

## BOROUGH OF CRESSKILL

## MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

MAY 17, 2023

1. Captain Luciano 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 7:17 P.M.
4. Present: Council Members Cleary, Kaplan, Olmo, Savas, Schultz-Rummel, Spina  
Also Present: Attorney Diktas, Administrator Lavin, Captain Luciano, Jason Mitchell
5. Motion by Council Member Spina and seconded by Council Member Cleary to approve the minutes of the Mayor and Council Regular meeting of May 3, 2023.

All in Favor. None Opposed.

Motion adopted.

## REPORTS OF COMMITTEES AND OFFICIALS

6. Council Member Spina said progress has been made on the hometown heroes project.  
  
Council Member Savas said the library renovations are on schedule. There is a town wide garage sale on Saturday, May 20<sup>th</sup>.  
The State changed the requirement from four to two years for the emergency operations plan to be filed by OEM. We are in compliance.  
Summer Fun camp registration is underway, and the numbers are up from last year.  
  
Council Member Schultz-Rummel said more retail space has been leased at One Union Avenue.  
  
Council Member Olmo said there is a county wide mutual aid resolution we should pass at our next meeting.  
The pool is ready to open Memorial Day weekend.  
  
Council Member Cleary said the temporary location of the library is working out well.  
  
Council Member Kaplan said he attended the Iftar celebration in town. Thank you to the Ausaf family for all the work they did.  
The Garden Committee did a very nice job with their plantings in town.

## UNFINISHED BUSINESS

## ORDINANCE ON FINAL READING

Ordinance No. 23-10-1611 – Amend Chapter 263-41 Schedule X – Loading Zones

7. Motion at 7:26 PM by Council Member Savas and seconded by Council Member Olmo to hear Ordinance No. 23-10-1611 on final reading by title only, An Ordinance to Amend Chapter 263-41 Schedule X Loading Zones.

Roll Call: Yes – Unanimous Motion adopted.

(Ordinance in full on page 71A in Minutes of Regular Mayor and Council Meeting held May 3, 2023.)

8. The Borough Clerk announced the Ordinance was published in The Record on May 5, 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 Savas and seconded by Council Member Olmo to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

12. 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. 23-10-1611, entitled:

AN ORDINANCE TO AMEND CHAPTER 263-41 SCHEDULE X LOADING ZONES

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

Roll Call: Yes – Unanimous Resolution adopted.

Ordinance No. 23-11-1612 – Amend Chapter 263-6, Article II - Parking

13. Motion at 7:28 PM by Council Member Savas and seconded by Council Member Spina to hear Ordinance No. 23-11-1612 on final reading by title only, An Ordinance to Amend Chapter 263-6, Article II – Parking.

Roll Call: Yes – Unanimous Motion adopted.

(Ordinance in full on page 71B in Minutes of Regular Mayor and Council Meeting held May 3, 2023.)

14. The Borough Clerk announced the Ordinance was published in The Record on May 5, 2023, posted in Borough Hall, and copies made available to the public.
15. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
16. No one wished to be heard.
17. Motion by Council Member Savas and seconded by Council Member Olmo to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

18. 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. 23-11-1612, entitled:

AN ORDINANCE TO AMEND CHAPTER §263-6 ARTICLE II PARKING

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

Roll Call: Yes – Unanimous Resolution adopted.

Ordinance No. 23-12-1613 – Amend Chapter 263-32, Schedule I, No Parking on Broadway

19. Motion at 7:29 PM by Council Member Savas and seconded by Council Member Olmo to hear Ordinance No. 23-12-1613 on final reading by title only, An Ordinance to Amend Chapter 263-32, Schedule I, No Parking on Broadway.

Roll Call: Yes – Unanimous Motion adopted.

(Ordinance in full on page 71C in Minutes of Regular Mayor and Council Meeting held May 3, 2023.)

20. The Borough Clerk announced the Ordinance was published in The Record on May 5, 2023, posted in Borough Hall, and copies made available to the public.
21. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
22. Mayor Romeo said this is to restrict some of the parking because of the truck traffic. Council Member Schultz-Rummel said from Legion Drive to Milton Street is also very bad. Captain Luciano said he will have Officer Grubecki check to see if we need additional signage.

No one else wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

24. 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. 23-12-1613, entitled:

AN ORDINANCE TO AMEND CHAPTER §263-32 SCHEDULE I  
NO PARKING ON BROADWAY

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

Roll Call: Yes – Unanimous Resolution adopted.

Ordinance No. 23-13-1614 – Amend Chapter 263-39, Schedule VIII, Stop Intersections.

25. Motion at 7:31 PM by Council Member Savas and seconded by Council Member Olmo to hear Ordinance No. 23-13-1614 on final reading by title only, An Ordinance to Amend Chapter 263-39, Schedule VIII, Stop Intersections.

Roll Call: Yes – Unanimous Motion adopted.

(Ordinance in full on page 71D in Minutes of Regular Mayor and Council Meeting held May 3, 2023.)

26. The Borough Clerk announced the Ordinance was published in The Record on May 5, 2023, posted in Borough Hall, and copies made available to the public.



Ordinance No. 23-15-1616 – Amend Chapter 101-3 Construction Code Uniform Fees, Specifically Plumbing and Mechanical Subcode Fees.

37. Motion at 7:35 PM by Council Member Schultz-Rummel and seconded by Council Member Olmo to hear Ordinance No. 23-15-1616 on final reading by title only, Amend Chapter 101-3 Construction Code Uniform Fees, Specifically Plumbing and Mechanical Subcode Fees.

Roll Call: Yes – Unanimous Motion adopted.

(Ordinance in full on page 72A in Minutes of Regular Mayor and Council Meeting held May 3, 2023.)

38. The Borough Clerk announced the Ordinance was published in The Record on May 5, 2023, posted in Borough Hall, and copies made available to the public.
39. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]
40. No one wished to be heard.
41. Motion by Council Member Schultz-Rummel and seconded by Council Member Cleary to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

42. Resolution by Council Member Schultz-Rummel 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. 23-15-1616, entitled:

AMEND CHAPTER 101-3 CONSTRUCTION CODE UNIFORM FEES,  
SPECIFICALLY PLUMBING AND MECHANICAL SUBCODE FEES

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

Roll Call: Yes – Unanimous Resolution adopted.

NEW BUSINESS

INTRODUCTION OF ORDINANCE

Ordinance No. 23-16-1617 – 2023 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A 40A:4-45.14)

43. Motion at 7:37 PM by Council Member Olmo and seconded by Council Member Spina to introduce Ordinance No. 23-16-1617 on first reading by title only, 2023 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A 40A:4-45.14).

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 80A.)

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

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. 23-16-1617, entitled:

2023 “CAP” ORDINANCE TO EXCEED THE MUNICIPAL  
BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)

does now pass on first reading and remain on file with the Borough Clerk for public inspection until public hearing thereon and further consideration thereof.

Such hearing shall be held at the Borough Hall in Cresskill on Wednesday, June 7, 2023, at 7:00 P.M., or as soon thereafter as it can be reached, at which time and place all persons interested in said ordinance will be heard.

The Borough Clerk is hereby directed to publish said ordinance in full, with the notice of hearing thereon, in an official newspaper according to law, also to mail copies of said ordinance when and as required by law.

Roll Call:      Yes – Council Members Cleary, Kaplan, Olmo, Savas, Schultz-Rummel, Spina  
                     No – None  
                     Absent – None  
                     Abstain – None  
                     Resolution adopted.

NEW BUSINESS

INTRODUCTION OF 2023 BUDGET

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

BE IT RESOLVED, that the following statement of revenues and appropriations attached hereto constitute the local Budget of the Borough of Cresskill, Bergen County, New Jersey for the year 2023.

BE IT FURTHER RESOLVED, that the said budget be published in The Record in the issue of May 30, 2023, and that a hearing on the Budget will be held at the Municipal Building on June 21, 2023 at 7:00 PM or as soon thereafter as the matter may be reached.

Introduced by: Council Member Olmo

Seconded by: Council Member Schultz-Rummel

ATTEST

Approved: May 17, 2023

\_\_\_\_\_  
Borough Clerk

\_\_\_\_\_  
Mayor

Roll Call:      Yes – Council Members Cleary, Kaplan, Olmo, Savas, Schultz-Rummel, Spina  
                     No – None  
                     Absent – None  
                     Abstain – None  
                     Resolution adopted.

(2023 Budget in full on pages 81A through 81AAAA.)

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

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CONSENT AGENDA

## NEW BUSINESS

\*Resolutions

47. BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the following be approved for part time seasonal help as a Laborer in the Public Works Department at a salary of \$15.00 per hour.

Thomas Lee – effective May 8, 2023

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

Doris Soran  
83 Hillside Avenue  
Cresskill, NJ 07626  
Amount: \$345.00

49. AUTHORIZE TO BID FOR SOLID WASTE AND RECYCLING COLLECTION SERVICES

BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill that the Borough Clerk be and is hereby authorized to advertise for receipt of bids for the Solid Waste and Recycling Collection Services for the Borough of Cresskill.

50. WHEREAS, the Borough of Cresskill endorses Bill S3739/A5402 preserving the currently established 3<sup>rd</sup> round obligations for an additional three years by legislating a pause in determining 4<sup>th</sup> round Affordable Housing obligations, including present and prospective need and related litigation until July 1, 2028; and

WHEREAS, extending that obligation to 2028 will present a clearer picture of how each of the towns fared in meeting their goals, and give all parties additional time to assess the efficacy and local impacts of the 3rd round agreements; and

WHEREAS, NJ's Municipalities are still sorting out the ripple effects of Covid lockdowns on their tax base and land use plans; and

WHEREAS, Post Covid record inflation has driven construction, debt financing and service costs to levels that incentivize builders to overreach, demanding more residential units than the infrastructure of fully developed communities can safely and responsibly absorb; and

WHEREAS, working through the 3rd round obligations requires more time than had been allotted given the cascading effects of Covid; and

WHEREAS, municipalities should be allowed to work towards appropriately meeting the 3<sup>rd</sup> round commitments before adding yet another layer that public health safety & welfare, limited infrastructure, hyper-local environmental and infrastructure challenges and fiscal realities may show to be unrealistic; and

WHEREAS, and extension would also give the legislature and the Governor time to reestablish their proper roles in balancing the needs of all stakeholders in this process;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cresskill hereby support S3739/A5402; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Murphy; the members of the NJ Senate and Assembly; the League of Municipalities; and all NJ Municipalities.

51. WHEREAS, the Mayor and Council of the Borough of Cresskill on May 18, 2022 adopted Resolution No. 5 awarding a bid for the Reconstruction of Union Avenue Street Scapes to Zuccaro, Inc. in the amount of \$729,812.00; and

WHEREAS, Zuccaro, Inc. has requested payment for the current work completed to date; and

WHEREAS, the Borough Engineer, Azzolina & Feury by way of letter dated April 17, 2023 (a copy of which is attached) has certified that the work is completed as stated and recommends change order #1 in the amount of \$41,131.42; and

WHEREAS, the 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 change order #1 to Zuccaro, Inc. in the amount of \$41,131.42.

Change Order #1

CR-991 – Reconstruction of Union Avenue Street Scapes

Value Work Completed to Date	\$ 41,970.84
Less: 2% Retainage	\$ 839.42
<u>Subtotal</u>	<u>\$ 41,131.42</u>
Total Amount Due	\$ 41,131.42

Amount due Change order# 1 \$ 41,131.42

52. WHEREAS, the Mayor and Council of the Borough of Cresskill on May 18, 2022 adopted Resolution No. 5 awarding a bid for the Reconstruction of Union Avenue Street Scapes to Zuccaro, Inc. in the amount of \$729,812.00; and

WHEREAS, Zuccaro, Inc. has requested payment for the current work completed to date; and

WHEREAS, the Borough Engineer, Azzolina & Feury by way of letter dated April 18, 2023 (a copy of which is attached) has certified that the work is completed as stated and recommends change order #2 in the amount of \$12,255.48; and

WHEREAS, the 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 change order #2 to Zuccaro, Inc. in the amount of \$12,255.48.

Change Order #2

CR-991 – Reconstruction of Union Avenue Street Scapes

Value Work Completed to Date	\$ 12,505.59
Less: 2% Retainage	\$ 250.11
<u>Subtotal</u>	<u>\$ 12,255.48</u>
Total Amount Due	\$ 12,255.48

Amount due Change order# 2 \$ 12,255.48

53. Resolution Re: Authorizing Increase in Deferred School Taxes  
for Local District School Taxes

WHEREAS, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral amount, and



WHEREAS, the Borough desires to increase the Deferred School Taxes to an amount permitted under State statutes and to be effective at December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council that the following Deferred School Taxes be hereby increased for the year ended December 31, 2022 as follows:

	Deferred Local District School <u>Taxes</u>
Amount Deferred December 31, 2021	\$7,207,660
Amount Deferred December 31, 2022	<u>7,407,660</u>
Amount of Increase	<u>\$ 200,000</u>

BE IT FURTHER RESOLVED, by the Borough Council that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

Introduced by: Council Member Spina

Seconded by: Council Member Savas

Approved: May 17, 2023

ATTEST:

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Borough Clerk

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Mayor

- 54. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill that the following applicant be approved for employment, with no benefits, as a per diem Police Dispatcher in the Cresskill Police Department, effective immediately:

Scott Mintz

Motions

- 55. Appoint Scott Bancroft to the Zoning Board of Adjustment for term ending December 31, 2026.

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

- 56. Council Member Savas asked for clarification of Resolution #4 (#50). Borough Clerk Maragliano said all the towns are passing this resolution in hopes of slowing down the 4th round COAH obligation. The effects of COVID impacted 3rd round obligations and towns need more time to meet those commitments.

Council Member Schultz-Rummel asked for clarification of Resolution #7 (#53). Mayor Romeo said we hold deferred taxes in a special account and were advised we should increase the amount.

No one else wished to be heard.

- 57. 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.

- 58. Motion by Council Member Spina and seconded by Council Member Savas 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.

59. 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 – Unanimous Motion adopted.

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#### PRESENTATION OF BILLS

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

(Resolution in full on pages 85A through 85E.)

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.]

61. Mayor Romeo said the Memorial Day parade is on Monday, May 29<sup>th</sup> at 10:00 am.

Council Member Schultz-Rummel asked the status of the GRK Grill restaurant, which is closed, but the outdoor seating is still out. Clerk Maragliano said she will see if our Property Maintenance Officer gave them a warning notice. I'm waiting to see if the Division of Taxation is going to auction off their liquor license.

No one else wished to be heard.

62. Motion at 7:47 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