

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

## REGULAR MEETING

FEBRUARY 17, 2021

1. Jason Mitchell 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 7:35 P.M.
4. Present: Council Members Cleary, Kaplan, Mueller, Olmo, Savas, Spina  
Also Present: Attorney Diktas, Borough Officials Mitchell, 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 3, 2021.

Roll Call: Yes – Unanimous

Motion adopted.

## COMMUNICATIONS

6. Minutes of the following meeting:

Planning Board

January 26, 2021

Filed.

## REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Spina said the Board of Health is working on bringing a Health & Wellness Mobile Education Lab from Holy Name Hospital to the Senior Center.

Council Member Cleary said he met with the Police to go over their plans for the future.

Council Member Savas said basketball & soccer are having a great season. Jason has been working long hours to meet Covid protocols and make all this happen.

Due to President's Day, the Library meeting will be next Monday. Currently they only have curbside pickup but are hoping to open the Library to the public in March.

## NEW BUSINESS

## INTRODUCTION OF ORDINANCE

Ordinance No. 21-19-1569 – Amend Ch. 275- Article XXVII Wireless Communications Towers and Antennas with the Addition of a New Section Entitled “Telecommunications Facilities in the Public Right of Way”

8. Motion at 7:39 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Ordinance No. 21-19-1569 – Amend Ch. 275- Article XXVII Wireless

Communications Towers and Antennas with the Addition of a New Section Entitled “Telecommunications Facilities in the Public Right of Way” on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

9. Council Member Olmo read the title:

BOROUGH OF CRESSKILL SMALL CELL WIRELESS ORDINANCE  
AN ORDINANCE TO PROVIDE FOR THE AMENDMENT  
OF BOROUGH ORDINANCE, CHAPTER 275, ARTICLE XXVII  
WIRELESS COMMUNICATIONS TOWERS AND ANTENNAS WITH THE  
ADDITION OF A NEW SECTION ENTITLED  
“TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY”

(Ordinance in full on pages 15A through 15Z.)

10. Resolution by Council Member Olmo and seconded by Council Member Spina:

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. 21-19-1569, entitled:

BOROUGH OF CRESSKILL SMALL CELL WIRELESS ORDINANCE  
AN ORDINANCE TO PROVIDE FOR THE AMENDMENT  
OF BOROUGH ORDINANCE, CHAPTER 275, ARTICLE XXVII  
WIRELESS COMMUNICATIONS TOWERS AND ANTENNAS WITH THE  
ADDITION OF A NEW SECTION ENTITLED  
“TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY”

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, March 3, 2021 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.

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

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CONSENT AGENDA

NEW BUSINESS

\*Resolutions

12. BE IT RESOLVED:

1. That the specifications for the Reconstruction of Engle Street – 2019 NJDOT Municipal Aid Program be and the same are hereby approved.
2. That immediately upon said approval and not later than thirty (30) days after the date thereof, the Clerk of this body be and hereby is directed to advertise for bids for the project at least ten (10) days before receipt of bids in The Record, a paper printed in this County.

3. That said advertisement shall read as follows:

BOROUGH OF CRESSKILL

Reconstruction of Engle Street

Sealed Bids for the Reconstruction of Engle Street – 2019 NJDOT Municipal Aid Program will be received by the Borough of Cresskill, in the County of Bergen, and State of New Jersey, at the Municipal Office Building, 67 Union Avenue, Borough of Cresskill, New Jersey, on March 11, 2021, at 11:00 AM, Prevailing Time, and then publicly opened and read aloud.

The principal work items of the project are as follows: Police Traffic Directors, Clearing Site, 15” Reinforced Concrete Pipe, Class III, 14” x 23” Reinforced Concrete Elliptical Culvert Pipe, Cl.-HE-IV, Inlet, Type “B”, Manhole, 4’ Diameter, Manhole, 4’ Diameter Over Existing Pipe, 9” x 18” Concrete Vertical Curb, Granite Block Curb, HMA Driveway, 2” Thick, Remove & Reset Concrete Pavers, HMA Milling 3” Or Less, Hot Mix Asphalt 9.5M64 Surface Course, Hot Mix Asphalt 19.5M64 Base Course, Curb Piece, Type “N-Eco”, Cleaning And Repairing Drainage Structure, Tangent Guiderail Terminals, Traffic Stripes, Long-Life Epoxy Resin, Yellow, 4” Wide, Traffic Markings, Thermoplastic, Regulatory & Warning Sign, Spreading Topsoil, 4” Thick, Fertilizing & Seeding, Type A-3, Straw Mulching and other incidental work.

Copies of the Plans, Specifications and Contract Documents will be on file and open to public inspection at the Borough Clerk's Office, Municipal Building, 67 Union Avenue, Borough of Cresskill, New Jersey, on and after February 19, 2021, between the hours of 9:00 AM and 4:00 PM, Prevailing Time. Copies of the plans, specifications and contract documents may also be examined or obtained by properly qualified contractors at the office of Azzolina & Feury Engineering Inc., 30 Madison Avenue, Paramus, New Jersey, Telephone: (201) 845-8500, on and after February 19, 2021, between the hours of 9:00 AM and 4:00 PM, excluding legal holidays, upon payment of \$100.00, no part of which will be refunded.

Each Bid must be made upon the prescribed forms furnished with the Contract Drawings and Specifications, must be accompanied by a Consent of Surety, and by a certified or cashier's check, drawn on a solvent bank, or bid bond, in the sum of ten percent (10%) of the amount bid, but in no case more than \$20,000.00. The check or bid bond shall be made payable to the Borough of Cresskill, the Owner. The check or bid bond of the bidder to whom the Contract is awarded shall be held by the Owner as a guarantee that the Contract shall be executed and its performance properly secured and in default thereof, said check or bid bond and the amount represented thereby will be forfeited to the aforesaid Owner as liquidated damages. Bids must be accompanied, in the case of corporations not chartered in the State of New Jersey, by proper certificate that such corporation is authorized to do business in the State of New Jersey.

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.

Every corporation or partnership submitting a bid shall accompany said bid with a statement setting forth the names and addresses of all stockholders in the corporation who own ten percent (10%) or more of its stock of any class, or of all individual partners in the partnership who own a ten percent (10%) or greater interest therein. Said statement may also be submitted prior to the bid.

Any extra work, not originally contemplated under this Contract, shall be covered by a change order. In the event that such extra work involves labor or material for which a unit price has been bid, the aforementioned unit price which has been bid, shall be used to fix payment for this extra work, and shall be the maximum payable by the Borough therefor.

Each bid must be enclosed in a sealed envelope bearing the name and address of the bidder, be addressed to the Borough of Cresskill, Bergen County, New Jersey, and shall be endorsed: "Bid for Reconstruction of Engle Street- 2019 NJDOT Municipal Aid,

ENCLOSED - DO NOT OPEN". The Borough of Cresskill reserves the right to reject any and all bids, to waive any informalities or irregularities in the bids received, and to accept the bid from the lowest responsible bidder.

Francesca Maragliano  
Borough Clerk

13. AUTHORIZING SERVICES BETWEEN THE BOROUGH OF CRESSKILL POLICE DEPARTMENT AND THE TENAFly RIFLE AND PISTOL CLUB INC., WITH RESPECT TO USE OF THE INDOOR POLICE PISTOL RANGE

WHEREAS, the Borough of Cresskill Police Department is desirous of utilizing the Tenafly Rifle and Pistol Club Inc. to qualify their Police Officers; and

WHEREAS, the Tenafly Rifle and Pistol Club Inc. has set the fee and terms for the Cresskill Police for the use of the range at the amount of \$7,000.00 covering January 1, 2021 through December 31, 2021 (attached hereto).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, that Mayor Romeo hereby authorizes services between the Borough of Cresskill and the Tenafly Rifle and Pistol Club Inc for the use of the indoor pistol range for the year 2021.

14. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following persons be approved for full-time employment as Laborer/Driver/Equipment Operator in the Public Works Department at an annual salary in accordance with Ordinance No. 20-07-1557.

Anthony Guercio      Effective February 1, 2021  
William Dahle        Effective February 8, 2021

15. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that Alison Altano be approved for full time employment in the Finance Office, effective February 8, 2021, at an annual salary of \$65,000.00.

16. WHEREAS, application was made to the Planning Board and escrow money was deposited; and

WHEREAS, the applicants decided not to proceed with this construction and has requested refund of their escrow;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following escrow balance in Developer’s Trust Account 397 be refunded to:

Robert & Theresa Zerrenner  
35 Westervelt Place  
Cresskill, NJ 07626  
Amount: \$ 2,603.25

17. 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 taxes:

<u>TAX PERIOD</u>	<u>BLOCK</u>	<u>LOT</u>	<u>QUAL</u>	<u>NAME</u>	<u>AMOUNT</u>
4 <sup>th</sup> qtr 2020	91.04	1		Acharaya, A.S. & Maanjula, B.N. 323 E. Madison Avenue Cresskill, NJ 07626	\$ 2,675.20





REMARKS FROM THE PUBLIC FOR THE GOOD AND WELFARE OF THE BOROUGH  
 [Reported by Deputy Borough Clerk Patricia A. McKim.]

28. Rob Amonica, 17-19 Union Avenue asked about the maintenance and snow plowing of the Allen Street parking lot. We were responsible for behind the store, but the lot is full of snow. Mayor Romeo said this is the first storm of this magnitude in a very long time. The DPW can't get the plow in to remove the snow from the 10' area behind your store. I'll have Administrator Wrixon and Jim Noseworthy of the DPW come over and we'll get as much snow removed as possible. Administrator Wrixon said Jim Noseworthy was down there for hours with the backhoe and barely made a dent there was so much snow.

Council Member Spina said regarding the ordinance, are the surrounding towns doing the same thing? Attorney Diktas said he knows in Southeast Bergen the cell companies are invading and moving up to this area. Council Member Spina said he thinks residents are going to ask questions why we allowed it. Attorney Diktas said with the FCC preemption, we have no choice. The ordinance is the minimum we can do.

No one else wished to be heard.

29. 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.

30. Motion at 7:53 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