

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

NOVEMBER 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 7:38 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 October 16, 2019.

Roll Call: Yes – Unanimous

Motion adopted.

REPORTS OF COMMITTEES AND OFFICIALS

6. Council Member Spina said the Environmental Commission will be having an open house on November 20th to generate interest in new membership. Also, on November 16th at 9:00 am they have scheduled a cleanup of Carlson Park. Thanks to the Police and Mike Hamlett for their help with the Zach Garcia memorial fundraising run last month.

Council Member Tsigounis said at the Senior Board of Trustees meeting they talked about some great activities coming up. Contact Donnajo at the Senior Center for information.

Council Member Savas said the rag-a-muffin parade was a great success. Due to lack of interest from other towns, this year we held the Cheerleading Showcase for Cresskill only and it was fantastic. The traveling soccer program is finished.

We have a new Library Director, Laura Chumas who started on November 1st.

Council Member Olmo said its leaf season so please be courteous to the DPW while they are picking them up. Also, for safety reasons, don't drive through or park on the leaves.

Council Member Mueller thanked the Environmental Commission for their input on the tree ordinance up for adoption tonight.

UNFINISHED BUSINESS

ORDINANCE ON FINAL READING

Ordinance No. 19-13-1544 – Amend Chapter 263, Article VII 263-33 Schedule II entitled No Parking Certain Hours.

7. Motion at 7:46 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Ordinance No. 19-13-1544 – Amend Chapter 263, Article VII 263-33 Schedule II entitled No Parking Certain Hours on final reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

8. Council Member Olmo read the title:

ORDINANCE AMENDING THE GENERAL ORDINANCE
OF THE BOROUGH OF CRESSKILL, COUNTY OF BERGEN,
SPECIFICALLY, CHAPTER 263 ARTICLE VII §263-33, SCHEDULE II,
ENTITLED “NO PARKING CERTAIN HOURS”

(Ordinance in full on page 147A in Minutes of Regular
Mayor and Council Meeting held October 16, 2019.)

9. The Borough Clerk announced the Ordinance was published in The Record on October 18, 2019, posted in Borough Hall, and copies made available to the public.
10. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
11. No one wished to be heard.
12. Motion by Council Member Olmo and seconded by Council Member Savas to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

13. 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. 19-13-1544, entitled:

ORDINANCE AMENDING THE GENERAL ORDINANCE
OF THE BOROUGH OF CRESSKILL, COUNTY OF BERGEN,
SPECIFICALLY, CHAPTER 263 ARTICLE VII §263-33, SCHEDULE II,
ENTITLED “NO PARKING CERTAIN HOURS

pass its second and final reading, is hereby adopted and shall be published according to law.

Roll Call: Yes – Unanimous Resolution adopted.

Ordinance No. 19-14-1545 – Amend Chapter 263, Article VII 263-35 Schedule IV entitled
Parking Time Limited.

14. Motion at 7:47 PM by Council Member Olmo and seconded by Council Member Savas to introduce Ordinance No. 19-14-1545 – Amend Chapter 263, Article VII 263-35 Schedule IV entitled Parking Time Limited on final reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

15. Council Member Olmo read the title:

ORDINANCE AMENDING THE GENERAL ORDINANCE
OF THE BOROUGH OF CRESSKILL, COUNTY OF BERGEN,
SPECIFICALLY, CHAPTER 263, ARTICLE VII, §263-35,
SCHEDULE IV, “PARKING TIME LIMITED”

(Ordinance in full on page 147B in Minutes of Regular
Mayor and Council Meeting held October 16, 2019.)

26. 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.

27. 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. 19-15-1546, entitled:

BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF MARGIE AVENUE (FROM PIERMONT ROAD TO ACKERMAN PLACE) IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$625,000 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.

Ordinance No. 19-16-1547 – Ordinance Amending the General Ordinances of the Borough of Cresskill Section 18-02.14(C) Chapter 275-66 Tree Removal

28. Motion at 7:51 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Ordinance No. 19-16-1547 – Ordinance Amending the General Ordinances of the Borough of Cresskill Section 18-02.14(C) Chapter 275-66 Tree Removal on final reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

29. Council Member Olmo read the title:

ORDINANCE AMENDING THE GENERAL ORDINANCES
 OF THE BOROUGH OF CRESSKILL SECTION 18-02.14(C)
 CHAPTER 275-66 TREE REMOVAL

(Ordinance in full on pages 149A through 149E in Minutes of Regular Mayor and Council Meeting held October 16, 2019.)

30. The Borough Clerk announced the Ordinance was published in The Record on October 21, 2019, posted in Borough Hall, and copies made available to the public.
31. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
32. Robert Ulshoefer of the Environmental Commission thanked the Council for passing the tree ordinance.

No one else wished to be heard.

33. Motion by Council Member Olmo and seconded by Council Member Cleary to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

34. 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. 19-16-1547, entitled:

ORDINANCE AMENDING THE GENERAL ORDINANCES
OF THE BOROUGH OF CRESSKILL SECTION 18-02.14(C)
CHAPTER 275-66 TREE REMOVAL

pass its second and final reading, is hereby adopted and shall be published according to law.

Roll Call: Yes – Unanimous Resolution adopted.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

36. 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:

<u>Code Sec.</u>	<u>Permit #</u>	<u>Name</u>	<u>Amount</u>
132-91	4270	Alan Situ 214 Madison Avenue Cresskill, NJ 07626	\$50.00

37. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following October and November 2019 payrolls be ratified and approved:

October 25, 2019

Current Fund	\$ 326,264.96
Social Security/Medicare	12,685.81
Community Center	3,187.86
Library	<u>12,016.66</u>
	\$ 354,155.29

November 8, 2019

Current Fund	\$ 351,959.83
Social Security/Medicare	13,792.49
Community Center	3,443.85
Library	<u>18,976.39</u>
	\$ 388,172.56

38. 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 \$3,502.00 covering January 1, 2020 through December 31, 2020 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.

39. A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT FOR THE MAINTENANCE AND REPAIR OF FIRE DEPARTMENT VEHICLES BY AND BETWEEN THE BOROUGH OF CRESSKILL AND THE BOROUGH OF PARAMUS

WHEREAS, The Borough of Paramus and the Borough of Cresskill seek to enter into an Interlocal Agreement wherein the Borough of Paramus will provide labor and maintenance services on vehicles owned by the Borough of Cresskill; and

WHEREAS, both of the parties to such an Agreement are authorized by law to enter into an agreement with one another to provide jointly for any lawful service to and for the residents of the respective municipalities pursuant to the provisions of the "Interlocal Services Act" N.J.S.A 40:8A-1 et seq; and

WHEREAS, the governing bodies of the Borough of Paramus and the Borough of Cresskill recognize the implementation of an Interlocal Agreement to provide labor and maintenance services is in the best interest of the taxpayers of the respective municipalities.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill, hereby authorize the execution of an Interlocal Service Agreement with the Borough of Paramus for a period of one (1) year.

BE IT FURTHER RESOLVED that the Agreement shall commence on January 1, 2020 and end on December 31, 2020

BE IT FURTHER RESOLVED that the cost of same shall be set forth in the Agreement which is attached hereto.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Cresskill hereby authorize the execution of an Interlocal Service Agreement with the Borough of Paramus, subject to the approval of the Paramus Borough Attorney.

BE IT FURTHER RESOLVED that the Agreement shall take effect upon the execution of same and adoption of Resolution by both parties as provided by law.

BE IT FURTHER RESOLVED that a copy of the Agreement be maintained on file and open to public inspection at the office of the Borough Clerk.

40. WHEREAS, we have a responsibility as individuals, neighbors, community members and citizens of the Borough of Cresskill to recognize that all children need love, support, security and a place to call home; and

WHEREAS, for children who are born into families unable to meet their ongoing needs, adoption offers healthy and safe family environments, which help produce confident and successful adults; and

WHEREAS, families who choose the life-changing path of adoption make a meaningful and lasting difference in the lives of some of the most vulnerable young people in our society; and

WHEREAS, during National Adoption Month, we celebrate all who have invited a child in need into their hearts and into their homes, and express our profound appreciation for all who help make adoptions possible; and

WHEREAS, Court Appointed Special Advocates (CASA) programs and volunteers in the Borough of Cresskill help to ensure that children in foster care or other out-of-home placements are adopted into safe, loving homes when their own families can't meet their needs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, that the Council hereby authorizes that November 2019 as National Adoption Month and supports organizations such as CASA.

41. 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:

Thi Bay Miradoli <i>(for: Thi Bay Miradoli)</i> 233 Jefferson Avenue Cresskill, NJ 07626 Amount: \$100.00	Alyson Kelly <i>(for: Andrew Kelly)</i> 288 Concord Street Cresskill, NJ 07626 Amount: \$260.00
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42. 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 PERIOD</u>	<u>BLOCK</u>	<u>LOT</u>	<u>QUAL</u>	<u>NAME</u>	<u>AMOUNT</u>
3 rd & 4 th qtr 2019	92.08	38		JR F WM & Joan Hessmer 268 East Madison Avenue Cresskill, NJ 07626 <i>(for: East Madison Avenue)</i>	\$ 608.75

43. WHEREAS, Legion LLC, the Contract Purchaser of Block 182, Lots 29 and 30, has petitioned the Council of the Borough of Cresskill to enter into a Payment in Lieu of the Development of COAH Housing for the project located on Legion Drive, Broadway and Division Street;

WHEREAS, Shirley Bishop, COAH Master, has acknowledged the stipulated amount of the Payment in Lieu of Construction as being fair and equitable; and

WHEREAS, the Municipal Planner, Steve Lydon, P.P., and Borough Attorney, Christos J. Diktas, Esq, have deemed the Payment in Lieu of Construction as being fair and equitable;

NOW, THEREFORE, BE IT RESOLVED, that the Council does hereby authorize Mayor Benedict Romeo or his Designee, Borough Administrator Edward Wrixon, to execute the Developer's Agreement with Legion LLC, which will confirm in recordable form, the Developer's obligation to pay the Municipality the sum of \$820,000.00 payable in two lump sums, payable as follows:

1. First Affordable Housing Installment Payment of \$410,000.00 upon the issuance of the initial construction permit; and
2. Second Affordable Housing Installment Payment of \$410,000.00, upon the issuance of the Certificate of Occupancy for the first completed unit;

BE IT FURTHER RESOLVED, that a Certified to be True copy of this Resolution be served upon Shirley Bishop, Court appointed COAH Master; Joseph Bazralian, Esq., Counsel for Property Owners; Robert Kasuba, Esq., Counsel for Legion LLC; Steven Lydon, P.P., Municipal Planner; Harold L Laufeld, Chief Financial Officer; and Christos J. Diktas, Esq, Borough Attorney.

44. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill that full-time employment of Laura Chumas as Library Director, effective November 1, 2019, be verified at annual salary of \$85,000.
45. WHEREAS, the Borough of Cresskill's Recycling Contract terminates on October 31, 2019, and

WHEREAS, the Municipality has utilized the services of Atlantic Coast Fibers LLC (ACF) under an "Output" Contract wherein ACF paid the Borough of Cresskill a stipulated sum for all of its collected recyclables; and

WHEREAS, as a result of the current global recycling market, ACF no longer pays its Municipal Clients for their Recycling output, but rather address the cost of collection through market conditions; and

WHEREAS, there is a possibility that the Contract, as presented, could result in the Borough exceeding the Statutory Bid threshold;

WHEREAS, the Contract, as Amended, hereby permits the Borough to terminate the Contract upon thirty (30) days, if it is determined through the offices of the Chief Financial Officer that the payment history as projected will cause the Borough to exceed the Statutory Bid threshold for the year in question;

NOW, THEREFORE, BE IT RESOLVED, that the Council does hereby authorize Mayor Benedict Romeo or his Designee, Borough Administrator Edward Wrixon, to execute the contract with Atlantic Coast Fibers LLC as amended; and

BE IT FURTHER RESOLVED, that a Certified to be True copy of this Resolution and the Contract as Amended be tendered to Atlantic Coast Fibers LLC, with copies to Edward Wrixon, Borough Administrator; Harold L Laufeld, Chief Financial Officer; Kevin Terhune, Department of Public Works; and Christos J. Diktas, Esq, Borough Attorney.

46. 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:

<u>ESCROW #</u>	<u>NAME</u>	<u>AMOUNT</u>
ZE 435	Yaniv Ben-Asher 206 8 th Street Cresskill, NJ 07626	\$10.00
ZE 437	Jesus & Mildrey Arozamena 181 14 th Street Cresskill, NJ 07626	\$10.00
ZE 438	Lucilla Chan 296 Brookside Avenue Cresskill, NJ 07626	\$10.00
ZE 443	Khawla Abbasi 201 W. Morningside Avenue Cresskill, NJ 07626	\$10.00

Miscellaneous Business

47. Approve the following Raffle License:

RL 1429 Academy of St. Therese HSA March 1 – May 31, 2020

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

48. No one wished to be heard.

49. 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.

50. Motion by Council Member Olmo 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.

51. 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.

PRESENTATION OF BILLS

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

(Resolution in full on pages 163A through 163H.)

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.]

53. Mayor Romeo said the ballfield on Piermont Road is now complete and if you haven't been behind Allen Street, that project is near completion and looks very nice. There are no more overhead wires, 80 additional spots and is a great improvement to the area.

No one else wished to be heard.

54. 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.

55. Motion at 7:56 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