

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

APRIL 15, 2020

1. Council Member Savas 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 7:33 P.M.
4. Present: Council Members Cleary, Kaplan, Olmo, Savas, Spina
Also Present: Attorney Diktas, Chief Wrixon, Deputy Chief Domville
Absent: Council Member Mueller

REPORTS OF COMMITTEES AND OFFICIALS

5. Council Member Spina said the Northern Valley Greenway Committee has continued to hold virtual meetings.

Council Member Kaplan said the Board of Health will hold a virtual meeting next week.

Council Member Savas said she's been advised that some senior residents would like to go to the grocery store, but can't because they don't have access to masks and gloves. Jeanette McAnulty is going to give Aggie Dressler of Meals on Wheels and Facilities Manager Jason Mitchell some handmade masks to give to them.

Council Member Cleary said he and his family are doing well at home.

UNFINISHED BUSINESS

ORDINANCE ON FINAL READING

Ordinance No. 20-05-1555 – 2020 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A 40A:4-45.14)

6. Motion at 7:35 PM by Council Member Olmo and seconded by Council Member Savas to introduce Ordinance No. 20-05-1555 – 2020 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14) on final reading by title only.

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

7. Council Member Olmo read the title:

2020 “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 54A in Minutes of
Regular Mayor and Council Meeting held April 1, 2020.)

8. The Borough Clerk announced the Ordinance was published in The Record on April 6, 2020, posted in Borough Hall, and copies made available to the public
9. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
10. No one wished to be heard.
11. Motion by Council Member Olmo and seconded by Council Member Savas to close the public hearing.

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

12. 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. 20-05-1555, entitled:

2020 “CAP” ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

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

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

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

14. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following March/April 2020 payroll be ratified and approved:

March 27, 2020

| | |
|--------------------------|------------------|
| Current Fund | \$ 311,437.87 |
| Social Security/Medicare | 13,911.17 |
| Community Center | 3,142.63 |
| Library | <u>11,655.69</u> |
| | \$ 340,147.36 |

April 10, 2020

| | |
|--------------------------|---------------|
| Current Fund | \$ 290,405.76 |
| Social Security/Medicare | 12,649.58 |
| Community Center | 1,854.38 |
| Library | 11,855.63 |
| Swim Pool | <u>807.38</u> |
| | \$ 317,572.73 |

15. **AUTHORIZE USE OF STORM RECOVERY RESERVE FUNDS FOR
COVID-19 RESPONSE**

WHEREAS, the Borough of Cresskill previously established a snow removal trust fund which was approved by the Division of Local Government Services; and

WHEREAS, N.J.S.A. 40A:4-62.1 permits a municipality or county to adopt resolution authorizing storm recovery reserve funds to be used for “any purpose necessary to protect the safety, security, health and welfare of its citizens from the damage caused by an emergency declared by the Governor or the President of the United States; and

WHEREAS, on March 9, 2020, the Governor of the State of New Jersey declared, via Executive Order 103, the concurrent invocation of both a State of Emergency pursuant to N.J.S.A. App. A:9-33 et seq., and a Public Health Emergency as contemplated by N.J.S.A. 26:13-1 et seq., which invoked the authority and powers contemplated by N.J.S.A. 26:13-3, the Emergency Health Powers Act, and remains in effect; and

WHEREAS, on March 13, 2020, the President of the United States, by authority of Sections 201 and 301 of the National Emergencies Act (50 U.S.C. 1601 et seq.) and consistent with Section 1135 of the Social Security Act (SSA), as amended (42 U.S.C. 1320b-5), declared and proclaimed that the COVID-19 outbreak in the United States constitutes a national emergency; and

WHEREAS, Local Finance Notice 2020-06 dated March 16, 2020 authorizes use of storm recovery reserves for COVID-19 expenditures upon resolution by the local governing body authorizing such use.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Cresskill that the storm recovery trust fund may be used for expenditures related to the Borough of Cresskill’s response to the COVID-19 State of Emergency; and

BE IT FURTHER RESOLVED that the Mayor, Chief Financial Officer and Clerk be and are hereby authorized to take such action as necessary so as to implement this resolution.

16. **2020 TEMPORARY BUDGET**

WHEREAS, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2020 temporary appropriations for the aforesaid purpose, and N.J.S. 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 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$ 2,425,000.00 and

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. 40A:4-20:

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

OPERATIONS - WITHIN CAPS

| | |
|-------------------------------------|-----------------|
| Municipal Clerk | |
| Salaries and Wages | \$ 8,000.00 |
| Tax Administration | |
| Salaries and Wages | 5,000.00 |
| Computerized Data Processing | |
| Other Expenses | 5,000.00 |
| Planning Board | |
| Salaries and Wages | 5,000.00 |
| Other Expenses | 5,000.00 |
| Workmen's Compensation | 15,000.00 |
| Police Department | |
| Salaries and Wages | 150,000.00 |
| Police School Marshalls | |
| Salaries and Wages | 40,000.00 |
| Fire Department | |
| Salaries and Wages | 15,000.00 |
| Road Department | |
| Salaries and Wages | 50,000.00 |
| Public Assistance | |
| Salaries and Wages | 5,000.00 |
| Library | |
| Other Expenses | 150,000.00 |
| Bergen County Sewer Utilities | |
| Other Expenses | 160,000.00 |
| Social Security | 30,000.00 |
| Public Employee's Retirement System | 348,620.00 |
| Police/Firemen's Retirement System | 983,380.00 |
| | Total |
| | \$ 1,975,000.00 |

2. That said emergency temporary appropriations will be provided for in the 2020 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

17. RESOLUTION PROHIBITING THE ACCEPTANCE OF CASH
 PAYMENTS IN THE BOROUGH OF CRESSKILL

WHEREAS, the governing body of the Borough of Cresskill has deemed it necessary to establish a no cash policy in excess of \$100.00 restricting Borough business within the Borough Hall to personal checks, bank checks, certified checks, or money orders only, and

WHEREAS, it is in the best interest and safety of the staff at the Borough Hall and the fiscal security of the Borough itself and that the Borough of Cresskill will no longer accept cash payments in excess of \$ 100.00 for Borough business within the Borough Hall,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill wish to hereby and approve and adopt a no cash policy for the payments in excess of \$100.00 for Borough business within Borough Hall, and

BE IT FURTHER RESOLVED that the only acceptable form of payment in excess of \$100.00 for Borough business within Borough Hall will be in the form of personal check, bank check, certified check or money order.

18. WHEREAS, pursuant to N.J.S.A. 2B:12-10(b) Municipalities are required at all time to provide for a Municipal Court Administrator; and

WHEREAS, pursuant to N.J.S.A. 40A:65-1 et. seq., any municipality of the State of New Jersey may contract with any other municipality or municipalities to share services that any party to the agreement is empowered to provide within its own jurisdiction; and

WHEREAS, the Assignment Judge, Honorable Bonnie J. Mizdol, A.J.S.C., has instituted a policy which requires the appointment of an Acting Municipal Court Administrator to secure seamless and continuous accessibility to the Bergen Vicinage Municipal Courts, when the Appointed Municipal Court Administrator is out on a scheduled and/or unscheduled leave of absence; and

WHEREAS, the Acting Municipal Court Administrator shall be a Municipal Court Administrator in another Bergen Municipal Court, who is fully accredited and/or who has been issued a Certification in Good Standing; and

WHEREAS, all Acting Municipal Court Administrators, in accordance with N.J.S.A. 2B:12-10(b) shall be paid at a rate established by the Municipality, but shall not exceed that established for the Appointed Municipal Court Administrator; and

WHEREAS, the Acting Municipal Court Administrator shall be bonded or insured against loss and misappropriation of public funds by the sending Municipality;

WHEREAS, the Borough of Cresskill has entered into negotiations with the Borough of Borough of Tenafly for the appointment, wherein the Borough of Tenafly will grant permission to Dawn Curatola to be appointed as Cresskill's Acting Municipal Court Administrator pursuant to this Resolution; and

WHEREAS, the Borough of Cresskill Administrator, Edward Wrixon, is hereby authorized to negotiate with the Borough of Tenafly for Dawn Curatola compensation for the position of Acting Municipal Court Administrator, which shall not be greater than the compensation paid to the Cresskill Court Administrator.

NOW THEREFORE BE IT RESOLVED, that the Borough of Cresskill does hereby appoint Dawn Curatola, a certified Court Administrator, currently employed by the Borough of Tenafly, as Cresskill's Acting Municipal Court Administrator, pursuant to the directive of the Honorable Bonnie J. Mizdol, A.J.S.C.

BE IT FURTHER RESOLVED, that the Council does hereby authorize Borough Administrator, Edward Wrixon to enter into an Interlocal Agreement with the Borough of Tenafly for the services of Dawn Curatola as Cresskill's Acting Municipal Court Administrator, and for compensation as outlined in this Resolution;

BE IT FURTHER RESOLVED, that a certified true copy of this Resolution be tendered to the Honorable Bonnie J. Mizdol, A.J.S.C.; Lissette Aportela, Borough of Tenafly Administrator; Edward Wrixon, Borough of Cresskill Administrator; Francesca Maragliano, Borough of Cresskill Clerk; and Harold E. Laufeld, Borough of Cresskill CFO

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

19. Council Member Savas asked why we're prohibiting cash payments over \$100.00 for Borough business. Mayor Romeo said because of cash payments for taxes. Council Member Olmo said many municipalities don't accept any cash.
20. Council Member Mueller joined the meeting.

No one else wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

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

(Resolution in full on pages 63A through 63F.)

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. Deputy Chief Domville said the CFO and DPW are working on putting a mail drop box on the curb where the senior bus is parked for the public to drop off any mail without getting out of their car.

Council Member Kaplan asked if we are considering waiving any penalties for upcoming tax payments because of the current financial crisis many people are in. Mayor Romeo said he is waiting on word from Trenton. Council Member Olmo said that from May 1st forward the legislature can set the interest on delinquent taxes but not waiving the taxes themselves.

Attorney Diktas said that the Finance Board pushed the date back to July 15th to submit the Financial Disclosure Forms.

No one else wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

27. Motion at 7:48 P.M. by Council Member Savas and seconded by Council Member Cleary to adjourn the meeting.

Roll Call: Yes – Unanimous. Motion adopted.

Benedict Romeo
Mayor

Francesca Maragliano
Borough Clerk