

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

OCTOBER 18, 2023

1. Administrator Lavin 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 7:14 P.M.
4. Present: Council Members Cleary, Kaplan, Olmo, Savas, Schultz-Rummel, Spina  
Also Present: Attorney Diktas, Administrator Lavin, Chief Domville, Michael Hamlett
5. Motion by Council Member Spina and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of October 4, 2023.

All in Favor. None Opposed.

Motion adopted.

## REPORTS OF COMMITTEES AND OFFICIALS

6. Council Member Savas said Recreation will be holding a Fall Festival tomorrow night. The winter programs will open at the beginning of November. We met with a group of gentlemen from Japan today who were interested in how our recreation programs worked. Recreation Director Mitchell gave a great presentation. The Senior Center programs utilizing the building on Tuesday mornings have been a huge success. The Library renovation is on schedule and budget. The Board dissolved their foundation with the aid of their attorney as it was very similar to the Friends of the Library. The Friends of the Library will be fundraising for some furnishings.

Council Member Olmo thanked the Police, Fire and EMS for their vigilance. Leaf pickup has started so please do not mix branches, rocks, etc. with your leaves as it could damage the equipment.

The American Legion's Veteran's Day ceremony will be at 10:30 am Fri., November 10<sup>th</sup>.

Council Member Kaplan thanked Mayor Romeo for his support on behalf of himself and Council condemning the Hamas terrorist attack on Israel. He also thanked Captain Lanzilotti and the Police Dept. for helping with the security at the JCC in Tenafly last week.

Chief Ulshoefer and I reviewed the plans for turning the bar in the fire house into 2 offices and reception space for a minimal cost.

The Garden Committee did some plantings at Veteran's Square last week.

## UNFINISHED BUSINESS

## ORDINANCE ON FINAL READING

Capital Ordinance No. 23-25-1626 – For Various Improvements to the Police Department  
Recording System, Borough Hall HVAC System and Technology Software Equipment

7. Motion at 7:25 PM by Council Member Olmo and seconded by Council Member Cleary to hear Ordinance No. 23-25-1626 on final reading by title only, Capital Ordinance of the Borough of Cresskill, in the County of Bergen, New Jersey Authorizing the Making of Various Public Acquisitions and Improvements in, by and for the Borough, Appropriating therefor the sum of \$100,000 and providing that such sum so Appropriated shall be raised from the Capital Improvement Fund of the Borough.

Roll Call: Yes – Council Members Cleary, Kaplan, Olmo, Savas, Schultz-Rummel,  
Spina

No – None  
Absent – None  
Abstain – None  
Motion adopted.

(Ordinance in full on page 163A in Minutes of Regular  
Mayor and Council Meeting held October 4, 2023.)

8. The Borough Clerk announced the Ordinance was published in The Record on October 6, 2023, posted in Borough Hall, and copies made available to the public.
9. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
10. No one wished to be heard.
11. 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.

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

BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill, in the County of Bergen and State of New Jersey, that Ordinance No. 23-25-1626, entitled:

**CAPITAL ORDINANCE OF THE BOROUGH OF CRESSKILL, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS PUBLIC ACQUISITIONS AND IMPROVEMENTS IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$100,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH.**

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.

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

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CONSENT AGENDA

NEW BUSINESS

\*Resolutions

14. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that the following be approved for full-time employment as Laborer/Operators in the Public Works Department at an annual salary in accordance with Ordinance No. 20-07-1557.

Bryan Reinhardt      Effective October 23, 2023  
 Peter Merkle            Effective November 6, 2023

15. WHEREAS, the Recreation Committee has scheduled various programs; and

WHEREAS, the following participant was unable to attend;

NOW, THEREFORE, BE IT RESOLVED that the recreation fee be returned to:

SooRo Kim  
*(for: Aven Kim)*  
 16 Stivers Street  
 Cresskill, NJ 07626  
 Amount: \$140.00

16. Cancelling Balances of Miscellaneous Reserves in the Current/Trust Funds

WHEREAS, certain Miscellaneous Reserve balances remain dedicated to expenditures which exceed the balances and revenue they receive, and

WHEREAS, it is necessary to formally cancel said balances in the Current/Trust Funds;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill that the following balances of unexpended Miscellaneous Reserves be cancelled as follows:

<u>Current Fund</u>	<u>Amount</u>	<u>Cancel To Account</u>
Tree Replacement	\$ 900.00	Fund Balance
<u>Trust Fund</u>	<u>Amount</u>	<u>Cancel to Account</u>
Rent Security Deposit 57 Brookside Avenue	\$ 1,125.00	Fund Balance

17. RESOLUTION AUTHORIZING THE BOROUGH OF CRESSKILL THROUGH THE CRESSKILL POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM

TO ENABLE THE CRESSKILL POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSES EQUIPMENT

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CRESSKILL that the Cresskill Police Department is hereby authorized to enroll in the 1033 Program for a one-year period from January 1, 2024 through December 31, 2024.

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

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

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

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

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

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and shall be valid to authorize requests to acquire (1) “DEMIL A” property that may be made

available through the 1033 Program and (2) “DEMIL B through Q” property both of which that may be made available through the 1033 Program during the time period for which this Resolution authorizes, with program participation and all property request authorization terminating on December 31, 2024.

18. WHEREAS, the following permit has been issued under Section 132-27 of the Code of the Borough of Cresskill and cash bond deposited therefor; and

WHEREAS, the Property Maintenance Officer has 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 bond held under the following permit:

<u>Code Sec.</u>	<u>Permit #</u>	<u>Name</u>	<u>Amount</u>
132-27	4392	Allben Ndregjoni 254 Madison Avenue Cresskill, NJ 07626 <i>(for: 64 Gilmore Avenue)</i>	\$50.00

19. WHEREAS, the Borough Clerk of the Borough of Cresskill was previously authorized to advertise for Bids for the Jefferson Avenue Sec 5 Improvements 2022 N.J.D.O.T. Municipal Aid Program; and

WHEREAS, pursuant to said Notice, the receipt and opening of Bids took place on October 13, 2023; at which time the following bid was received:

Company	Base Bid
Marini Brothers Construction Co. Inc.	\$ 584,757.00

WHEREAS, the Chief Financial Officer of the Borough of Cresskill has confirmed the availability of funds for the project, specifically that the project will be funded through Capital Ordinance and NJ DOT Grants; and

WHEREAS, Azzolina Fuery Engineering has recommended acceptance of the Bid submitted by Marini Brothers Construction Co. Inc. as being the apparent low and most Responsible Bidder;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill does hereby award the Bid for the Jefferson Avenue Sec 5 Improvements 2022 N.J.D.O.T. Municipal Aid Program to Marini Brothers Construction Co. Inc. in the amount of Five Hundred Eighty Four Thousand Seven Hundred Fifty Seven Dollars and Zero cents (\$584,757.00); and

BE IT FURTHER RESOLVED, that this Bid Award is subject to the New Jersey Department of Transportation approval and issuance of Grant Funds in the amount of Two Hundred Twenty One Thousand Dollars. (\$221,000.00)

BE IT FURTHER RESOLVED, that the Borough requires the submission of the following Original Documents: Performance Bond and Payment Bond, Certificate of Insurance, Affirmative Action Affidavit and Initial Project Workforce Report (Form AA-201) before the Contract is issued; and

BE IT FURTHER RESOLVED, that the Borough Attorney has prepared all necessary documents to effectuate this Resolution; and

BE IT FURTHER RESOLVED, that Mayor Benedict Romeo is authorized to execute, on behalf of the Borough, the Approved Construction Contract; and

BE IT FURTHER RESOLVED, that a Certified to be True copy of this Resolution shall be forwarded to Marini Brothers Construction Co. Inc; Azzolina & Fuery Engineering; Dianne Lavin, Borough CFO; Francesca Maragliano, Borough Clerk and Christos J. Diktas, Esq., Borough Attorney.

20. WHEREAS, the Borough of Cresskill is in need of Cleaning of their Public Buildings; and

WHEREAS, the Borough Clerk of the Borough of Cresskill is authorized to advertise for Bids for the Cleaning of Public Buildings; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill does hereby authorize the Borough Clerk, Francesca Maragliano to advertise for the Cleaning of Public Buildings.

21. Motion by Council Member Olmo and seconded by Council Member Kaplan to remove Resolution #8 from the Consent Agenda for further discussion.

Roll Call: Yes – Unanimous Motion adopted.

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

22. No one wished to be heard.

23. Motion by Council Member Spina and seconded by Council Member Kaplan to close the meeting to remarks on remaining agenda items.

Roll Call: Yes – Unanimous Motion adopted.

24. Motion by Council Member Spina and seconded by Council Member Kaplan to consider remaining items on the consent agenda 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.

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

Roll Call: Yes – Unanimous Motion adopted.

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26. RESOLUTION #8

WHEREAS, the Borough Clerk of the Borough of Cresskill was authorized to advertise for Bids for the Cresskill IT Hardware & Software Installation & Maintenance; and

WHEREAS, pursuant to said Notice, the receipt and opening of the Bids took place on Tuesday, September 12, 2023, at which time the following Bid was received: and

Bidder:	Base Bid Amount:
Five Rivers IT Inc.	Hardware & Installation \$37,320.00
Five Rivers IT Inc.	Maintenance & Managed Services \$58,620.00

WHEREAS, the Chief Financial Officer of the Borough of Cresskill has confirmed the availability of funds for the project, specifically that the project will be funded through Capital Ordinance; and

WHEREAS, the Borough Attorney, Christos J. Diktas, Esq., has recommended acceptance of the Bid submitted by Five Rivers IT Inc., as being the apparently lowest and most responsive Bidder.

NOW THEREFORE BE IT RESOLVED, that the Council of the Borough of Cresskill does hereby award the bid to Five Rivers IT Inc. in the combined amount of NINETY FIVE THOUSAND NINE HUNDRED FOURTY DOLLARS (\$95,940.00) to Five Rivers IT Inc.; and

BE IT FURTHER RESOLVED, that Mayor Benedict Romeo or his designee, is authorized to execute, on behalf of the Borough, IT Hardware & Software Installation & Maintenance Contract; and

BE IT FURTHER RESOLVED, that a Certified to be True copy of this Resolution shall be forwarded to Five Rivers IT Inc., Acting CFO Dianne Lavin; Borough Clerk Francesca Maragliano; and Borough Attorney Christos J. Diktas, Esq.

27. Council Member Olmo said we've been working on getting IT services for hardware, software installation and maintenance for the past 1 1/2 year. The bids received either did not include everything or added additional services to the bid specs. My recommendation is to award the hardware part and rebid for software and maintenance. Attorney Diktas said after reviewing the bids he agreed with Council Member Olmo. Discussion and explanation continued. Mike Hamlett said his biggest concern is that Verizon is going to cut off the phone lines at the end of the month because we aren't ready for them. I can make a temporary fix until we go out to bid again.

28. Motion by Council Member Olmo and seconded by Council Member Savas to award the Hardware, Installation, and transition of the bid to Five Rivers IT Inc.

Roll Call: Yes – Unanimous Motion adopted.

29. Motion by Council Member Olmo and seconded by Council Member Savas to authorize the Borough Clerk to advertise for bids for the software, IT support, backup solutions and security tools.

Roll Call: Yes – Unanimous Motion adopted.

#### PRESENTATION OF BILLS

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

(Resolution in full on pages 172A through 172K.)

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.]

31. Mayor Romeo said he just received the first report from the US Army Corp. of Engineers. It is very complicated, but according to the report we are on track. We are still having monthly meetings, but it will take years.

No one else wished to be heard.

32. Motion at 7:49 P.M. by Council Member Spina and seconded by Council Member Olmo to close the meeting and adjourn.

All in Favor. None Opposed.

Motion adopted.

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Benedict Romeo  
Mayor

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Francesca Maragliano  
Borough Clerk