

Mayor and Council Conference and Regular Meeting – December 19, 2023

The Conference and Regular Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, December 19, 2023. The meeting began at 6:31p.m. at Borough Hall and was held simultaneously via tele/video-conference.

Mayor Raymond called the meeting to order announcing that notice was provided in accordance with the requirements of Chapter 231, P.L. 1975. He provided a statement regarding the conduct of the teleconference which would allow members of the public to participate and be heard during public comment.

Roll Call indicated the following:

Present: Mayor Joshua H. Raymond, Council President Anthony Floria-Callori, Councilman Matthew Atlas, Councilman Robert Kessler, Councilman Arthur Rees, Councilman Kenneth Tilton and Councilman Stephen Weinstein.

Also present were: Glenn Domenick, Borough Administrator; Jarriid Kantor, Borough Attorney; Karl Strodthoff, Police Chief; and Tami Michelotti, Borough Clerk.

Mayor Raymond asked Council President Floria-Callori to lead the Pledge of Allegiance.

Mayor's Report

Mayor Raymond thanked the residents, Council members and Borough staff for placing their trust and confidence in him as Mayor. He noted significant improvements in town and looked forward to additional improvements while maintaining fiscal responsibility.

Mayor Raymond announced a project on Walker's Park completed by Gould School sixth grade students which was posted to the Borough website. He stated that a public meeting regarding the cell tower installation would be forthcoming. Mayor Raymond thanked the North Caldwell Fire Department volunteers as well as the Police Department and West Essex First Aid Squad for their response to a fire in town.

North Caldwell Police Officer Swearing-In Ceremony: Mayor Raymond issued the Oath of Office to Probationary Patrol Officer Mohsen Naqvi who was accompanied by his parents, family and friends. Mayor Raymond welcomed Officer Naqvi to the Police Department and to the Borough. Mayor Raymond and Chief Strodthoff recognized the Essex County officials in attendance in support of Officer Naqvi.

Citizens to be Heard

Council President Floria-Callori made a motion to open public comment, seconded by Councilman Kessler. Said motion was carried unanimously.

A resident came forward with a question regarding Ordinance O-19-2023 but deferred his question until the public hearing scheduled for later in the meeting.

Council President Floria-Callori made a motion to close public comment, seconded by Councilman Kessler. Said motion was carried unanimously.

Approval of Minutes

Councilman Weinstein made a motion to accept the following minutes (without release of Executive Session minutes), seconded by Councilman Tilton:

- November 13, 2023 Conference Meeting and Executive Session Minutes
- November 28, 2023 Regular Meeting and Executive Session Minutes.

Said motion was carried unanimously with six (6) affirmative votes.

Committee Reports

The following reports were read into the record upon a motion from Councilman Kessler, seconded by Councilman Rees:

- Tax Collector's Report – November 2023
- Police Department Public Safety and Detective Bureau Reports – November 2023
- Fire Department Public Safety Report – Year-End 2023
- DPW Monthly Report – November 2023
- Construction Permit Activity Report – November 2023
- Building Sub-Code Inspection Report – November 2023
- Animal Control Monthly Report – November 2023
- Recreation Report – December 2023/January 2024

Said motion was carried unanimously.

Items for Discussion

Proposed 2024 Meeting Schedule

Ms. Michelotti presented the proposed meeting schedule for 2024. The April meetings required additional consideration to accommodate Passover and other meetings. A resolution setting the 2024 meeting schedule would be prepared for the Annual Reorganization Meeting.

Sub-Code Official Assignments

Mr. Domenick announced resignations from two positions within the Construction Inspection department. He announced that the vacancies would be filled by a candidate who previously worked for the Borough in these positions. Resolutions were prepared for consideration later in the meeting.

Beachmont Terrace/Oak Place Bid Results

Mr. Domenick presented bid results from the roadway improvements bid for Beachmont Terrace and Oak Place. He noted that the apparent low bidder was D&L Paving Contractors. An award of contract would be scheduled for a Council meeting in January once a legal review of the bid package was complete.

Recycling Collection Bid and Recycling Marketing Request for Proposals

Mr. Domenick provided a timeline for the bid of collection/delivery and marketing of recyclable materials. The bid opening was scheduled for February 21, 2024.

Water Meter Conversion

Mr. Domenick provided an update on the water meter replacement project and noted that approximately 75% of properties had completed the conversion. Mayor Raymond added that a final notice would be mailed by MeterTek with supplemental notices posted to the Borough website.

Quarterly Newsletter

Ms. Michelotti welcomed final comments from the governing body on the draft newsletter. The electronic distribution was planned for the following day.

Ordinances for Final Hearing and Second Reading

Ordinance O-19-2023: Councilman Weinstein made a motion to open the public hearing for Ordinance O-19-2023 An Ordinance To Amend And Supplement The Revised General Ordinances Of The Borough Of North Caldwell, County Of Essex, State Of New Jersey, Various Sections Of Chapter 96 Regarding Trees: Removal And Destruction, seconded by Councilman Atlas. Said motion was carried unanimously.

Hunter Adams, Caldwell Tree Care – Mr. Adams, owner of Caldwell Tree Care, stated concerns with the ordinance regarding the importance of hiring a licensed, professional enforcement officer. He asked for clarification for removal of dead trees and removal of trees downed from storms. He stated that the significant fees will create a financial burden on residents.

Glenn Moroshock, 17 Maywood Court – Mr. Moroshock asked about the imposition of fees on developers. Mayor Raymond confirmed that the tree ordinance would be applied to developers.

Ken Gabriel, 35 White Oak Drive – Mr. Gabriel requested clarification of dangerous and storm-damaged trees as well as removal of trees for property development. Council President Floria-Callori confirmed that a forester was consulted during the formulation of the ordinance. Mr. Gabriel stated that the fees are higher than imposed by other towns.

Steve Ahrens, 7 Fern Avenue – Mr. Ahrens asked about the drive behind the fee increase. Mayor Raymond stated that the fees would discourage developers from clear-cutting properties and the resulting erosion and drainage issues. Mr. Kantor noted that affordable housing developments are exempt from cost-generative ordinances.

Hearing no further public comment, Council President Floria-Callori made a motion to close the public hearing, seconded by Councilman Atlas. Said motion was carried unanimously. Mayor Raymond opened the floor for comments from Council members.

Councilman Tilton stated his opposition to the ordinance due to the burden of fees on residents and restriction of property rights. Councilman Weinstein stated that the objective of the ordinance is to protect the Borough and private properties from flooding. He added that exceptions are in place to remove burdens. Council President Floria-Callori stated that the ordinance is representative of solving a problem with no perfect solution. He stated that the ordinance is an improvement over the existing ordinance. Councilman Kessler stated that the ordinance may require future revision but it is a step in the right direction. Councilman Rees noted that the ordinance will provide for checks and balances for tree removal.

Councilman Weinstein made a motion to adopt Ordinance O-19-2023 An Ordinance To Amend And Supplement The Revised General Ordinances Of The Borough Of North Caldwell, County Of Essex, State Of New Jersey, Various Sections Of Chapter 96 Regarding Trees: Removal And Destruction. Said motion was seconded by Councilman Rees. Councilman Tilton voted no. The motion was carried with five (5) affirmative votes and one (1) nay vote.

Ordinance O-25-2023: Council President Floria-Callori made a motion to open the public hearing for Ordinance O-25-2023 An Ordinance Amending and Supplementing Chapter 107 of the Code of the Borough of North Caldwell to Repeal and Replace the Existing IRO Inclusionary Residential Overlay Zone with a New SIRO Senior Inclusionary Residential Overlay Zone and to Set Forth the Standards and Criteria Applicable Thereto, seconded by Councilman Atlas. Said motion was carried unanimously.

Rick Fulga, 377 Central Avenue – Mr. Fulga asked for a drawing of the proposed development at Green Brook Country Club. He was referred to the renderings posted to the Borough website. Mayor Raymond provided Mr. Fulga with a historical account of the purchase of the golf club by a developer and explained the differences between the IRO and the SIRO. Council President Floria- Callori noted that the public Planning Board hearings for the proposed site plan would be a meaningful opportunity for residents to participate.

Glenn Moroshock, 17 Maywood Court – Mr. Moroshock stated that the 12 acre parcel and the assisted living units in the IRO are more favorable than the SIRO.

John Gakos, 12 Grandview Avenue – Mr. Gakos stated his concern with the traffic and increased stormwater flow that would result from the development. Mayor Raymond acknowledged the concerns. He added that the vehicular traffic would be less than that generated by the IRO. Council President Floria-Callori added that Mr. Gakos' concerns would be addressed during Planning Board hearings and review of pre-existing site conditions.

John Chiaia, 34 Grandview Place – Mr. Chiaia noted that the renderings for the proposed units have front-facing garages which is not permitted in the Borough. He stated that children will not be denied from residing in the 55+ units. Mr. Kantor noted that residents under 18 years of age are not permitted by the agreement with Green Brook Realty Associates. Mr. Chiaia stated that development under the IRO may not actually be feasible. Councilman Floria-Callori stated that the SIRO has a lower impact on the town and that no other offers were made to Green Brook Realty Associates to purchase the property.

Betty Gakos, 12 Grandview Avenue – Mrs. Gakos requested a summary of the golf course and the proposed development. Mayor Raymond provided an overview of the history of the purchase of the golf course, the IRO and the SIRO. Councilman Atlas stated that Green Brook Country Club intends to function through Fall of 2024.

Hearing no further public comment, Councilman Weinstein made a motion to close the public hearing, seconded by Council President Floria-Callori. Said motion was carried unanimously. Mayor Raymond opened the floor for comments from Council members.

Councilman Rees noted that the Planning Board would have more control over the development under the IRO. Councilman Tilton stated that development would likely not begin as quickly under the IRO and felt that the 12-acre parcel is undervalued and should be maintained as specified in the IRO. He added that infrastructure updates would be required due to the development. Councilman Kessler noted that he prefers the property to remain a golf course but development under the SIRO would have less impact on the schools. Councilman Weinstein stated that development of the property would proceed under the IRO or under the SIRO but noted that a better outcome would result from the SIRO.

Councilman Weinstein made a motion to close the hearing, seconded by Council President Floria-Callori. Said motion was carried unanimously.

Councilman Weinstein made a motion to adopt Ordinance O-25-2023 An Ordinance Amending and Supplementing Chapter 107 of the Code of the Borough of North Caldwell to Repeal and Replace the Existing IRO Inclusionary Residential Overlay Zone with a New SIRO Senior Inclusionary Residential Overlay Zone and to Set Forth the Standards and Criteria Applicable Thereto. Said motion was seconded by Councilman Atlas. Councilman Rees and Councilman Tilton voted no. Said motion carried with four (4) affirmative votes and two (2) nay votes.

Ordinance O-26-2023: Council President Floria-Callori made a motion to open the public hearing for Ordinance O-26-2023 An Ordinance of the Borough of North Caldwell, County of Essex, State of New Jersey Amending the Annual Compensation of Members of the Department of Public Works for the Years 2024, 2025, and 2026, seconded by Councilman Weinstein. Said motion was carried unanimously.

No one from the public came forward.

Councilman Floria-Callori stated his appreciation for the members of the Department of Public Works and noted their efforts to respond to emergencies including water main repairs and assisting the fire department.

Council President Floria-Callori made a motion to close the hearing, seconded by Councilman Atlas. Said motion was carried unanimously.

Councilman Weinstein made a motion to adopt Ordinance O-26-2023 An Ordinance of the Borough of North Caldwell, County of Essex, State of New Jersey Amending the Annual Compensation of Members of the Department of Public Works for the Years 2024, 2025, and 2026. Said motion was seconded by Councilman Rees and carried unanimously with six (6) affirmative votes.

Resolutions

Consent Agenda:

Mayor Raymond requested that Resolution R-244-2023 be removed from the Consent Agenda.

Councilman Kessler made a motion, seconded by Councilman Weinstein, to approve all items listed below for inclusion in the consent agenda. Said motion was carried unanimously with six (6) affirmative votes.

- Resolution R-237-2023 A Resolution Approving the Payment of Bills
- Resolution R-238-2023 A Resolution Approving 2023 Budget Transfers
- Resolution R-239-2023 A Resolution Authorizing for Redemption and Cancellation of Record of Tax Lien – Block 1200, Lot 17
- Resolution R-240-2023 A Resolution Authorizing for Redemption and Cancellation of Record of Tax Lien – Block 903, Lot 15
- Resolution R-241-2023 A Resolution Authorizing the Hiring of a Part-Time Fire Prevention Official
- Resolution R-242-2023 A Resolution Authorizing the Hiring of a Part-Time Electrical Sub-Code Official
- Resolution R-243-2023 A Resolution Authorizing Payment of Stipends to Certain Borough Employees for Personal Cell Phone Usage for Municipal Purposes for the Year 2023

Councilman Kessler made a motion, seconded by Council President Floria-Callori, to approve Resolution R-244-2023 A Resolution Authorizing the Hiring of Part-Time Seasonal Employees – 2023 Recreation Soccer Referees, 2023 Men's and Women's Softball Umpires, 2023-2024 Recreation Basketball Scorekeepers/Site Managers/Instructors/Trainers. Said motion was carried unanimously with six (6) affirmative votes.

Citizens to be Heard

Councilman Rees made a motion to open public comment, seconded by Councilman Weinstein. Said motion was unanimously approved.

Susan Lapoff, 4 Laurel Court – Ms. Lapoff described the lack of cellular service in her neighborhood and noted the personal and business-related needs for access. She noted that she must drive out of her neighborhood to make phone calls. She asked that the cell tower installation be prioritized and not delayed. Mayor Raymond announced that a community meeting would be held on this topic in the coming weeks.

Karen Eisenberg, 4 Kenwood Court – Ms. Eisenberg noted the lack of cell service in her neighborhood which prevent phone calls and texts from connecting. She stated that all residents should have access to cellular service.

Hearing no further public comment, Councilman Atlas made a motion to close public comment, seconded by Council President Floria-Callori. Said motion was unanimously approved.

Council Commentary

The governing body members had no further comments.

Executive Session

Mayor Raymond added the Contract Negotiations discussion of Farmstead Road property to the Executive Session resolution. Councilman Kessler moved Resolution R-245-2023 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting for Certain Specified Purpose:

- A. Personnel : (1) Finance Department, (2) Recreation Department;

B. Litigation/Attorney-Client Privilege: (1) Fair Share Housing/Woodmont Properties-Green Brook Realty Associates;

C. Contract Negotiations: (1) Farmstead Road property.

Said motion was seconded by Councilman Atlas and was carried unanimously with six (6) affirmative votes.

Mayor Raymond announced that no further action would be taken after Executive Session and the meeting would not re-open to the public. There being no other matters to be addressed by the Governing Body at this time, this meeting be adjourned at 8:17p.m.

Respectfully submitted,



Tami Michelotti, RMC
Borough Clerk