

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

MARCH 6, 2019

1. Deputy Chief Domville 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 7:42 P.M.
4. Present: Council Members Cleary, Mueller, Olmo, Savas, Spina, Tsigounis
Also Present: Attorney Diktas, Borough Officials Laufeld, Chief Wrixon, Deputy Chief Domville
5. Motion by Council Member Olmo and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of February 20, 2019.

Roll Call: Yes – Unanimous

Motion adopted.

REPORTS OF COMMITTEES AND OFFICIALS

6. Council Member Spina said the BCUA has scheduled their hazardous waste collection dates for 2019.

Council Member Tsigounis said Chief Wrixon has been instrumental in helping move the 9/11 Memorial project along.

Council Member Savas said Cresskill has some teams in the travel basketball playoffs and will also be a host.

Mayor Romeo congratulated Councilman Olmo who was recently appointed Administrator for the Borough of Wallington.

NEW BUSINESS

INTRODUCTION OF ORDINANCE

Bond Ordinance No. 19-03-1535 to Amend Bond 18-18-1530 – Appropriate Funds for Improvements at Merritt Field (Margie Avenue Athletic Field)

7. Resolution by Council Member Olmo and seconded by Council Member Savas to amend the 2019 Temporary Capital Budget.

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

(Resolution in full on pages 46A through 46B.)

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

(Supplemental Debt Statement in full on pages 47A through 47E.)

9. Motion at 7:45 PM by Council Member Olmo and seconded by Council Member Savas to introduce Bond Ordinance No. 19-03-1535 – Amend Bond 18-18-1530 – Appropriate Funds for Improvements at Merritt Field (Margie Avenue Athletic Field) on first reading by title only.

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

10. Council Member Olmo read the title:

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$800,000 FOR THE UNDERTAKING OF VARIOUS IMPROVEMENTS AT MERRITT FIELD (FORMERLY REFERRED TO AS MARGIE AVENUE ATHLETIC FIELD) IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL 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 47F through 47G.)

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

BE IT RESOLVED that Ordinance 19-03-1535 entitled:

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$800,000 FOR THE UNDERTAKING OF VARIOUS IMPROVEMENTS AT MERRITT FIELD (FORMERLY REFERRED TO AS MARGIE AVENUE ATHLETIC FIELD) IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL 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 20th day of March, 2019, 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, Spina, Tsigounis
 No – None
 Absent – None
 Abstain – None
 Resolution adopted.

12. Borough Clerk Maragliano explained all items on the Consent Agenda.

CONSENT AGENDA

NEW BUSINESS

*Resolutions

13. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following March 2019 payroll be ratified and approved:

March 1, 2019

Current Fund	\$ 351,953.16
Social Security/Medicare	14,748.98
Community Center	3,174.40
Library	<u>11,553.60</u>
	\$ 381,430.14

14. WHEREAS, the Recreation Committee has scheduled various programs; and
 WHEREAS, the following participant was unable to attend due to low enrollment;
 NOW, THEREFORE, BE IT RESOLVED that the recreation fee be returned to:

Bart Grossman
(for: Lotte)
 145 13th Street
 Cresskill, NJ 07626
 Amount: \$175.00

15. WHEREAS, a soil permit application and Planning Board application was required for this property; and
 WHEREAS, an escrow account was established for the work; and
 WHEREAS, the work has been completed and inspected;
 NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill that the following refund of Developer Escrow account be made:

<u>Account No.</u>	<u>Block</u>	<u>Lot</u>	<u>Applicant</u>	<u>Amount</u>
DE-335	92.08	1	Nicholas & Elefteria Stathatos 256 E. Madison Avenue Cresskill, NJ 07626	\$ 1,785.75

16. WHEREAS, Maser Consulting, P.A. (Maser Consulting) has requested that the Borough of Cresskill authorize the Publication of Construction Bids for the Merritt Field Fieldhouse; and
 WHEREAS, the Merritt Field Fieldhouse is an integral part of the Merritt Field Rehabilitation Project;
 NOW THEREFORE, BE IT RESOLVED, that the Council does hereby authorize Francesca Maragliano, Borough Clerk, to publish Bids pursuant to the Open Public Contracts Law for the Merritt Field Fieldhouse Construction; and
 BE IT FURTHER RESOLVED that a Certified to be True Copy of this Resolution be Served upon to Sunny Mullen, P.E., Maser Consulting P.A.; Edward Wrixon, Acting Borough Administrator; Harold Laufeld, III, Chief Financial Officer; and Christos J. Diktas, Esq., Borough Attorney.
17. WHEREAS, the Council of the Borough of Cresskill does hereby appoint Maser Consulting, P.A. (Maser Consulting) as Special Projects Borough Engineer this 6th day of March, 2019, pursuant to a non “fair and open” process; and

WHEREAS, the Special Projects Borough Engineer appointment shall be retroactive to January 1, 2019, and shall terminate December 31, 2019;

WHEREAS, Maser Consulting presented to the Municipality, its Fee Schedule January 1, 2019 - December 31, 2019, as more fully described in document attached to this Resolution which is incorporated herein as if set forth in its entirety;

NOW THEREFORE, BE IT RESOLVED, that the Council does hereby appoint Maser Consulting as its Special Projects Borough Engineer through a non "fair and open" process for the calendar year 2019; and

BE IT FURTHER RESOLVED, the Council agrees to remunerate Maser Consulting on an hourly basis as more fully described in the attached document delineating Maser Consulting Fees for the Calendar year 2019, as if set forth herein in its entirety; and

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

18. WHEREAS, the Borough has awarded a Construction Contract to Your Way Construction for the complete Redevelopment, Reconstruction and Rehabilitation of Merritt Field; and

WHEREAS, Merritt Field is an integral part of the Borough of Cresskill's Recreational Infrastructure utilized by Residents and Visitors of all ages; and

WHEREAS, in an attempt to expedite the Construction to meet the Residents' Recreational requirements, the Council is of the Opinion that there is an Urgent Necessity in the Interest of the Public's Health, Safety and Welfare, to permit this Municipal Project to expeditiously proceed to conclusion;

NOW THEREFORE, BE IT RESOLVED, that the Council does hereby Declare an Urgent Necessity in the interest of Public Health and Safety, and that the Prohibitions delineated in Municipal Ordinance Section 183-4 do not apply to Municipal Projects; and

BE IT FURTHER RESOLVED, that the Council does hereby Authorize, for the Merritt Field Rehabilitation Construction Project only, that Your Way Contracting and/or their Sub-Contractors be permitted to conduct construction at Merritt Field on Sundays between the hours of 9:00 a.m. and 7:00 p.m.; and

BE IT FURTHER RESOLVED, that the Council reserves the right to modify, amend and/or change any hours of construction on Sundays during the course of this Construction Period; and

BE IT FURTHER RESOLVED, that the Council's declaration of an Urgent Necessity shall be deemed terminated upon the issuance of a Certificate of Occupancy for the Construction of the Merritt Field Improvements and receipt of the final Engineering Signoff of the Entire Merritt Field Rehabilitation and Construction Project; and

BE IT FURTHER RESOLVED that a Certified to be True Copy of this Resolution be Served upon Your Way Construction; Robert Rusch, Construction Code Official; Edward Wrixon, Borough Administrator; Francesca Maragliano, Borough Clerk; and Christos J. Diktas, Esq., Borough Attorney.

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

WHEREAS, Maser Consulting requests permission, if necessary, to file any Application(s) with the New Jersey Department for Environmental Protection (NJDEP) regarding the Flood Hazard Line (FHL), 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 – CONSTRUCTION OBSERVATION & ADMINISTRATION SERVICES	\$75,000.00
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TOTAL LUMP SUM FEE	\$75,000.00

WHEREAS, the corresponding completion dates are noted in the attached March 5, 2019, Maser Proposal, which is attached hereto and incorporated herein as if set forth in its entirety;

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” located at the corner of Piermont Road and Margie Avenue, as further described in the March 5, 2019, Maser Consulting Professional Service Proposal; 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 March 5, 2019, 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.

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

20. No one wished to be heard.

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

Roll Call: Yes - Unanimous Motion adopted.

22. Motion by Council Member Olmo and seconded by Council Member Savas 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.

23. Motion by Council Member Olmo 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

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

(Resolution in full on pages 50A through 50G.)

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.]

25. Mayor Romeo said he received photos from Lynn Pendergast. She is the granddaughter-in-law of Cresskill's first Mayor James Ferdon. One of the pictures, which we had reproduced, is of Bryan School and is over 110 years old and one is of the train station. As you can see, we've had them framed and will give one to the school and hang the others in Borough Hall.

No one else wished to be heard.

26. Motion by Council Member Olmo and seconded by Council Member Savas to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

27. Motion at 7:52 P.M. by Council Member Olmo and seconded by Council Member Savas to adjourn the meeting.

Roll Call: Yes - Unanimous. Motion adopted.

Benedict Romeo
 Mayor

Francesca Maragliano
 Borough Clerk