

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

MAY 19, 2021

1. Chief Wrixon 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 7:34 P.M.
4. Present: Council Members Cleary, Mueller, Olmo, Savas, Spina
Also Present: Attorney Diktas, Chief Wrixon, Deputy Chief Domville
Absent: Council Member Kaplan
5. Motion by Council Member Savas and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of May 5, 2021.

Roll Call: Yes – Unanimous

Motion adopted.

COMMUNICATIONS

6. Minutes of the following meeting:

Planning Board

April 27, 2021

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Savas said registration for Summer Fun is going well and enrollments are ahead of this time last year. We're going to take 250 kids.
The Library is working on a grant application and will be going back to full time hours soon. They're also getting estimates for some landscaping work.

Council Member Olmo said things with the pool are going well and they are currently reviewing the Governor's orders so they are in compliance.

Council Member Cleary said the Library has been very helpful to his wife.

UNFINISHED BUSINESS

ORDINANCE ON FINAL READING

Ordinance No. 21-22-1572 – 2021 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A 40A:4-45.14)

8. Motion at 7:39 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Ordinance No. 21-22-1572 on final reading by title only - 2021 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A 40A:4-45.14)

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

(Ordinance in full on page 53A in Minutes of Regular
 Mayor and Council Meeting held May 5, 2021.)

9. The Borough Clerk announced the Ordinance was published in The Record on May 10, 2021, 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. Council Member Olmo said this is to establish a cap bank for next year's reserve.

No one else wished to be heard.
12. 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
 No – None
 Absent – Council Member Kaplan
 Abstain – None
 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. 21-22-1572, entitled:

2021 "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, Mueller, Olmo, Savas, Spina
 No – None
 Absent – Council Member Kaplan
 Abstain – None
 Resolution adopted.

NEW BUSINESS

INTRODUCTION OF ORDINANCE

Ordinance No. 21-23-1573 – An Ordinance Prohibiting the Operation of Any Class of Cannabis Businesses within its Geographical Boundaries and Amending Chapter 275-Zoning of the Borough of Cresskill.

14. Motion at 7:40 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Ordinance No. 21-23-1573 – An Ordinance Prohibiting the Operation of Any Class of Cannabis Businesses within its Geographical Boundaries and Amending Chapter 275-Zoning of the Borough of Cresskill on first reading by title only.

125 Palisade Avenue
Cresskill, NJ 07626
Amount: \$61.50

57 Merritt Avenue
Cresskill, NJ 07626
Amount: \$115.00

94 Evergreen Avenue
Cresskill, NJ 07626
Amount: \$102.88

Tomoko Takahashi
(for: Naomi Solari)
141 Stonegate Trail
Cresskill, NJ 07626
Amount: \$66.63

Hyunjeong Kim
(for: Dain Kim)
39 Park Avenue
Cresskill, NJ 07626
Amount: \$126.75

Jungsun Hyun
(for: Hanyou Kim)
50 Palisade Avenue
Cresskill, NJ 07626
Amount: \$65.00

Choyoung Lee
(for: Seojin Choi)
1309 Tenakill Park West
Cresskill, NJ 07626
Amount: \$51.63

Beatriz Moscarella
(for: Ryan Moscarella)
182 7th Street
Cresskill, NJ 07626
Amount: \$117.88

Orlee Winer
(for: Otto Levine)
6 Westervelt Place
Cresskill, NJ 07626
Amount: \$66.63

19. WHEREAS, the Council of the Borough of Cresskill (the “Borough”) is the Municipal Governing Authority of the Borough of Cresskill, New Jersey; and

WHEREAS, St. George’s University, located in Grenada, West Indies, is the largest not-for-profit Medical school in the world; and

WHEREAS, the Borough of Cresskill owns a 1985 American La France Fire Truck, VIN 1AFAD1182F1A18221; and

WHEREAS, the Borough’s 1985 American La France Fire Truck does not meet current fire truck codes, and its cash value and trade in value is limited; and

WHEREAS, Steven J. Babiak, CCP, Executive Director of the Department of Public Safety at St. George’s University, has respectfully requested that the Mayor and Council of Cresskill donate the Borough’s 1985 American La France Fire Truck, to St. George’s University and the Royal Grenada Fire Department; and

WHEREAS, the Royal Grenada Fire Department and St. George’s University have limited Financial Resources, and are unable to purchase a Fire Truck to service their constituents;

NOW THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Cresskill does hereby Happily donate to the Royal Grenada Fire Department and St. George’s University its 1985 American La France Fire Engine VIN 1AFAD1182F1A18221, subject to the Royal Grenada Fire Department and St. George’s University executing the attached Indemnification Agreement; and

BE IT FURTHER RESOLVED, the Council does hereby authorize Borough Administrator, Edward Wrixon, Borough Clerk, Francesca Maragliano, or Fire Chief, Christopher Ulshoefer, to execute all Motor Vehicle Title Transfer Documents necessary to convey ownership of the American La France Fire Engine to the Royal Grenada Fire Department and St. George’s University; and

BE IT FURTHER RESOLVED, the Mayor and Council of the Borough of Cresskill and its Residents wholeheartedly endorse the donation of this Fire Safety Vehicle to the Royal Grenada Fire Department and St. George’s University; and

BE IT FURTHER RESOLVED that a Certified True Copy of this Resolution be transmitted to Steven J. Babiak, CCP, Executive Director of the Department of Public Safety at St. George’s University; Alison Altano, CFO; Francesca Maragliano, Borough Clerk; and Christopher Ulshoefer, Cresskill Fire Chief.

20. Governor’s Council on Alcoholism and Drug Abuse Fiscal Grant Cycle
July 2020-June 2025

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Mayor and Council of the Borough of Cresskill, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Borough of Cresskill further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough of Cresskill has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Mayor and Council does hereby authorize submission of a strategic plan for the Cresskill Municipal Alliance grant for fiscal year 2022 in the amount of:

DEDR	\$3,836.33
Cash Match	\$ 959.08
In Kind	\$2,877.25

2. The Mayor and Council acknowledge the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Approved: _____
Benedict Romeo, Mayor

CERTIFICATION

I, Francesca Maragliano, Municipal Clerk of the Borough of Cresskill, County of Bergen, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Mayor and Council on this 19th day of May 2021.

Francesca Maragliano, Municipal Clerk

21. 2021 TEMPORARY BUDGET

WHEREAS, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2021 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 2021 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$ 635,534.00 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

Financial Administration		
Salaries and Wages	\$	17,000.00
Other Expenses		1,000.00
Revenue Administration		
Salaries and Wages		5,500.00
Tax Assessment		
Salaries and Wages		2,200.00
Police Departments		
Salaries and Wages		140,000.00
Aid to Volunteer Fire		
Salaries and Wages		65,000.00
Municipal Prosecutor		
Other Expenses		700.00
Streets and Road Maintenance		
Salaries and Wages		150,000.00
Snow Removal		
Salaries and Wages		15,000.00
Public Health Services		
Salaries and Wages		2,500.00
Senior Citizens		
Salaries and Wages		1,500.00
Telephone		12,000.00
Water		7,000.00
Bergen County Utilities Authority		173,534.00
Social Security		37,000.00
Municipal Court		
Salaries and Wages		5,600.00
	Total	\$ 635,534.00

2. That said emergency temporary appropriations will be provided for in the 2021 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

22. 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 employments be made retroactively:

Adam Markle	P/T Circulation Assistant	\$13.00/per hour	Eff. May 3, 2021
Grace Pawlowski	P/T Circulation Assistant	\$13.00/per hour	Eff. May 3, 2021

23. BE IT RESOLVED, by the Mayor and Council, Borough of Cresskill, that the following be appointed as part-time Police Dispatcher in the Cresskill Police Department effective May 19, 2021, at salary in accordance with Ordinance No. 21-18-1568.

Name
Johnathan Van Cleft

24. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the Mayor be, and hereby is, authorized to execute a Solid Waste Service Agreement with the Bergen County Utilities Authority for Cresskill's participation in the BCUA Solid Waste Cooperative Marketing Program for term ending May 31, 2023.

25. AUTHORIZING MEMBERSHIP AND PARTICIPATION IN THE HOUSTON-GALVESTON AREA COUNCIL APPROVED PURCHASING CO-OPERATIVE

WHEREAS, *N.J.S.A. 40A:11-11* and *N.J.A.C. 5: 24-6 et. seq.* authorizes the creation of and participation in cooperative pricing systems or joint purchasing systems between permitted bodies to facilitate efficient and cost effective purchasing so as to maximize savings; and

WHEREAS, the Borough of Cresskill desires to enter into an interlocal contract with the Houston-Galveston Area Council, herein referred to as "H-GAC" having its principal place of business at 3555 Timmons Lane, Suite 120, Houston, Texas 77027, effective upon passage and each renewal thereafter, unless the Borough of Cresskill elects to formally withdraw from the contract.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to execute, and the Borough Clerk to attest, an agreement between the Borough of Cresskill and Houston-Galveston Area Council for membership in the cooperative. A copy of such contract shall be on file in the office of the Borough Clerk, and shall be available for public inspection.

26. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the following School Marshals be re-appointed for term of July 1, 2021 to June 30, 2022:

Yakov Shvartzayd	Renee Morgan	Yvonne Caldarulo
Donna Smith	Steve Schweitzer	John Amicucci
Lisa Langan	Lauraine Bertero	Zena (Zainab) Metwalli
John Cook	John Moran	Kevin Morgan
Bridget Roche	Richard Donahue	John Morgan
Charles Dean	Boris Karalnik	Michael Gaeckle
Edward Giesemann	Goewoone Jung	

27. WHEREAS, Planning Board applications, soil permit applications and tree escrow were required for several properties; and

WHEREAS, escrow accounts were established for this work; and

WHEREAS, the work has been completed and inspected;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following refunds of Developer Escrow accounts be made:

<u>Account No.</u>	<u>Block</u>	<u>Lots</u>	<u>Applicant</u>	<u>Amount</u>
DE-424	127	1-4	Ramiz Bodini 9 Prospect Ave., Apt. #2 Cliffside Park, NJ 07010 (for: 157 Knickerbocker Road)	\$ 1,535.70
DE-445	196	12	Giesi Holland LLC 36 Stonybrook Road Tenafly, NJ 07670 (for: 31 Holly Lane)	\$ 1,182.75

28. WHEREAS, the Cresskill Police Department has requested that 101 Broadway Cresskill LLC and Crestron Electronics Inc., as owner and occupant, respectively, of the premises located at 101 Broadway (hereinafter, the "Premises") authorize the use of the Premises by the Cresskill Police Department to conduct the Cresskill Police "Active Shooter Training Program"; and

WHEREAS, 101 Broadway Cresskill LLC and Crestron Electronics Inc. have requested that the Borough of Cresskill grant to them and each of them a Hold Harmless Indemnity

Agreement from any claim and/or litigation arising out of Cresskill Police Department's utilization of the Premises as an "Active Shooter Training Facility";

NOW, THEREFORE, BE IT RESOLVED, the Borough does hereby authorize Mayor Benedict Romeo or his Designee, Edward Wrixon, Borough Administrator, to execute a Hold Harmless Agreement with each, 101 Broadway Cresskill LLC and Crestron Electronics Inc., as further described and limited in the attached Hold Harmless Agreement, which is incorporated herein as if set forth in its entirety;

BE IT FURTHER RESOLVED, that a Certified to be True Copy of this Resolution be served upon 101 Broadway Cresskill LLC; Crestron Electronics Inc.; Edward Wrixon, Borough Administrator; Francesca Maragliano, Borough Clerk; James Domville, Deputy Police Chief; and Christos J. Diktas, Esq., Borough Attorney.

29. BE IT RESOLVED that the following solicitor's license, which has been approved by the Chief of Police, be issued under the provisions of Chapter 140 of the Code of the Borough of Cresskill for the term ending December 31, 2021:

Kona Ice of Paramus
29 Sherwood Road
Dumont, NJ 07628
Purpose: Shaved Ice Sales

#21-1009 – Erick Barinas

30. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the following be approved for part time seasonal help as Laborers in the Public Works Department at a salary of \$13.50 per hour.

Nicholas McNerney – effective May 24, 2021
Justin Ulmer – effective June 1, 2021

31. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 20-00002, Block 92.07, Lot 48, also known as 136 Palisade Avenue, Cresskill, NJ in the amount of \$26,633.25.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$26,633.25 and premium paid by lienholder in the amount of \$49,400.00 for total of \$76,033.25 be paid to:

C & E Tax Lien Fund
P.O. Box 5021
Philadelphia, PA 19111

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

32. Council Member Spina asked for a clarification of Resolution #8 (#25). Borough Clerk Maragliano said it's a cooperative we're entering into for the fire truck.

No one else wished to be heard.

33. 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.

34. Motion by Council Member Savas 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.

35. Motion by Council Member Savas 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

36. Resolution by Council Member Olmo and seconded by Council Member Savas:

(Resolution in full on pages 66A through 66G.)

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.]

37. Mayor Romeo said unfortunately there will not be a Memorial Day parade or July 4th celebration. We're hoping to have a joint celebration when all the restrictions are lifted, hopefully in the fall.

No one else wished to be heard.

38. Motion by Council Member Savas and seconded by Council Member Cleary to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

39. 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