement shall read as follows:

“BOROUGH OF CRESSKILL

One 2009 Broom Street Sweeper

Notice is hereby given that sealed bids will be received by the Mayor and Council of the Borough of Cresskill for One 2009 Broom Street Sweeper in the Borough of Cresskill, in the County of Bergen. Bids will be opened and read in public at the Municipal Building on Tuesday, May 19, 2009 at 11:00 AM Prevailing Time. Specifications and forms of bids for the proposed work are on file in the office of the Borough Clerk and may be inspected by prospective bidders during business hours on or after May 7, 2009.

Bidders will be furnished with a copy of the specifications on proper notice. Bids must be made on standard proposal forms in the manner designated therein and required by the specifications, must be enclosed in sealed envelopes bearing the name of the bidder and the name of the One 2009 Broom Street Sweeper on the outside and addressed to: Mayor and Council, Borough of Cresskill, and must be accompanied by a Non-Collusion Affidavit and a certified check or bid bond for not less than ten (10%) percent of the amount bid, provided said check/bond need not be more than \$20,000 nor shall not be less than \$500, and be delivered at the place on or before the hour named above. The standard proposal form and the Non-Collusion Affidavit are attached to the supplemental specifications, copies of which will be furnished on application to the Borough Clerk.

The Borough of Cresskill reserves the right to reject any and all bids, to waive any informalities or irregularities in the bids received and to accept the bid of the lowest, responsible bidder.

Prior to the award of this Contract, and in accordance with Chapter 127, PL 1975, the Contractor shall file an Affirmative Action Plan with the State Treasurer.

By order of the Mayor and Council
Barbara Nasuto
Borough Clerk”

4. That the said Clerk be and hereby is empowered and directed to insert in the space for dates such convenient hour and day as will cause the opening of bids to take place not less than ten (10) days after the date of the first publication of the advertisement, to notify each and every member of this body, in writing, that a meeting thereof will be held on the day at the hour named to receive all bids sent or delivered.
34. 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 refund due to double payment of their 2009 Sewer Service fee:

Mr. & Mrs. J. Schwartz
(Re: Block 22, Lot 2)
P.O. Box 1081
Alpine, NJ 07620
Amount: \$700.00

35. Resolution Supporting Participation
In the Sustainable Jersey™ Municipal Certification Program

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Cresskill strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, Cresskill hereby acknowledges that the residents of Cresskill desire a stable, sustainable future for themselves and future generations; and

WHEREAS, Cresskill wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path Cresskill is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of Cresskill, we have a significant responsibility to provide leadership, which will seek community-based sustainable solutions to strengthen our community.

NOW THEREFORE, BE IT RESOLVED, that to focus attention and effort within Cresskill on matters of sustainability, the Mayor and Council wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Mayor and Council of Cresskill that we do hereby authorize Michael Swan to serve as Cresskill's agent for the Sustainable Jersey Municipal Certification process and authorize him to complete the Municipal Registration on behalf of Cresskill.

36. WHEREAS, the owner of premises commonly known as 6 Madison Avenue has been notified on several occasions of many building code violations since September, 2007; and

WHEREAS, the owner and tenant have been notified as late as April 30, 2009 that said violations have not been abated, and that the structure will be condemned as the result of the failure to abate said violations; and

WHEREAS, the sole remaining tenant (Moosehead's Tavern) has advised the Mayor & Council that the immediate condemnation of the premises will cause substantial financial damages to the tenant; and

WHEREAS, none of the said violations exist within the area occupied by the tenant; and

WHEREAS, the tenant has agreed to vacate the premises no later than July 8, 2009 and has further agreed not to seek any extension of that date:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the tenant who owns and operates Moosehead Tavern shall be permitted to continue to operate its business at the subject premises until July 8, 2009, at which time it will vacate the premises.

BE IT FURTHER RESOLVED the Construction Code Official shall be notified of this extension.

Miscellaneous Business

37. Approve the following Raffle License:

RL 1282

PTA Edward H. Bryan School

June 5, 2009

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

38. Mr. Calabrese asked what Resolution #13 (#36) meant. Attorney Salvatore said there are violations in the building where Moosehead's Tavern is located that have not been abated. It's not the tavern, but the upstairs which is vacant. We could shut them down now, but that would penalize the tenant, so we have agreed to give them until July 8th to wind down their business.

No one else wished to be heard.

39. Motion by Council Member Brennan and seconded by Council Member Olmo to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous Motion adopted.

40. Motion by Council Member Brennan and seconded by Council Member Thomasma 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.

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

Roll Call: Yes - Unanimous Motion adopted.

PRESENTATION OF BILLS

42. Resolution by Council Member Thomasma and seconded by Council Member Brennan:

(Resolution in full on pages 71A through 71D.)

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.]

43. Mr. Zally asked why Veteran’s Square is covered in crabgrass and dandelions. Mayor Romeo said he would talk to Kevin tomorrow about it.

Pauline Rooney, 5 Tenakill Park Drive East asked if something could be done about where the garbage is dumped on Daibes property. It’s all over the ground and a mess. Mayor Romeo said we have written to them once about it. I will have our Property Maintenance Inspector go tomorrow.

Mayor Romeo said the Memorial Day parade is at 10:00am on Memorial Day and hotdogs will be served afterwards at the American Legion.

No one else wished to be heard.

44. Motion by Council Member Brennan and seconded by Council Member Olmo to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

45. Motion at 8:19 P.M. by Council Member Brennan and seconded by Council Member Olmo to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

Benedict Romeo
Mayor

Barbara A. Nasuto
Borough Clerk