

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

NOVEMBER 20, 2023

1. Sarah Barrs 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 12:09 P.M.
4. Present: Council Members Cleary, Kaplan, Olmo, Schultz-Rummel, Spina  
Also Present: Administrator Lavin, Chief Domville  
Absent: Council Member Savas
5. Motion by Council Member Spina and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of November 1, 2023.

All in Favor. None Opposed.

Motion adopted.

## COMMUNICATIONS

6. Minutes of the following meeting:

Planning Board

October 24, 2023

Filed.

## REPORTS OF COMMITTEES AND OFFICIALS

7. Council Member Olmo wished everyone a safe and happy Thanksgiving.

Council Member Cleary said he will be attending the JIF luncheon today.

## NEW BUSINESS

## INTRODUCTION OF ORDINANCE

Ordinance No. 23-33-1634 – Amend Chapter 275, Article II – Definitions – New Construction.

8. Motion at 12:10 PM by Council Member Schultz-Rummel and seconded by Council Member Olmo to introduce Ordinance No. 23-33-1634 on first reading by title only, Amend Chapter 275, Article II – Definitions – New Construction.

Roll Call: Yes – Unanimous

Motion adopted.



- 5. The surplus property as identified shall be sold in an “as is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- 6. The Borough of Cresskill reserves the right to accept or reject any bid submitted.

12. AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS’ FISCAL YEAR 2024 AMERICAN RESCUE PLAN FIREFIGHTER GRANT PROGRAM

WHEREAS, the New Jersey Department of Community Affairs Division of Local Government Services has made grant funding available via the American Rescue Plan Firefighter Grant Program; and

WHEREAS, the Mayor and Council of the Borough of Cresskill desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$50,000.00 to carry out a project to provide the Cresskill Fire Department with proper fire protection, cleaning, and sanitization equipment;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CRESSKILL:

- 1. Hereby authorize the application for such a grant; and,
- 2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Cresskill and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

\_\_\_\_\_  
Benedict Romeo, Mayor

Certified to be a true and correct copy of a resolution adopted by the Mayor and Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
Francesca Maragliano, Clerk

13. 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 refunds due to overpayment of taxes:

<u>TAX</u>					
<u>PERIOD</u>	<u>BLOCK</u>	<u>LOT</u>	<u>QUAL</u>	<u>NAME</u>	
<u>AMOUNT</u>					

4 <sup>th</sup> qtr 2023 2,468.31	41	1.06	C002X	Bridgeview Abstracts, Inc. 1 Bridge Plaza North Suite 730 Fort Lee, NJ 07024 <i>(for: 5 Tenakill Pk E., Unit 224)</i>	\$
4 <sup>th</sup> qtr 2023 1,000.00	92.04	4		Kim & Peter Dulligan 14 Crest Drive South Cresskill, NJ 07626	\$

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

Elizabeth Ambrosini  
57 Merritt Avenue  
Cresskill, NJ 07626  
Amount: \$ 921.00

15. AUTHORIZATION TO APPROVE OF THE DIRECTOR OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR FIRE DEPARTMENT DONATIONS PURSUANT TO N.J.S.A. 40A:5-29

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of certain revenues received by a municipality when the revenue is not subject to reasonable estimates in advance; and

WHEREAS, N.J.S.A. 40A:5-29 allows municipalities to receive amounts earmarked as Fire Department Donations; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider: and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Cresskill, County of Bergen, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Fire Department Donations as per N.J.S.A. 40A:4-39; and
2. The Borough Clerk of the Borough of Cresskill is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

16. AUTHORIZATION TO APPROVE OF THE DIRECTOR OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR EMERGENCY MEDICAL SERVICES DEPARTMENT DONATIONS PURSUANT TO N.J.S.A. 40A:5-29

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of certain revenues received by a municipality when the revenue is not subject to reasonable estimates in advance; and

WHEREAS, N.J.S.A. 40A:5-29 allows municipalities to receive amounts earmarked as Emergency Medical Services Department Donations; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider: and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Cresskill, County of Bergen, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Emergency Medical Services Department Donations as per N.J.S.A. 40A:4-39; and
2. The Borough Clerk of the Borough of Cresskill is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

17. RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF DEMAREST FOR CONSOLIDATION OF THEIR MUNICIPAL COURTS

WHEREAS, The Borough of Cresskill and the Borough of Demarest have agreed to enter into a Interlocal Services Agreement for their respective Municipal Court services; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill, County of Bergen, State of New Jersey as follows:

1. The Interlocal Services Agreement between the Borough of Cresskill and the Borough of Demarest for consolidation of the Municipal Courts is approved. The terms and conditions of the Agreement, pursuant to N.J.S.A 40A:65-1, et seq, any municipality of the State of New Jersey may contract with any other municipality or municipalities for the shared provision within their several jurisdictions of any service that any party to the agreement is empowered to provide within its own jurisdiction, and pursuant to N.J.S.A. 2B:12-1(c), two resolutions, or more municipalities, by ordinance or resolution, may agree to share services for courtrooms, chambers, equipment, supplies and employees for their municipal courts and agree to appoint the same employee including, but not limited to, municipal judges, court administrators, prosecutors public defenders and security personnel without establishing a joint municipal court.
2. The Mayor and Borough Clerk are authorized to sign the Interlocal Services Agreement on behalf of the Borough.
3. The Interlocal Services Agreement is subject to final approval by the Borough Administrator and Borough Attorney. This resolution shall be void and of no effect in the event that the Borough of Demarest fails or refuses to sign the Interlocal Agreement.
4. This Resolution shall take effect immediately, and the Interlocal Services Agreement shall take effect January 1, 2024.
5. A copy of this Agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs pursuant to N.J.S.A. 40A:65-1, et seq.

18. WHEREAS, the Council authorized the Borough Clerk to publish Bid Specifications for the Installation of Computer Hardware, and Maintenance and Management Services; and

WHEREAS, Bids were submitted to the Borough Clerk within the time prescribed by the Bid Specifications; and

WHEREAS, the Council reviewed the bids submitted and determined none were responsive to the Maintenance and Management Services; and

WHEREAS, detailed discussion was conducted by Borough Administrator Dianne Lavin and Borough Attorney Christos J. Diktas, Esq., advising the Council as to the Bid irregularities and errors; and

WHEREAS, as a result of the discussion and review of the documents, Councilman Hector Olmo, moved to reject all submitted Bids for the Maintenance and Management, seconded by Councilman Kaplan and

WHEREAS, the Council voted unanimously in a roll call vote, directing the Borough Clerk to advise all vendors that the submitted Bids for Maintenance and Management Services be outright rejected as a result of non-compliance with the bid specification; and

WHEREAS, on October 18, 2023, a Resolution of Bid Award was granted to Fire Rivers, IT Inc., as being the most responsive Hardware and Installation Bidder; and

WHEREAS, the October 18, 2023, Resolution of Bid Award was submitted to Fire River IT, Inc., contained errors, wherein the Resolution incorrectly awarded both the Computer Hardware Installation and the Maintenance and Management Services; and

NOW THEREFORE BE IT RESOLVED, that the October 18, 2023, Resolution be rescinded *nun pro tunc* in its entirety for noncompliance with the entire Bid Specifications, and this Resolution be deemed the corrective Resolution, and

BE IT FRUTHER RESOLVED, that the Bid for the Computer Hardware Installation shall be awarded to Five Rivers IT, Inc., for being the most Responsive Bidder, which contract amount shall not exceed THIRTY-SEVEN THOUSAND THREE HUNDRED TWENTY DOLLARS (\$37,320.00);

BE IT FURTHER RESOLVED, that a Certified to be True Copy of this Resolution be tendered to: Five Rivers IT, Inc.; Dianne Lavin, Borough Administrator; Francesca Maragliano, Borough Clerk; and Christos J. Diktas, Esq., Borough Attorney.

19. WHEREAS, the Council of the Borough of Cresskill directed the Clerk to publish Bid Specification for

“IT Security Tools and Controls, IT Support, End User Service/ Help Desk, Infrastructure Support, Network Monitoring and Support”

AND WHEREAS, three (3) bids were submitted by the following entities:

Five Rivers Information and Technology, Lieberman Networks Inc., and Coban Computer Solutions;

AND WHEREAS, after reviewing the submitted bids the following determination has been made

1. Five Rivers Information and Technology’s bid is rejected because they failed to include the Bid Guarantee;
2. Lieberman Networks Inc.’s bid is rejected as the proposed contractual price exceeds the amount of funds allocated by the Council for this project;
3. Coban Computer Solutions’ bid is rejected as the Bid Submission does not correspond to the Bid Specifications,



REMARKS FROM THE PUBLIC FOR THE GOOD AND WELFARE OF THE BOROUGH  
[Reported by Deputy Borough Clerk Patricia A. McKim.]

26. Mayor Romeo wished everyone a Happy Thanksgiving.

No one else wished to be heard.

27. Motion at 12:15 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.

---

Benedict Romeo  
Mayor

---

Francesca Maragliano  
Borough Clerk