

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

NOVEMBER 13, 2024

1. Bill Hasenstab 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 7:04 P.M.
4. Present: Council Members Kaplan, McLaughlin, Olmo, Savas, Schultz-Rummel, Spina
Also Present: Attorney Diktas, Administrator Lavin, Chief Domville
5. Motion by Council Member Savas and seconded by Council Member Olmo to approve the minutes of the Mayor and Council Regular meeting of October 16, 2024.

All in Favor. None Opposed.

Motion adopted.

COMMUNICATIONS

6. Minutes of the following meetings:

Planning Board

October 8 & 22, 2024

Filed.

REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Spina said Cresskill Cares is running a Thanksgiving food drive. Requested items can be dropped off at the Congregational Church next door.

Council Member Savas said the Recreation Dept. is running well under the new director.

Council Member Olmo congratulated Council Members Savas and Schultz-Rummel on their re-elections. I'd like to thank the Veteran's for their service.

Council Member McLaughlin said our Local Assistance Director said families from town that are in need will be provided for at Thanksgiving.

NEW BUSINESS

INTRODUCTION OF ORDINANCES

Ordinance No. 24-18-1654 – Amend Chapter 80 – Animal Fees

Ordinance No. 24-19-1655 – Amend Chapter 255 – Towing

Ordinance No. 24-20-1656 – An Ordinance to Fix the Salaries, Wages, Compensation and Other Terms of Employment of Certain Positions of the Borough of Cresskill for the Calendar Year 2025

8. Motion at 7:07 PM by Council Member Savas and seconded by Council Member Spina to introduce Ordinance Nos. 24-18-1654 through 24-19-1656 on first reading by title only.

Roll Call: Yes – Unanimous Motion adopted.

(Ordinances in full on pages 132A through 132G.)

9. Resolution by Council Member Savas and seconded by Council Member Schultz-Rummel:

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. 24-18-1654 – Amend Chapter 80 – Animal Fees.

Ordinance No. 24-19-1655 – Amend Chapter 255 – Towing.

Ordinance No. 24-20-1656 – An Ordinance to Fix the Salaries, Wages, Compensation and Other Terms of Employment of Certain Positions of the Borough of Cresskill for the Calendar Year 2025.

do 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, December 4, 2024 at 7:00 P.M., or as soon thereafter as it can be reached, at which time and place all persons interested in said ordinances will be heard.

The Borough Clerk is hereby directed to publish said ordinances with the notice of hearing thereon, in an official newspaper according to law, also to mail copies of said ordinances when and as required by law.

Roll Call: Yes – Unanimous Resolution adopted.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

11. WHEREAS, pursuant to N.J.S.A. 40A:14-118 and Cresskill Borough Ordinance §53-21 C., the Chief of Police, as head of the Cresskill Police Department, shall establish and enforce rules and regulations for the conduct of the Police Department; and

WHEREAS, Police Chief James Domville has submitted to the Mayor & Council new Rules and Regulations for the disposition and discipline of the police force and its officers and personnel; and

WHEREAS, the Mayor and Council have reviewed said proposed Rules and Regulations.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the Police Chief of the Cresskill Police Department be and is hereby authorized to adopt and administer said Rules and Regulations.

12. BE IT RESOLVED, by the Governing Body that an Agreement for Public Health Services, including Public Health Officer and Animal Control between the County of Bergen and the Borough of Cresskill for a two (2) year term beginning January 2025 and ending December 2026 is currently on file in the office of the Municipal Clerk.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to execute the aforesaid Agreement following legal review.

- 13. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the Mayor is authorized to sign an Interlocal Service Agreement for TV Inspection Services with the Northwest Bergen County Utilities Authority for 2025 and 2026.
- 14. WHEREAS, the DPW Superintendent has requested the purchase of (1) 2024 GMC TK30743 – 3500 Sierra Crew Cab Pick Up 4x4 159 Inch Wheelbase 0-75-SUV-COM-with an 8 Foot Pro Plus Snowplow in the amount of \$66,942.10; and

WHEREAS, the Chief Financial Officer has verified that the funds are available.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cresskill authorizes the purchase under NJ State Approved ESCNJ Co-Op #65 MCESCCPS – Cars, Crossovers, Class 1-3 Trucks/Chassis/SUV and Vans Bid – ESCNJ# 23/24-11 from Frank’s Truck Center Inc. 325 Orient Way, Lyndhurst, NJ 07071.

15. 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.
16. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following October 2024 and November 1, 2024 payrolls be ratified and approved:

<u>October 4, 2024</u>	
Current Fund	\$ 380,593.61
Community Center	2,404.36
Swim Pool	540.95
Library	<u>16,046.68</u>
	\$ 399,585.60

<u>October 18, 2024</u>	
Current Fund	\$ 370,336.86
Community Center	2,404.36
Library	<u>16,116.83</u>
	\$ 388,858.05

<u>November 1, 2024</u>	
Current Fund	\$ 427,901.12
Community Center	2,570.14
Library	<u>15,316.16</u>
	\$ 445,787.42

17. RESOLUTION AUTHORIZING THE BOROUGH OF CRESSKILL THROUGH THE CRESSKILL POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE CRESSKILL POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSES EQUIPMENT

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program (the 1033 “Program”) to make use of excess Department of Defense personal property available to municipal, county and State law enforcement agencies (“LEAs”); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county law enforcement agencies to obtain property that might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no to municipal and county law enforcement agencies, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CRESSKILL that the Cresskill Police Department is hereby authorized to enroll in the 1033 Program for a one-year period from January 1, 2025 through December 31, 2025.

BE IT FURTHER RESOLVED that the Cresskill Police Department is hereby authorized to acquire items of non-controlled property designated “DEMIL A,” which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the Cresskill Police Department, if it shall become available within the period of time for which this Resolution authorizes, based on the needs of the Cresskill Police Department, without restriction; and

BE IT FURTHER RESOLVED that the Cresskill Police Department is hereby authorized to acquire the following “DEMIL B through Q” property, if it shall become available within the period of time for which this Resolution authorizes; and

BE IT FURTHER RESOLVED that the property available through the program, DEMIL A through Q” is attached hereto; and

BE IT FURTHER RESOLVED that the Cresskill Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Cresskill Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and shall be valid to authorize requests to acquire (1) “DEMIL A” property that may be made available through the 1033 Program and (2) “DEMIL B through Q” property both of which that may be made available through the 1033 Program during the time period for which this Resolution authorizes, with program participation and all property request authorization terminating on December 31, 2025.

- 18. WHEREAS, the Borough Engineer has requested Emergency Water Main and/or Storm and Sanitary Sewer Repairs with Conquest Construction for the Borough of Cresskill; and

WHEREAS, the total amount of appropriation created, including the appropriation to be created by this resolution is \$42,776.99. Available ARPA funds will be appropriately utilized for these appropriations; and

WHEREAS, the Acting Chief Financial Officer has verified that the funds are available.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cresskill authorizes the services performed by Conquest Construction, Inc., 450 South River Street, Hackensack, NJ 07601.

- 19. WHEREAS, a Planning Board application was required for this property; and

WHEREAS, an escrow account was established for the 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 refund of Developer’s Escrow account be made:

<u>Account No.</u>	<u>Block</u>	<u>Lot</u>	<u>Applicant</u>	<u>Amount</u>
DE-535	32	408	Tenaflly Rentals 2 LLC 21 South Summit Street Tenaflly, NJ 07670 <i>(for: 171 Magnolia Avenue)</i>	\$ 1,263.00

- 20. WHEREAS, the Borough Clerk of the Borough of Cresskill was previously authorized to advertise for Bids for the Jefferson Avenue Sec 6 Improvements 2023 N.J.D.O.T. Municipal Aid Program; and

WHEREAS, pursuant to said Notice, the receipt and opening of Bids took place on October 30, 2024; at which time the following bid was received:

<u>Company</u>	<u>Base Bid</u>
Cedar Contracting Co., Inc.	\$ 419,804.33

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 Cedar Contracting Co., Inc. 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 Jefferson Avenue Sec 6 Improvements 2023 N.J.D.O.T. Municipal Aid Program to Cedar Contracting Co., Inc. in the amount of Four Hundred Nineteen Thousand Eight Hundred Four Dollars and Thirty-Three cents (\$419,804.33); 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 Twenty Five Thousand Six Hundred Eighty Dollars and Zero cents. (\$225,680.00)

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 Cedar Contracting Co., Inc.; Azzolina & Fuery Engineering; Dianne Lavin, Borough CFO; Francesca Maragliano, Borough Clerk and Christos J. Diktas, Esq., Borough Attorney.

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:

Dayna Tidwell – Per Diem 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. RESOLUTION APPOINTING A MUNICIPAL HOUSING LIAISON IN THE BOROUGH OF CRESSKILL, COUNTY OF BERGEN, NEW JERSEY

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., the Borough of Cresskill is required to appoint a Municipal Housing Liaison for the administration of Cresskill's affordable housing program; and

WHEREAS, the Municipal Code of the Borough of Cresskill, §275-125.12, establishes the position of Municipal Housing Liaison for the Borough of Cresskill; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Cresskill in the County of Bergen, and the State of New Jersey that Borough Clerk Francesca Maragliano is hereby appointed by the Governing Body of the Borough of Cresskill as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Chapter 275 Section 125.12 of the Municipal Code.

Miscellaneous Business

23. Approve the following Raffle License:

RL 1475 American Special Children's Pilgrimage Group April 12, 2025

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

24. Council Member Savas asked what department is getting the pickup truck. Clerk Maragliano advised it's for the DPW.

No one else wished to be heard.

25. 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.

26. Motion by Council Member Savas and seconded by Council Member Schultz-Rummel 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.

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

Roll Call: Yes – Unanimous Motion adopted.

PRESENTATION OF BILLS

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

(Resolution in full on pages 137A through 137P.)

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.]

29. Bill Hasenstab, 276 Highland Street asked why the no overnight parking ordinance was put into place. Mayor Romeo said we were getting many complaints about cars that are never removed from the street. There will be dispensations for people, but not all the time. Mr. Hasenstab said kids graduate from college, come home and need a car to get to work. Not all driveways can accommodate more than a couple of cars and it's illegal to park on the lawn. Mayor Romeo said we're not looking to penalize anyone; we're looking to stop the serial offenders. Council Member McLaughlin said when he was a police officer in town, the no overnight parking was a big help for emergency service vehicles to get down the narrower streets. We're trying to keep the roads safer for passage. Council Member Savas said any suggestions from the public are welcome. Eugene Spadaccini, 92 Monroe Avenue said he thinks there's less speeding on his street when cars are parked on the road. Administrator Lavin said she's had quite a few calls complaining about cars on the streets including Highland Street. Mayor Romeo said we will revisit the ordinance.

No one else wished to be heard.

30. Motion at 7:27 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

Francesca Maragliano
 Borough Clerk