

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETINGOCTOBER 19, 2022

1. Suzanne Joshi 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 8:04 P.M.
4. Present: Council Members Cleary, Kaplan, Olmo, Savas, Schultz-Rummel, Spina
Also Present: Attorney Diktas, Chief Domville, Lieutenant Lanzilotti
5. Motion by Council Member Olmo and seconded by Council Member Schultz-Rummel to approve the minutes of the Mayor and Council Regular meeting of October 5, 2022.

All in Favor. None Opposed.

Motion adopted.

COMMUNICATIONS

6. Minutes of the following meeting:

Planning Board

September 27, 2022

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

7. No Reports

UNFINISHED BUSINESS

ORDINANCE ON FINAL READING

Ordinance No. 22-16-1598 – Amend Chapter 101-2 Construction Board of Appeals in its Entirety

8. Motion at 8:06 PM by Council Member Schultz-Rummel and seconded by Council Member Savas to hear Ordinance No. 22-16-1598 on final reading by title only, An Ordinance Rescinding Ordinance Chapter 101 Construction Codes, Uniform, Specifically §101-2 Construction Board of Appeals in its Entirety.

Roll Call: Yes – Unanimous

Motion adopted.

(Ordinance in full on page 157A in Minutes of Regular Mayor and Council Meeting held October 5, 2022.)

9. The Borough Clerk announced the Ordinance was published in The Record on October 7, 2022, 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. Mayor Romeo said this ordinance is rescinding our Construction Board of Appeals and turning the jurisdiction over to the County.

No one else wished to be heard.

12. Motion by Council Member Schultz-Rummel and seconded by Council Member Olmo to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

13. Resolution by Council Member Schultz-Rummel and seconded by Council Member Olmo:

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. 22-16-1598, entitled:

BOROUGH OF CRESSKILL COUNTY OF BERGEN, STATE OF NEW JERSEY
ORDINANCE RESCINDING ORDINANCE CHAPTER 101 CONSTRUCTION
CODES, UNIFORM, SPECIFICALLY §101-2 CONSTRUCTION BOARD OF
APPEALS IN ITS ENTIERTY

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

Roll Call: Yes – Unanimous Resolution adopted.

Ordinance No. 22-17-1599 – Amend Chapter 6 Article XIV Garden Committee

14. Motion at 8:07 PM by Council Member Schultz-Rummel and seconded by Council Member Savas to hear Ordinance No. 22-17-1599 on final reading by title only, Amend Chapter 6 - Boards and Committees Article XIV – Cresskill Garden Committee.

Roll Call: Yes – Unanimous Motion adopted.

(Ordinance in full on page 157B in Minutes of Regular
Mayor and Council Meeting held October 5, 2022.)

15. The Borough Clerk announced the Ordinance was published in The Record on October 7, 2022, posted in Borough Hall, and copies made available to the public.

16. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]

17. Mayor Romeo said this is reinstating the Garden Club.

No one else wished to be heard.

18. Motion by Council Member Schultz-Rummel and seconded by Council Member Olmo to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

19. Resolution by Council Member Schultz-Rummel and seconded by Council Member Olmo:

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. 22-17-1599, entitled:

AMEND CHAPTER 6 – BOARDS AND COMMITTEES
ARTICLE XIV – CRESSKILL GARDEN COMMITTEE

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

Roll Call: Yes – Unanimous Resolution adopted.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

21. WHEREAS, the Cresskill Board of Education and the Mayor and Council of Cresskill have agreed to enter into an Interlocal Service Agreement for the retention and remuneration for Class 3 Special Police Officers; and

WHEREAS, the parties have negotiated an arms-length agreement for the payment to the officers and the required training necessary for the officers to undertake their position.

NOW THEREFORE BE IT RESOLVED, that the Council does hereby authorize Borough Attorney Christos J. Diktas, to prepare the Interlocal Shared Service Agreement between the Borough of Cresskill and the Cresskill Board of Education; and

BE IT FURTHER RESOLVED, that the Council does hereby authorize Mayor Benedict Romeo to execute the Interlocal Shared Service Agreement between the Borough of Cresskill and the Cresskill Board of Education; and

BE IT FURTHER RESOLVED, that a Certified to be True Copy of this Resolution be tendered to: Borough of Cresskill Board of Education Superintendent Michael Burke; Borough Clerk, Francesca Maragliano; Borough CFO, Alison Altano; Police Chief James Domville; and Borough Attorney Christos J. Diktas

22. RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF CRESSKILL AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$9,589,000 BOND ANTICIPATION NOTE, DATED OCTOBER 14, 2022 AND PAYABLE JULY 13, 2023, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Cresskill, in the County of Bergen, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations the interest on which is excluded from gross income for Federal income tax purposes and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough desires to designate a \$9,589,000 Bond Anticipation Note, dated October 14, 2022 and payable July 13, 2023 (the "Note"), as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Cresskill, in the County of Bergen, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Note be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) the Note is not a "private activity bond" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2022.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2022.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough be and they hereby are authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2022 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption. The foregoing resolution was adopted by the following roll call vote:

Ayes:

Nays:

[SEAL]

ATTEST: _____
Borough Clerk

23. WHEREAS, in order to address the Municipal Employment Chain of Command, the Borough requires the adoption of a formal Employment Organizational Chart; and

WHEREAS, the Council has directed Borough Clerk, Francesca Maragliano, and the Borough Attorney, to prepare an Organizational Chart for review and opinion prior to adoption; and

WHEREAS, attached hereto and incorporated herein as if set forth in its entirety, is the Borough of Cresskill Organizational Chart, which, upon adoption, shall establish the chain of responsibility for all elected and employed Borough personnel.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of Cresskill do hereby adopt the attached Organizational Chart titled "Borough of Cresskill Organizational Chart"; and

BE IT FURTHER RESOLVED, that all department heads are to receive a copy of the Organizational Chart, and are required to follow the protocols noted therein; and

BE IT FURTHER RESOLVED, that the Borough Clerk, Francesca Maragliano, is hereby directed to annually include a Resolution readopting the Organizational Chart at the annual Reorganization Meeting; and

BE IT FURTHER RESOLVED, that a Certified to be True Copy of this Resolution be tendered to: All Department Heads; Borough Clerk, Francesca Maragliano, and Borough Attorney Christos J. Diktas, Esq.

24. 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:

Kerri Levine (for: Chase Levine) 147 Truman Drive Cresskill, NJ 07626 Amount: \$144.00	Amy Handman (for: Oliver Handman) 329 12 th Street Cresskill, NJ 07626 Amount: \$100.00	Yael Descalo (for: Ella & Tamara Descalo) 135 7 th Street Cresskill, NJ 07626 Amount: \$440.00
Isabelle Arnone (for: Carmela Arnone Levy) 131 Davenport Avenue Cresskill, NJ 07626 Amount: \$220.00	Sarah Howell (for: Gabrielle Kim) 56 Merritt Avenue Cresskill, NJ 07626 Amount: \$200.00	Lior Rosental (for: Adam & Mia Rosental) 37 Buckingham Road Cresskill, NJ 07626 Amount: \$940.00
Maria Naula (for: Sophia Olivia Naula) 27 Morningside Avenue Cresskill, NJ 07626 Amount: \$200.00	Ron Dickson (for: Gal Dickson) 274 Brookside Avenue Cresskill, NJ 07626 Amount: \$150.00	Ariela Reichenberg (for: Ethan & Eyal Reichenberg) 60 Churchill Road Cresskill, NJ 07626 Amount: \$280.00
Natalie Melamud (for: Alon Melamud) 382 Highland Street Cresskill, NJ 07626 Amount: \$150.00	Yasmin Elgandy (for: Zainab Kassem) 12 Florence Avenue Cresskill, NJ 07626 Amount: \$150.00	Dario Bordokan (for: Helena Bordokan) 127 Stonegate Trail Cresskill, NJ 07626 Amount: \$150.00
Hyun Ju Oh (for: Lucian Kim) 54 Magnolia Avenue Cresskill, NJ 07626 Amount: \$200.00	Angelica Moutran (for: Sophie Moutran) 40 Michele Court Cresskill, NJ 07626 Amount: \$195.00	Nuri Kim (for: Ian Kim) 272 Madison Avenue Cresskill, NJ 07626 Amount: \$200.00

25. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following September and October 2022 payrolls be ratified and approved:

<u>September 9, 2022</u>	
Current Fund	376,531.23
Pool	23,870.85
Community Center	2,820.43
Library	<u>14,105.57</u>
	\$ 417,328.08

September 23, 2022

Current Fund	313,719.64
Pool	19,955.30
Community Center	2,103.48
Library	<u>13,694.04</u>
	\$ 349,472.46

October 7, 2022

Current Fund	325,058.60
Pool	409.93
Community Center	2,103.48
Library	<u>14,195.20</u>
	\$ 341,767.21

26. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that Part Time employment of Peter DeVries as Senior Van Driver effective November 2, 2022 in accordance with Salary Ordinance No. 20-01-1583.
27. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that pursuant to the recommendation of the Library Board of Trustees, the following part time employment be made:
- Barbara Krassos P/T Circulation Assistant \$15.00/per hour Eff. October 25, 2022

Motions

28. Appoint Renee Sarubbi to the Pool Commission term ending December 31, 2023.
29. Appoint Elinor Romer, Doris Blasi, Sheri Kaplan, and Alysia Rodriguez to the Garden Committee with term ending December 31, 2023.

Miscellaneous Business

30. Approve the following Raffle License:

RL1446 Bergen County Chiefs Association December 29, 2022

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

31. No one wished to be heard.
32. Motion by Council Member Olmo and seconded by Council Member Cleary to close the meeting to remarks on agenda items.

Roll Call: Yes – Unanimous Motion adopted.

33. 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.

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

Roll Call: Yes – Unanimous Motion adopted.

PRESENTATION OF BILLS

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

(Resolution in full on pages 170A through 170I.)

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.]

36. Chief Domville said the Police Honor Guard attended the 9-11 ceremony held by the Junior Football League. They also attended the Andiamo motorcycle benefit in September.

Tomorrow the Adopt-A-Cop program will be visiting 2nd grade classes.

Coffee with a cop will be October 22nd at 7-Eleven. On December 11th the Bergen County Chief's Assn. is donating a wreath to every borough to be displayed in their town in honor of the Veteran's sacrifices.

Officer Grubecki had folding Do No Enter signs and crossbars with cones placed on Brookside Avenue to replace the large movable signs the crossing guards were using.

We had a pedestrian get struck by a car at the area of Grant and Jefferson Avenues. Unfortunately, this is the second time and Officer Grubecki is talking with the engineer. We need to do a car count and a traffic study to even propose a traffic light or flashing light. This is an issue we need to address.

Council Member Olmo said the American Legion is holding an Auto Show fundraiser on October 30th in the Swim Club parking lot.

Adam Rubinstein, 31 Pierce Avenue said he's noticed a lot more deer over the last 6 months and wanted to know if there's something that can be done to limit the number. Mayor Romeo said we can check with the County, but I don't know if there's anything that can be done.

Mayor Romeo said the BOE candidates' night is October 27th at 7:00 PM at Bryan School.

Council Member Schultz-Rummel said the plantings the Garden Committee did at the corner of Madison Avenue and Piermont Road looks great.

No one else wished to be heard.

37. Motion at 8:26 P.M. by Council Member Olmo and seconded by Council Member Cleary to close the meeting and adjourn.

All in Favor. None Opposed. Motion adopted.

Benedict Romeo
Mayor

Francesca Maragliano
Borough Clerk