

BOROUGH OF CRESSKILL

MAYOR AND COUNCIL

CRESSKILL

BERGEN COUNTY

NEW JERSEY

REGULAR MEETING

JUNE 21, 2023

1. Paul Lerch 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, Schultz-Rummel, Spina
Also Present: Attorney Diktas, Administrator Lavin, Chief Domville, Chief Ulshoefer, Members of the Police Dept.
Absent: Council Member Savas
5. Sara Huisling, Executive Director of The American Red Cross and Chief Domville presented Lifesaving Awards for Extraordinary Personal Action to Patrolmen Stevens, Vigorita and Gil for their live saving actions for a baby in distress. Chief Domville said Fire and EMS arrived on the scene within two minutes.
6. Mayor Romeo read a Plaque for School Crossing Guard John Morgan.
7. Motion by Council Member Spina and seconded by Council Member Olmo to approve the minutes of the Mayor and Council Regular meeting of June 7, 2023.

All in Favor. None Opposed.

Motion adopted.

REPORTS OF COMMITTEES AND OFFICIALS

8. Council Member Spina said the BOH will be holding another fundraising 5 & 10k race in the fall.

Council Member Olmo said the Fire Dept. roof has been replaced. Chief Ulshoefer said they are going to have the asbestos remediated in the basement using FEMA money.

The Pool will be opened full time as of this weekend.

As BOE liaison, I've received calls that the air conditioning system was broken at the high school. I think it's been fixed but not certain. It's also broken at Bryan School, but I don't believe they have the funds to repair it. There have been complaints about no food or drinks following the 8th grade moving up ceremony and the yearly pool party which has been a past practice at both school sponsored events. Administrator Lavin said the HSA was contacted and provided pizza for the moving up ceremony. Council Member Olmo said he checked the BOE's meeting minutes for information, but the last minutes posted were from April. We offered the services of our OEM Coordinator Chief Ulshoefer to help with their FEMA funding and paperwork. Chief Ulshoefer said they have multiple outstanding projects and filed extensions a couple of months ago. They are also looking to see if they can be reimbursed for the interest of almost \$500K per year which they are paying out of their operating budget.

Council Member Cleary said he attended the Bergen County JIF meeting last Wednesday.

UNFINISHED BUSINESS

Public Hearing – 2023 Budget

9. Motion at 7:30 PM by Council Member Olmo and seconded by Council Member Cleary to suspend the regular order of business to hold a public hearing on the 2023 Budget.

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

10. Resolution by Council Member Olmo and seconded by Council Member Schultz-Rummel to waive reading in full of the 2023 Budget.

(Resolution in full on page 116A.)

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

11. Mayor Romeo opened the meeting to the public on the 2023 Budget. [Reported by Deputy Borough Clerk Patricia A. McKim.]

12. Mayor Romeo said we worked diligently to get this down as much as possible. Inflation and interest rates have made things very tough. Council Member Olmo thanked Administrator Lavin and Auditor Lerch for doing such a good job on a challenging budget.

No one else wished to be heard.

13. Motion by Council Member Olmo and seconded by Council Member Cleary to close the public hearing.

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

14. Resolution by Council Member Olmo and seconded by Council Member Spina to amend the 2023 Budget.

(Resolution in full on page 116B.)

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

15. Mayor Romeo opened the meeting to the public on the amended 2023 Budget. [Reported by Deputy Borough Clerk Patricia A. McKim.]

(2023 Amended Budget in full on pages 116C through 116MMMM.)

16. No one wished to be heard.

17. Motion by Council Member Olmo and seconded by Council Member Cleary to close the public hearing on the amended Budget.

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

18. Resolution by Council Member Olmo and seconded by Council Member Schultz-Rummel to adopt the 2023 Budget.

(Resolution in full on pages 117A through 117B.)

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

19. Motion by Council Member Olmo and seconded by Council Member Cleary to resume the regular order of business.

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

ORDINANCE ON FINAL READING

Ordinance No. 23-17-1618 on final reading by title only, An Ordinance to Amend Chapter 275 Article XV Landscaping Adding Section 66.2 Entitled Planting or Growing Bamboo within the Borough.

20. Motion at 7:37 PM by Council Member Schultz-Rummel and seconded by Council Member Cleary to hear Ordinance No. 23-17-1618 on final reading by title only, An Ordinance to Amend Chapter 275 Article XV Landscaping Adding Section 66.2 Entitled Planting or Growing Bamboo within the Borough.

Roll Call: Yes – Unanimous Motion adopted.

(Ordinance in full on pages 88A through 88C in Minutes of Regular Mayor and Council Meeting held June 7, 2023.)

21. The Borough Clerk announced the Ordinance was published in The Record on June 9, 2023, posted in Borough Hall, and copies made available to the public.

22. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]

23. No one wished to be heard.

24. Motion by Council Member Schultz-Rummel and seconded by Council Member Olmo to close the public hearing.

Roll Call: Yes – Unanimous Motion adopted.

25. Resolution by Council Member Schultz-Rummel and seconded by Council Member Cleary:

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. 23-17-1618, entitled:

AN ORDINANCE TO AMEND CHAPTER 275 ARTICLE XV LANDSCAPING
ADDING SECTION 66.2 ENTITLED PLANTING OR GROWING BAMBOO WITHIN
THE BOROUGH

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

Roll Call: Yes – Unanimous Resolution adopted.

NEW BUSINESS

2023 Bergen County Open Space Trust Fund

26. Motion at 7:39 PM by Council Member Olmo and seconded by Council Member Cleary to open the public hearing for the submission of a grant application for the 2023 Bergen County Open Space Trust Fund whereas the Borough of Cresskill desires to obtain a matching grant for the Cranford Park Phase II Construction of a Playground and Sports lighting system in the amount of \$125,000.00.

Roll Call: Yes – Unanimous Motion adopted.

27. Mayor Romeo opened the meeting to the public. [Reported by Deputy Borough Clerk Patricia A. McKim.]

28. Mayor Romeo said this is long overdue. Cranford Park is in much need of repair and this grant was available so we’re going to take advantage of it.

No one else wished to be heard.

29. Motion by Council Member Olmo and seconded by Council Member Cleary to close the public hearing and adopt Resolution No. 2023 Bergen County Open Space Trust Fund Application.

Roll Call: Yes – Unanimous Motion adopted.

30. RESOLUTION No. 2023

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and,

WHEREAS, the Borough of Cresskill desires to further the public interest by obtaining a grant of \$125,000 from the County Trust Fund to fund the following project: Replace the exiting age 2 to 5 year old composite playground structure with new equipment designed for children of ages 5-12 all situated within the already developed areas of Cranford park. Additionally, the Borough proposes to install a sports lighting system as part of phase 2 of the proposed Basketball Court Improvement about to be constructed, which project is funded in part with a 2018 municipal park improvement grant.

WHEREAS, the Mayor and Council has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the Mayor and Council will hold a public hearing on June 21, 2023 to receive public comments prior to the submission of said application; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the Borough of Cresskill is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cresskill:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of May 12, 2023, as established by the County; and
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Borough of Cresskill has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Borough of Cresskill is committed to providing a dollar-for-dollar cash match for the project; and
4. That the Borough of Cresskill agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

Roll Call: Yes – Unanimous Resolution adopted.

NEW BUSINESS

INTRODUCTION OF ORDINANCE

Ordinance No. 23-18-1619 – An Ordinance to Amend Chapter 207-16 Article II Lead Base Paint Inspections Fees.

31. Motion at 7:40 PM by Council Member Schultz-Rummel and seconded by Council Member Olmo to introduce Ordinance No. 23-18-1619 on first reading by title only, An Ordinance to Amend Chapter 207-16 Article II Lead Base Paint Inspections Fees.

Roll Call: Yes – Unanimous Motion adopted.

(Ordinance in full on page 119A.)

32. 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. 23-18-1619, entitled:

AN ORDINANCE TO AMEND CHAPTER §207-16 ARTICLE II LEAD BASE PAINT INSPECTION FEES

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, July 19, 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 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 – Unanimous Resolution adopted.

- 33. Chief Ulshoefer said the state implemented a law requiring any rented home built prior to 1978 be inspected for lead paint. An issue we are encountering in the Fire Prevention Bureau is that we have close to 400 rentals in town, many that we were not aware of, some we found out about from neighbors. We have come across a few homes where they are renting rooms to use the school system. We have to try to find the rentals and make certain they are safe. The inspections also bring in revenue.

Mayor Romeo said there are kids riding around on scooters with no helmets. Is there any way to force them to wear one? Chief Domville said we currently do not have an electric bike/electric scooter ordinance. I spoke to Attorney Diktas about it and Officer Grubecki is working with Bergen County traffic.

- 34. Borough Clerk Maragliano explained all items on the Consent Agenda.

CONSENT AGENDA

NEW BUSINESS

*Resolutions

- 35. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that Scott Mintz be approved for employment as a probationary full-time Police Dispatcher in the Cresskill Police Department, effective July 12, 2023, at Step 5 salary in accordance with Ordinance No. 23-01-1602.

- 36. 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 Fiscal Years 2024, 2025, and 2026 covering the period July 1, 2024 – June 30, 2027; 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.

37. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COUNTY OF BERGEN TO SUPERSEDE THE COOPERATIVE AGREEMENT DATED JULY 1, 2021, AND AMENDMENTS THERETO 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, 2021 – June 30, 2024) 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 Fiscal Years 2024, 2025, and 2026 covering the period July 1, 2024 – June 30, 2027, 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.

38. 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:65-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said agreement requires that the Municipal Council appoint a representative and alternate and that the Mayor appoint a representative and alternate for the FY 2023-2024 term starting Jul 1, 2023 and ending on June 30, 2024.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council and Mayor hereby appoints James Noseworthy as its representative and Dianne Lavin as its alternate to serve on the Community Development Regional Committee for FY 2023-2024; and

BE IT FURTHER RESOLVED that an original, certified copy of this resolution be immediately sent to Robert G. Esposito, Director; Bergen County Division of Community Development at One Bergen County Plaza, Fourth Floor, Hackensack NJ 07601.

39. WHEREAS, the Zoning Board meetings are held on the fourth Thursday of each month at 7:30 pm; and

WHEREAS, on April 27, 2023 at 7:45 pm the Zoning Board meeting was under way when the DCR Recording System stopped working properly and the board was forced to halt the meeting; and

WHEREAS, several members of the Board tried to diagnose the problem but were unsuccessful; and

WHEREAS, Akshay Nair who is a local Boy Scout and Eagle Scout volunteered to help and diagnose the problem; and

WHEREAS, Akshay Nair was able to reestablish a connection and get the program back up and running by 8:18 pm so the Zoning Board could finish the meeting.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that Akshay Nair be, and hereby is, commended and acknowledged for his quick and determined action by helping to fix the unexpected problem so they could continue the Zoning Board meeting.

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

Steven Meier
12 Clark Street
Cresskill, NJ 07626
Amount: \$640.00

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

WHEREAS, the following participants were unable to attend;

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

Joel Kandy
(for: Daniel Kandy)
72 Churchill Road
Cresskill, NJ 07626
Amount: \$220.00

Mihyun Kim
(for: Ryan Ryu)
401 Laurel Lane
Cresskill, NJ 07626
Amount: \$200.00

Youn Jin Jun
(for: Drew Chung)
26 Willis Avenue
Cresskill, NJ 07626
Amount: \$200.00

Gabrielle Atacama
(for: Kaito Atacama)
34 Cedar Street
Cresskill, NJ 07626
Amount: \$140.00

Heejung Lee
(for: Jihoon Yang)
80 Lexington Avenue
Cresskill, NJ 07626
Amount: \$200.00

Brenda Hermann
(for: Max Hermann)
135 13th Street
Cresskill, NJ 07626
Amount: \$200.00

Hyunjeon Kim
(for: Ian Kim)
39 Park Avenue
Cresskill, NJ 07626
Amount: \$220.00

Sangwoo Park
(for: Wonyul Park)
181 4th Street
Cresskill, NJ 07626
Amount: \$220.00

Ruheen Shaikh
(for: Aniya Ausaf)
190 Grant Avenue
Cresskill, NJ 07626
Amount: \$220.00

Marisa Menzel
(for: Mia Menzel)
153 Roosevelt Street
Cresskill, NJ 07626
Amount: \$200.00

Margaret DeWitt
(for: Aiden DeWitt)
42 Palisade Avenue
Cresskill, NJ 07626
Amount: \$220.00

Minhye Choi
(for: Sean Kim)
27 Ridge Road
Cresskill, NJ 07626
Amount: \$160.00

42. WHEREAS, the Borough of Cresskill, pursuant to Ordinance, has created the Cresskill Volunteer Ambulance & Emergency Services Company (hereinafter "CVAES"); and

WHEREAS, the CVAES 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 Cresskill Emergency Services Department, plus the requirements annotated in Ordinance §15-1 et seq.; and

WHEREAS, the following individuals:

Mike Lavin – Fire Division
Kyle Adely – EMS Division
Sarah Viceconte – EMS Division

have petitioned the Mayor seeking to become a Member of the CVAES; 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 Volunteer 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

43. BE IT RESOLVED by the Mayor and Council, Borough of Cresskill, that MTP Group LLC, 161 Stanhope Road, Sparta, NJ 07871 be retained as shared service consultant for the Borough of Cresskill regarding potential shared service opportunities the Borough can share with surrounding communities at a fee not to exceed \$17,400. The contract will be awarded without competitive bidding as a professional service under provisions of the Local Public Contract Law. This appointment is in accordance with N.J.S.A. 19:44A-20.8 in that where required the appointee has filed with the Borough a Business Entity Disclosure Certification.

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

44. Mayor Romeo said we will be reaching out with the consultant to the surrounding towns to try to secure a shared service agreement.

No one else wished to be heard.

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

Roll Call: Yes – Unanimous Motion adopted.

46. Motion by Council Member Spina and seconded by Council Member Olmo 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.

47. Motion by Council Member Spina 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

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

(Resolution in full on pages 123A through 123H.)

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.]

49. Carole Steele, 131 Huyler Landing Road said the number of deer seem to increase every year, especially this year. What are the laws regarding thinning the deer population? Council Member Olmo said we had a very mild winter so there was plenty of food for them to survive. Some municipalities have tried sterilization but weren't very successful. Council Member Kaplan said the development in Bergen County has pushed the deer into areas they did not frequent before. I have used a deer solution company, and it was fairly effective. Council Member Olmo said we can use our local legislators to get to our state legislators by having residents write letters. Attorney Diktas said he will speak to Ms. Steele after the meeting.

No one else wished to be heard.

50. Motion at 7:59 P.M. by Council Member Spina and seconded by Council Member Schultz-Rummel to close the meeting and adjourn.

All in Favor. None Opposed.

Motion adopted.

Benedict Romeo
Mayor

Francesca Maragliano
Borough Clerk