

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

JULY 14, 2010

1. Pauline Rooney 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 7:37 P.M.
4. Present: Council Members Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis
Also Present: Attorney Salvatore, Borough Officials Vaccaro, McKim, Chief Wrixon
5. Motion by Council Member Savas and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meetings of June 2 and June 16, 2010.

Roll Call: Yes – Unanimous

Motion adopted.

COMMUNICATIONS

6. Minutes of the following meetings:

Community Center Board of Trustees	May 10, 2010
Environmental Commission	May 20, 2010
Library Board of Trustees	January 25 & May 17, 2010
Planning Board	June 8 & 22, 2010

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Tsigounis said the Library is planning a book bake sale fundraiser in October. There will be an announcement in September's newsletter with the information.

Council Member Savas said the summer recreation program is going well. There are over 400 kids enrolled as of this week. They had another movie day due to the rain.

Council Member Brennan said we had great weather for the 4th of July celebration which was well attended. Tonight I gave Administrator Vaccaro paperwork of dental plans with reduced rates to review with an auditor.

Council Member Cleary said he met with the Bergen County Administrator of the OEM and talked about ham radios.

UNFINISHED BUSINESS

ORDINANCE ON FINAL READING

Bond Ordinance No. 10-15-1394 – Multi-purpose Bond Ordinance

8. Motion at 7:40 PM by Council Member Olmo and seconded by Council Member Brennan to introduce Bond Ordinance No. 10-15-1394 – Multi-purpose Bond Ordinance 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.

9. Council Member Olmo read the title:

“BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$586,000 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 103A through 103F of Minutes of Regular Mayor and Council Meeting held June 16, 2010.)

10. The Borough Clerk will announce that Ordinance was published in The Press Journal on June 17, 2010, posted in the 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. No one wished to be heard.
13. 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.

14. 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. 10-15-1394 entitled:

“BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$586,000 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 Brennan, Cleary, Mueller, Olmo, Savas, Tsigounis
 No - None
 Absent – None
 Abstain – None
 Resolution adopted.

Ordinance No. 10-16-1395 – Amend Forward Planning Committee Ordinance

15. Motion at 7:42 P.M. by Council Member Savas and seconded by Council Member Brennan to hear Ordinance No. 10-16-1395 – Amend Forward Planning Committee Ordinance on final reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

16. Council Member Savas read the title:

AMEND ORDINANCE NO. 10-09-1388
 FORWARD PLANNING COMMITTEE

(Ordinance in full on page 104A of Minutes of Regular
 Mayor and Council Meeting held June 16, 2010.)

17. The Borough Clerk will announce that Ordinance was published in The Press Journal on June 24, 2010, posted in the Borough Hall, and copies made available to the public; Planning Board approval has been received.
18. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
19. Mayor Romeo said we amended the ordinance to add the Fire Department which we had inadvertently omitted. We will have our first Forward Planning Committee meeting Wednesday, September 15th after the Mayor and Council meeting.

No one else wished to be heard.

20. Motion by Council Member Savas and seconded by Council Member Olmo to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

21. Resolution by Council Member Savas and seconded by Council Member Olmo:

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. 10-16-1395, entitled:

AMEND ORDINANCE NO. 10-09-1388
 FORWARD PLANNING COMMITTEE

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. 10-17-1396 – Amend Chapter 201-19 Storage and Removal of Garbage

22. Motion at 7:44 P.M. by Council Member Cleary and seconded by Council Member Olmo to introduce Ordinance No. 10-17-1396 - Amend Chapter 201-19 Storage and Removal of Garbage on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

23. Council Member Cleary read the title:

AMEND CHAPTER 201-19 STORAGE AND REMOVAL OF GARBAGE

(Ordinance in full on page 114A.)

24. Mayor Romeo said this is a quality of life issue. We don't want residents to put their garbage out too early or leave the empty receptacles out too late.

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

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. 10-17-1396, entitled:

AMEND CHAPTER 201-19 STORAGE AND REMOVAL OF GARBAGE

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, August 11, 2010 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.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

27. WHEREAS, the following permit has been issued under Section 132-91 of the Code of the Borough of Cresskill and a cash bond 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 bond held under the following permit:

<u>Code Sec.</u>	<u>Permit #</u>	<u>Name</u>	<u>Amount</u>
132-91	3894	Isabell Mirijanian 46 Clark Street Cresskill, NJ 07626	\$50.00

28. WHEREAS, the Recreation Committee has scheduled various programs; and

WHEREAS, the participants are not able to attend;

NOW, THEREFORE, BE IT RESOLVED that the recreation fees be returned to:

Eun O. Sang
(for: Jimin Choi)
 141 Broadway
 Cresskill, NJ 07626
 Amount: \$125.00

Rosalind Ferstenberg
(for: Jacob Ferstenberg)
 58 Carlton Terrace
 Cresskill, NJ 07626
 Amount: \$15.00

Susan Rowley
(for: Megan and James Rowley)
 258 Grant Avenue
 Cresskill, NJ 07626
 Amount: \$58.00

Youngeun Park
(for: Sungyeon Bae)
 24 Michelle Court
 Cresskill, NJ 07626
 Amount: \$15.00

Kathy Kelly
(for: Grace Kelly)
 843 Midland Road
 Oradell, NJ 07641
 Amount: \$150.00

Masayuki Wada
(for: Mizuki Wada)
 10 Julia Street
 Closter, NJ 07624
 Amount: \$15.00

29. WHEREAS, the Borough of Cresskill and the Board of Education have been committed to sharing services and projects to provide for the students and residents; and

WHEREAS, the Borough and Board of Education have joint ownership of land behind the high school, including athletic fields;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that Cresskill Board of Education be reimbursed by the Borough, through its open space fund, for the following items:

1	Score Board from Nevco Scoreboard Company	\$9,355.01
1	Sound System for Athletics from Boulevard Production Spec.	7,464.51

30. 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 91.08, Lot 14 for 2009:

	<u>2009</u>
Original Assessment:	\$2,678,300.00
Tax Court Judgment:	\$2,400,000.00
Decrease in Assessment:	\$ 278,300.00
2001 Tax Rate:	<u>2.214</u>
Tax Refund:	\$ 6,161.56

Check to: Brach Eichler LLC and Mark & Carole A. Steele
 Counselors at Law
 101 Eisenhower Parkway
 Roseland, NJ 07068

31. 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 91.05, Lot 14 for 2009:

	<u>2009</u>
Original Assessment:	\$3,264,000.00
Tax Court Judgment:	\$3,000,000.00
Decrease in Assessment:	\$ 264,000.00
2001 Tax Rate:	<u>2.214</u>
Tax Refund:	\$ 5,844.96

Check to: Robert Glazer c/o DeCotiis, FitzPatrick & Cole LLP
Trust Account
Glenpointe Centre West
500 Frank W. Burr Blvd., Suite 31
Teaneck, NJ 07666

32. BE IT RESOLVED:

1. That the specifications for Grant Avenue Improvement Program 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 Record, a paper printed in this County.
3. That said advertisement shall read as follows:

BOROUGH OF CRESSKILL

Grant Avenue Improvement Program

Sealed Bids for Grant Avenue Improvement Program will be received by the Borough of Cresskill, in the County of Bergen, and State of New Jersey, at the Municipal Office Building, 67 Union Avenue, Borough of Cresskill, New Jersey, on Tuesday, August 3, 2010 at 11:00AM, Prevailing Time, and then publicly opened and read aloud.

The work to be done under this Contract consists of the installation of new storm drain facilities, removing and replacing existing asphalt/concrete curb and the milling and resurfacing of approximately 1,300 linear feet of the existing roadway area.

Items covering the various phases of the work under this Contract are as follows:

<u>ITEM</u>	<u>QUANTITY</u>
• Soil Erosion And Sediment Control Measures	LUMP SUM
• Maintenance And Protection Of Traffic	LUMP SUM
• Police Traffic Directors	40 MAN-HOURS
• Clearing Site	LUMP SUM
• Excavation, Test Pit	40 C.Y.
• HMA Milling, 2" or Less	6,050 S.Y.
• Sinkhole Repair	1 UNIT
• Hot Mix Asphalt 9.5M64 Surface Course, 2" Thick	780 TONS
• 12" PVC Schedule 40	8 L.F.
• 15" Reinforced Concrete Pipe, Class III	608 L.F.
• 15" Reinforced Concrete Pipe, Class IV	88 L.F.
• Inlet, Type "B"	6 UNITS
• Manhole, 4' Diameter	2 UNITS
• Reset Manhole Casting	6 UNITS
• Curb Piece, Type "N-Eco"	4 UNITS
• Bicycle Safe Grate	4 UNITS
• Concrete Sidewalk, 4" Thick	62 S.Y.
• Hot Mix Asphalt Driveway, 2" Thick	100 S.Y.
• Concrete Driveway, 6" Thick	11 S.Y.
• Remove and Reset Concrete Block Pavers	30 S.Y.
• 6"x9"x20" Concrete Vertical Curb	2,280 L.F.
• Traffic Stripes, Long-Life, Epoxy Resin, 4" Wide	2,400 L.F.
• Traffic Markings, Thermoplastic	116 S.F.
• Tree Removal, Over 15" Diameter	8 UNITS
• 4" Thick Topsoiling, Fertilizing, Seeding (Type A-3) & Mulching	740 S.Y.

- Pin Oak (Quercus Palustris), 2" – 2 ½" Caliper, B&B If And Where Directed 4 UNITS
- Armstrong Red Maple (Acer rubrum col. Armstrong), 2" – 2 1/2" Caliper, B&B, If And Where Directed 4 UNITS

Copies of the Plans, Specifications and Contract Documents will be on file and open to public inspection at the Borough Clerk's Office, Municipal Building, 67 Union Avenue, Borough of Cresskill, New Jersey, on and after Monday, July 19, 2010, between the hours of 9:00 AM and 4:00 PM, Prevailing Time. Copies of the plans, specifications and contract documents may also be examined or obtained by properly qualified contractors at the office of Azzolina & Feury Engineering Inc., 30 Madison Avenue, Paramus, New Jersey, Telephone: (201) 845-8500, on and after Monday, July 19, 2010, between the hours of 9:00 AM and 4:00 PM, excluding legal holidays, upon payment of \$100.00 no part of which will be refunded.

Each Bid must be made upon the prescribed forms furnished with the Contract Drawings and Specifications, must be accompanied by a Consent of Surety, and by a certified or cashier's check, drawn on a solvent bank, or bid bond, in the sum of ten percent (10%) of the amount bid, but in no case more than \$20,000.00. The check or bid bond shall be made payable to the Borough of Cresskill, the Owner. The check or bid bond of the bidder to whom the Contract is awarded shall be held by the Owner as a guarantee that the Contract shall be executed and its performance properly secured and in default thereof, said check or bid bond and the amount represented thereby will be forfeited to the aforesaid Owner as liquidated damages. Bids must be accompanied, in the case of corporations not chartered in the State of New Jersey, by proper certificate that such corporation is authorized to do business in the State of New Jersey.

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.

Every corporation or partnership submitting a bid shall accompany said bid with a statement setting forth the names and addresses of all stockholders in the corporation who own ten percent (10%) or more of its stock of any class, or of all individual partners in the partnership who own a ten percent (10%) or greater interest therein. Said statement may also be submitted prior to the bid.

Any extra work, not originally contemplated under this Contract, shall be covered by a change order. In the event that such extra work involves labor or material for which a unit price has been bid, the aforementioned unit price which has been bid, shall be used to fix payment for this extra work, and shall be the maximum payable by the Borough therefor.

Each bid must be enclosed in a sealed envelope bearing the name and address of the bidder, be addressed to the Borough of Cresskill, Bergen County, New Jersey, and shall be endorsed: "Bids for Grant Avenue Improvement Program, ENCLOSED - DO NOT OPEN". Bids must be hand delivered by the bidder or an authorized representative, at the time and place stated in this advertisement. Mailed bids or bids delivered prior to the specified time will not be accepted. 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 from the lowest responsible bidder.

By order of the Mayor and Council
Barbara A.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.
33. WHEREAS, redemption money, 2^{ny} has been received to redeem Tax Sale Certificate 2009-14, Block 91.08, Lot 25, also known as 153 Truman Drive, in the amount of \$55,788.21.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$55,788.21 be refunded to:

Robert Rothman
411 Grand Avenue
Englewood, NJ 07631

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 tax refund to Francis Euiyoul Noh for overpayment of 2nd quarter 2010 taxes:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>
202	5	20 Evans Road Cresskill, NJ 07626	\$2,237.00

Check to: Francis Euiyoul Noh
491 Closter Dock Road, Suite #2
Closter, NJ 07624

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

July 2, 2010

Current Fund	\$ 246,769.38
Social Security/Medicare	11,549.31
Community Center	1,619.10
Municipal Pool	<u>13,635.48</u>
	\$ 273,573.27

July 16, 2010

Current Fund	\$ 222,430.16
Social Security/Medicare	10,103.88
Community Center	2,120.10
Municipal Pool	<u>20,805.96</u>
	\$ 255,460.10

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

36. No one wished to be heard.
37. Motion by Council Member Savas and seconded by Council Member Olmo to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous Motion adopted.

38. 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.

39. 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.

