

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

DECEMBER 20, 2023

1. Chief Ulshoefer 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 7:08 P.M.
4. Present: Council Members Cleary, Kaplan, Olmo, Savas, Schultz-Rummel, Spina
Also Present: Attorney Diktas, Administrator Lavin, Chief Domville, Chief Ulshoefer, Jason Mitchell, Officer John Birnie
5. Resolution by Council Member Olmo and seconded by Council Member Savas:

BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that Fireman James Lyons be promoted to the position of Lieutenant effective January 1, 2024.

Roll Call: Yes – Unanimous Resolution adopted.

6. Chief Ulshoefer thanked the Mayor and Council and Borough Administrator for their support of the fire department and congratulated Jim Lyons for his promotion. Mayor Romeo said his promotion is well deserved.
7. Borough Clerk Maragliano swore in Lieutenant James Lyons.
8. Motion by Council Member Spina and seconded by Council Member Olmo to approve the minutes of the Mayor and Council Regular meeting of December 6, 2023.

All in Favor. None Opposed. Motion adopted.

COMMUNICATIONS

9. Minutes of the following meeting:

Planning Board

November 14, 2023

Filed.

10. Mayor Romeo presented Councilman James Cleary with a plaque and thanked him for his many years of friendship and dedicated service to Cresskill. You will be greatly missed.
Councilman Cleary said he greatly enjoyed his time serving as Councilman.

REPORTS OF COMMITTEES AND OFFICIALS

11. Council Member Spina said Dr. Morgan continues to do a great job heading the BOH.

Council Member Savas said we had some vandalism at the Community Center this week. It caused flooding to the building, damaging the floors in the dance room and gym as well as other damage. Servpro had to be called in to clean up. Everyone is doing their job to identify the individuals that caused the costly damage. We will be making changes to some of our programs until the floors can be replaced.

The Library renovation is on schedule and should reopen in the spring.

Council Member Olmo thanked the Police, Fire and DPW for their hard work after the heavy storms.

I want to congratulate and thank Jim Cleary for his eight terms as Councilman. I believe he is the longest serving Council Member.

Council Member Kaplan also thanked Councilman Cleary. I also want to thank all the employees of the Borough, especially department heads for their hard work and dedication to the borough. Also, to the Mayor and my fellow Council Members.

UNFINISHED BUSINESS

ORDINANCE ON FINAL READING

Ordinance No. 23-34-1635 – An Ordinance to Rename the Cresskill Community Center

11. Motion at 7:30 PM by Council Member Savas and seconded by Council Member Olmo to hear Ordinance No. 23-34-1635 on final reading. Council Member Savas read the ordinance in full to rename the Cresskill Community Center to the Benedict Romeo Community Center.

Roll Call: Yes – Unanimous Motion adopted.

(Ordinance in full on page 192A in Minutes of Regular Mayor and Council Meeting held December 6, 2023.)

12. The Borough Clerk announced the Ordinance was published in The Record on December 8, 2023, posted in Borough Hall, and copies made available to the public.
13. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
14. Mayor Romeo said in preparing his speech for his January 1, 2000 swearing in as Mayor, he laid out everything he wanted to accomplish. Building the Community/Recreation Center for the kids, at no cost to the Borough, was one of those endeavors. I had a plan and need to thank Chuck Vaccaro who helped me. We received donations from some of the builders in town, who were making lots of money building in town. We received approval from the DEP, raised \$1.6MM and built the Community Center. Many Mayors have come to us since then to look at our plans wanting to build a center. It's a special place to me and I thank you all very much. Council Member Olmo said this is a long time coming as the Community Center would not exist had it not been for Mayor Romeo.

No one else wished to be heard.

15. Motion by Council Member Savas and seconded by Council Member Olmo to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

16. 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. 23-34-1635, entitled:

ORDINANCE TO RENAME THE CRESSKILL COMMUNITY CENTER

pass its second and final reading, is hereby adopted and shall be published according to law.

Roll Call: Yes – Unanimous Resolution adopted.

Ordinance No. 23-35-1636 – An Ordinance to Fix the Salaries, Wages and Compensation of the Officers and Employees of the Borough of Cresskill – Year 2024.

17. Motion at 7:43 PM by Council Member Olmo and seconded by Council Member Schultz-Rummel to hear Ordinance No. 23-35-1636 on final reading by title only, An Ordinance to Fix the Salaries, Wages and Compensation of the Officers and Employees of the Borough of Cresskill – Year 2024.

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

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

(Ordinance in full on pages 192B through 192F in Minutes of Regular Mayor and Council Meeting held December 6, 2023.)

18. The Borough Clerk announced the Ordinance was published in The Record on December 8, 2023, posted in Borough Hall, and copies made available to the public.
19. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
20. No one wished to be heard.
21. Motion by Council Member Olmo and seconded by Council Member Savas 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.

22. 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. 23-35-1636, entitled:

AN ORDINANCE TO FIX THE SALARIES, WAGES AND

COMPENSATION OF THE OFFICERS AND EMPLOYEES
OF THE BOROUGH OF CRESSKILL - YEAR 2023

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.

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

CONSENT AGENDA

NEW BUSINESS

*Resolutions

24. WHEREAS, with the passage of legislation S3558/A5231, an Act concerning the enforcement of animal cruelty laws, there now exists a need to have a Municipal Humane Law Enforcement Officer (MHLEO) in the Borough of Cresskill;

BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that Detective Charles Franke be appointed Municipal Humane Law Enforcement Officer (MHLEO) for the Borough of Cresskill for term beginning January 1, 2024 through December 31, 2024.

25. A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT FOR THE MAINTENANCE AND REPAIR OF FIRE DEPARTMENT VEHICLES BY AND BETWEEN THE BOROUGH OF CRESSKILL AND THE BOROUGH OF PARAMUS

WHEREAS, The Borough of Paramus and the Borough of Cresskill seek to enter into an Interlocal Agreement wherein the Borough of Paramus will provide labor and maintenance services on vehicles owned by the Borough of Cresskill; and

WHEREAS, both of the parties to such an Agreement are authorized by law to enter into an agreement with one another to provide jointly for any lawful service to and for the residents of the respective municipalities pursuant to the provisions of the “Interlocal Services Act” N.J.S.A 40:8A-1 et seq; and

WHEREAS, the governing bodies of the Borough of Paramus and the Borough of Cresskill recognize the implementation of an Interlocal Agreement to provide labor and maintenance services is in the best interest of the taxpayers of the respective municipalities.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Cresskill, hereby authorize the execution of an Interlocal Service Agreement with the Borough of Paramus for a period of one (1) year.

BE IT FURTHER RESOLVED that the Agreement shall commence on January 1, 2024 and end on December 31, 2024

BE IT FURTHER RESOLVED that the cost of same shall be set forth in the Agreement which is attached hereto.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Cresskill hereby authorize the execution of an Interlocal Service Agreement with the Borough of Paramus, subject to the approval of the Paramus Borough Attorney.

BE IT FURTHER RESOLVED that the Agreement shall take effect upon the execution of same and adoption of Resolution by both parties as provided by law.

BE IT FURTHER RESOLVED that a copy of the Agreement be maintained on file and open to public inspection at the office of the Borough Clerk.

26. 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:

Tanya Puig
(for: Ava Puig)
408 Lafayette Street
Cresskill, NJ 07626
Amount: \$220.00

27. Amendment to Flexible Spending Plan

WHEREAS, the Borough of Cresskill has contracted with PrimePay/Primeflex Administrative Services LLC as per resolution dated March 7, 2012; and

WHEREAS, the Borough desires to amend the plan for medical maximum limit deduction of \$3,200.00 for any employee enrolled in the plan.

NOW THEREFORE BE IT RESOLVED, that the form of amended Cafeteria Plan including a Health Flexible Spending Account and Dependent Care Flexible Spending Account effective January 1, 2024, is hereby approved and adopted and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

28. WHEREAS, the Police Committee recommended to the Council that an Independent Police Consulting Group be retained to conduct Employment Interviews for the position of Lieutenant;

AND WHEREAS, MTP Group, LLC. was vetted and accepted by the Police Committee and recommended to Council;

NOW, THEREFORE, BE IT RESOLVED, that the Borough does hereby appoint MTP Group, LLC., as its Police Interviewing Professionals;

AND WHEREAS, a contract is to be awarded nunc pro tunc to December __, 2023 to MTP Group, LLC. in an amount not to exceed \$4000 (Four Thousand dollars) without further Resolutions;

BE IT FURTHER RESOLVED, that a Certified to be True Copy of this Resolution be served upon MTP Group, LLC.; Diane Lavin, CFO; James Domville, Police Chief; Francesca Maragliano, Borough Clerk; Christos J. Diktas, Esq., Borough Attorney

29. WHEREAS, the Department of Public Works Secretary resigned; and

WHEREAS, the Borough has advertised for the position of Secretary in the Department of Public Works and received several applications: and

WHEREAS, after conducting interviews the most qualified applicant was selected.

BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that Danielle Varni be approved for full time employment as Secretary in the Department of Public Works, effective January 2, 2024, at an annual salary of \$50,000.00.

30. 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 taxes:

<u>TAX</u>	<u>PERIOD</u>	<u>BLOCK</u>	<u>LOT</u>	<u>QUAL</u>	<u>NAME</u>	
<u>AMOUNT</u>						
2,146.25	1 st qtr 2024	27	55	CT062	Edward & Khanh Diovisalvo 390 Madison Avenue Cresskill, NJ 07626	\$

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

“Cleaning Public Buildings”

AND WHEREAS, two (2) bids were submitted by the following entities:

Divine Professional Cleaning Services, Inc. and AAA Facility Solutions LLC.

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

1. Divine Professional Cleaning Services, Inc.’s bid is rejected because they were non-compliant of Bid Bond and Consent of Surety.
2. AAA Facility Solutions LLC’s bid is rejected as the proposed contractual price exceeds the amount of funds allocated by the Council for this service.

NOW, THEREFORE, BE IT RESOLVED, that Divine Professional Cleaning Services, Inc. and AAA Facility Solutions LLC’s bids are hereby rejected for the reasons stated herein;

AND BE IT FURTHER RESOLVED, the Borough Clerk of the Borough of Cresskill is authorized to re-advertise for bids for the Cleaning of Public Buildings.

AND BE IT FURTHER RESOLVED, that a Certified to be a True Copy of this Resolution be served upon Divine Professional Cleaning Services, Inc. and AAA Facility Solutions LLC, Dianne Lavin, Business Administrator; Francesca Maragliano, Borough Clerk; and Christos J. Diktas, Esq., Borough Attorney

32. WHEREAS, a Bergen County Community Development grant of \$40,000.00 has been proposed by Vantage Health System, Inc. for VHS Accessible Bathroom Project in the municipality of Cresskill, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development

funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of Cresskill, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of Cresskill hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

33. WHEREAS, the Borough of Cresskill, pursuant to Ordinance, has created the Cresskill Fire Department EMS; and

WHEREAS, the Fire Department EMS 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

WHEREAS, the following individuals:

Alejandro Vasquez – Firefighter Volunteer Division
Anthony Hand – Per Diem Firefighter

have petitioned the Mayor seeking to become Members of the Cresskill Fire Department EMS; 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 Firefighter Volunteer Division and Per Diem EMT EMS 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; Dianne Lavin, Administrator; Francesca Maragliano, Borough Clerk

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

WHEREAS, the second round of bids came in above the budgeted amount for this service; and

WHEREAS, the Council authorized the Borough Administrator and Technology Officer to negotiate with all three vendors that submitted a bid; and

WHEREAS, the Borough Administration and Technology Officer met on December 14, 2023 and negotiated the proposed contract agreement with Five Rivers Information and Technology in the amount of \$35,900.00 (THIRTY FIVE THOUSAND NINE HUNDRED DOLLARS).

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Cresskill does hereby accept the negotiated contract amount with Five Rivers Information and Technology.

BE IT FURTHER RESOLVED, Mayor Benedict Romeo is authorized to execute a contract as prepared and approved by the Borough Attorney; and

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

35. WHEREAS, the Mayor and Council of the Borough of Cresskill on April 19, 2023, adopted Resolution No. 3 awarding a bid for the 2018 Begen County Municipal Park Improvement Program for the Cranford Park Basketball Court Facility to Halecon, Inc. in the amount of \$108,500.00; and

WHEREAS, the Borough Engineer, Azzolina & Feury by way of letter dated December 18, 2023 (a copy of which is attached) has certified that the work is completed as stated and recommends final retainage payment in the amount of \$2,170.00; and

WHEREAS, the Acting Chief Financial Officer has certified that funds are available.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the Borough Treasurer is authorized to make final retainage payment to Halecon, Inc. in the amount of \$2,170.00.

Retainage Payment (Final)

CR-960 – Cranford Park Improvement 2018 Open Space Program

Value Work Completed to Date	\$ 108,500.00
Less: 2% Retainage	\$ 0.00
Less: Amounts Previously Paid	\$ 106,330.00
Total Amount Due	\$ 2,170.00
Amount due Final Payment	\$ 2,170.00

36. BE IT RESOLVED, by the Mayor and Council of the Borough of Cresskill that the following transfers be made in the 2023 budget appropriations:

<u>CURRENT ACCOUNT</u>						
	<u>Account</u>	<u>From</u>	<u>To</u>			
Mayor & Council - O/E	110-020			10,000		
Financial Administration - S&W	130-010	40,000				
Financial Administration - O/E	130-020			25,000		
Audit Services - O/E	135-020			60,000		
Technology/Data Processing - O/E	140-020			20,000		
Revenue Administration - S&W	145-010			20,000		
Legal Services O/E	155-020					
Engineering - O/E	165-020			60,000		
Historical Committee - O/E	175-020			2,000		
Planning Board - O/E	180-020	25,000				
Zoning - S&W	185-010			3,000		
Uniform Construction Code - O/E	195-020	10,000				
Fire Sub Code - O/E	198-020			2,000		
Unemployment Insurance - O/E	225-020	5,000				
Police - S&W	240-010	45,500				
Police - O/E	240-020			15,000		
Police Specials- S&W	246-010	30,000				
Police Class 3 Officers - S&W	248-010	35,000				
Fire Department - O/E	255-020			35,000		
Emergency Medical - S&W	260-010	20,000				
Emergency Medical - O/E	260-020			5,000		
Streets and Road - S&W	290-010	75,000				
Streets and Road - O/E	290-020	30,000				
Shade Tree - O/E	300-020			500		
Celebration of Public Events - O/E	420-020	20,000				
Recycling - O/E	306-020			20,000		
Buildings & Grounds -O/E	310-020			30,000		
Recreation - O/E	370-020			15,000		
Municipal Court - O/E	490-020			1,000		
Health Services - O/E	330-020			2,000		
Maint MV - O/E	315-020			30,000		
Gasoline - O/E	460-020	20,000				
		355,500		355,500		
<u>SWIM POOL UTILITY OPERATING FUND</u>						
	<u>Account</u>	<u>From</u>	<u>To</u>			
Swim Pool - O/E	502-020	21,500				
Swim Pool - S/W	501-010			21,000		
Social Security	541-000			500		
		21,500		21,500		

Motions

37. Appoint Lindsey Butkus to the Board of Health for term ending 12/31/26.

Miscellaneous Business

38. Approve the following Raffle License:

RL 1463

Bergen County Police Chief's Association

April 12, 2024

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

39. No one wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

41. Motion by Council Member Spina and seconded by Council Member Savas to consider all items marked with an asterisk as a single question.

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

No – None

Absent – None

Abstain – Council Member Olmo to Resolution #2 (#25) only.

Motion adopted.

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.

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

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

No – None

Absent – None

Abstain – Council Member Olmo to Resolution #2 (#25) only.

Motion adopted.

PRESENTATION OF BILLS

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

(Resolution in full on pages 206A through 206G.)

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.]

44. Council Member Schultz-Rummel asked how the vandals gained access to the restroom in the Community Center to cause the damage and what steps are being taken to prevent this from happening in the future. Mike Hamlett said the bathrooms open at 9 am and lock at night. Mayor Romeo said right now we are keeping them locked. Council Member Spina said people walking the track should have access to a bathroom. We can't punish the residents. Council Member Kaplan asked if we have the authority to ban these individuals from the building. Attorney Diktas said we don't know who they are right now. Chief Domville has some leads, and the police are on it. Jason Mitchell said

someone is working in the building 7 days a week, so currently we can monitor it. Mike Hamlett said we are looking to upgrade the technology.

Merry Christmas and Happy New Year to everyone.

No one else wished to be heard.

45. Motion at 7:55 P.M. by Council Member Spina and seconded by Council Member Cleary to close the meeting and adjourn to Sine Die.

All in Favor. None Opposed.

Motion adopted.

Benedict Romeo
Mayor

Francesca Maragliano
Borough Clerk