

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

NOVEMBER 2, 2022

1. Joe DeFranco of Bruno Associates 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 7:10 P.M.
4. Present: Council Members Cleary, Kaplan, Olmo, Savas, Schultz-Rummel, Spina
Also Present: Attorney Diktas, Chief Domville
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 19, 2022.

All in Favor. None Opposed.

Motion adopted.

COMMUNICATIONS

6. Minutes of the following meeting:

Planning Board

October 11, 2022

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Spina said last weekend's 5k run raised approximately \$20k and had 340 participants, which is 50% more than last year. Half the proceeds go to the BOH's Foundation and half to the CEF. Everyone did a great job. The BOH has a community feedback survey posted on the Borough website.

Council Member Savas said Recreation's Halloween celebrations were all a success.

Council Member Olmo said the American Legion had an antique car show in the swim club parking lot last weekend which was well attended.

There seemed to be a lot of kids out trick or treating this year, so things seem to be getting back to normal. Chief Domville said we had no vandalism on cabbage night.

Council Member Kaplan said the 5k run and auto show were both great events.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

9. WHEREAS, Anthony Iovino, AIA, has been appointed Municipal Architect; and

WHEREAS, Anthony Iovino presented a Proposal for architectural services for the fire house roof as further outlined in his October 3, 2022, Correspondence, which is attached hereto and incorporated herein as if set forth in its entirety, in the amount of \$11,000.00;

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

BE IT FURTHER RESOLVED, that this Resolution be served upon Anthony Iovino, Borough Architect; Christopher Ulshoefer, Fire Chief; Alison Altano, CFO; and Francesca Maragliano.

10. Resolution – Amendment to Flexible Spending Plan

WHEREAS, the Borough of Cresskill has contracted with PrimePay/Primeflex Administrative Services LLC as per resolution dated March 7, 2012.

WHEREAS, the Borough desires to amend the plan for medical maximum limit deduction of \$3,050.00 for any employee enrolled in the plan.

NOW THEREFORE BE IT RESOLVED, that the form of amended Cafeteria Plan including a Health Flexible Spending Account and Dependent Care Flexible Spending Account effective January 1, 2023, is hereby approved and adopted and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

11. 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:

Jacquelyn Miller
(for: Livingston & Alanna Miller)
 50 Jackson Drive
 Cresskill, NJ 07626
 Amount: \$450.00

12. 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>NAME</u>	<u>AMOUNT</u>
4 th qtr 2022	1.02	12	Elmer & Charito Montalbo 35 Mountain View Road Cresskill, NJ 07626	\$ 3,595.14

13. 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 2024 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 2nd day of November 2022.

Francesca Maragliano, Municipal Clerk

14. WHEREAS, Thomas Grubecki is the owner of premises commonly known as 108 Brookside Avenue, Cresskill, New Jersey; and

WHEREAS, Cresskill Housing Rehabilitation holds a mortgage in the amount of \$15,000.00 on the aforesaid premises known as Block 119, Lot 43; and

WHEREAS, the mortgage was recorded or registered in the office of the Bergen County recoding office on November 20, 2008 in Mortgage Book 17509 on page 0258; and

WHEREAS, the mortgage has been paid in full or forgiven or otherwise satisfied and discharged.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the Mayor be and is hereby authorized to execute a Subordination of Mortgage subordinating the mortgage held by Cresskill Housing Rehabilitation in the amount of \$15,000.00 for premises commonly known as 108 Brookside Avenue, Cresskill, New Jersey, Block 119, Lot 43.

15. BE IT RESOLVED:

1. That the specifications for Cleaning Public Buildings in the Borough of Cresskill 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

SPECIFICATIONS FOR CLEANING PUBLIC BUILDINGS

Notice is hereby given that sealed bids will be received by the Mayor and Council of the Borough of Cresskill for Cleaning Public Buildings in the Borough of Cresskill, in the County of Bergen. Bids will be opened and read in public at the Municipal Building on Tuesday, November 29, 2022, at 10:00 AM Prevailing Time. Specifications and forms of bids for the proposed work are on file in the office of the Borough Clerk and may be inspected by prospective bidders during business hours on or after November 4, 2022.

Bidders will be furnished with a copy of the specifications on proper notice. Bids must be made on standard proposal forms in the manner designated therein and required by the specifications, must be enclosed in sealed envelopes bearing the name of the bidder and labeled “Cleaning Public Buildings” Bid and addressed to: Mayor and Council, Borough of Cresskill, and must be accompanied by a Non-Collusion Bid Statement and be delivered at the place on or before the hour named above. The standard proposal form and the Non-Collusion Bid Statement are attached to the supplemental specifications, copies of which will be furnished on application to the Borough Clerk.

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 of the lowest, responsible bidder.

By order of the Mayor and Council
Francesca Maragliano
Borough Clerk”

4. That the said Clerk be and hereby is empowered and directed to insert in the space for dates such convenient hour and day as will cause the opening of bids to take place not less than ten (10) days after the date of the first publication of the advertisement, to notify each and every member of this body, in writing, that a meeting thereof will be held on the day at the hour named to receive all bids sent or delivered.
16. WHEREAS, the Borough Clerk of the Borough of Cresskill was previously authorized to advertise for Bids for the Magnolia Avenue Improvements 2021 N.J.D.O.T. Municipal Aid Program; and

WHEREAS, pursuant to said Notice, the receipt and opening of Bids took place on October 26, 2022; at which time the following bid was received:

Company	Base Bid
American Asphalt & Trucking LLC	\$ 297,424.03

WHEREAS, the Chief Financial Officer of the Borough of Cresskill has confirmed the availability of funds for the project, specifically that the project will be funded through Capital Ordinance and NJ DOT Grants; and

WHEREAS, Azzolina Fuery Engineering has recommended acceptance of the Bid submitted by American Asphalt & Trucking LLC as being the apparent low and most Responsible Bidder;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill does hereby award the Bid for the Magnolia Avenue Improvements 2021 N.J.D.O.T. Municipal Aid Program to American Asphalt & Trucking LLC in the amount of Two Hundred Ninety Seven Thousand Four Hundred Twenty Four Dollars and Three cents (\$297,424.03); and

BE IT FURTHER RESOLVED, that this Bid Award is subject to the New Jersey Department of Transportation approval and issuance of Grant Funds in the amount of Two Hundred Fourteen Thousand Dollars. (\$214,000.00)

BE IT FURTHER RESOLVED, that the Borough requires the submission of the following Original Documents: Performance Bond and Payment Bond, Certificate of

Insurance, Affirmative Action Affidavit and Initial Project Workforce Report (Form AA-201) before the Contract is issued; and

BE IT FURTHER RESOLVED, that the Borough Attorney has prepared all necessary documents to effectuate this Resolution; and

BE IT FURTHER RESOLVED, that Mayor Benedict Romeo is authorized to execute, on behalf of the Borough, the Approved Construction Contract; and

BE IT FURTHER RESOLVED, that a Certified to be True copy of this Resolution shall be forwarded to American Asphalt & Trucking LLC; Azzolina & Fuery Engineering; Alison Altano, Borough CFO; Francesca Maragliano, Borough Clerk and Christos J. Diktas, Esq., Borough Attorney.

17. RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY
VIA ON-LINE AUCTION

WHEREAS, the Borough of Cresskill is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough of Cresskill is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, as follows:

1. The sale of surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough of Cresskill.
2. The sale will be conducted online and the address of the auction is govdeals.com.
3. The sale is being conducted pursuant to Local Finance Notice 2008-9.
4. A list of the surplus property to be sold is indicated on Schedule A attached hereto.
5. The surplus property as identified shall be sold in an “as is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
6. The Borough of Cresskill reserves the right to accept or reject any bid submitted.

18. WHEREAS, the Mayor and Council of the Borough of Cresskill on May 18, 2022 adopted Resolution No. 5 awarding a bid for the Reconstruction of Union Avenue Street Scapes to Zuccaro, Inc. in the amount of \$729,812.00; and

WHEREAS, Zuccaro, Inc. has requested payment for the current work completed to date; and

WHEREAS, the Borough Engineer, Azzolina & Feury by way of letter dated October 31, 2022 (a copy of which is attached) has certified that the work is completed as stated and recommends progress payment #3 in the amount of \$225,661.69; and

WHEREAS, the Chief Financial Officer has certified that funds are available;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the Borough Treasurer is authorized to make progress payment #3 to Zuccaro, Inc. in the amount of \$225,661.69.

Payment No. 3
 CR-991 – Reconstruction of Union Avenue Street Scapes

Value Work Completed to Date	\$ 643,252.09
Less: 2% Retainage	\$ 12,865.04
<u>Less: Amount Previously Paid</u>	<u>\$ 404,725.36</u>
Total Amount Due	\$ 225,661.69

Amount due progress Payment #3 \$ 225,661.69

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

- 19. No one wished to be heard.
- 20. 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.

- 21. 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.

- 22. Motion by Council Member Olmo and seconded by Council Member Savas to adopt all items with an asterisk as a single question.

Roll Call: Yes – Unanimous Motion adopted.

PRESENTATION OF BILLS

- 23. Resolution by Council Member Olmo and seconded by Council Member Cleary:

(Resolution in full on pages 176A through 176I.)

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.]

- 24. No one wished to be heard.
- 25. Motion at 7:17 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