

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

APRIL 17, 2024

1. David Spelbrink led the Salute to the Flag and Pledge of Allegiance.
2. The Deputy 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 Kaplan, McLaughlin, Olmo, Savas, Schultz-Rummel
Also Present: Attorney Diktas, Administrator Lavin, Captain Luciano
Absent: Council Member Spina
5. Motion by Council Member Savas and seconded by Council Member Olmo to approve the minutes of the Mayor and Council Regular meeting of April 3, 2024.

All in Favor. None Opposed.

Motion adopted.

COMMUNICATIONS

6. Minutes of the following meeting:

Planning Board

March 26, 2024

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Savas said the 100th anniversary of Camp Merritt is this May and Harold Bartholf, who wrote a book entitled *Camp Merritt*, will speak at our annual Memorial Day Parade.

Council Member Kaplan said there were some small interruptions in the library renovations, but is still on schedule to reopen in June.

UNFINISHED BUSINESS

ORDINANCE ON FINAL READING

Ordinance No. 24-05-1641 – An Ordinance Amending Chapter 275 Zoning Specifically Article XV §275-66.1 Tree Removal

8. Motion at 7:13 PM by Council Member Olmo and seconded by Council Member Savas to hear Ordinance No. 24-05-1641 on final reading by title only, An Ordinance Amending Chapter 275 Zoning Specifically Article XV §275-66.1 Tree Removal

Roll Call: Yes – Unanimous

Motion adopted.

(Ordinance in full on pages 55A through 55I in Minutes of Regular Mayor and Council Meeting held April 3, 2024.)

9. The Deputy Borough Clerk announced the Ordinance was published in The Record on April 7, 2024, 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 the state is adding language to the tree ordinances in the state.

No one else wished to be heard.

12. Motion by Council Olmo and seconded by Council Member Savas to close the public hearing.

Roll Call: Yes – Unanimous 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. 24-05-1641, entitled:

AN ORDINANCE AMENDING CHAPTER 275 ZONING SPECIFICALLY, ARTICLE XV, §275-66.1 TREE REMOVAL

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

Roll Call: Yes – Unanimous Resolution adopted.

NEW BUSINESS

INTRODUCTION OF ORDINANCES

Ordinance No. 24-06-1642 – An Ordinance Amending Chapter 207 Rental Business and Commercial Properties, Article II Lead Based Paint Inspections.

Ordinance No. 24-07-1643 – An Ordinance Amending Chapter 207 Rental Business and Commercial Properties, Article II Specifically § 14 Recordkeeping and Investigations.

Ordinance No. 24-08-1644 – An Ordinance Amending Chapter 1 General Provisions, Article II, General Penalty Specifically §1-15 Violations and Penalties.

14. Motion at 7:14 PM by Council Member Olmo and seconded by Council Member Savas to introduce Ordinance Nos. 24-06-1642 through 24-08-1644 on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

(Ordinances in full on pages 62A through 62C.)

15. 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 the following Ordinances entitled:

Ordinance No. 24-06-1642 - An Ordinance Amending Chapter 207 Rental Business and Commercial Properties, Article II Lead Based Paint Inspections.

Ordinance No. 24-07-1643 – An Ordinance Amending Chapter 207 Rental Business and Commercial Properties, Article II Specifically §14 Recordkeeping and Investigations.

Ordinance No. 24-08-1644 – An Ordinance Amending Chapter 1 General Provisions, Article II, General Penalty Specifically §1-15 Violations and Penalties.

NOW, THEREFORE, BE IT RESOLVED, that the Penalty Provision § 1-15 (A), as amended, Reads as follows:

1. This Resolution does hereby resolve that pursuant to § 1- 15 (A), that for any violation of the General Ordinances that were not noted specifically, the fine shall be not less then \$250.00 (Two hundred and fifty dollars), nor more then \$5,000.00 (Five thousand dollars), with the Magistrate having the right to impose a jail sentence of not less than one day nor greater than 90 (ninety) days, or community service not exceeding 90 (ninety) days, or combination of the above, fine, imprisonment, and community service, unless stated herein to the contrary;
2. Specific Fines. Any vehicle parked in a Fire Zone shall be fined \$125.00 (One hundred and twenty-five dollars) per each offense.

BE IT FURTHER RESOLVED, that a Certified to be True Copy of this Resolution be served upon Diane Lavin, Borough Administrator; all Department Heads, and Francesca Maragliano, Borough Clerk.

19. WHEREAS, the State of New Jersey has appropriated \$7.5 million for Shared Services and School District Consolidation Study and Implementation Grants to assist local units with the study, development, and implementation of new shared and regional services; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) is tasked with administering these grant funds through the Local Efficiency Achievement Program (LEAP); and

WHEREAS, LEAP Implementation Grants exist to support costs associated with shared service implementation to ensure that meaningful, efficiency generating initiatives are not hindered by short term transitional expenses; and

WHEREAS, the Borough of Cresskill and the Borough of Demarest propose to enter into a shared services agreement, but face certain expenses associated with implementation that present a burden to the local units; and

WHEREAS, the purpose of this shared services agreement is to establish a consolidated court service, which will benefit the residents of both participating local units; and

WHEREAS, the Borough of Cresskill has agreed to be the lead agency in this program and will submit the application to DLGS on behalf of all participating units; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, that the Borough of Cresskill will apply for a LEAP Implementation Grant in the amount of \$357,598.87 to support implementation of this shared service on behalf of itself, and on behalf of the Borough of Demarest and if awarded and upon execution of said Agreement, the Borough of Cresskill does accept the Terms and Conditions specified in the Agreement in connection to this grant award.

CERTIFICATION

I, Francesca Maragliano, Clerk of the Borough of Cresskill in the County of Bergen and the State of New Jersey do hereby Certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Mayor and Council at its meeting of April 17, 2024.

20. WHEREAS, the Mayor and Council of the Borough of Cresskill on October 18, 2023 adopted Resolution No. 6 awarding a bid for the Reconstruction of Jefferson Avenue Sec. 5 to Marini Brothers Construction Co., Inc. in the amount of \$584,757.00; and

WHEREAS, Marini Brothers Construction Co., Inc. has requested payment for the current work completed to date; and

WHEREAS, the Borough Engineer, Azzolina & Fuery by way of letter dated April 12, 2024 (a copy of which is attached) has certified that the work is completed as stated and recommends progress payment #1 in the amount of \$177,080.48; 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 #1 to Marini Brothers Construction Co., Inc. in the amount of \$177,080.48.

Payment No. 1

CR-1018 – Reconstruction of Jefferson Avenue Section 5

Value Work Completed to Date	\$ 180,694.37
Less: 2% Retainage	\$ 3,613.89
<u>Less: Amount Previously Paid</u>	<u>\$ 0.00</u>
Total Amount Due	\$ 177,080.48
Amount due progress Payment #1	\$ 177,080.48

21. WHEREAS, the Borough of Cresskill, pursuant to Ordinance, has created the Cresskill Volunteer Ambulance & Emergency Services Company (hereinafter “CVAES”); and

WHEREAS, the CVAES Members are appointed by the Mayor and confirmed by the Council; and

WHEREAS, fulfilling the Membership requirements, as established by the Mayor & Council and the Rules and Regulations of the Cresskill Fire Department and Cresskill Emergency Services Department, plus the requirements annotated in Ordinance §15-1 et seq.; and

WHEREAS, the following individual:

Juan Miranda - EMS

has petitioned the Mayor seeking to become a Member of the CVAES; and

WHEREAS, each Petition/Application has been submitted to the Board of Fire Officers and approved by same, subject to the final approval and appointment by the Mayor and Council;

NOW, THEREFORE, BE IT RESOLVED, that the above individual is hereby appointed by Mayor Benedict Romeo and each respective appointment is confirmed by the Council, subject to the respective appointee complying with the Cresskill Revised General Ordinances, specifically, §15-1 et seq., specifically §15-5, Requirements of the Volunteer Division; and

BE IT FURTHER RESOLVED, that a Certified to be True Copy of this Resolution be served upon each Appointee; Fire Chief Christopher Ulshoefer; Dianne Lavin, Administrator; Francesca Maragliano, Borough Clerk

22. **2024 TEMPORARY BUDGET**

WHEREAS, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2024 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 2024 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$4,653,500 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

Mayor & Council - O/E	5,000
Municipal Clerk - S&W	13,000
Municipal Clerk - O/E	5,000
Financial Administration - O/E	2,000
Revenue Administration - S&W	3,000
Tax Administration - S&W	1,000
Planning Board - S&W	3,000
Fire Sub Code - S&W	1,000
Liability Insurance O/E	100,000
Workers Compensation Ins - O/E	60,000
Employee Group Insurance - O/E	180,000
Police - S&W	200,000
School Marshals- S&W	35,000
Police Class 3 Officers - S&W	15,000
Fire Hydrant Service - O/E	6,000
Emergency Medical - S&W	40,000
Solid Waste Collection - O/E	15,000
Recycling - O/E	35,000
Public Health Service - S&W	3,000
Public Assistance - S&W	2,500
Recreation - S&W	12,000
Senior Citizens -O/E	3,000
Library -O/E	90,000
Bergen County Utilities- O/E	170,000
PERS	300,000
Social Security	35,000
Police & Fire Retirement	1,100,000
Police 911 Dispatch	5,000
Reserve Grant Recycle	2,000
Payment Bond Principle	1,822,000
Interest on Bonds	350,000
	TOTAL 4,613,500

SWIM POOL UTILITY OPERATING FUND

Swim Pool - O/E \$40,000

2. That said emergency temporary appropriations will be provided for in the 2024 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

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

23. No one wished to be heard.

24. Motion by Council Member Savas and seconded by Council Member Olmo to close the meeting to remarks on agenda items.

Roll Call: Yes – Unanimous Motion adopted.

25. Motion by Council Member Savas and seconded by Council Member Olmo to consider all items marked with an asterisk as a single question.

On the question: The Deputy 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.

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

Roll Call: Yes – Unanimous Motion adopted.

PRESENTATION OF BILLS

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

(Resolution in full on pages 67A through 67G.)

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.]

28. David Spelbrink, 156 South Street thanked the Mayor & Council for use of the soccer fields. In the past I spoke with Jason, and that worked well, but I heard rumors we weren't going to get fields in the spring, so I think we need better communication. Administrator Lavin said they can speak to her in the future. Mayor Romeo said there should be no practices on those fields in the spring, just games. Too much usage completely chops them up. Mr. Spelbrink also said the brush was removed from the sides of Regan and Cook fields and the soccer balls keep going into the brook. Can we get temporary fencing put up? Mayor Romeo said we'll check with Jim Noseworthy, I don't know if it's against any DEP regulations.

Council Member Olmo said Marini Brothers is doing a good job on the Jefferson Avenue project.

No one else wished to be heard.

29. Motion at 7:30 P.M. by Council Member Savas and seconded by Council Member Olmo to close the meeting and adjourn.

All in Favor. None Opposed. Motion adopted.

Benedict Romeo
Mayor

Patricia McKim
Deputy Borough Clerk