

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

JUNE 7, 2017

1. Second Graders from Merritt and Bryan Schools 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 7:38 P.M.
4. Present: Council Members Cleary, Olmo, Savas, Spina, Tsigounis
Also Present: Attorney Salvatore, Borough Officials Laufeld, Mann, Chief Wrixon
Absent: Council Member Mueller
5. Second Graders from Merritt and Bryan Schools did a presentation of "Why I Love Living and Learning in Cresskill".
6. Motion by Council Member Spina and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of May 17, 2017.

Roll Call: Yes – Unanimous

Motion adopted.

COMMUNICATIONS

7. Minutes of the following meeting:

Planning Board

May 9, 2017

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

8. Council Member Spina said the Green Way Planning Committee are looking for Cresskill volunteers to join either their fundraising, feasibility or outreach teams.

Council Member Savas said the Municipal Alliance Committee had their last meeting for the year and will be sponsoring Project Graduation. We are looking at adding or amending an ordinance regarding parents who host parties where alcohol is served to minors. We are also looking for new members to join the committee.

I've reached out to the Toms River Fire Chief to find out who designed their 9/11 Memorial because they also received a column.

Registration for Recreation's Summer Fun program ends on June 9th. We have 360 kids this year.

Council Member Olmo thanked the residents that attended the Memorial Day parade despite the weather. Mayor Romeo's speech was very well received. Also, yesterday was the 73rd anniversary of D-Day.

Council Member Cleary said he and Councilman Olmo both received 117 votes in the Primary Election.

NEW BUSINESS

INTRODUCTION OF ORDINANCE

Bond Ordinance No. 17-04-1498 – Police Equipment

9. Resolution by Council Member Olmo and seconded by Council Member Cleary to amend the 2017 Capital Budget.

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

(Resolution in full on pages 82A through 82D.)

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

(Supplemental Debt Statement in full on pages 82E through 82I.)

11. Motion at 7:59 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Bond Ordinance No. 17-04-1498 – Police Equipment on first reading by title only.

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

12. Council Member Olmo read the title:

“BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF VARIOUS EQUIPMENT FOR THE USE OF THE POLICE DEPARTMENT IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$190,000 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 82J through 82K.)

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

BE IT RESOLVED that Ordinance 17-04-1498 entitled:

“BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF VARIOUS EQUIPMENT FOR THE USE OF THE POLICE DEPARTMENT IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$190,000 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 June, 2017, 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 Cleary, Olmo, Savas, Spina, Tsigounis
 No - None
 Absent – Council Member Mueller
 Abstain – None
 Resolution adopted.

Ordinance No. 17-05-1499 – Amend Chapter 6 - Boards and Committees, Article XIV- Cresskill Garden Committee

14. Motion at 8:01 PM by Council Member Tsigounis and seconded by Council Member Cleary to introduce Ordinance No. 17-05-1499 – Amend Chapter 6 - Boards and Committees, Article XIV- Cresskill Garden Committee on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

15. Council Member Tsigounis read the title:

AMEND CHAPTER 6 – BOARDS AND COMMITTEES
 ARTICLE XIV – CRESSKILL GARDEN COMMITTEE

(Ordinance in full on page 83A.)

16. Resolution by Council Member Tsigounis and seconded by Council Member Savas:

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. 17-05-1499, entitled:

AMEND CHAPTER 6 – BOARDS AND COMMITTEES
 ARTICLE XIV – CRESSKILL GARDEN COMMITTEE

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, June 21, 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 – Unanimous Resolution adopted.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

18. Resolution to Approve the Corrective Action Plan for the Fiscal Year 2016
Audit Report of the Borough of Cresskill

WHEREAS, the Division of Local Government Services requires the Chief Financial Officer to file a “Corrective Action Plan” outlining the actions to be taken by the Borough relative to the findings and recommendations in the annual audit report; and

WHEREAS, the “Corrective Action Plan” shall be prepared by the Chief Financial Officer with assistance from other officials affected by the audit findings and recommendations; and

WHEREAS, the governing body is required by resolution, to approve said “Corrective Action Plan”; and

WHEREAS, the “Corrective Action Plan”, as prepared by the Chief Financial Officer and approved by the Governing Body, shall be placed on file and made available for public inspection in the Borough Clerk’s office;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill approves the “Corrective Action Plan” for the Fiscal Year 2016 Audit Report submitted by the Chief Financial Officer.

19. GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than

one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

20. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following individuals be appointed as Special Police, Class 1B Law Enforcement Officers, effective immediately:

Michael Stevens
Goewoone E. Jung

21. RESOLUTION TO URGE REPRESENTATIVES FROM THE STATE OF NEW JERSEY TO SUPPORT THE LEGISLATIVE ACTION TO RE-AUTHORIZE AND EXTEND THE NATIONAL FLOOD INSURANCE PROGRAM (“NFIP”)

WHEREAS, floods are the most common and most destructive natural disasters in the United States; and

WHEREAS, the National Flood Insurance Act authorizes a National Flood Insurance Program (“NFIP”); and

WHEREAS, the NFIP is a Federal program created by Congress to mitigate future flood losses nationwide and to provide access to affordable, federally backed flood insurance protection for property owners; and

WHEREAS, the NFIP is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods; and

WHEREAS, New Jersey is fourth in the nation in the number of NFIP policies enforced and third in total value of claims paid; and

WHEREAS, five hundred and fifty-two communities in New Jersey participate as members of the NFIP which amounts to over 230,000 policies enforced throughout the State of New Jersey; and

WHEREAS, the NFIP maintains a significant role in providing financial protection against flood events to New Jersey residents; and

WHEREAS, the NFIP is set to expire on September 30, 2017; and

WHEREAS, the expiration of this program could cause catastrophic loss of insurance coverage against flooding which is the number one cause of loss of property throughout the United States; and

WHEREAS, in the event the program were to expire, the consequences in the form of disruption of coverage and the potential financial burdens to residents throughout the State of New Jersey will be of great economic significance; and

WHEREAS, the purpose of this Resolution is to urge the Borough of Cresskill Federal Representatives to support the extension of the NFIP which promotes the public health, safety and general welfare and minimizes public and private losses due to flooding events in the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill hereby urges its Federal Legislators and Representatives to take any and all necessary action to insure that the National Flood Insurance Program is extended beyond the September 30, 2017 expiration date; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to the Federal Legislators and Representatives of the Borough of Cresskill and Professional Insurance Associates, Risk Management Consultant to the Municipality.

22. A RESOLUTION AUTHORIZING THE BOROUGH OF CRESSKILL TO EXECUTE AN AGREEMENT WITH THE COUNTY OF BERGEN TO SUPERCEDE THE COOPERATIVE AGREEMENT DATED JULY 1, 2000 AND AMENDMENTS THERETO ESTABLISHING THE COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended and HOME Investment Partnership Act of 1990, as amended; and Emergency Solutions Grant Act of 2012; and

WHEREAS, it is necessary to supersede an existing Interlocal Services Cooperative Agreement for the County and its people to benefit from these programs; and

WHEREAS, an Agreement has been proposed under which the Borough of Cresskill and the County of Bergen in cooperation with other municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et seq.; and

WHEREAS, it is in the best interest of the Borough of Cresskill to enter into such an Agreement,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill that the Agreement entitled "Three Year Cooperative Agreement" (an Agreement superseding the Cooperative Agreement dated July 1, 2000 - June 30, 2003) to clarify the planning and implementation procedures, and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Program, the HOME Investment Partnership Program and the Emergency Solutions Grant Program for the Program Years: 2018, 2019, 2020 (July 1, 2018 – June 30, 2021) to be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately in accordance with law.

23. BE IT RESOLVED, as recommended by the Municipal Pool Commission, that the following refunds, be authorized from the Municipal Swim Club Account:

Mr. Thomas Grubecki
108 Brookside Avenue
Cresskill, NJ 07626
Amount: \$145.00

Mr. & Mrs. Goldschmidt
422 Lafayette Street
Cresskill, NJ 07626
Amount: \$565.00

24. WHEREAS, Israel Goldman T/A In Limo LLC, has applied for a Limo/Taxi Owner's License and has paid the required fees; and

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

NOW, THEREFORE, BE IT RESOLVED that the license be authorized for term ending December 31, 2017 subject to requirements of Chapter 246 of the Code of the Borough of Cresskill.

License No. 17-422
2013 Chevy Suburban
Serial # 1GNSKJE73DR302552

25. 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:

Seon Yong Jeong (for: Seon) 144 Stonegate Trail Cresskill, NJ 07626 Amount: \$145.00	Saverio Costa (for: Victoria) 19 Clark Street Cresskill, NJ 07626 Amount: \$75.00
Mary Ann Mattessich (for: Colin) 188 14 th Street Cresskill, NJ 07626 Amount: \$130.00	Wonsam Hwang (for: Jacob) 163 5 th Street Cresskill, NJ 07626 Amount: \$260.00

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

<u>June 9, 2017</u>	
Current Fund	\$ 310,350.45
Social Security/Medicare	12,988.90
Community Center	2,274.73
Swim Pool	4,795.25
Library	<u>11,697.65</u>
	\$ 342,106.98

27. Chapter 159 Resolution – Amendment to 2017 Budget

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any Special Item of Revenue in the budget of any County or Municipality when such item shall have been available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amounts;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill requests the Director of Division of Local Government Services to approve the insertion of an Item of Revenue in the 2017 Budget in the sum of \$17,689.89 which is now available from Clean Communities Program.

BE IT FURTHER RESOLVED, that a like sum of \$17,689.89 is hereby appropriated under the caption

General Appropriations
Operations Excluded from CAPS
State and Federal Programs Offset by the Revenues
Clean Communities Program

28. WHEREAS, the Mayor and Council discussed recommendations from the Cresskill Police Department for certain traffic calming improvements along Third Street adjacent to the Community Center Building. The Borough Engineer was authorized to obtain quotes for this project, with the work to be completed on or before June 23, 2017 so the proposed improvements are in-place prior to the start of the Borough's Summer Recreation Program; and

WHEREAS, the Borough Engineer prepared drawings and provided three (3) local General Contractors with a copy of same and attached Request for Quotation (RFQ) dated May 26, 2017. The RFQ's were received by the Borough Engineer; and

WHEREAS, Marini Bros. Construction Co., Inc., 9 Lafayette Street, Hackensack, NJ 07601 submitted a quotation in the amount of \$26,070.80, which price is generally consistent with the final construction cost estimate prepared by the Engineer; and

WHEREAS, the Borough Engineer and Qualified Purchasing Agent have reviewed the said quotation and are satisfied that the same can be accepted;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, that the Itemized Quotation by Marini Bros. Construction Co., Inc., in the amount of \$26,070.80, for the construction of the Third Street Traffic Calming Improvements be accepted and approved and a purchase order be prepared in said amount.

29. Chapter 159 Resolution – Amendment to 2017 Budget

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any Special Item of Revenue in the budget of any County or Municipality when such item shall have been available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amounts;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill requests the Director of Division of Local Government Services to approve the insertion of an Item of Revenue in the 2017 Budget in the sum of \$8,288.04 which is now available from Drunk Driving Enforcement Fund.

BE IT FURTHER RESOLVED, that a like sum of \$8,288.04 is hereby appropriated under the caption

General Appropriations
Operations Excluded from CAPS
State and Federal Programs Offset by the Revenues
Drunk Driving Enforcement Fund

30. WHEREAS, the Mayor and Council discussed the rolling assessment procedure at various Council meetings over the past two years; and

WHEREAS, funds were set aside in the 2017 Municipal Budget to initiate the process; and

WHEREAS, the Tax Assessor solicited proposals from various companies, and

WHEREAS, the Tax Assessor recommends the approval of a contract between the Borough of Cresskill and Appraisal Systems Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby approves a contract with Appraisal Systems in the amount not to exceed \$99,000 for the first year and \$55,000 per year for years two through five.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the required contract and forward to the Bergen County Board of Taxation.

Motions

31. Appoint Elliott Malone to the Planning Board as Alternate II for term ending December 31, 2018.

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

32. Council Member Savas asked what the duties of a Special Police Class 1B Officer are. Chief Wrixon said we use them mainly for traffic control. It's a big cost savings to the Borough to use a Special Officer instead of a full time Police Officer for church crossings and school functions. They are not allowed to carry a weapon or write tickets.

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 Cleary 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 Cleary 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 89A through 89J.)

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. Council Member Savas said our former Mayor and County Surrogate Mike Dressler got married on Saturday. It was a wonderful celebration.

I want to thank Kevin Terhune who I reached out to over the weekend about a large branch that was laying on the sidewalk in front of Bryan School. He made sure that it was removed before school started on Monday.

Bernard Yoo, 81 Rose Street asked if the bond ordinance is for new or refurbished police equipment. Chief Wrixon said it's for new portable radios and a license plate reader which is a great tool for the safety of the town.

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 8:08 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