BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

DECEMBER 5, 2018

REGULAR MEETING

- 1. Patrolman Seth Grubecki 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 <u>The Record</u> and delivery to all members of the governing body.
- 3. Mayor Romeo called the meeting to order at 7:38 P.M.
- Present: Council Members Cleary, Mueller, Olmo, Savas, Tsigounis Also Present: Attorney Diktas, Borough Officials Laufeld, Chief Wrixon, Deputy Chief Domville, Members of the Police Department Absent: Council Member Spina
- 5. Resolution by Council Member Mueller and seconded by Council Member Savas:

WHEREAS, Chief of Police Edward Wrixon has recommended that Joshua J. Basket be appointed to the position of Police Officer for the Borough of Cresskill; and

WHEREAS, the Mayor and Council of the Borough of Cresskill do hereby accept the recommendation of Chief Edward Wrixon;

NOW THEREFORE BE IT RESOLVED, that effective immediately, Joshua J. Basket be and is hereby appointed to the position of Police Officer for the Borough of Cresskill by the Mayor and Council of the Borough of Cresskill, at an annual salary in accordance with Collective Bargaining Agreement with P.B.A. Local 180 (Cresskill Unit) dated January 1, 2016 through December 31, 2019.

BE IT FURTHER RESOLVED that a Certified True Copy of this Resolution be tendered to Edward Wrixon, Chief of Police; Francesca Maragliano, Borough Clerk; Harold E. Laufeld, III, Chief Financial Officer; and Joshua J. Basket.

Roll Call: Yes – Unanimous

Resolution adopted.

6. Motion by Council Member Tsigounis and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of November 7, 2018.

Roll Call: Yes – Unanimous

Motion adopted.

COMMUNICATIONS

7. Minutes of the following meetings:

Planning Board Board of Health November 13, 2018 September 24, 2018

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

8. Council Member Tsigounis said she attended the BOH meeting and they would like to speak to Council Member Savas about a pet limit ordinance. The Historical Committee want to participate in the quasquicentennial and the Historian Tom Sites is suggesting placing plaques along the walking track with the history of Cresskill. Also, Tom is going to reach out to Andy Paspalas about doing the sequel to the book <u>A Town Called Cresskill</u>.

Council Member Savas said she attended a special meeting with the Library Board.

Council Member Olmo said the DPW put more protective blankets on the fields. The Pool Commission is working on next year's budget and looking at some new hires.

Council Member Cleary said the DPW is doing a good job with the leaf pickup.

Council Member Mueller said our new Officers Poling and Basket are going to be good additions to our Police Department.

NEW BUSINESS

INTRODUCTION OF ORDINANCE

Ordinance No. 18-19-1531 – An Ordinance to Fix the Salaries, Wages and Compensation of the Officers and Employees of the Borough of Cresskill – Year 2019

9. Motion at 7:45 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Ordinance No. 18-19-1531 – An Ordinance to Fix the Salaries, Wages and Compensation of the Officers and Employees of the Borough of Cresskill – Year 2019 on first reading by title only.

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

10. Council Member Olmo read the title:

AN ORDINANCE TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF CRESSKILL - YEAR 2019

(Ordinance in full on pages 177A through 177E.)

11. Resolution by Council Member Olmo 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. 18-19-1531, entitled:

AN ORDINANCE TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF CRESSKILL - YEAR 2019

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, December 19, 2018, 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, Tsigounis No – None Absent – Council Member Spina Abstain – None Resolution adopted.

Bond Ordinance No. 18-20-1532 – Appropriate Funds to Construct a Parking Facility on Allen Street

- 12. Resolution by Council Member Olmo and seconded by Council Member Savas to amend the 2018 Capital Budget.
 - Roll Call: Yes Council Members Cleary, Mueller, Olmo, Savas, Tsigounis No – None Absent – Council Member Spina Abstain – None Resolution adopted.

(Resolution in full on pages 178A through 178D.)

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

(Supplemental Debt Statement in full on pages 178E through 178I.)

 Motion at 7:47 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Bond Ordinance No. 18-20-1532 – Appropriate Funds to Construct a Parking Facility on Allen Street on first reading by title only.

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

15. Council Member Olmo read the title:

BOND ORDINANCE TO AUTHORIZE THE CONSTRUCTION OF A COMMUNITY PARKING FACILITY ON ALLEN STREET IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,380,000 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 178J through 178L.)

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

BE IT RESOLVED that Ordinance 18-20-1532 entitled:

BOND ORDINANCE TO AUTHORIZE THE CONSTRUCTION OF A COMMUNITY PARKING FACILITY ON ALLEN STREET IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,380,000 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 19th day of December, 2018, 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, Mueller, Olmo, Savas, Tsigounis No – None Absent – Council Member Spina Abstain – None Resolution adopted.
- Ordinance No. 18-22-1508A An Ordinance to Amend Ordinance Provisions Relating To The Commercial Zone And Article VII And X – Affordable Housing, Borough Of Cresskill, Bergen County, NJ
- 17. Motion at 7:49 PM by Council Member Olmo and seconded by Council Member Savas to introduce Ordinance No. 18-22-1508A – An Ordinance to Amend Ordinance Provisions Relating To The Commercial Zone And Article VII And X – Affordable Housing, Borough Of Cresskill, Bergen County, NJ on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

18. Council Member Olmo read the title:

AN ORDINANCE TO AMEND ORDINANCE PROVISIONS RELATING TO THE COMMERCIAL ZONE AND ARTICLE VII AND X – AFFORDABLE HOUSING, BOROUGH OF CRESSKILL, BERGEN COUNTY, NJ

(Ordinance in full on pages 179A through 179C.)

19. Resolution by Council Member Olmo 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. 18-22-1508A, entitled:

AN ORDINANCE TO AMEND ORDINANCE PROVISIONS RELATING TO THE COMMERCIAL ZONE AND ARTICLE VII AND X – AFFORDABLE HOUSING, BOROUGH OF CRESSKILL, BERGEN COUNTY, NJ

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, December 19, 2018 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.

Ordinance No. 18-21-1503A– An Ordinance to Rezone Block 181, Lot 1 and Amend the Zoning Map of the Borough of Cresskill, Bergen County, NJ

20. Motion at 7:51 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Ordinance No. 18-21-1503A – An Ordinance to Rezone Block 181, Lot 1

and Amend the Zoning Map of the Borough of Cresskill, Bergen County, NJ on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

21. Council Member Olmo read the title:

AN ORDINANCE TO REZONE BLOCK 181, LOT 1 AND AMEND THE ZONING MAP OF THE BOROUGH OF CRESSKILL, BERGEN COUNTY, NJ

(Ordinance in full on page 180A.)

22. Resolution by Council Member Olmo 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. 18-21-1503A, entitled:

AN ORDINANCE TO REZONE BLOCK 181, LOT 1 AND AMEND THE ZONING MAP OF THE BOROUGH OF CRESSKILL, BERGEN COUNTY, NJ

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, December 19, 2018 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.

- Ordinance No. 18-23-1511A An Ordinance to Create An Affordable Housing Site II Zone and Apply Said Zone to Block 182 Lots 18-28 and to Amend The Zoning Map Of The Borough Of Cresskill, Bergen County, NJ
- 23. Motion at 7:52 PM by Council Member Olmo and seconded by Council Member Savas to introduce Ordinance No. 18-23-1511A – An Ordinance to Create An Affordable Housing Site II Zone and Apply Said Zone to Block 182 Lots 18-28 and to Amend The Zoning Map Of The Borough Of Cresskill, Bergen County, NJ on first reading by title only.

Roll Call: Yes – Unanimous

Motion adopted.

24. Council Member Olmo read the title:

AN ORDINANCE TO CREATE AN AFFORDABLE HOUSING SITE II ZONE AND APPLY SAID ZONE TO BLOCK 182, LOTS 18-28 AND TO AMEND THE ZONING MAP OF THE BOROUGH OF CRESSKILL, BERGEN COUNTY, NJ

(Ordinance in full on pages 180B through 180D.)

25. Resolution by Council Member Olmo 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. 18-23-1511A, entitled:

AN ORDINANCE TO CREATE AN AFFORDABLE HOUSING SITE II ZONE AND APPLY SAID ZONE TO BLOCK 182 LOTS 18-28 AND TO AMEND THE ZONING MAP OF THE BOROUGH OF CRESSKILL, BERGEN COUTY, NJ 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, December 19, 2018 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 Maragliano explained all items on the Consent Agenda.

CONSENT AGENDA

NEW BUSINESS

*Resolutions

27. AUTHORIZING THE INTERLOCAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF CRESSKILL AND THE BOROUGH OF HILLSDALE, WITH RESPECT TO USE OF THE HILLSDALE INDOOR POLICE PISTOL RANGE

WHEREAS, the Governing Body of a Municipality may enter into a contract with another Municipality for the joint provisions within their jurisdictions of any service which either Municipality is empowered to render within its own jurisdiction pursuant to N.J.S.A. 40:8A-1, et.seq. known as the Interlocal Services Act; and

WHEREAS, the Borough of Cresskill is desirous of utilizing the Hillsdale Indoor Police Pistol Range to qualify their Police Officers; and

WHEREAS, the Borough of Hillsdale desires to set the fees and terms for the Cresskill Police for the use of the range at the amount of \$3,433.32 covering January 1, 2019 through December 31, 2019 with a 2% increase each year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, that Mayor Romeo is hereby authorized to sign said Interlocal Services Agreement and all other appropriate Borough professionals are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of said Agreement.

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

WHEREAS, the following participants were unable to attend;

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

Melissa Rosen (for: Evan Rosen) 117 Davenport Avenue Cresskill, NJ 07626 Amount: \$50.00

Orna Yochai (for: Tomer Yochai) 180 13th Street Cresskill, NJ 07626 Amount: \$60.00 Einat Chai (for: Omer Chai) 373 Piermont Road Cresskill, NJ 07626 Amount: \$60.00

Jenny Kim (for: Joshua Kim) 46 Center Street Cresskill, NJ 07626 Amount: \$40.00

Michelle Coleman	Stephania Siciliano
(for: Sophia Coleman)	(for: Gemma Siciliano)
121 7 th Street	135 Brookside Avenue
Cresskill, NJ 07626	Cresskill, NJ 07626
Amount: \$275.00	Amount: \$275.00
Youndong Yu	Joo Yound Lee
(for: HeeJae Yu)	(for: Dano & Junik Lee)
41 Crest Drive No.	19 Holly Lane
Cresskill, NJ 07626	Cresskill, NJ 07626
Amount: \$40.00	Amount: \$80.00

- 29. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the Mayor is authorized to sign an Interlocal Service Agreement for TV Inspection Services with the Northwest Bergen County Utilities Authority for 2019 and 2020.
- 30. RESOLUTION AUTHORIZING CANCELLATION OF TAXES PROPERTIES OWNED BY THE BOROUGH

WHEREAS, the Borough purchased various properties listed below during 2016 and 2017 in which the following 2018 taxes need to be formally cancelled by the Tax Collector and Tax Assessor.

<u>Block</u>	Lot	Property Location	Amount
15	7	45 Brookside Ave	\$ 11,956.62
24	15	15 Brookside Ave	\$ 11,891.84
24	33	129 Madison Ave	<u>\$ 12,256.49</u>
			\$ 36,104.95

NOW, THEREFORE, BE IT RESOLVED, the Tax Collector be authorized to cancel the taxes listed on the above properties in the amount of \$36,104.95.

- 31. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that James McSorley be approved for part time seasonal help as Laborer in the Public Works Department at a salary of \$13.00 per hour effective November 5, 2018.
- 32. 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 payable to 6 Madison Avenue Associates, LLC, 1000 Portside Drive, Edgewater, NJ 07020 for overpayment of taxes for the following:

TAV

<u>TAX</u> <u>PERIOD</u>	<u>BLOCK</u>	LOT	ADDRESS	<u>AMOUNT</u>
$2014 1^{st} \& 2^{nd} quarter$	41	1.04B	1 Tenakill Park Dr. East Cresskill, NJ 07626	\$16,538.00
$2015 1^{st} \& 2^{nd} quarter$	41	3	6 Madison Avenue Cresskill, NJ 07626	\$ 2,778.00
$2015 1^{st} \& 2^{nd} quarter$	41	2	10 Madison Avenue Cresskill, NJ 07626	\$ 1,986.00
$\begin{array}{l} 2015 \ 3^{rd} \ \& \\ 4^{th} \ quarter \end{array}$	41	1.02	20 Madison Avenue Cresskill, NJ 07626	\$ 4,256.00

33. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the following be approved for employment in the 2019 Spring and Summer Recreation Programs:

Assistant Director

Ann Fischer 126 Brookside Avenue Cresskill, NJ 07626 Spring Salary: \$1,144.00 Summer Salary: \$5,829.58 (full day)

34. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the following be approved for employment in the 2019 Summer Recreation Program:

Camp Director

Maureen Alvarez 41 Roosevelt Street Cresskill, NJ 07626 Salary: \$4,207.50 (full day)

Division Supervisors

Angela Beck	Melissa Van Cleft	Andrew Hartmann
4 Weil Place	35 Magnolia Avenue	82 Grant Avenue
Cresskill, NJ 07626	Cresskill, NJ 07626	Cresskill, NJ 07626
Salary: \$22.00/hour	Salary: \$22.00/hour	Salary: \$22.00/hour
Jeff Domville 335 Saint Mary Street Hillsdale, NJ 07642 Salary: \$22.00/hour	Carly Weber 69 Blanch Avenue Closter, NJ 07624 Salary: \$21.00/hour	
Front Desk Admin.	<u>Trip Assistant/P.E.</u>	Events Coordinator
Beverly Peluso	Jacqueline Rogan	Jason Naccarella
274 Jefferson Avenue	45 Kennedy Circle	32 Burton Place
Cresskill, NJ 07626	Closter, NJ 07624	Cresskill, NJ 07626

35. WHEREAS, the Borough of Cresskill on November 13, 2018, entered into a Settlement and Release Agreement with Dianne M. Dolan (Dolan) arising out of the August 26, 2016, Use and Occupancy Agreement; and

Salary: \$20.00/hour

Salary: \$20.00/hour

Salary: \$11.00/hour

WHEREAS, the Settlement and Release Agreement was prepared and negotiated on behalf of the Borough by Counsel, Christos J. Diktas, Esq., and Charles A. Gruen, Esq. on behalf of Dolan; and

WHEREAS, the Agreement required the signature of Mayor Benedict Romeo prior to the date of this Resolution authorizing same; and

WHEREAS, Mayor Benedict Romeo executed the Agreement on November 13, 2018, on behalf of the Municipality.

NOW, THEREFORE, BE IT RESOLVED, that the Council does hereby acknowledge and ratify nunc pro tunc to November 13, 2018, the actions of Mayor Benedict Romeo and his act of Binding the Borough of Cresskill to the Settlement and Release Document between the Borough of Cresskill and Dianne M. Dolan; and

BE IT FURTHER RESOLVED, a Certified to be True Copy of this Resolution be tendered to Dianne M. Dolan, through her Counsel Charles A. Gruen, Esq.; Edward Wrixon, Acting Borough Administrator; David Blank, Esq., Attorney for the Board of Education; Francesca Maragliano, Borough Clerk; and Christos J. Diktas, Esq., Borough Counsel.

BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following 36. November and December 2018 payrolls be ratified and approved:

<u>November 21, 2018</u>	
Current Fund Social Security/Medicare Community Center Library	\$ 316,833.86 11,843.85 2,202.05 <u>12,316.18</u> \$ 343,195.94
December 7, 2018	
Current Fund Social Security/Medicare Community Center Library	\$ 350,498.16 14,057.68 2,330.15 <u>\$ 10,018.18</u>
	\$ 376,904.17

37. BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill that the following transfers be made in the 2018 budget appropriations:

CURRENT ACCOUNT

	Account	From	<u>To</u>
Municipal Clerk – S/W Engineering – O/E	120-010 165-020	5,000.00	5,000.00
Garbage Disposal Costs Planning Board – O/E	465-020 180-020	5,000.00	5,000.00
Zoning Board – O/E Zoning Board – S/W	185-020 185-010	500.00	500.00
Fire Department – O/E Fire Department – S/W	255-020 255-010	15,000.00	15,000.00
General Administration – S/W Recreation – S/W	100-010 370-011	10,000.00	10,000.00
Senior Citizens – O/E Senior Citizens – S/W	372-020 372-010	500.00	500.00
Total		<u>36,000.00</u>	<u>36,000.00</u>

38.

A RESOLUTION ADOPTING AN OPERATING MANUAL ENTITLED "AFFORDABLE HOUSING ADMINISTRATIVE AGENT POLICIES & PROCEDURES MANUAL" GOVERNING THE ADMINISTRATION OF AFFORDABLE HOUSING UNITS IN THE BOROUGH OF CRESSKILL

WHEREAS, the Council of the Borough of Cresskill, has petitioned the Superior Court for entry of a Judgment of Compliance and Repose declaring that the Borough has complied with its affordable housing obligation pursuant to the Mount Laurel doctrine and the Fair Housing Act of 1985, NJSA 52:27D-301, et seq. and granting Cresskill immunity from builder remedy lawsuits through 2025; and

WHEREAS, the Borough of Cresskill has adopted a Housing Element and Fair Share Plan which promotes an Affordable Housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, <u>et. seq.</u>) and COAH's Third Round Substantive Rules (<u>N.J.A.C.</u> 5:94-1, <u>et. seq.</u>); and

WHEREAS, pursuant to its Housing Element and Fair Share Plan the Borough of Cresskill has retained Community Grants, Planning & Housing (CGP&H) as its Affordable Housing Administrative Agent with necessary and appropriate expertise; and

WHEREAS, to ensure compliance with the Borough's Affordable Housing Ordinance; New Jersey's Uniform Housing Affordability Controls ("UHAC"), NJAC 5:80-26.1, et seq.; and other local laws and requirements, CGP&H has prepared an Operating Manual for the administration of affordable units, setting forth the policies and procedures for placement of eligible individuals and families into the Borough's affordable housing units and providing instructions for working with interested parties as new affordable units become available;

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Cresskill that the Operating Manual for the administration of affordable units, including appendicies, prepared by CGP&H entitled "Borough of Cresskill Affordable Housing Administrative Agent Policies & Procedures Manual" and dated November 2018 be and is hereby approved and adopted for use in the administration of affordable housing units in the Borough of Cresskill; and

FURTHER RESOLVED that a copy of this Resolution be tendered to the Mayor and Council of Cresskill; Francesca Maragliano, Municipal Clerk; Borough Attorney, Christos J. Diktas, Esq.; Municipal Planner, Steven Lydon; and CGP&H.

39. 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</u> <u>PERIOD</u>	<u>BLOCK</u>	<u>LOT</u>	<u>QUAL</u>	<u>NAME</u>	<u>AMOUNT</u>
2019 1^{st} & 2^{nd} quarter	186	22		Legend Properties NJ LLC P.O. Box 44 Demarest, NJ 07627 (for: 592 Knickerbocker Rd.)	\$ 2,362.36
2019 1 st qtr.	1.05	9		Legend Properties NJ LLC P.O. Box 44 Demarest, NJ 07627 (for: 82 Heather Hill Road)	\$ 3,194.24
2018 4 th qtr.	29	3	C0034	Thomas Chang 133 Stonegate Trail Cresskill, NJ 07626	\$ 1,004.72

40. WHEREAS, Peter and Dana Luppino (hereinafter "Luppino") who will be residing at 66 Pershing Place, Cresskill, New Jersey, have petitioned the Cresskill Tax Assessor to remedy an accounting error effecting the Tax Assessment for the Property commonly known as Block 136, Lots 308 and 310; and

WHEREAS, the Luppino's purchased Block 136, Lot 308 at an area of 40 x 135 ft and Block 136, Lot 310 at an area of 60 x 135 ft; and

WHEREAS, the Purchase of the adjacent Properties by a single owner pursuant to the Lochner Doctrine triggers a merger of two undersized Lots into one Lot conforming to the Zoning Ordinance of the Borough of Cresskill; and

WHEREAS, the Borough's Appraisal Systems, in their annual rolling re-evaluation, incorrectly assessed Block 136 Lot 308 in an amount of two hundred thirty-five thousand (\$235,200.00) dollars which amount is contrary to the Borough's Standard undersized vacant Lot Assessment of sixty-seven thousand two hundred (\$67,200.00) dollars; and

WHEREAS, the Appraisal System's Statutory Notice to the Luppino's was transmitted to the vacant property known as 66 Pershing Place, Cresskill, New Jersey, which notice was never received by Luppino; and

WHEREAS, the aforestated accounting error resulted in a one hundred sixty-eight thousand (\$168,000.00) dollar Assessment Error which should be remedied in light of the Merger of the two Parcels into one conforming Lot;

NOW, THEREFORE, BE IT RESOLVED, that the Council does hereby authorize James Anzevino, Municipal Tax Assessor to remedy the accounting assessment error and reduce the Assessment for Block 136, Lot 308, to a sum of \$67,200.00, resulting in a \$168,000.00 Assessment Reduction; and

BE IT FURTHER RESOLVED, the Municipal Tax Collector shall calculate the refund at 2018's rate of 2.399 equates to a sum of four thousand thirty dollars and thirty-two cents (\$4,030.32); and

BE IT FURTHER RESOLVED, that a Certified to be True Copy of this Resolution be served upon James Anzevino, Tax Assessor; Harold Laufeld III, Tax Collector; Edward Wrixon, Acting Borough Administrator; and Peter and Dana Luppino.

41. WHEREAS, cash escrow deposits have been paid to the Borough of Cresskill for legal fees in connection with Zoning Board applications for variances within the Borough of Cresskill; and

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

WHEREAS, balances remain in the escrow accounts which are no longer required;

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

ESCROW #	<u>NAME</u>	AMOUNT
ZE 396	Paul Carlson 36 Lexington Avenue Cresskill, NJ 07626	\$10.00
ZE 400	Lior & Ilanit Noy 37 Buckingham Road Cresskill, NJ 07626 (for: 65 Engle Street)	\$10.00

42. WHEREAS, the following permit has been issued under Sections 132-91 of the Code of the Borough of Cresskill and cash bond deposited therefor; and

WHEREAS, the Property Maintenance Officer 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:

Code Sec.	<u>Permit #</u>	<u>Name</u>	<u>Amount</u>
132-91	4235	Anthony Hu	\$50.00
		19 Adams Drive	
		Cresskill, NJ 07626	

43. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill that the following persons be approved for employment, with no benefits, as per diem EMS in the Cresskill Fire Department/EMS Division at a salary in accordance with Ordinance 17-12-1506, effective immediately:

Amanda Hernandez Deana Mamo Jonathan Engeleit Brooke Glidden Cesar Garcia

- 44. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that Tyler Jackson and Matt Domville be approved to run a 2nd grade basketball clinic for one hour each Saturday for the Recreation Department, at an hourly rate of \$15.00.
- 45. WHEREAS, the Mayor and Council has directed Acting Borough Administrator, Edward Wrixon, to commence a review of the various Municipal Departments; and

WHEREAS, the Departmental review concluded that the DPW requires Professional Assistance in order to address various deficiencies; and

WHEREAS, the Acting Borough Administrator has received a Public Employees Occupational Safety and Health (PEOSHA) inspection report, and, upon review, it is the Acting Borough Administrator's recommendation that the Borough retain a Specialist in order to address any and all issues raised in the report; and

WHEREAS, that Acting Borough Administrator recommends that the Council appoint Mark Pasquali as the Borough's PEOSHA consultant;

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Cresskill does hereby award Mark Pasquali a Professional Service Contract at an hourly rate of \$50.00 per hour, with the total compensation not to exceed \$10,000.00 dollars without further approval of this Council; and

BE IT FURTHER RESOLVED, that this Professional Service Contract is awarded without competitive Bidding, pursuant to Local Public Contract Law; and

BE IT FURTHER RESOLVED that a Certified to be True Copy of this Resolution be served upon Mark Pasquali; Edward Wrixon, Acting Borough Administrator; Harold Laufeld, III, Chief Financial Officer; and Francesca Maragliano, Borough Clerk.

46. WHEREAS, the Mayor and Council has requested that Maser Consulting, P.A. (Maser Consulting) present a proposal for professional services regarding "Merritt Field Improvements (Creston Field)"; and

WHEREAS, Maser Consulting requests permission, if necessary, to file any Application(s) with the New Jersey Department for Environmental Protection (NJDEP) for an availability determination, for the issuance of NJDPES Storm Water Drainage permit(s) and request for Authorization (RFA) as may be required in conjunction with the Merritt Field Improvements; and

WHEREAS, Maser Consulting has presented a flat fee service agreement identified as follows:

1. PHASE 1.0 – BASEBALL FIELD IMPROVEMENTS	\$29,500.00
2. PHASE 2.0- PROPOSED FIELDHOUSE	\$12,500.00
3. PHASE 3.0- INSTALLATION OF SPORTS LIGHTING	\$9,500.00
4. PHASE 4.0- PARKING LOT IMPROVEMENTS	\$21,500.00
5. PHASE 5.0- INSTALLATION OF PLAYGROUND	\$4,500.00
TOTAL LUMP SUM FEE	\$77,500.00

WHEREAS, the corresponding completion dates are noted in the attached November 8, 2018, Maser Proposal;

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Cresskill does hereby award Maser Consulting a Professional Service Contract to undertake and prepare the necessary documents inclusive of obtaining any required NJDEP Permit, to commence and complete the proposed improvements for Bid Publication in order to award a Contract to construct the "Merritt Field Improvements (Creston Field)" located at the corner of Piermont Road and Margie Avenue, as further described in the November 8, 2018, Maser Consulting Professional Service Proposal, which is attached hereto and incorporated herein as if set forth in its entirety; and

BE IT FURTHER RESOLVED, the Council does hereby authorize Edward Wrixon, Acting Borough Administrator, to enter into a Professional Service Contract or formally accept the November 8, 2018, Maser Proposal;

BE IT FURTHER RESOLVED that a Certified to be True Copy of this Resolution be tendered to Sunny Mullen, P.E., Maser Consulting P.A.; Edward Wrixon, Acting Borough Administrator; Harold Laufeld, III, Chief Financial Officer; and Francesca Maragliano, Borough Clerk.

47. WHEREAS, the Fire Chief Christopher Ulshoefer has conducted a survey of the Fire Fighting Apparatus of the Borough and has determined that the Borough requires an additional piece of Firefighting Equipment; and

WHEREAS, after Due Diligence, Chief Ulshoefer has located a 1997 E-One Cyclone Pumper, currently owned by Absolute Fire Protection Co., Inc.; and

WHEREAS, Chief Ulshoefer has directed the Borough Mechanic to inspect the Fire engine, who performed a visual inspection, road test and conferenced with the mechanic currently servicing the vehicle; and

WHEREAS, Municipal Mechanic, after conducting the inspection of the vehicle has concluded that he is professionally satisfied and has no mechanical objection to the Borough buying the Firefighting Apparatus; and

WHEREAS, Fire Chief Ulshoefer, as part of his Due Diligence, has met and conferred with the JIF, in order to determine whether the purchase of a used Firefighting Apparatus will require the Borough to retrofit the vehicle to 2018 standards; and

WHEREAS, the JIF has opined that the purchase of the vehicle will not require the Borough, for insurance purposes, to retrofit the apparatus to 2018 specifications;

WHEREAS, the Vehicle being sold to the Borough is deemed "As Is Where Is";

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Cresskill does hereby authorize Chief Christopher Ulshoefer and Acting Borough Administrator Edward Wrixon to execute an Automotive Sales Contract for the purchase of the 1997 E-One Cyclone Pumper at a cost of Ten Thousand (\$10,000.00) Dollars for immediate delivery to the Borough; and

BE IT FURTHER RESOLVED that a Certified to be True Copy of this Resolution be served upon Chief Christopher Ulshoefer; Edward Wrixon, Acting Borough Administrator; Harold Laufeld, III, Chief Financial Officer; Francesca Maragliano, Borough Clerk; and Absolute Fire Protection Co, Inc.

48. WHEREAS, the Borough of Cresskill is the current Fee Owner of certain lots of land on the Tax Map of the Borough Cresskill, as more particularly known as 45 Brookside Avenue and 57 Brookside Avenue, Cresskill, New Jersey; and

WHEREAS, the Borough and the Board of Education have conducted Negotiations for the aforedescribed Properties, and are in the process of entering into a Contract of Sale and proceeding to a Closing;

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Cresskill does hereby authorize Mayor Benedict Romeo to execute a Contract for the Sale of the Real Property commonly known as 45 Brookside Avenue and 57 Brookside Avenue, Cresskill, New Jersey, to the Cresskill Board of Education; and

BE IT FURTHER RESOLVED, that the consideration shall be in an amount set by the Chief Financial Officer in conjunction with the cost of acquisition as determined by the Municipality and the Agreement between the Borough of Cresskill and the Cresskill Board of Education; and

BE IT FURTHER RESOLVED, that the Council further authorizes Mayor Benedict Romeo to execute any and all ancillary documents necessary to convey the Title in exchange for the Stipulated Consideration, including, but not limited to, Deed, Affidavit of Title, Closing Statements, and all other necessary ancillary Documents utilized in standard land sale transactions in the State of New Jersey; and

BE IT FURTHER RESOLVED, that a Certified to be True Copy of this Resolution be served upon the Cresskill Board of Education; Edward Wrixon, Acting Borough Administrator; Harold Laufeld, III, Chief Financial Officer; Francesca Maragliano, Borough Clerk; and Christos J. Diktas, Esq., Acting Borough Attorney.

Miscellaneous Business

49. Approve the following Raffle License:

RL 1415 American Legion Post #21 Camp Merritt Jan.1st – Dec. 31st, 2019

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

50. Council Member Mueller asked what would happen if the Council voted no on Resolution #9 (#35). Attorney Diktas said the Mayor has already executed the settlement. This is ratification of his actions to resolve the issues with Mrs. Dolan and the Mayor would then conduct an ultra vires act.

No one else wished to be heard.

51. Motion by Council Member Tsigounis and seconded by Council Member Savas to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous

Motion adopted.

52. Motion by Council Member Tsigounis 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.

53. Motion by Council Member Tsigounis 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

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

(Resolution in full on pages 190A through 190N.)

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.]

55. Richard Calabrese, 42 Engle Street said he has noticed that residents are getting better at not putting their garbage out on the weekends. Mayor Romeo said Property Maintenance Office John Casper has been driving around town a lot.

Mayor Romeo said December 19th will be the first meeting for the Quasquicentennial.

No one else wished to be heard.

56. Motion by Council Member Tsigounis and seconded by Council Member Cleary to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous

Motion adopted.

57. Motion at 7:59 P.M. by Council Member Tsigounis and seconded by Council Member Cleary to adjourn the meeting.

Roll Call: Yes - Unanimous.

Motion adopted.

Benedict Romeo Mayor

> Francesca Maragliano Borough Clerk