

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

JUNE 3, 2020

1. Chief Wrixon 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 7:41 P.M.
4. Present: Council Members Cleary, Kaplan, Mueller, Olmo, Savas, Spina
Also Present: Attorney Diktas, Chief Wrixon, Deputy 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 May 20, 2020.

Roll Call: Yes – Unanimous

Motion adopted.

REPORTS OF COMMITTEES AND OFFICIALS

6. Council Member Spina said we are going to promote the services of our Local Assistance Board while obviously retaining the privacy of our residents using the services.

Council Member Kaplan said the Historical Committee would like to help improve the aesthetics of Veteran's Square with plantings. Also, Carol Banicki would like to have an antique car parade in town on July 4th. Mayor Romeo said we don't know what events we're permitted to have, but we can get back to her.

Council Member Olmo said we're waiting on the Governor's order regarding pools. The Pool Commission has a meeting on June 8th and hopefully we'll have information so we can decide what we're going to do.

The DPW will be opening the Recycling Center on Saturday and will be open on Saturdays and Tuesdays from 8:00 until 3:00.

Council Member Savas said some of the Library staff are back to work full time Monday through Friday. Participation in their virtual programs have greatly increased.

Laura Chumas would like to know who to contact about poolside story time if the pool opens. Council Member Olmo said to contact the manager.

Municipal Alliance made up signs with the graduating senior's first name and picture and put them around town.

Attorney Diktas said Recreation Director Jason Mitchell is working on the Summer Fun camp based on the Governor's and CDC's recommendations. There are some logistical issues to be worked out and Jason is very well prepared. Council Member Mueller said he feels people are letting their guard down and has concerns about a second wave.

Council Member Savas said in the next couple of weeks we'll see if there's a second wave due to all the gatherings for Memorial Day and the ongoing protesting and then revisit opening camp or not. We need to try for the kids and the parents.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

8. AUTHORIZE EXECUTION OF PROFESSIONAL SERVICE CONTRACT FOR PLANNING BOARD PROFESSIONAL

WHEREAS, the Borough of Cresskill Planning Board requires the professional services of an attorney; and

WHEREAS, the Planning Board appointed Constantine “Dean” Stamos Esq., with an office located at 22 Paris Avenue, Rockleigh, NJ 07647 as the Planning Board Attorney effective June 1, 2020; and

WHEREAS, the appointments and contracts are exempted from the competitive bidding requirements of the Local Public Contracts Law, (NJSA 40A:11-1 et seq) as “Professional Services”, pursuant to NJSA 40A:11-5(1)(a); and

WHEREAS, the terms of these contracts are one year; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are authorized to sign agreements approved as to form and substance by the Borough Attorney with the above listed professional.

9. WHEREAS, Teresa Blasco, (Estate of Teresa Blasco) is the owner of premises commonly known as 329 12th Street, Cresskill, New Jersey; and

WHEREAS, Cresskill Housing Rehabilitation holds a mortgage in the amount of \$13,908.00 on the aforesaid premises known as Block 122, Lot 467; and

WHEREAS, the mortgage was recorded or registered in the office of the Bergen County recoding office on August 24, 2007 in Mortgage Book 16948 on page 300; 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 \$13,908.00 for premises commonly known as 329 12th Street, Cresskill, New Jersey, Block 122, Lot 467.

10. WHEREAS, Isaac and Orna Ben Avraham, are the property owners-taxpayers of real estate known as Block 91.03, Lot 8 and better known as 120 Engle Street, Cresskill, New Jersey 07626 (the “Property”); and

WHEREAS, Isaac and Orna Ben Avraham, have made application to the Tax Court of New Jersey to have the assessment of the property listed above adjusted for tax year 2019; and

WHEREAS, Isaac and Orna Ben Avraham have agreed to withdraw the application to the Tax Court of New Jersey for the 2017 and 2018 appeals; and

WHEREAS, the parties have agreed that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall apply for 2020; and

WHEREAS, the Mayor and Council are satisfied that after proper review and analysis, the settlement, as set forth below, is reasonable and in the Borough's best interests;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the adjustments of the assessments of the property specified below be and is hereby ratified as follows:

<u>Block</u>	<u>Lot</u>	<u>Street Address</u>	
91.03	8	120 Engle Street	
<u>Year: 2017</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND:	\$ 697,800	N/A	\$ 697,800
IMPROVEMENTS:	<u>\$1,161,400</u>	N/A	<u>\$1,161,400 (WITHDRAWN)</u>
TOTAL:	\$1,859,200	N/A	\$1,859,200
<u>Year: 2018</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND:	\$ 568,000	N/A	\$ 568,000
IMPROVEMENTS:	<u>\$1,745,000</u>	N/A	<u>\$1,745,000 (WITHDRAWN)</u>
TOTAL:	\$2,313,000	N/A	\$2,313,000
<u>Year: 2019</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND:	\$ 575,500	N/A	\$ 575,500
IMPROVEMENTS:	<u>\$1,714,100</u>	N/A	<u>\$1,639,100</u>
TOTAL:	\$2,289,600	N/A	\$2,214,600
<u>Year: 2020</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND:	\$ 575,500	N/A	\$ 575,500
IMPROVEMENTS:	<u>\$1,714,100</u>	N/A	<u>\$1,639,100</u>
TOTAL:	\$2,289,600	N/A	\$2,214,600

BE IT FURTHER RESOLVED that Morrison Mahoney LLP be, and hereby are, authorized to execute the Stipulation of Settlement memorializing the settlement of the matter on behalf of the Borough of Cresskill; and

BE IT FURTHER RESOLVED that the proper officials be, and hereby are, authorized to make the necessary adjustments to the assessments.

11. WHEREAS, Jeanne Qin Lamme, is the taxpayer for real estate known as Block 91.06, Lot 4 on the official tax map of the Borough of Cresskill and better known as 354 East Madison Avenue, Cresskill, New Jersey 07626 (the "Property"); and

WHEREAS, Jeanne Qin Lamme, has made application to the Tax Court of New Jersey to have the assessment of the property listed above adjusted for tax year 2017; and

WHEREAS, Jeanne Qin Lamme, has agreed to withdraw the application to the Tax Court of New Jersey for the 2016, 2018 and 2019 appeals; and

WHEREAS, the Mayor and Council are satisfied that after proper review and analysis, the settlement, as set forth below, is reasonable and in the Borough's best interests;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the adjustments of the assessments of the property specified below be and is hereby ratified as follows:

<u>Block</u> 91.06	<u>Lot</u> 4	<u>Street Address</u> 354 East Madison Avenue	
<u>Year: 2016</u>	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Requested Tax</u> <u>Court Judgment</u>
LAND:	\$ 502,700	N/A	\$ 502,700
IMPROVEMENTS:	<u>\$1,692,600</u>	N/A	<u>\$1,692,600 (WITHDRAWN)</u>
TOTAL:	\$2,195,300	N/A	\$2,195,300
<u>Year: 2017</u>	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Requested Tax</u> <u>Court Judgment</u>
LAND:	\$ 502,700	N/A	\$ 502,700
IMPROVEMENTS:	<u>\$1,692,600</u>	N/A	<u>\$1,597,300</u>
TOTAL:	\$2,195,300	N/A	\$2,100,000
<u>Year: 2018</u>	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Requested Tax</u> <u>Court Judgment</u>
LAND:	\$ 366,500	N/A	\$ 366,500
IMPROVEMENTS:	<u>\$2,063,200</u>	N/A	<u>\$2,063,200 (WITHDRAWN)</u>
TOTAL:	\$2,429,700	N/A	\$2,429,700
<u>Year: 2019</u>	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Requested Tax</u> <u>Court Judgment</u>
LAND:	\$ 371,500	N/A	\$ 371,500
IMPROVEMENTS:	<u>\$2,025,400</u>	N/A	<u>\$2,025,400 (WITHDRAWN)</u>
TOTAL:	\$2,396,900	N/A	\$2,396,900

BE IT FURTHER RESOLVED that Morrison Mahoney LLP be, and hereby are, authorized to execute the Stipulation of Settlement memorializing the settlement of the matter on behalf of the Borough of Cresskill; and

BE IT FURTHER RESOLVED that the proper officials be, and hereby are, authorized to make the necessary adjustments to the assessments.

12. WHEREAS, Gordon M. Freeman and Suellen May Freeman are the property owners-taxpayers for real estate known as Block 211, Lot 14 and better known as 22 Van Buren Court, Cresskill, New Jersey 07626 (the "Property"); and

WHEREAS, Gordon M. Freeman and Suellen May Freeman, have made application to the Tax Court of New Jersey to have the assessment of the property listed above adjusted for tax years 2016, 2017, 2018 and 2019; and

WHEREAS, the Mayor and Council are satisfied that after due consideration and analysis, the settlement, as set forth below, is reasonable and in the Borough's best interests;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the adjustments of the assessments of the property specified below be and is hereby ratified as follows:

<u>Block</u> 211	<u>Lot</u> 14	<u>Street Address</u> 22 Van Buren Court	
<u>Year: 2016</u>	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Requested Tax</u> <u>Court Judgment</u>
LAND:	\$ 510,000	0	\$ 510,000
IMPROVEMENTS:	<u>\$ 924,700</u>	0	<u>\$ 890,000</u>
TOTAL:	\$1,434,700	0	\$1,400,000

<u>Year: 2017</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND:	\$ 510,000	0	\$ 510,000
IMPROVEMENTS:	<u>\$ 924,700</u>	0	<u>\$ 890,000</u>
TOTAL:	\$1,434,700	0	\$1,400,000

<u>Year: 2018</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND:	\$ 506,000	0	\$ 506,000
IMPROVEMENTS:	<u>\$ 964,100</u>	0	<u>\$ 964,100 (WITHDRAWN)</u>
TOTAL:	\$1,470,100	0	\$1,470,100

<u>Year: 2019</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND:	\$ 513,500	0	\$ 513,500
IMPROVEMENTS:	<u>\$ 946,100</u>	0	<u>\$ 946,100 (WITHDRAWN)</u>
TOTAL:	\$1,459,600	0	\$1,459,600

BE IT FURTHER RESOLVED that Morrison Mahoney LLP be, and hereby are, authorized to execute the Stipulation of Settlement memorializing the settlement of the matter on behalf of the Borough of Cresskill; and

BE IT FURTHER RESOLVED that the proper officials be, and hereby are, authorized to make the necessary adjustments to the assessments.

13. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following June 2020 payroll be ratified and approved:

June 5, 2020

Current Fund	\$ 278,016.18
Social Security/Medicare	11,532.25
Community Center	1,854.38
Library	<u>11,472.33</u>
	\$ 302,875.14

14. BE IT RESOLVED, as recommended by the Municipal Pool Commission, that the following refunds be authorized from the Municipal Swim Club Account due to membership cancelations due to the Corona Virus:

Lawrence Kim 409 11 th Street Cresskill, NJ 07626 Amount: \$555.00	Robert & Sally Krakower 101 11 th Street Cresskill, NJ 07626 Amount: \$275.00
JoAnne Pawlowski 148 Magnolia Avenue Cresskill, NJ 07626 Amount: \$210.00	Anthony & Lauren Iavarone 128 6 th Street Cresskill, NJ 07626 Amount: \$510.00

15. BE IT RESOLVED:
1. That the specifications for the 2020 Road Improvement 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

2020 Road Improvement Program

Sealed Bids for 2020 Road Improvement Program 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 **Thursday, June 25, 2020**, at **11:00 AM**, Prevailing Time, and then publicly opened and read aloud.

The principal work items are as follows: Traffic Control, Police Traffic Directors, Clearing Site, minor repairs to the existing storm drain system consisting of the installation of approximately 32 (thirty two) linear feet of 12" PVC Pipe (SDR-35) with an approximate cover of 12 (twelve) inches, Reconstructed Inlet, Type "A", - Using New Castings, Reconstructed Inlet, Type "B", - Using New Castings, Cleaning and Repairing Drainage Structures, Curb Piece, Type "N-Eco", Bicycle Safe Grate, 6" x 9" x 20" Concrete Vertical Curb, Concrete Sidewalk, 4" Thick, Detectable Warning Surface, HMA Milling: 3" Or Less, Sealing Existing Joints in Concrete Pavement, Hot Mix Asphalt 9.5M64 Surface Course, Hot Mix Asphalt Driveway, 2" Thick, Concrete Driveway, 6" Thick, Remove & Reset Concrete Paving Stones, Traffic Stripes, Long-Life Epoxy Resin, 4" Wide, Traffic Markings, Thermoplastic and other incidental work.

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 8, 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 Monday, June 8, 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 2020 Road Improvement Program, 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

16. 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:

Travis Michael Morrison

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 individuals are 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; Harold Laufeld, CFO; Edward Wrixon, Borough Administrator; Francesca Maragliano, Borough Clerk

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

17. No one wished to be heard.
18. 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.

19. 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 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.

20. 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

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

(Resolution in full on pages 81A through 81E.)

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.]

22. Mayor Romeo said we will be having our Covid task force meeting tomorrow at 11:00 am.

No one else wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

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

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;

[X] 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.

25. Motion at 8:01 P.M. by Council Member Savas and seconded by Council Member Olmo to adjourn the meeting.

Roll Call: Yes – Unanimous.

Motion adopted.

Benedict Romeo
Mayor

Francesca Maragliano
Borough Clerk