



9. Motion at 7:54 PM by Council Member Olmo and seconded by Council Member Savas to introduce Ordinance No. 19-13-1544 – Amend Chapter 263, Article VII 263-33 Schedule II entitled No Parking Certain Hours on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

10. Council Member Olmo read the title:

ORDINANCE AMENDING THE GENERAL ORDINANCE  
OF THE BOROUGH OF CRESSKILL, COUNTY OF BERGEN,  
SPECIFICALLY, CHAPTER 263 ARTICLE VII §263-33, SCHEDULE II,  
ENTITLED “NO PARKING CERTAIN HOURS”

(Ordinance in full on page 147A.)

11. 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. 19-13-1544, entitled:

ORDINANCE AMENDING THE GENERAL ORDINANCE  
OF THE BOROUGH OF CRESSKILL, COUNTY OF BERGEN,  
SPECIFICALLY, CHAPTER 263 ARTICLE VII §263-33, SCHEDULE II,  
ENTITLED “NO PARKING CERTAIN HOURS”

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, November 6, 2019 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.

Ordinance No. 19-14-1545 – Amend Chapter 263, Article VII 263-35 Schedule IV entitled  
Parking Time Limited.

12. Motion at 7:55 PM by Council Member Olmo and seconded by Council Member Cleary to introduce Ordinance No. 19-14-1545 – Amend Chapter 263, Article VII 263-35 Schedule IV entitled Parking Time Limited on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

13. Council Member Olmo read the title:

ORDINANCE AMENDING THE GENERAL  
ORDINANCE OF THE BOROUGH OF CRESSKILL, COUNTY OF BERGEN,  
SPECIFICALLY, CHAPTER 263, ARTICLE VII, §263-35,  
SCHEDULE IV, “PARKING TIME LIMITED”

(Ordinance in full on page 147B.)

14. 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. 19-14-1545, entitled:





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

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CONSENT AGENDA

NEW BUSINESS

\*Resolutions

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:

Jenny Chu <i>(for: Wesley Chu)</i> 7 Ridge Road Cresskill, NJ 07626 Amount: \$260.00	Stacy Park <i>(for: Henney Park)</i> 211 Lexington Avenue Cresskill, NJ 07626 Amount: \$210.00	Tina McCord <i>(for: Max &amp; Emma McCord)</i> 320 Highland Street Cresskill, NJ 07626 Amount: \$470.00
Jennifer Fuccillo <i>(Valentina Fuccillo)</i> 24 Burton Place Cresskill, NJ 07626 Amount: \$250.00	Elisandra Lumaj <i>(for: Elvin Lumaj)</i> 103 Jefferson Avenue Cresskill, NJ 07626 Amount: \$210.00	Alexander Krayniy <i>(for: Daniel Krayniy)</i> 251 Brookside Avenue Cresskill, NJ 07626 Amount: \$260.00

25. 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 refunds due to overpayment of taxes:

<u>TAX PERIOD</u>	<u>BLOCK</u>	<u>LOT</u>	<u>QUAL</u>	<u>NAME</u>	<u>AMOUNT</u>
3 <sup>rd</sup> qtr 2019	181	2	CT012	Ji Eun Kim 52 Palisades Ave Cresskill, NJ 07626 <i>(for: 52 Palisades Ave)</i>	\$ 3,091.40
3 <sup>rd</sup> & 4 <sup>th</sup> qtr 2019	20	6		Lumaj Builders, LLC 345 Route 17 South Upper Saddle River, NJ 07458 <i>(for: 26 Cresskill Ave)</i>	\$ 8,910.00
4 <sup>th</sup> qtr 2019	178	1		39 Broadway, LLC P.O. Box 3 Edgewater, NJ 07020 <i>(Broadway, Cresskill)</i>	\$ 1,632.00
4 <sup>th</sup> qtr 2019	178	3		39 Broadway, LLC P.O. Box 3 Edgewater, NJ 07020 <i>(Broadway, Cresskill)</i>	\$ 1,632.00
4 <sup>th</sup> qtr 2019	178	5		39 Broadway, LLC P.O. Box 3 Edgewater, NJ 07020 <i>(Broadway, Cresskill)</i>	\$ 1,632.00

4 <sup>th</sup> qtr 2019	90.01	22	Nancy & Michael Seidner 23 Loman Court Cresskill, NJ 07626	\$ 2,454.08
3 <sup>rd</sup> & 4 <sup>th</sup> qtr 2019	143	201	Dong Woo Lee & Jung Hyun Park 124 13 <sup>th</sup> Street Cresskill, NJ 07626 <i>(for: 13<sup>th</sup> Street)</i>	\$ 2,602.00

26. WHEREAS, the following permits have been issued under Section 132-91 of the Code of the Borough of Cresskill and cash bonds deposited therefor; and

WHEREAS, the Property Maintenance Officer has inspected the work and found it to meet all requirements of the applicable Section;

NOW, THEREFORE, BE IT RESOLVED that the proper officials be and hereby are directed to return the bonds held under the following permits:

<u>Code Sec.</u>	<u>Permit #</u>	<u>Name</u>	<u>Amount</u>
132-91	4264	Mark & Linda Owens 159 13 <sup>th</sup> Street Cresskill, NJ 07626	\$50.00
132-91	4267	A2Z Construction Mgmt. 38 Rolling Ridge Road Upper Saddle River, NJ 07458 <i>(for: 41 Buckingham Road)</i>	\$50.00

27. 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 \$5,310,000 BOND ANTICIPATION NOTE, DATED OCTOBER 15, 2019 AND PAYABLE OCTOBER 15, 2020, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

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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 \$5,310,000 Bond Anticipation Note, dated October 15, 2019 and payable October 15, 2020 (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 2019.

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 2019.

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 2019 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

28. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following October 2019 payroll be ratified and approved:

October 11, 2019

Current Fund	\$ 321,384.72
Social Security/Medicare	12,220.76
Community Center	2,675.02
Library	12,401.37
Swim Pool	<u>475.63</u>
	\$ 349,157.50

29. WHEREAS, the Recreation Department provides summer camp; and

WHEREAS, the director of recreation wishes to employ a staff nurse at an hourly rate of \$22.00 per hour; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that a certified nurse be hired for summer camp at an hourly rate of \$22.00 per hour, effective summer camp season 2020.

30. WHEREAS, the Recreation Department provides a summer camp program; and

WHEREAS, some parents have picked up campers past the 3:00 pm pickup time; and

WHEREAS, the Director of Recreation wishes to implement a late pickup fee of \$25.00 per half hour after 3:15 pm.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, that the summer camp late pickup fee of \$25.00 per half hour after 3:15pm be implemented.

31. 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 retroactively:

Christine Lichtenstein    Library Assistant    \$13.00/per hour    Eff. October 16, 2019

32. WHEREAS, the Cresskill Police Department has requested that Cresskill Industrial Park (Hereinafter “CIP”) authorize the use of its building to conduct the Cresskill Police “Active Shooter Training Program”; and

WHEREAS, CIP has requested that the Borough of Cresskill grant CIP a Hold Harmless Indemnity Agreement from any claim and/or litigation arising out of Cresskill Police Department’s utilization of CIP 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, nunc pro tunc, the Hold Harmless Agreement to CIP, 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 Cresskill Industrial Park, a Partnership; Edward Wrixon, Borough Administrator; Francesca Maragliano, Borough Clerk; James Domville, Deputy Police Chief; and Christos J. Diktas, Esq., Borough Attorney.

#### Motions

33. Appoint Krishna Nadella to the Recreation Committee for term ending December 31, 2021.

#### Miscellaneous Business

34. Approve the following Raffle License:

RL 1428    American Special Children’s Pilgrimage Group    April 4, 2020

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

35. Council Member Mueller asked for an explanation of resolution #9 (#32). Attorney Diktas said Deputy Chief Domville asked for a Hold Harmless Agreement to use Cresskill Industrial Park as an Active Shooter Training Facility.
36. No one else wished to be heard.
37. 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.

38. Motion by Council Member Olmo and seconded by Council Member Savas 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.

39. 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.

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#### PRESENTATION OF BILLS

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

(Resolution in full on pages 154A through 154F.)

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.]

41. No one wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

43. Motion at 8:03 P.M. by Council Member Olmo and seconded by Council Member Savas 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