

JANUARY 15, 2020

- Roll Call: Yes – Unanimous Motion adopted.

Council Member Olmo said the DPW has stopped leaf pickup.

ORDINANCE AMENDING THE GENERAL ORDINANCE OF THE BOROUGH OF
CRESSKILL, COUNTY OF BERGEN, SPECIFICALLY, CHAPTER 263, § 263-39.
SCHEDULE VIII: STOP INTERSECTIONS

(Ordinance in full on page 17A.)

9. Resolution by Council Member Savas and seconded by Council Member Olmo:

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. 20-01-1551, entitled:

ORDINANCE AMENDING THE GENERAL ORDINANCE OF THE BOROUGH OF
CRESSKILL, COUNTY OF BERGEN, SPECIFICALLY, CHAPTER 263, § 263-39.
SCHEDULE VIII: STOP INTERSECTIONS

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, February 5, 2020 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.

10. Mayor Romeo said this ordinance is to put a stop sign where Lambs Lane meets Engle Street, which can be a dangerous intersection.
11. Borough Clerk Maragliano explained all items on the Consent Agenda.

CONSENT AGENDA

NEW BUSINESS

*Resolutions

12. WHEREAS, Council has determined that it would be of the best interest of the Municipality's Residents and Youth Ages 5-18, that a Cresskill Youth Sports Association be created and Incorporated as an IRS § 501 (c)(3) Organization, which is a tax-deductible Organization; and

WHEREAS, the Council has directed the Filing of a Certificate of Incorporation for the Cresskill Youth Sports Association, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Council does hereby authorize Mayor Benedict Romeo to execute the Certificate of Incorporation and thereafter Authorizes Borough Attorney Christos J. Diktas, Esq., to file same with the New Jersey Division of Revenue; and

BE IT FURTHER RESOLVED, that upon receipt of the filed copy of the Certificate of Incorporation, the Council authorized Paul Lerch, RMA, to file all necessary documents with the Internal Revenue Service, to prefect the IRS § 501 (c)(3) status of the Cresskill Youth Sports Association Inc; and

BE IT FURTHER RESOLVED, that a certified to be true copy of this Resolution be served upon Harold Laufeld, Borough CFO, Francesca Maragliano, Borough Clerk; Paul Lerch, RMA, Borough Auditor; Kathy Savas, Council Liaison; and Christos J. Diktas, Esq., Borough Attorney.

13. WHEREAS, Bjarne & Solveig Nyborg are the owners of premises commonly known as 16

Beechwood Road, Cresskill, New Jersey; and

WHEREAS, Cresskill Housing Rehabilitation holds a mortgage in the amount of \$13,645.00 on the aforesaid premises known as Block 187, Lot 4; and

WHEREAS, the mortgage was recorded or registered in the office of the Bergen County recoding office on March 16, 2005 in Mortgage Book 14211 on page 511; 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 \$13,645.00 for premises commonly known as 16 Beechwood Road, Cresskill, New Jersey, Block 187, Lot 4.

14. 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:

Nishant Kumar
(for: Vihaan Kumar)
46 Gilmore Avenue
Cresskill, NJ 07626
Amount: \$125.00

David Choi
(for: David Choi)
296 Highland Street
Cresskill, NJ 07626
Amount: \$90.00

15. WHEREAS, the Borough of Cresskill Police Department has recommended to the Council that, under a Test Program, consisting of traffic calming measures be implemented over certain Municipal Roadways; and

WHEREAS, the Test Program will give the Police Department, Traffic Division, adequate data to determine whether the recommendation of permanent Traffic Calming Device be submitted to the Council;

NOW, THEREFORE, BE IT RESOLVED, that

1. A stop sign shall be installed on Lambs Lane, as more fully described in the Azzolina & Feury Metes and Bounds dated June 12, 2019, and survey dated November, 1969, which is attached hereto and incorporated herein as if set forth in its entirety.

BE IT FURTHER RESOLVED, that this Traffic Calming Device shall be conducted as a Test Program until December 31, 2020, or until the Council will determines whether to extend the Traffic Calming Device or to permanently Ordain the installation of same;

BE IT FURTHER RESOLVED, that a Certified to be True Copy of this Resolution be served upon all Residents residing on Lambs Lane;

BE IT FURTHER RESOLVED, that the Council does hereby declare that the Cresskill Police Department shall have N.J.S.A. Title 39 powers over the implementation of a Stop Sign on Lambs Lane as more fully described herein;

BE IT FURTHER RESOLVED, that a Certified to be True Copy of this Resolution be served upon Chief Edward Wrixon; Deputy Chief James Domville; and Kevin Terhune, Superintendent of Public Works.

16. WHEREAS, the Borough of Cresskill relies on their volunteers to staff necessary services; and

WHEREAS, members of the Volunteer Division of the Cresskill Fire Department are entitled to an allowance above any annual clothing allowance of \$200.00 per month,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council approves an increase of said allowance to \$400.00 per month paid quarterly.

17. 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 2018 4th quarter taxes:

| <u>BLOCK</u> | <u>LOT</u> | <u>NAME</u> | <u>AMOUNT</u> |
|--------------|------------|--|---------------|
| 63 | 1003 | Dongwook Lee 40 5 th Street Cresskill, NJ 07626 (for: 42 5 th Street) | \$ 10,281.53 |

18. BE IT RESOLVED, that the Mayor and Council, of the Borough of Cresskill wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$60,000.00 matching grant award from the 2017 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal project entitled Merritt Field Improvements – Phase 2, located on Piermont Road located in Blocks 169, 173, 175, Lots 20, 89, 2 on the tax maps of the Borough of Cresskill;

BE IT RESOLVED, that the Mayor and Council hereby authorize Mayor Benedict Romeo to be a signatory to the aforesaid grant agreement CONTRACT; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about August 1, 2020; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs to payment and other such documents as may be required by the County in accordance with the Trust Fund’s requirements; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund’s requirements; and

BE IT FURTHER RESOLVED, that should there be an unexpended balance at the completion of the project, Professional Services Costs will be reimbursed from grant award’s unexpended balance in accordance with the Municipal Park Improvement Program Rules & Procedures Manual.

This resolution was adopted by the Mayor and Council of the Borough of Cresskill at a meeting on January 15, 2020.

19. WHEREAS, redemption money has been received to redeem Tax Sale Certificate 17-00001, Block 5, Lot 120, also known as 135 Mezzine Drive, Cresskill, NJ in the amount of \$35,067.15 plus premium of \$38,900.00 for total amount of \$73,967.15;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that, effective immediately, the amount of \$73,967.15 be paid to the order to:

U.S. Bank - Custodian for Pro Cap 7
50 South 16th Street – Suite 2050
Philadelphia, PA 19102

20. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that Michael McGee be approved for employment as a probationary full-time Police Dispatcher in the Cresskill Police Department, effective January 16, 2020, at salary in accordance with Ordinance No. 18-19-1531.
21. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following January 2020 payrolls be ratified and approved:

January 3, 2020

| | |
|--------------------------|-----------------|
| Current Fund | \$ 312,570.28 |
| Social Security/Medicare | 13,254.61 |
| Community Center | 3,350.28 |
| Library | <u>9,259.62</u> |
| | \$ 338,434.79 |

January 17, 2020

| | |
|--------------------------|------------------|
| Current Fund | \$ 658,777.88 |
| Social Security/Medicare | 26,086.35 |
| Community Center | 5,975.48 |
| Library | <u>13,848.88</u> |
| | \$ 704,688.59 |

22. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the following be approved for employment in the 2020 Summer Recreation Program:

Camp Director

Maureen Alvarez
41 Roosevelt Street
Cresskill, NJ 07626
Salary: \$4,291.65

Assistant Director

Ann Fischer
126 Brookside Avenue
Cresskill, NJ 07626
Salary: \$5,829.58

Division Supervisors

Alice Velella
23 Storig Avenue
Closter, NJ 07624
Salary: \$22.00/hour

Melissa Van Cleft
35 Magnolia Avenue
Cresskill, NJ 07626
Salary: \$22.00/hour

Andrew Hartmann
82 Grant Avenue
Cresskill, NJ 07626
Salary: \$22.00/hour

Jeff Domville
335 Saint Mary Street
Hillsdale, NJ 07642
Salary: \$22.00/hour

Megan Hartmann
26 Spring Dell Apt. 5C
Rutherford, NJ 07070
Salary: \$22.00/hour

Matthew Domville
335 Saint Mary Street
Hillsdale, NJ 07642
Salary: \$21.00/hour

Front Desk Admin.

Beverly Peluso
274 Jefferson Avenue
Cresskill, NJ 07626
Salary: \$20.00/hour

Trip Assistant

Jacqueline Rogan
45 Kennedy Circle
Closter, NJ 07624
Salary: \$21.00/hour

Nature

Joanna Dimitriadis
104 South Street
Cresskill, NJ 07626
Salary: \$22.00/hour

23. 2020 TEMPORARY EMERGENCY BUDGET

WHEREAS, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2020 temporary appropriations for the aforesaid purpose, and N.J.S.A. 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 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$79,000.00;

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.A.40A:4-20:

- 1. The following temporary appropriations be and the same are hereby made for:

OPERATIONS - WITHIN CAPS

| | |
|--|-------------|
| Police Department | |
| Other Expenses (Police Vehicles) | 71,000.00 |
| Capital – Purchase of Traffic Signal Equipment | 8,000.00 |
| Total | \$79,000.00 |

- 2. That said emergency temporary appropriations will be provided for in the 2020 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

- 24. BE IT RESOLVED:
 - 1. That the specifications for the Reconstruction of Margie Avenue – 2018 NJDOT Municipal Aid Program 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

Reconstruction of Margie Avenue

Sealed Bids for the Reconstruction of Margie Avenue 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, February 12, 2020**, at **11:00 AM**, Prevailing Time, and then publicly opened and read aloud.

The principal work items of the project are as follows: Police Traffic Directors, Clearing Site, Inlet, Type “B”, 14” x 23” Reinforced Concrete Elliptical Pipe, Class IV, 15” Reinforced Concrete Pipe, Class III, 6” x 9” x 18” Concrete Vertical Curb, Granite Curb, Concrete Sidewalk, 4” Thick, HMA Driveway, 2” Thick, Detectable Warning Surface, Remove & Reset Concrete Pavers, Hot Mix Asphalt 9.5M64 Surface Course, Traffic Stripes, Long-Life Epoxy Resin, 4” Wide, Traffic Markings, Thermoplastic, Regulatory & Warning Signs, Relocate Existing Signs Using New Steel U-Post Sign Supports, Spreading Topsoil, 4” Thick, Fertilizing & Seeding, Type A-3, Straw Mulching and other incidental work.

Prospective bidders are hereby advised that Margie Avenue is located adjacent to the Merritt Memorial School. So as to avoid any negative impacts to vehicular and pedestrian traffic to

and from the school grounds during the current school year, the work of this project shall not commence until or after June 24, 2020 and shall be completed on or before September 1, 2020, 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 **Wednesday, January 22, 2020**, 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 **Wednesday, January 22, 2020**, 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 Reconstruction of Margie Avenue- 2018 NJDOT Municipal Aid, 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.

Francesca Maragliano
Borough Clerk

25. BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill that the following transfers be made in the 2019 budget appropriation reserves:

CURRENT ACCOUNT

| | <u>Account</u> | <u>From</u> | <u>To</u> |
|--------------------------------|----------------|-------------|-----------|
| Financial Administration – O/E | 130-020 | 1,500.00 | |
| Financial Administration – S/W | 130-010 | | 1,500.00 |
| Financial Administration – O/E | 130-020 | 1,000.00 | |
| Senior Citizens – S/W | 372-010 | | 1,000.00 |

| | | | |
|----------------------------------|---------|-----------|-----------|
| Emergency Medical Services – S/W | 260-010 | 5,000.00 | |
| Emergency Management – O/E | 252-020 | 3,000.00 | |
| Fire – S/W | 255-010 | | 8,000.00 |
| Total | | 10,500.00 | 10,500.00 |

26. BE IT RESOLVED that the following solicitor’s license, which has 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, 2020:

Home Run Ice Cream
25 South Prospect Avenue
Bergenfield, NJ 07621
Purpose: Ice Cream Sales

#20-1006 – George A. Corbo

27. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that Jason Mitchell be appointed permanent, full-time Recreation and Facilities Director, effective January 9, 2020, at a salary of \$65,000.
28. WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2020 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and indicate the assent of the Borough of Cresskill to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that Cresskill endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates Kevin Terhune, 325 Piermont Road, to ensure that the said application is properly filed.

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Motions

29. Appoint Simone Tsigounis to the Planning Board for term ending December 31, 2023.

Miscellaneous Business

30. Approve the following Raffle Licenses:

| | | |
|--------|------------------------|----------------|
| RL1431 | Woman's Club Cresskill | April 24, 2020 |
| RL1432 | Woman's Club Cresskill | April 24, 2020 |

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

31. Council Member Mueller asked why Resolution #1 (#12), we are authorizing the Cresskill Youth Sports Association to file a Certificate of Incorporation. Attorney Diktas said we've prepared a 501(c)(3) with assistance from Lerch, Vinci & Higgins so when the town receives donations, they will be properly allocated to each sport. It's a financial vehicle to support youth sports in Cresskill.

No one else wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

33. Motion by Council Member Savas 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.

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

Roll Call: Yes – Unanimous Motion adopted.

PRESENTATION OF BILLS

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

(Resolution in full on pages 24A through 24H.)

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.]

36. Rick Lydecker, owner of 31 Union Avenue said he granted an easement to the Borough for parking on Allen Street. How is the parking going to be regulated? I have residential tenants living upstairs and the business Balanced Bodies, which is the only business that faces Allen Street. Mayor Romeo said it's still a work in progress, but you'll be getting 3 parking spaces for your tenants. We're going to monitor the lot for a couple of months before we set the parking regulations. Chief Wrixon said there is a concern people will park for the day to take public transportation to the city, so we're looking at a 2 hour parking limit, except for the spots that are assigned to the tenants. With a time limit, overnight parking could be a problem, so we're thinking of stickers for the residents, but the legalities have to be checked out.

No one else wished to be heard.

37. Motion by Council Member Savas and seconded by Council Member Cleary to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous

Motion adopted.

38. Motion at 7:56 P.M. by Council Member Savas and seconded by Council Member Cleary to adjourn the meeting.

Roll Call: Yes – Unanimous.

Motion adopted.

Benedict Romeo
Mayor

Francesca Maragliano
Borough Clerk