

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

JUNE 15, 2022

1. Robert Rummel 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, 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 June 1, 2022 and Mayor and Council Special meeting of June 8, 2022.

All in Favor. None Opposed.

Motion adopted.

## COMMUNICATIONS

6. Minutes of the following meeting:

Planning Board

May 24, 2022

Filed.

## REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Spina said the BOH will be posting a survey to the Borough website and their newsletter.

## UNFINISHED BUSINESS

## ORDINANCE ON FINAL READING

Bond Ordinance No. 22-09-1591 – Amend Bond Ord. 21-21-1571- for the 2021 Road Improvement Program

8. Motion at 7:35 PM by Council Member Olmo and seconded by Council Member Spina to introduce Bond Ordinance No. 22-09-1591 on final reading by title only, Bond Ordinance to Appropriate an Additional Sum of \$100,000 for the Undertaking of Various Paving and Streetscape Improvements in, by and for the Borough of Cresskill, in the County of Bergen, New Jersey, to Make a Down Payment, to Authorize the Issuance of Bonds to Finance such Additional Appropriation and to Provide for the Issuance of Bond Anticipation Notes in Anticipation of the Issuance of Such Bonds.

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

(Bond Ordinance in full on pages 88H through 88K in Minutes of Regular Mayor and Council Meeting held June 1, 2022.)

9. The Borough Clerk announced the Ordinance was published in The Record on June 3, 2022, 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. No one wished to be heard.
12. Motion by Council Member Olmo and seconded by Council Member Cleary to close the public hearing.

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

13. Resolution by Council Member Olmo and seconded by Council Member Spina:

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. 22-09-1591, entitled:

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$100,000 FOR THE UNDERTAKING OF VARIOUS PAVING AND STREETSCAPE IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Roll Call: Yes – Council Members Cleary, Kaplan, Olmo, Savas, Schultz-Rummel, Spina  
 No - None  
 Absent – None  
 Abstain – None  
 Resolution adopted.

## NEW BUSINESS

### 2022 Bergen County Open Space Trust Fund

14. Motion at 7:37 PM by Council Member Olmo and seconded by Council Member Cleary to open the public hearing for the submission of a grant application for the 2022 Bergen County Open Space Trust Fund whereas the Borough of Cresskill desires to obtain a matching grant for the Construction of a Pickleball Court in the amount of \$75,000.00.

Roll Call: Yes – Unanimous Motion adopted.

15. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
16. Mayor Romeo said we are going to build a pickleball court between the 9/11 Memorial and the basketball courts on 3<sup>rd</sup> Street.

No one else wished to be heard.



matching grant to Acquire Block 2 Lots 6 &7 for the purpose of future flood relief in the amount of \$162,500.00.

Roll Call: Yes – Unanimous Motion adopted.

20. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
21. Mayor Romeo said it's the Schuster property on Grant Avenue. If needed, we can use it as a retention basin.

No one else wished to be heard.

22. Motion by Council Member Olmo and seconded by Council Member Savas to close the public hearing and adopt Resolution No. 2022-B Bergen County Land Acquisition Trust Fund Application.

Roll Call: Yes – Unanimous Motion adopted.

23. RESOLUTION NO. 2022-B

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and,

WHEREAS, the Borough of Cresskill desires to further the public interest by obtaining a grant of \$162,500 from the County Trust Fund to fund the following project: Land Acquisition for the Expansion of the Tenakill Brook North Conservation Area (Block 2, Lots 6 & 7) to raze the old home that is in poor condition to expand the area and provide significant passive park potential, being surrounded by freshwater wetlands, adjacent to a flood plain and contiguous to the Tenakill Brook, thereby expanding the Greenway and,

WHEREAS, the Mayor and Council has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the Mayor and Council will hold a public hearing on June 15, 2022 to receive public comments prior to the submission of said application; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the Borough of Cresskill is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project expiration date.

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

6. That it is hereby authorized to submit the above completed project application to the County by the deadline of May 6, 2022, as established by the County; and
7. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Borough of Cresskill has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,

- 8. That the Borough of Cresskill is committed to providing a dollar-for-dollar cash match for the project; and
- 9. That the Borough of Cresskill agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
- 10. That this resolution shall take effect immediately.

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

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CONSENT AGENDA

NEW BUSINESS

\*Resolutions

25. WHEREAS, the following permits have been issued under Section 132-27 of the Code of the Borough of Cresskill and cash bonds deposited therefor; and

WHEREAS, the Property Maintenance Officer and Superintendent of Public Works have 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>
132-27	4359	David Ortiz	\$100.00
	4360	49 Palisade Avenue Cresskill, NJ 07626 <i>(for: 45 &amp; 49 Palisade Avenue)</i>	

26. BE IT RESOLVED that the following solicitor’s licenses, which have 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, 2022:

2 Win Realty  
185 Bridge Plaza N #300  
Fort Lee, NJ 07024  
Purpose: Real Estate Services (Residential)

22-1045	22-1046
William Levesque	Tyler Sellers

27. 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 Stipulation of Settlement on property assessment for Block 91.06, Lot 7 for 2019 and 2020:

	<u>2019</u>	<u>2020</u>
Original Assessment:	\$ 1,785,900.00	\$ 1,763,300.00
Tax Court Judgment:	\$ 1,650,000.00	\$ 1,700,000.00
Decrease in Assessment:	\$ 135,900.00	\$ 63,300.00
Tax Rate:	<u>2.407</u>	<u>2.432</u>
Tax Refund:	\$ 3,271.11	\$ 1,539.46
Total:	<u>\$ 4,810.57</u>	

Check to: Spiotti & Associates  
P.O. Box 30  
Midland Park, NJ 07432  
*(for: 372 East Madison Avenue)*

28. 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 Stipulation of Settlement on property assessment for Block 71, Lot 3 for 2019 and 2020:

	<u>2019</u>	<u>2020</u>
Original Assessment:	\$ 2,030,500.00	\$ 2,069,200.00
Tax Court Judgment:	\$ 1,900,000.00	\$ 1,950,000.00
Decrease in Assessment:	\$ 130,500.00	\$ 119,200.00
Tax Rate:	<u>2.407</u>	<u>2.432</u>
Tax Refund:	\$ 3,141.14	\$ 2,898.94
 Total:	 <u>\$ 6,040.08</u>	

Check to: Michael I. Schneck, Esq.  
Attorney for 105 Union Avenue LLC  
301 South Livingston Avenue  
Livingston, NJ 07039  
*(for: 105 Union Avenue)*

29. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that Gentech Engineering Associates P.C., 160 Route 35 North, Cliffwood Beach, NJ 07735 be retained as consulting engineer for the Borough of Cresskill regarding the proposed construction and renovations to the Department of Public Works and Fire House at a fee not to exceed \$10,000. The contract will be awarded without competitive bidding as a professional service under provisions of the Local Public Contract Law. This appointment is in accordance with N.J.S.A. 19:44A-20.8 in that where required the appointee has filed with the Borough a Business Entity Disclosure Certification.

30. WHEREAS, the Superintendent of Public Works has requested the purchase of a mason dump body to be outfitted to an existing 2008 Ford F450 truck totaling \$24,237.00; 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 ESCNJ 20/21-55 Co-op #65MCESCCPS for the outfitting of a mason dump body from Cliffside Body Corp., 130 Broad Avenue, Fairview, NJ 07022.

31. WHEREAS, applications have been made to the Mayor and Council of the Borough of Cresskill for renewal of liquor licenses and the proper fees have been paid therefor; and

WHEREAS, all applicants have complied with the laws of the State of New Jersey and ordinances of the Borough of Cresskill;

NOW, THEREFORE, BE IT RESOLVED that the following licenses be approved for the year commencing July 1, 2022 and ending June 30, 2023, subject to approval of the Police and Fire Departments:

PLENARY RETAIL CONSUMPTION LICENSE

Fee: \$1,320.00

Dip Swig LLC Lic. No. 0208-33-006-006	Cresskill Tavern	29 E. Madison Ave., Unit #7
Kiwami LLC Lic. No. 0208-33-001-005	Jugemu	156 Piermont Road

Zogiani LLC  
Lic. No. 0208-33-002-017

Moo Moos Italian  
Steakhouse

172 Piermont Road

PLENARY RETAIL DISTRIBUTION LICENSE

Fee: \$828.00

Young's Cresskill Liquor, Inc.  
Lic. No. 0208-44-004-006

Cresskill Liquor

37 Union Avenue

CLUB LICENSE

Fee: \$156.00

Camp Merritt Post #21  
Lic. No. 0208-31-010-001

American Legion

75 Legion Drive

32. BE IT RESOLVED, as recommended by the Municipal Pool Commission, that the following refund, be authorized from the Municipal Swim Club Account:

Sherien Hashish  
85 Morningside Avenue  
Cresskill, NJ 07626  
Amount: \$554.00

33. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill that the following applicant be approved for employment, with no benefits, as a per diem Police Dispatcher in the Cresskill Police Department, effective immediately:

Brendan Cervantes  
Christopher Provost  
Michael Saul

Non-Paid Internship  
Alexander Riccardo

34. WHEREAS, Municipal Inspection, Inc. provides private on-site elevator inspection and plan review agency services as authorized by the New Jersey Department of Community Affairs and in accordance with elevator safety sub-code N.J.A.C. 5:23-12 and local requirements; and

WHEREAS, it is deemed necessary to award a contract to an on-site elevator inspection and plan review services; and

WHEREAS, the Borough has determined to award a contract for On-Site Elevator Inspection Services to Municipal Inspection Corporation under Local Public Contracts Law N.J.S.A. 40A:11-3; and

WHEREAS, the Borough desires to award a (3) year contract to Municipal Inspection, Inc. in accordance with the Fee Schedule annexed hereto, which indicates that the Borough should collect a 40% administration fee of the fees collected by the Borough; and

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council, Borough of Cresskill, hereby authorizes the award of a (3) year contract, with a 2-year extension if mutually agreed to Municipal Inspection Corporation, located at 183 West 4<sup>th</sup> Street, Bayonne, New Jersey, for Private On-Site Elevator Inspection and Plan Review Agency Services.

35. RESOLUTION AUTHORIZING THE BOROUGH OF CRESSKILL  
TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN  
ACCORDANCE WITH P.L. 1994, C.72

WHEREAS, due to the County Board of Taxation unable to certify a tax rate due to various issues at the state level and the Municipal Tax Collector will be unable to mail the tax bills on a timely basis, it has become necessary to issue estimated tax bills for the 3rd Quarter of 2022 and;

WHEREAS, the Municipal Tax Collector in consultation with the Municipal Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated levies;

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Cresskill, in the County of Bergen and State of New Jersey on 15<sup>th</sup> Day of June 2022 as follows:

1. The Borough of Cresskill Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough for the third installment of 2022 taxes. The Tax Collector shall proceed and take such actions as necessary.
  2. The entire estimated levy for 2022 is hereby set at \$54,756,122.00 for an estimated tax rate of \$2.406.
  3. In accordance with law the third installment of 2022 shall not be subject to interest until the later of August 10, 2022. Any payment received after August 10, 2022 shall have interest calculated from August 1, 2022.
36. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the following be approved for part time seasonal help as Laborer in the Public Works Department at a salary of \$15.00 per hour.

Nicholas McNerney – effective June 20, 2022

37. BE IT RESOLVED:
1. That the specifications for the Cranford Park Basketball Court Facility 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:

Sealed Bids for Cranford Park Basketball Court Facility will be received by the Borough of Cresskill, in the County of Bergen, and State of New Jersey, at the Municipal Office Building, 67 Union Avenue, Borough of Cresskill, New Jersey, on Wednesday, July 6, 2022, at 11:00 AM, Prevailing Time, and then publicly opened and read aloud.

The work to be done under this Contract consists of the renovation of the existing Full Court Basketball Court Facility at Cranford Park Basketball Court Facility at Cranford Park, which work shall include the following items of work:

- |   |                 |
|---|-----------------|
| • Soil Erosion and Sediment Control                       | Lump Sum        |
| • Tree Removal, 12” to 36” Diameter                       | 2 Units         |
| • Tree Removal, Over 36” Diameter                         | 1 Unit          |
| • Clearing Site   | Lump Sum        |
| • Excavation, Unclassified                                | 170 Cubic Yards |
| • Geosynthetic Reinforced Segmental Retaining Wall System | 312 S.F.        |
| • Dense Graded Aggregate Base Course, 4” Thick            | 667 S.Y.        |
| • Hot Mix Asphalt 19M64 Base Course                       | 125 Tons        |
| • Hot Mix Asphalt 9.5M64 Surface Course                   | 85 Tons         |

• 9" x 18" Concrete Vertical Curb	10 L.F.
• Concrete Sidewalk, 4" Thick	9 SY
• Detectable Warning Surface	0.89 SY
• Concrete Pad, 6" Thick	8 S.Y.
• Players Bench with Back Rest	2 Units
• Electrical Work	Lump Sum
• Basketball System, Jaypro Sports, Legend Series, Model # LS-200, or Approved Equal	2 Units
• Basketball Court Sport Surfacing System	Lump Sum
• Topsoil Spreading, 6" thick	680 S.Y.
• Fertilizing & Seeding (Type A-3)	680 S.Y.
• Straw Mulching	680 S.Y.
• Large Deciduous Tree	3 Units
• Large Evergreen Tree	3 Units

The work of this project shall be completed no later than September 30, 2022, weather permitting.

Copies of the Plans, Specifications and Contract Documents will be on file and open to public inspection at the Borough Clerk's Office, Municipal Building, 67 Union Avenue, Borough of Cresskill, New Jersey, on and after Monday, June 20, 2022, between the hours of 9:00 AM and 4:00 PM, Prevailing Time. Copies of the plans, specifications and contract documents may also be examined or obtained by properly qualified contractors at the office of Azzolina & Feury Engineering Inc., 30 Madison Avenue, Paramus, New Jersey, Telephone: (201) 845-8500, on and after Monday, June 20, 2022, between the hours of 9:00 AM and 4:00 PM, excluding legal holidays, upon payment of \$100.00, no part of which will be refunded.

Each Bid must be made upon the prescribed forms furnished with the Contract Drawings and Specifications, must be accompanied by a Consent of Surety, and by a certified or cashier's check, drawn on a solvent bank, or bid bond, in the sum of ten percent (10%) of the amount bid, but in no case more than \$20,000.00. The check or bid bond shall be made payable to the Borough of Cresskill, the Owner. The check or bid bond of the bidder to whom the Contract is awarded shall be held by the Owner as a guarantee that the Contract shall be executed and its performance properly secured and in default thereof, said check or bid bond and the amount represented thereby will be forfeited to the aforesaid Owner as liquidated damages. Bids must be accompanied, in the case of corporations not chartered in the State of New Jersey, by proper certificate that such corporation is authorized to do business in the State of New Jersey.

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.

Every corporation or partnership submitting a bid shall accompany said bid with a statement setting forth the names and addresses of all stockholders in the corporation who own ten percent (10%) or more of its stock of any class, or of all individual partners in the partnership who own a ten percent (10%) or greater interest therein. Said statement may also be submitted prior to the bid.

Any extra work, not originally contemplated under this Contract, shall be covered by a change order. In the event that such extra work involves labor or material for which a unit price has been bid, the aforementioned unit price which has been bid, shall be used to fix payment for this extra work, and shall be the maximum payable by the Borough therefor.

Each bid must be enclosed in a sealed envelope bearing the name and address of the bidder, be addressed to the Borough of Cresskill, Bergen County, New Jersey, and shall be endorsed: "Bid for Cranford Park Basketball Facility, ENCLOSED - DO NOT OPEN". 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 from the lowest responsible bidder.

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

38. No one wished to be heard.

39. 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.

40. 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.

41. 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

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

(Resolution in full on pages 107A through 107G.)

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.]

43. Council Member Olmo congratulated Supt. Jim Noseworthy for passing his CPWM certification.

Mayor Romeo said on Monday, Chief Domville and Lieutenants Luciano and Lanzilotti met with BOE members to outline our plan of putting armed police officers in the schools. The BOE had a meeting that evening and voted 7 to 2 in favor. Chief Domville explained they would be looking to hire retired Police Officers that have School Resource Officer specialized training. They would come under the Police Dept. and financed by the BOE. We would work out how many officers we need, the hours, and make an addendum to the Memorandum of Agreement which we already have with the BOE. Council Member Olmo said they are hourly employees with no pension or benefits. They'll work with school personnel for security issues, run drills and build a rapport with them.

Mayor Romeo said one BOE member voted no because they didn't want guns in the school and the other was because they thought the Mayor and Council should pay but in all the other school systems the BOE pays. As we were having our meeting, at Chodae in Northvale where our children are attending school, they intercepted a kid who walked into the school and didn't belong there. He was only looking for a friend, but he got in and that's why we need this.

No one else wished to be heard.

44. 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.

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

RESOLVED that pursuant to Subsection 7(b) of the Open Public Meetings Act the public can be excluded from a public meeting so that proceedings can be conducted in closed session and the Mayor and Council now intending to discuss:

pending or anticipated litigation involving Cresskill;

personnel matters involving employment, appointment, termination, evaluation, discipline or promotion of Cresskill personnel;

negotiations involving employees of Cresskill;

protection of the safety of public property;

matters which, if disclosed, would work an unwarranted invasion of privacy;

purchase or lease of real property;

deliberations after a public hearing that may result in the imposition of a penalty or loss or suspension of a license or permit;

matters which, if disclosed, would impair a right to receive United States Government funds;

matters rendered confidential by Federal or State law;

this meeting shall be continued in closed session and the discussion in closed session shall be disclosed to the public upon taking final action thereon, provided disclosure shall not release the attorney-client privilege or constitute an undue invasion of privacy.

RESOLVED further that although not now anticipated, the Mayor and Council reserve the right to return to open session upon conclusion of the closed session.

Roll Call: Yes – Unanimous. Resolution adopted.

46. Motion at 7:55 P.M. by Council Member Olmo and seconded by Council Member Cleary 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