

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

APRIL 3, 2019

1. Steve Kelman 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. A Moment of Silence was observed in Honor of Attorney Vincent Salvatore.
4. Mayor Romeo called the meeting to order at 7:47 P.M.
5. Present: Council Members Cleary, Mueller, Olmo, Savas, Spina, Tsigounis  
Also Present: Attorney Diktas, Borough Officials Laufeld, Chief Wrixon, Deputy Chief Domville
6. Motion by Council Member Olmo and seconded by Council Member Savas to approve the minutes of the Mayor and Council Regular meeting of March 20, 2019.

Roll Call: Yes – Unanimous

Motion adopted.

## COMMUNICATIONS

7. Minutes of the following meetings:

Board of Health  
Planning Board

January 28, 2019  
March 12, 2019

Filed.

## REPORTS OF COMMITTEES AND OFFICIALS

8. Council Member Spina said on behalf of the Environmental Commission the Northern Valley Earth Fair will be on April 27<sup>th</sup> at the Tenafly Middle School.

Council Member Tsigounis said the Senior Board of Trustees have scheduled a trip to Broadway on May 1<sup>st</sup> for \$175. The cost covers a show, transportation and dinner. The Library Board is looking for members to join the Library Foundation, which is the new non-profit they've established.

Council Member Savas gave an update on plans for the quasiquicentennial. Historian Tom Sites has become very involved. The students are going to do a time capsule. We'll have a bus tour of historical locations in town. Also, a scale model of Cresskill, circa 1924, is going to be built and put on display. Recreation has a spring camp the week before Easter and we're gearing up for the Summer Fun program. Our Recreation Committee has very few members and we desperately need volunteers to run the programs, which falls under the committee's responsibility.

Council Member Mueller said the tax appeals are coming in and we've received more than I expected. However, I don't believe the appellants have a chance with our rolling reassessment program putting the valuations at 100%.

## UNFINISHED BUSINESS

## ORDINANCE ON FINAL READING

7:30 PM Bond Ordinance No. 19-04-1536 – Appropriate Funds for Improvements to Piermont Road (Section 3)

9. Motion at 7:56 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Bond Ordinance No. 19-04-1536 – Appropriate Funds for Improvements to Piermont Road (Section 3) on final 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 AUTHORIZE THE IMPROVEMENT OF PIERMONT ROAD (SECTION 3) IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$175,000 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 54H through 54I in Minutes of Regular Mayor and Council Meeting held March 20, 2019.)

11. The Borough Clerk announced the Ordinance was published in The Record on March 22, 2019, posted in Borough Hall, and copies made available to the public
12. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
13. Mayor Romeo said this is to match a grant from the DOT to complete the paving on Piermont Road.

No one else wished to be heard.

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

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

15. 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. 19-04-1536, entitled:

BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF PIERMONT ROAD (SECTION 3) IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$175,000 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 Cleary, Mueller, Olmo, Savas, Spina, Tsigounis  
 No – None  
 Absent – None  
 Abstain – None  
 Resolution adopted.

## NEW BUSINESS

### INTRODUCTION OF ORDINANCE

#### 7:30 PM Ordinance No. 19-05-1537 – 2019 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A 40A:4-45.14)

16. Motion at 7:58 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Ordinance No. 19-05-1537 – 2019 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14) 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.

17. Council Member Olmo read the title:

2019 “CAP” ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
 APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
 (N.J.S.A. 40A:4-45.14)

(Ordinance in full on page 63A.)

18. 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. 19-05-1537, entitled:

2019 “CAP” ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
 APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
 (N.J.S.A. 40A:4-45.14)

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, April 17, 2019 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, Spina, Tsigounis  
 No – None  
 Absent – None  
 Abstain – None  
 Resolution adopted.

## NEW BUSINESS

## INTRODUCTION OF 2019 BUDGET

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

BE IT RESOLVED, that the following statement of revenues and appropriations attached hereto constitute the local Budget of the Borough of Cresskill, Bergen County, New Jersey for the year 2019.

BE IT FURTHER RESOLVED, that the said budget be published in The Record in the issue of April 12, 2019, and that a hearing on the Budget will be held at the Municipal Building on May 1, 2019 at 7:30 PM or as soon thereafter as the matter may be reached.

Introduced by: Council Member Olmo

Seconded by: Council Member Savas

ATTEST

Approved: April 3, 2019

\_\_\_\_\_  
Borough Clerk

\_\_\_\_\_  
Mayor

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

(2019 Budget in full on pages 64A through 64HHH.)

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

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## CONSENT AGENDA

## NEW BUSINESS

\*Resolutions

21. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that Meghan Hartmann be approved as Summer Fun Camp Group Supervisor for the 2019 Summer Recreation Program at a rate of \$22 per hour.
22. 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:

Nadia LaMastra  
(for: Jacqueline LaMastra)  
42 Dean Street  
Tenafly, NJ 07670  
Amount: \$100.00

Jill Connolly  
(for: Lily Connolly)  
201 West Morningside Ave.  
Cresskill, NJ 07626  
Amount: \$200.00

Bart Groosman  
(for: Lotte Groosman)  
145 13<sup>th</sup> Street  
Cresskill, NJ 07626  
Amount: \$200.00

Claudia Febres-Kerr  
(for: Estella Kerr)  
132 Heather Hill Road  
Cresskill, NJ 07626  
Amount: \$200.00

Young Mi Jang  
*(for: Saly Ma)*  
 15 Margie Avenue  
 Cresskill, NJ 07626  
 Amount: \$240.00

Sharla Toups  
*(for: Nina Toups)*  
 90 Jefferson Avenue  
 Cresskill, NJ 07626  
 Amount: \$60.00

Patricia Costa  
*(for: Adriana Pollando)*  
 18 Union Avenue  
 Cresskill, NJ 07626  
 Amount: \$50.00

Stacey Bailey  
*(for: Rafaela Bailey)*  
 42 Westervelt Place  
 Cresskill, NJ 07626  
 Amount: \$50.00

23. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the Cresskill Fire Department has furnished a certified list of volunteer members (annexed hereto), who have qualified for credit under the LOSAP program for the Calendar Year 2018 and said list is hereby approved.
24. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the Summer Fun staff minimum wage pay rate be raised to \$8.85 an hour.
25. WHEREAS, the Borough of Cresskill has agreed to install, on behalf of the Cresskill Little League, approximately 400 feet of Under Drainage, which will be Tied into Catch Basin by 1<sup>st</sup> and 3 Base Lines in the Little League Field; and

WHEREAS, the Borough has obtained the following proposals:

1. Lupardi's Nursery Inc.;
2. Other Side Landscaping LLC;

WHEREAS, the Proposal of Lupardi's Nursery Inc. is deemed to be responsive to the Borough's Requirements and the lowest competitive Proposal submitted;

NOW, THEREFORE BE IT RESOLVED, that the Council does hereby authorize Mayor Benedict Romeo or Borough Administrator Edward Wrixon, to execute a Contract in the amount of Nine Thousand and Two Hundred and Fifty Dollars (\$9,250.00), payable to Lupardi's Nursery Inc. subject to a bona fide Purchase Order pursuant to State Statute;

BE IT FURTHER RESOLVED, that a Certified to be True Copy of this Resolution be tendered to Lupardi Nursery Inc.; Mayor Benedict Romeo; Harold Laufeld, CFO; and Edward Wrixon, Borough Administrator.

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

March 31, 2019

Current Fund	\$ 325,745.74
Social Security/Medicare	14,660.66
Community Center	2,912.38
Library	<u>12,175.55</u>
	\$ 355,494.33

27. 2019 TEMPORARY EMERGENCY BUDGET

WHEREAS, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2019 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, said total emergency temporary resolutions adopted in the year 2019 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$2,120,000.00;

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A.40A:4-20:

1. The following temporary appropriations be and the same are hereby made for:

OPERATIONS - WITHIN CAPS

Tax Administration – Salaries and Wages	\$ 5,000.00
Fire Sub-Code	
Salaries and Wages	5,000.00
Tax Collection	
Salaries and Wages	5,000.00
Police Department	
Salaries and Wages	150,000.00
Police School Marshals	
Salaries and Wages	15,000.00
Fire Department	
Salaries and Wages	20,000.00
Emergency Medical Services	
Salaries and Wages	20,000.00
Board of Health	
Salaries and Wages	2,000.00
Recycling	
Other Expenses	35,000.00
Buildings and Grounds	
Other Expenses	40,000.00
Sewer System	
Other Expenses	25,000.00
Social Security	18,000.00
Capital – Purchase of School Walk Traffic Signal	20,000.00
Total	\$360,000.00

2. That said emergency temporary appropriations will be provided for in the 2019 budget under the various titles listed above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

\_\_\_\_\_  
Benedict Romeo, Mayor

\_\_\_\_\_  
Francesca Maragliano, Borough Clerk

28. RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY  
VIA ON-LINE AUCTION

WHEREAS, the Borough of Cresskill is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough of Cresskill is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, as follows:

1. The sale of surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough of Cresskill.

2. The sale will be conducted online and the address of the auction is govdeals.com.
3. The sale is being conducted pursuant to Local Finance Notice 2008-9.
4. A list of the surplus property to be sold is indicated on Schedule A attached hereto.
5. The surplus property as identified shall be sold in an “as is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
6. The Borough of Cresskill reserves the right to accept or reject any bid submitted.

29. WHEREAS, Jack Czernek 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, 2019 subject to requirements of Chapter 246 of the Code of the Borough of Cresskill.

License No. 19-431  
2017 Mercedes GLS 550  
Serial # 4JGDF7DE3HA883253

30. WHEREAS, application was made to the Planning Board and escrow money was deposited for a new home; and

WHEREAS, the work has been completed and inspected by the Borough Engineer;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following escrow balance in Developer’s Trust Account 360 be refunded to:

Dor Shapir  
12 Woodland Road  
Cresskill, NJ 07626  
Amount: \$2,084.25

31. WHEREAS, the Cresskill Plumbing Inspector, Michael Sestanovich, is retiring effective March 31, 2019; and

WHEREAS, Robert Rusch, Building Department Construction Official, Department Head, has reviewed Resumes, conducted interviews and is of the professional opinion that Brian Drewes would meet all of the Statutory DCA Regulatory Criteria and is a good candidate for the position of Plumbing Inspector; and

WHEREAS, the current Municipal Salary Ordinance addresses the Salary range for the position of Plumbing Inspector;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Cresskill does hereby appoint Brian Drewes, effective April 9, 2019, to the position of Borough of Cresskill Plumbing Inspector; and

BE IT FURTHER RESOLVED, that a Certified to be True Copy of this Resolution be served upon Brian Drewes, Cresskill Plumbing Inspector; Robert Rusch, Cresskill Building Department Construction Code Department Head; Edward Wrixon, Borough Administrator; Francesca Maragliano, Boroughs Clerk; and Harold Laufeld, III, CFO.

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 refund due to overpayment of 2019 1<sup>st</sup> quarter taxes:

<u>BLOCK</u>	<u>LOT</u>	<u>QUAL</u>	<u>NAME</u>	<u>AMOUNT</u>
60	6		Lumaj Homes, LLC 345 Route 17 South Upper Saddle River, NJ 07458 <i>(for: 37<sup>th</sup> Street)</i>	\$285.73

33. WHEREAS, the Borough Clerk of the Borough of Cresskill was previously authorized to advertise for Bids for the Allen Street Community Parking Facility; and

WHEREAS, pursuant to said Notice, the receipt and opening of Bids took place March 14, 2019 at Cresskill Borough Hall at which time the following bids were received:

Company	Base Bid
4 Clean-Up	\$1,044,841.50
Marini Brothers Construction	\$1,052,565.00
Paving Materials & Construction	\$1,118,117.00
D & L Paving Contractors Inc.	\$1,122,499.00
Develop – Thomas & Sons Builders	\$1,135,313.00

WHEREAS, the Chief Financial Officer of the Borough of Cresskill has confirmed the availability of funds for the project, specifically that the project will be funded through Capital Ordinance; and

WHEREAS, Azzolina & Fuery Engineering has recommended acceptance of the Bids submitted by 4 Clean-Up as being the apparent low and most responsive bidder received;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill award the Base Bid to 4 Clean-Up in the amount of \$1,044,841.50; and

BE IT FURTHER RESOLVED, that the Borough requires the submission of the following Original Documents: Performance Bond and Payment Bond, Certificate of Insurance, Affirmative Action Affidavit and Initial Project Workforce Report (Form AA-201) before Contracts are issues; and

BE IT FURTHER RESOLVED, that the Borough Attorney is hereby authorized to prepare all necessary documents to effectuate this Resolution; and

BE IT FURTHER RESOLVED, that Mayor Benedict Romeo or, in his absence, Borough Administrator Ed Wrixon, is authorized to execute, on behalf of the Borough, the Approved Construction Contract; and

BE IT FURTHER RESOLVED, that one (1) copy of this resolution as certified by the Borough Clerk shall be forwarded to Azzolina & Fuery Engineering; Harold Laufeld III, Borough CFO; 4 Clean-Up; and Christos J. Diktas, Esq., Borough Attorney.

34. WHEREAS, bids were received for the 2018 Road Improvement Program and a contract was awarded to Crossroads Pavement Maintenance, LLC in the amount of \$744,050.27; and

WHEREAS, additional miscellaneous work including but not limited to castings for inlet, drainage and manhole cover repairs were over the amount of the contract;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that change order #1 (FINAL) issued in the amount of \$30,988.85 to Crossroads Pavement Maintenance, LLC be approved in order to complete the contracted work.



Miscellaneous Business

35. Approve the following Raffle License:

RL 1421

PTA Edward H. Bryan School

April 26, 2019

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 Olmo and seconded by Council Member Savas to close the meeting to remarks on agenda items.

Roll Call: Yes - Unanimous Motion adopted.

38. 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.

39. Motion by Council Member Olmo and seconded by Council Member Savas to adopt all items with an asterisk as a single question.

Roll Call: Yes - Unanimous Motion adopted.

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PRESENTATION OF BILLS

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

(Resolution in full on pages 69A through 69H.)

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.]

41. Mayor Romeo said Merritt Field construction is underway and we're repairing the four softball fields. The Allen Street project will begin very shortly.

Mayor Romeo said there's been a question "What does the H in Edward H. Bryan stand for?" circulating in the schools. Nobody knows the answer, so Head Librarian Rita Browning sent an email to John Sestanovich, principal of Bryan School in the 1950's, asking him the question. According to Mr. Sestanovich, he and his staff have been researching the answer to that question since 1954. Family members have provided suggestions, but nothing is documented.

Denise Villani of the BOE said she has one of the staff going through the BOE's past minutes trying to find the answer.

Ms. Villani said they received a request for a "Safe Trade Station" which I passed on to Deputy Chief Domville. Deputy Chief Domville said Detective Franke is in charge of that and is currently back in rotation so we hope to be setting it up soon.

No one else wished to be heard.

42. Motion by Council Member Olmo and seconded by Council Member Cleary to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous

Motion adopted.

43. Motion at 8:09 P.M. by Council Member Olmo and seconded by Council Member Cleary to adjourn the meeting.

Roll Call: Yes - Unanimous.

Motion adopted.

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Benedict Romeo  
Mayor

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Francesca Maragliano  
Borough Clerk