

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

JUNE 17, 2020

1. Jason Mitchell 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 7:37 P.M.
4. Present: Council Members Cleary, Kaplan, Mueller, Olmo, Savas, Spina
Also Present: Attorney Diktas, 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 June 3, 2020.

Roll Call: Yes – Unanimous

Motion adopted.

REPORTS OF COMMITTEES AND OFFICIALS

6. Council Member Spina said Francesca is going to research best practices from other communities on how to promote the services of our Local Assistance Board while retaining the confidentiality of our residents.
I want to thank the Covid Task Force for the work they've done, and I know we'll continue to be proactive for the kids.

Council Member Savas said the Library will open Monday for curbside pickup. They requested the four parking spots in front be reserved because they will be bringing the books directly to the cars. Patrons will not be touching the books. Deputy Chief Domville said the traffic officer met with them today.

Recreation's summer camp will be starting on July 6th and we have 100 children right now. Each child will be getting a backpack filled with their own supplies.

Council Member Olmo said the Pool Commission have been going over the logistics and guidelines for opening the pool. The staff has been very diligent and stepping up to do the cleaning, etc. Council Member Kaplan asked if the staff will be responsible for maintaining social distancing. Council Member Olmo said they will be following the Governor's guidelines. The kids will be the biggest challenge and the rules state social distancing is the parent's responsibility.

Council Member Cleary said the JIF held a virtual meeting.

Council Member Kaplan said Carol Banicki of the Historical Committee would like to have an antique car parade in town on July 4th. Mayor Romeo said there are no events on July 4th. Council Member Kaplan said he spoke to American Legion Commander Cutola and he has no problem with the Historical Committee planting flowers in Veteran's Square.

I observed the Black Lives Matter March on Sunday and I'd like to commend the Police Dept. for doing an excellent job.

Council Member Mueller asked Council Member Olmo for the rules for face masks at the swim club. Council Member Olmo said the Dept. of Health's guidelines for pools does not say people must wear a mask but they should wear a mask where social distancing is not possible. Pool members will have to sign a COVID 19 waiver from the Health Dept.

Council Member Mueller said tax appeals are once again ballooning.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

8. WHEREAS, Governor Phil Murphy pursuant to Executive Order No. 150 and Executive Directive No. 20-014, has authorized Food and Beverage Establishments effective June 15, 2020, to commence limited outdoor food and beverage services; and

WHEREAS, authorization has been granted to the Municipalities to permit Food and Beverage Establishments to commence outdoor operations subject to the following guidelines established by Executive Directive No. 20-014.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council does hereby authorize Food and Beverage Establishments to commence outdoor operations subject to the following conditions:

1. Food or beverage establishments offering service at outdoor areas pursuant to Executive Order No. 150 (2020) must adhere to the protocols listed below:
 - a. Obtain all required municipal approvals and permits before offering food and/or beverage consumption at outdoor areas;
 - b. Post signage at the entrance that states that no one with a fever or symptoms of COVID-19 should enter the food or beverage establishment;
 - c. Limit seating to a maximum of eight (8) customers per table and arrange seating to achieve a minimum distance of six feet (6 ft) between parties;
 - d. Rope off or otherwise mark tables, chairs and bar stools that are not to be used;
 - e. Demarcate 6 feet of spacing in patron waiting areas;
 - f. Provide physical guides, such as tape on floors, sidewalks, and signage on walls to ensure that customers remain at least 6 ft apart in line for the restroom or waiting for seating;
 - g. Eliminate self-service food or drink options such as buffets, salad bars, and self-service drink stations;
 - h. Disinfect all tables, chairs and any other shared items (menus, condiments, pens) after each use;
 - i. Install physical barriers and partitions at cash registers, bars, host stands and other area where maintaining physical distance of 6 ft is difficult;
 - j. Ensure 6 ft of physical distancing between workers and customers, except at the moment of payment and/or when employees are servicing the table;
 - k. Require infection control practices, such as regular handwashing, coughing and sneezing etiquette, and proper tissue usage and disposal;
 - l. Require frequent sanitization of high-touch areas like credit card machines, keypads, and counters to which the public and workers have access;
 - m. Place conspicuous signage at entrance alerting staff and customers to the required 6 ft of physical distance; and
 - n. Require all food or beverage establishments to have an inclement weather policy that, if triggered, would require the food or beverage establishment

- to adhere to Executive Order No. 125 (2020) and offer takeout or delivery service only.
- o. No use of any gaseous and/or solid-fuel burning heating, cooking or decorative device is prohibited.
2. Food or beverage establishments offering service at outdoor areas pursuant to Executive Order No. 150 (2020) must impose the following requirements on employees:
 - a. Require employees to wash and/or sanitize their hands when entering the food or beverage establishment;
 - b. Conduct daily health checks (e.g. temperature screening and/or symptom checking) of employees safely and respectfully, and in accordance with any applicable privacy laws and regulations;
 - c. Require employees with symptoms of COVID-19 (fever, cough, or shortness of breath) be sent home;
 - d. Require all employees to wear face coverings, except where doing so would inhibit the individual's health, and require employees to wear gloves when in contact with customers and when handing prepared foods or serving food, utensils, and other items to customers;
 - e. Provide all employees with face coverings and gloves;
 - f. Provide employees break time for repeated handwashing throughout the workday; and
 - g. Provide sanitization materials, such as hand sanitizer and sanitizing wipes to staff.
 3. Food or beverage establishments offering service at outside areas pursuant to Executive Order No. 150 (2020) must institute the following policies with respect to customers:
 - a. Inform customers that safety measures such as social distancing, wearing face coverings when they are away from their table and unable to social distance or when they are inside the indoor portion of the premises of the food or beverage establishment (unless the customer has a medical reason for not doing so or is a child under two years of age), and hygiene practices must be adhered to while in the food or beverage establishment;
 - b. Encourage reservations for greater control of customer traffic/volume;
 - c. Require customers to provide a phone number if making a reservation to facilitate contact tracing;
 - d. Recommend customers wait in their cars or away from the food or beverage establishment while waiting for a table if outdoor wait area cannot accommodate social distancing;
 - e. Alert customers via calls/texts to limit touching and use of shared objects such as pagers/buzzers;
 - f. Encourage the use of digital menus;
 - g. Decline entry to the indoor portion of the establishment to a customer who is not wearing a face covering, unless the customer has a medical reason for not doing so or is a child under two years of age; and
 - h. Provide a hand sanitizer station for customers

BE IT FURTHER RESOLVED that this Resolution be served upon all Food and Beverage Establishments wishing to participate in the outdoor table service food and beverage consumption seating.

9. 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:

Regina & Joseph Puglisi
107 6th Street
Cresskill, NJ 07626
Amount: \$275.00

Kathleen & Fabiano Constantini
107 6th Street
Cresskill, NJ 07626
Amount: \$555.00

10. WHEREAS, the Borough of Cresskill has entered into a three year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:8a-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, this program requires a representative be appointed by the Council to represent the Borough on the Northern Valley Committee, having input into the funding recommendations made by that Committee.

NOW, THEREFORE, BE IT RESOLVED that Kevin Terhune be, and hereby is, appointed to serve as said representative, effective July 1, 2020 for term ending June 30, 2021.

NOW, THEREFORE, BE IT FURTHER RESOLVED that Harold Laufeld, III be, and hereby is appointed to serve as the Mayor's alternate, effective July 1, 2020 for term ending June 30, 2021.

11. **A RESOLUTION AUTHORIZING INCLUSION IN THE
BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM**

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, the current Interlocal Services Cooperative Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, each Municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the Municipality of the Borough of Cresskill and its residents to participate in said Programs.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Municipality of the Borough of Cresskill hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant Municipality in the Urban County entitlement programs being the Community Development Block Grant Program (CDBG), the HOME Investment Partnership Program (HOME), and the Emergency Solutions Grant Program (ESG) for the Program Years 2021, 2022, and 2023 covering the period July 1, 2021 – June 30, 2024; and

BE IT FURTHER RESOLVED, that an original copy of this resolution be made available to the Director of the Bergen County Division of Community Development as soon as possible and no later than Friday, July 17, 2020.

12. **A RESOLUTION AUTHORIZING EXECUTION OF AN
AGREEMENT WITH THE COUNTY OF BERGEN TO SUPERSEDE THE
COOPERATIVE AGREEMENT DATED JULY 1, 2000 AND AMENDMENTS
THERE TO ESTABLISHING THE BERGEN COUNTY COMMUNITY
DEVELOPMENT PROGRAM**

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, it is necessary to supersede an existing Interlocal Services Cooperative Agreement for the County and its people to benefit from these Programs; and

WHEREAS, an Agreement has been proposed under which the Municipality of the Borough of Cresskill and the County of Bergen in cooperation with other Municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40A:65-1 et seq.; and

WHEREAS, it is in the best interest of the Municipality of the Borough of Cresskill to enter into such an Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Municipality of the Borough of Cresskill that the Agreement entitled “Three Year Cooperative Agreement” (an Agreement superseding the Cooperative Agreement dated July 1, 2000 – June 30, 2003) to clarify the planning and implementation procedures and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Block Grant Program (CDBG), the Home Investment Partnership Program (HOME), and the Emergency Solutions Grant Program (ESG) for the Program Years 2021, 2022, and 2023 covering the period July 1, 2021 – June 30, 2024 be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately in accordance with law and that an original copy be made available to the Director of the Bergen County Division of Community Development as soon as possible and no later than Friday, July 17, 2020.

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

June 19, 2020

Current Fund	\$ 362,468.89
Social Security/Medicare	13,113.66
Community Center	2,597.38
Library	<u>11,946.60</u>
	\$ 390,126.53

14. AUTHORIZATION TO PARTICIPATE IN A MASTER CONTRACT FOR EMERGENCY WATER MAIN AND/OR STORM AND SANITARY SEWER REPAIRS WITH THE RIVERSIDE COOPERATIVE

WHEREAS, pursuant to N.J.S.A. 49:11-11 (5), the Borough of Northvale, as the Riverside Cooperative Lead Agency, filed public bid Requests to obtain Proposals for Emergency Water Main and/or Storm and Sanitary Sewer Repairs; and

WHEREAS, the Borough of Northvale, as the Lead Agency of the Riverside Cooperative, received three (3) bids, which were opened and read aloud on November 1, 2019, for “Emergency Water Main and/or Storm and Sanitary Sewer Repairs”; and

WHEREAS, the lowest responsible Bidder was J. Fletcher Creamer & Sons, Inc. of 101 East Broadway, Hackensack, New Jersey 07601, for unit bid prices; and

WHEREAS, the Borough of Northvale awarded this Contract on a unit price basis, which, pursuant to the local public Contracts Law, is considered an Open Ended Contract under N.J.A.C. 5:34-5.3, in which case certification of funds is not required until such time as the services are ordered and prior to incurring any liability by placing the order, Certification of availability of funds shall be made by the Chief Financial Officer prior to the receipt of services;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill, that the Council does hereby agree to accept the Borough of Northvale as the Lead Agency of the Riverside Cooperative; and

BE FURTHER RESOLVED, that the Borough of Cresskill does hereby concur with the award of the Bid to J. FLETCHER CREAMER & SONS, INC. in the awarding of the

Riverside Cooperative Master Contract No. RC-35-19-02 for Emergency Water Main and/or Storm and Sanitary Sewer Repairs.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk does hereby accept membership into the Riverside Cooperative and accepts all work which may be completed by J. Fletcher Creamer & Sons, Inc. pursuant to the Emergency Water Main and/or Storm and Sanitary Sewer Repairs, as more further described in the Riverside Cooperative Lead Agency Bid which was accepted by the Borough of Northvale; and

BE IT FURTHER RESOLVED, that the Borough of Cresskill accepts the Master Contract term commencing January 1, 2020 and expiring December 31, 2021;

BE IT FURTHER RESOLVED, that the Borough Clerk, Francesca Maragliano, is hereby authorized to forward a copy of this Resolution to each member of the Riverside Cooperative, Edward Wrixon, Borough Administrator; and Harold Laufeld, CFO.

15. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that employment of following people for the 2020 season, as approved by the Cresskill Municipal Pool, is hereby ratified and confirmed:

		<u>2020 Rate</u>
James Breheny	Pool Manager	\$13,000.00
Anne Marie Grieco	Assistant Pool Manager	\$ 8,900.00
Andrew Hartmann	Assistant Pool Manager	\$ 8,000.00

16. WHEREAS, as a result of Governor Phil Murphy's Executive Order 150, Authorizing Bars and Restaurants, effective June 15, 2020, to commence outdoor food and beverage services; and

NOW, THEREFORE, BE IT RESOLVED, the Council does hereby relax the restrictions of Municipal Ordinances permitting outdoor restaurant seating whereby all Bars and Restaurants may commence outdoor dining; and

BE IT FURTHER RESOLVED, that the Restaurant and/or Bar Food Service shall only complete the Permit Application and present an Insurance Certificate to the Municipality in order to be issued a permit; and

BE FURTHER RESOLVED, this Resolution shall be posted in the Municipal Complex and be available to all Restaurant and Food Services located within the Borough.

17. A RESOLUTION AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES CONTRACT WITH CGP&H

WHEREAS, the Council of the Borough of Cresskill, has petitioned the Superior Court of New Jersey for an entry of Judgment of Compliance and Repose in the action entitled In the Matter of the Borough of Cresskill, County of Bergen, Docket No. L-6274-15 upon approval and implementation of its 2018 Housing Element and Fair Share Plan; and

WHEREAS, the Borough of Cresskill has obtained the Court's approval of a Settlement Agreement with intervenor Fair Share Housing Center by which the Borough shall obtain Final Judgment of Compliance and Repose upon satisfaction of certain conditions and continued compliance with the requirements of the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.); and

WHEREAS, pursuant to the Fair Housing Act, N.J.S.A. 52:27D-313 and N.J.S.A. 52:27D-329.1, and pursuant to the Settlement Agreement the Borough of Cresskill is required to conduct certain compliance monitoring and reviews including a midpoint realistic opportunity review and a review of low-income housing requirements; and

WHEREAS, pursuant to the Fair Housing Act and the Settlement Agreement the Borough of Cresskill is required to satisfy certain reporting requirements pertaining to its compliance monitoring and reviews; and

WHEREAS, due to the highly specialized nature of the required compliance monitoring, reviews and reporting as well as the need for extensive knowledge of the State's affordable housing laws and regulations, the Borough is of the opinion that that satisfaction of these obligations requires the services of a qualified professional; and

WHEREAS, CGP&H is an approved New Jersey Department of Community Affairs Affordable Housing Administrative Agent responsible for monitoring thousands of units of affordable housing throughout 40 municipalities in New Jersey, including in the Borough of Cresskill and CGP&H is professionally qualified to provide the services required by the Borough; and

WHEREAS, CGP&H has proposed to offer the services required by the Borough in accordance with the terms set forth in the Professional Services Agreement annexed to this Resolution; and

WHEREAS, the Borough Attorney has reviewed the Professional Services Agreement and has recommended that CGP&H be engaged in accordance with the terms thereof; and

WHEREAS, the Borough of Cresskill is authorized by the Local Public Contract Law to award a Professional Service Contract to CGP&H without competitive bidding;

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Cresskill that CGP&H be and is hereby designated and appointed to provide the qualified professional services required by the Borough to comply with its obligations for compliance monitoring, reviews and reporting pursuant to the Fair Housing Act and the Settlement Agreement entered in the action known as In the Matter of the Borough of Cresskill, County of Bergen, Docket No. L-6274-15; and

BE IT FURTHER RESOLVED that the Mayor of the Borough of Cresskill or his designee be and is hereby authorized to execute the annexed Professional Service Contract with CGP&H on behalf of the Borough of Cresskill; and

BE IT FURTHER RESOLVED that a copy of this Resolution be tendered to the Mayor and Council of Cresskill; Francesca Maragliano, Municipal Clerk; Harold E. Laufeld, Chief Financial Officer; Steven Lydon, Municipal Planner; and Borough Attorney Christos J. Diktas, Esq.

18. WHEREAS, the Borough of Cresskill requires the services of an Architect; and

WHEREAS, Mayor Benedict Romeo established a Search Committee for recommendations for the position of Borough Architect; and

WHEREAS, the Committee has recommended to the Mayor, and the Mayor to the Council, that Anthony Iovino be appointed Borough Architect; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor does hereby appoint, with the Advice and Consent of the Council, Anthony Iovino as Borough Architect for the Term ending December 31, 2020;

BE IT FURTHER RESOLVED, that Anthony Iovino of the Architectural Firm of Arcari Iovino, 1 Katherine St, Little Ferry, NJ 07643, is hereby appointed to the position of Architect for the Borough of Cresskill with the Term expiring December 31, 2020; and

BE IT FURTHER RESOLVED, that the Council does hereby authorize Mayor Benedict Romeo or his designee, Borough Administrator Edward Wrixon, to execute a Professional Services Contract with Anthony Iovino upon preparation and acceptance by the Borough Attorney for the position noted herein; and

BE IT FURTHER RESOLVED, that the Borough Architect's remuneration shall be determined at a later date, with such compensation to be established per project as negotiated by the Borough Administrator;

BE IT FURTHER RESOLVED, that a Certified to be True Copy of this Resolution be served upon Anthony Iovino, Architect; Edward Wrixon, Borough Administrator; Francesca Maragliano, Borough Clerk; Harold Laufeld, CFO; and Borough Attorney, Christos J. Diktas, Esq.

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

19. No one wished to be heard.
20. 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.

21. 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.

22. 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

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

(Resolution in full on pages 90A through 90E.)

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.]

24. Council Member Savas commended the Police, Fire and EMS in keeping the Black Lives Matter marchers safe. I noticed that most of our residents thanked the first responders and police. I know our residents have very positive feelings towards our police force.

Deputy Chief Domville said on June 19th at 11:30 am there will be a drive-by at both elementary schools and on July 23rd the senior class will have a cap and gown procession down 3rd street from 5 to 7pm.

No one else wished to be heard.

25. Motion by Council Member Savas and seconded by Council Member Spina to close the meeting to remarks from the public.

Roll Call: Yes – Unanimous Motion adopted.

26. Motion at 8:06 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