

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

NOVEMBER 3, 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 7:31 P.M.
4. Present: Council Members Cleary, Kaplan, Mueller, Olmo, Savas, Spina  
Also Present: Attorney Gillen, Chief Wrixon, Deputy Chief Domville, Jason Mitchell
5. Motion by Council Member Savas and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of October 20, 2021.

Roll Call: Yes – Unanimous

Motion adopted.

## COMMUNICATIONS

6. Minutes of the following meeting:

Planning Board

October 12, 2021

Filed.

## REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Savas said the High School gym is still unusable, so we are going to make the Community Center facilities available to them. I reached out to the State regarding the flooding we've had from the past two storms and received some guidance from Mr. Patel, who is the Flood Plain Manager of New Jersey's EPA. He advised we contact our congressmen and through him the Army Corp. of Engineers. Mayor Romeo said Council Member Kaplan has written to Congressman Pascrell and we're waiting for a response. Council Member Savas provided the audience with the DEP 24-hour hotline phone number, 1-877-WARNDEP.

Council Member Kaplan said his letter to Congressman Pascrell asked for his help in getting the towns together and getting the USAEC involved in doing something about the Tenakill.

Council Member Mueller said the Tenakill is a very complicated problem, and all the towns must cooperate. We've been looking at this for years and it's not a high priority of the Federal Government and it is a federal waterway. Everyone should reach out to their Congressmen and Senators and put pressure on them, and we should have a better chance of success.

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

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## CONSENT AGENDA

## NEW BUSINESS

\*Resolutions

9. 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:

Krystle Kougias (for: <i>Anthanasios Kougias</i> ) 18 Churchill Road Cresskill, NJ 07626 Amount: \$82.00	Marion Shpigel (for: <i>Estelle Shpigel</i> ) 72 7 <sup>th</sup> Street Cresskill, NJ 07626 Amount: \$225.00	Kyungduck Min (for: <i>Henry &amp; David Min</i> ) 39 Ridge Road Cresskill, NJ 07626 Amount: \$307.50
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Choyoung Lee  
(for: *Seojin Choi*)  
1309 Tenakill Park West  
Cresskill, NJ 07626  
Amount: \$225.50

10. WHEREAS, the Borough of Cresskill (Hereinafter “Borough”), the Cresskill Public Library (hereinafter “CBL”) and the Borough of Alpine (Hereinafter “Alpine”) agree to enter into an Interlocal Agreement for the following services, as more fully described in the attached contract, which is attached hereto and incorporated herein as if set forth in its entirety,

1. Alpine shall permit Cresskill to use the Alpine Leave Disposal Area;
2. Cresskill shall provide adequate assistance to Alpine and the maintenance required to turn the leaves and the windrows located on the site.
3. Cresskill shall offer to each resident, at a contractual cost per family, per year, to a full unrestricted membership to the Cresskill Public Library; and

WHEREAS, the terms of the Agreement have been fully negotiated and reviewed by the Borough Administrator, Mayor and Council; and

WHEREAS, the Contract has been deemed acceptable as presented, subject to Execution;

NOW, THEREFORE, BE IT RESOLVED, that the Council does hereby authorize Mayor Benedict Romeo or Borough Administrator, Edward Wrixon, to execute the Interlocal Agreement between the Borough of Cresskill, Borough of Alpine, and Cresskill Public Library; and

BE IT FURTHER RESOLVED, that this Resolution authorizes the Cresskill Public Library Director to execute the Agreement on behalf of the Cresskill Public Library, pursuant to the terms and conditions of the Interlocal Agreement;

BE IT FURTHER RESOLVED, a certified to be true copy of this Resolution be served upon Cresskill Borough Clerk, Francesca Maragliano; Cresskill Borough Administrator, Edward Wrixon; Cresskill Library

11. WHEREAS, Anthony Iovino, AIA, has been appointed Municipal Architect to design the Improvements to the Department of Public Works Offices; and

WHEREAS, Anthony Iovino presented a Proposal for the Preliminary Design as further outlined in his October 1, 2021, Correspondence, which is attached hereto and incorporated herein as if set forth in its entirety, in the amount of \$37,400.00;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Cresskill does hereby approve the Preliminary Design Fee Proposal submitted by Anthony Iovino, AIA, Municipal Architect for the Improvements of the Department of Public Works Offices;

BE IT FURTHER RESOLVED, that this Resolution be served upon Anthony Iovino, Borough Architect; Edward Wrixon, Borough Administrator; Alison Altano, CFO; and Francesca Maragliano.

12. WHEREAS, The Borough of Cresskill applied for and received a grant from the New Jersey Department of Transportation (NJDOT) Fiscal Year 2020 Municipal Aid Program, in the amount of \$225,000.00 for the Union Avenue Streetscapes Improvement Project.

WHEREAS, the Construction Contract for the project is to be awarded by November 21, 2021, unless otherwise extended by the NJDOT for good cause.

WHEREAS, the Borough Engineer is in receipt of correspondence dated October 18, 2021, as prepared by the NJDOT.

WHEREAS, the Borough Engineer has reviewed same and has prepared a written response letter dated October 20, 2021 (copy attached) identifying certain unique circumstances which are noted to be beyond the immediate control of the Borough of Cresskill, the same must be addressed prior to the public bidding of this project.

WHEREAS, in order to:

1. Address the comments, if any, to be received from the NJDOT Bureau of Railroad Engineering and Safety and
2. Obtain the necessary Consent Agreement from property owners impacted by the proposed Interlocking Concrete Pavement (i.e. concrete paver sidewalk) to be constructed at or about the same locations as the existing colored and textured asphalt sidewalks constructed by the Borough of Cresskill, approximately 20 years ago, the Borough of Cresskill, requires an appropriate extension of time beyond November 21, 2021 to properly address the above described unique set of circumstances.

NOW THEREFORE BE IT RESOLVED, that the Borough of Cresskill requests that the date for the awarding of the Construction Contract for the project known as Union Avenue Streetscapes Improvements be extended for a period of 6 (six) months, to May 21, 2022.

#### Miscellaneous Business

13. Approve the following Raffle License:

RL 1441                  American Legion Post #21 Camp Merritt          Jan 1<sup>st</sup> – Dec. 31<sup>st</sup>, 2022

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

14. No one wished to be heard.
15. Motion by Council Member Savas and seconded by Council Member Cleary to close the meeting to remarks on agenda items.

Roll Call:          Yes – Unanimous                          Motion adopted.

16. Motion by Council Member Savas and seconded by Council Member Mueller 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.

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

Roll Call: Yes – Unanimous Motion adopted.

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#### PRESENTATION OF BILLS

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

(Resolution in full on pages 144A through 144E.)

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.]

19. Carole Sommer, 262 Piermont Road said the dam break in Demarest impacted them and asked what steps the Borough is taking. Council Member Savas said the dam was damaged due to overtopping from the remnants of Hurricane Ida and the homeowner was directed by the DEP's Bureau of Dam Safety to perform an inspection and lower the water level until permanent repairs could be made. Ms. Sommer asked how long before County Road gets repaired because the traffic on Piermont Road is terrible now and the trucks speed and are very loud. Mayor Romeo said we hope soon but it's a county road. Chief Wrixon said we can put the portable speed sign there and do a traffic study.

Anthony Scianna, 62 Park Avenue said they are also seeing a lot of speeding traffic on his street due to the detour. Deputy Chief Domville said the County said it could take 6 months to a year to repair the bridge on County Road in Demarest. Chief Wrixon said we can move the speed machine to Park Avenue after we're done with Piermont Road.

Soo Park, 89 Heather Hill Road said she and her neighbors had bad flooding from the last two storms. Mayor Romeo said the problem with that area is when it rains that hard, the brook from Douglas Drive and 11<sup>th</sup> Street comes down and floods through the pipe. We are on streams all over town.

Mesif Berberoglu, 90 East Madison Avenue said something needs to be done with the infrastructure. There's been too much building in town. Mayor Romeo said 3<sup>rd</sup> street was a swamp and now it's three ball fields. Madison Avenue was a swamp from Madison Avenue to Tenafly. Pierce Avenue was a swamp. Back in the 1950's there weren't any DEP rules, you could build on anything. The Tenakill study shows that a swamp serves the purpose of when it rains, the water in the swamp rises up and dissipates into the swamp. The flooding that happened has never happened before. This was a 300-year flood. Anything that's being built now, the damage has already been done. Mr. Berberoglu said the lack of drainage on Palisade Avenue makes the water come down East Madison Avenue. The drainpipes can't handle the water. If we work together, we can fix this problem. Mayor Romeo said we'll get together with the engineer.

Chenten Patel, 110 East Madison Avenue said there aren't enough storm drains.

Jin Ho Lee, 120 East Madison Avenue asked what we can do to prevent this going forward. Mayor Romeo said he is going to have the Engineer look at the size of the drainage pipes and tell him where we can put more storm drains and if the pitch of the

road is wrong, we're going to correct it. Mr. Lee said we can buy inflatable dams for the parts of town where we see a lot of water. Mayor Romeo asked him to send a picture.

Kyung Kang, 27 Morningside Avenue said she is right next to the brook, and it was very scary. To be prepared for this flooding, we can clean the brook so the bridge on Morningside doesn't get blocked from the debris.

Council Member Savas said we need the USACE to come and do a study. Everyone should write or call your congressman.

Chief Wrixon said he's never seen anything like the flooding we had during Hurricane IDA in the 38 years he's worked here. But that doesn't mean there's not an issue that we can't address. Mayor Romeo said we are going to address these locations and see what can be done.

Council Member Savas said Lt. Tiedemann at the County OEM told her when you get three inches of rain an hour, we're going to flood. We'll post relevant phone numbers and links on the Borough website.

Dimple Kabadi-Berger, 5 Lambs Lane said she heard the DPW's salt storers contaminated the electrical system in the High School. Did that salt contamination go into the Tenakill? I wonder if we can leverage that with the DEP. Council Member Olmo said he doesn't believe the DEP is protective of their waterways in that manner. Eight to ten years ago we investigated cleaning the Tenakill and it was 12 million dollars just for Cresskill. The problem is not what's going in there now, but what is in there already. It's all hazardous material and industrial chemicals and they don't want to disturb it. Council Member Mueller said the DEP wants to ignore the Tenakill as much as it can.

Denise Villani, 41 Maple Street and President of the BOE thanked the Mayor and Council for their help with the school flooding situation. We have been in contact with the state and federal governments. The kids will be starting at St. Therese on Monday on a rotating schedule for in person learning for their social and emotional health. We're hoping to get into twenty classrooms in the High/Middle School as soon as possible. Working collaboratively with you is very important to us. Personally, I would like to thank the DPW for all their help with the flooding problems at my home.

Mayor Romeo addressed the 1 Union Avenue project.

No one else wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

21. Motion at 8:51 P.M. by Council Member Savas and seconded by Council Member Olmo 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