

The Conference Meeting of the Mayor and Council of the Borough of North Caldwell was held on Monday, November 13, 2023. The meeting began at 6:30p.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, Councilman Stephen Weinstein.

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

Mayor Raymond asked Councilman Atlas to lead the Pledge of Allegiance.

Mayor Raymond welcomed new Borough Administrator, Glenn Domenick. He thanked the veterans and others who participated in that day's Veteran's Day commemoration and breakfast reception.

Citizens to be Heard – Agenda Items Only

On a motion by Council President Floria-Callori, seconded by Councilman Weinstein, public comment was opened. Said motion was unanimously approved. Mayor Raymond noted that the proposed tree ordinance would not be introduced as indicated on the agenda so that recent NJDEP requirements could be integrated. Mr. Kantor reviewed the NJDEP requirements regarding replacement trees. The introduction of the revised ordinance was anticipated for November 28, 2023 with a second reading and final reading to follow on December 19, 2023.

Tom Fink, 2 Skyline Drive – Mr. Fink asked for the details of the NJDEP replacement tree requirements. Mayor Raymond offered that the updates could be posted to the Borough website.

On a motion by Council President Floria-Callori, seconded by Councilman Rees, public comment was closed. Said motion was unanimously approved.

Green Brook Country Club Development

Resolution R-215-2023: A Resolution Authorizing the Execution of an Amended and Restated Settlement Agreement with Green Brook Realty Associates, LLC in Connection with the Future Redevelopment of Green Brook Country Club – Councilman Rees noted the need to control development and stated that the current IRO provided the Borough more control. Councilman Atlas made a motion to approve Resolution R-215-2023, seconded by Councilman Weinstein. Councilman Weinstein stated that the resolution does not determine whether or not the property owners can develop but rather would replace the existing agreement with a lower-density, more favorable development with the same level of control. Councilman Kessler agreed with Councilman Weinstein but asked for clarification regarding the developer's proposed improvements to Borough facilities should the agreement revert back to the IRO. Mr. Kantor confirmed that any agreements subsequent to the settlement agreement would be null and void and without recourse for any improvements already completed. Said motion was approved with four (4) affirmative votes and two (2) nay votes from Councilman Rees and Councilman Tilton.

Resolution R-216-2023: Councilman Atlas made a motion to approve Resolution R-216-2023 A Resolution Authorizing the Execution of a Discharge of Right to Acquire Land and Service Agreement with Green Brook Realty Associates, LLC, seconded by Council President Floria-Callori. Said motion was approved with four (4) affirmative votes and two (2) nay votes from Councilman Rees and Councilman Tilton.

Resolution R-222-2023: A Resolution Repealing R-157-2023 Which Authorized the Execution of a Memorandum of Understanding with Green Brook Realty Associates, LLC was moved by Councilman Weinstein and seconded by Councilman Atlas. Said motion was approved unanimously with six (6) affirmative votes.

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 was introduced by Councilman Atlas and seconded by Councilman Weinstein. Said motion was approved with four (4) affirmative votes and two (2) nay votes from Councilman Rees and Councilman Tilton. The public hearing and second reading was scheduled for Tuesday, December 19, 2023 at 6:30pm. Mayor Raymond stated that the ordinance would be referred to the Planning Board for a Master Plan consistency review at the November 20, 2023 Planning Board meeting. He thanked the Council members and Borough Attorney for their negotiation efforts to provide a better solution for the Borough.

Items for Discussion

Zoning Ordinance Amendments – Mr. Domenick presented ordinance amendments from the Borough Planner. Councilman Rees stated the amendments would prevent creation of corner and irregular lots. Ms. Michelotti added that the proposed amendments began as observations from applications heard by the Planning and Zoning Boards. Council President Floria-Callori suggested the amendments be considered in the new year. Mr. Kantor noted the proposed ordinance amendments may require Planning Board review prior to adoption by the Council.

Road Improvement Proposals: Fox Run/Sleepy Hollow/Jasmine Court – Mr. Domenick presented two (2) proposals for the NJDOT Road Paving Improvements project. Councilman Weinstein noted that funding was already provided for the road paving through a NJDOT grant and through an existing bond ordinance. Ms. Michelotti noted that stormwater repairs were needed in addition to the paving project. A resolution to award a design contract would be prepared for the next meeting.

Hazard Mitigation Generator Proposals – Mr. Domenick presented proposals for the two-part project for which separate design services and inspection services contracts were required by NJOEM grant. Awards of contract would be prepared for the next meeting.

Soder Road Construction – Mr. Domenick planned to meet the following week with residents and their counsel regarding development. He would report back to the governing body with water, sewer, road paving and construction updates.

Speed/Traffic Study Updates: Smull Avenue, Hickory Drive, Beachmont Terrace, Hilltop Drive – Chief Strodthoff reviewed speed monitoring and enforcement strategies in response to resident complaints. He noted that speed studies did not exhibit excessive speed on Smull Avenue, Hickory Drive and Hilltop Drive. He noted that perception of speed is often not equivalent to actual speed. He did not find justification for additional speed hump installation. Chief Strodthoff presented results from Beachmont Terrace which showed a decrease in speed since the installation of speed humps.

Walker's Park Improvements: Bid Tabulation, House Proposal – Mr. Domenick reviewed bids received for the Walker's Pond Trail Project. He added that an award of contract would be prepared for the next meeting. Mayor Raymond referred to a proposal from the owners of Green Brook Country Club for improvements to the Walker's home. The Council discussed the floor plan, possible uses, and potential structural limitations.

Mr. Kantor departed the meeting at 7:11pm.

Walker's Park Holiday Displays – Mayor Raymond welcomed resident Rabbi Spitz who proposed the placement of a menorah and Christmas tree at Walker's Pond. The Council was agreeable to Rabbi Spitz's offer to donate holiday decorations in addition to those at the Borough complex on Gould Avenue. Supply of electrical power to light both displays would be referred to Public Works.

Ordinances for Introduction

Ordinance O-19-2023: Councilman Tilton made a motion to table 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 which was seconded by Councilman Weinstein. Said motion was approved unanimously with six (6) affirmative votes. Mandated language issued by the NJDEP would be incorporated into the proposed ordinance for re-introduction at the next meeting.

Action to be Taken

Councilman Atlas made a motion, seconded by Councilman Rees, to approve all items listed below as consent agenda. Said motion was carried unanimously with six (6) affirmative votes.

- Resolution R-217-2023 A Resolution Approving the Payment of Bills
- Resolution R-218-2023 A Resolution Approving 2023 Budget Transfers
- Resolution R-219-2023 A Resolution Approving the Insertion of Revenue Item – Chapter 159, FY2021 Assistance to Firefighters Grant (AFG)
- Resolution R-220-2023 A Resolution Accepting the Memorandum of Agreement with Teamsters Local Union No. 469

Citizens to be Heard - Any Subject Matter (5 minute limit)

On a motion by Council President Floria-Callori, seconded by Councilman Rees, public comment was opened.

Catherine Fink, 2 Skyline Drive – Ms. Fink described an unannounced survey team from French and Parrello that visited area properties without prior notification with regard to the cellular tower installation project. She asked for transparency and advance notification. Ms. Fink asked about sewer connection availability for the Green Brook Country Club development. Council President Floria-Callori reviewed the developer's obligation to securing connections.

Ryan Hayes, 69 Brookside Terrace – Mr. Hayes stated his concern for his family's safety and his property's value due to the planned cell tower installation at the Skyline Drive water tower site. He asked for the specific location on the property on which the tower would sit. Councilman Floria-Callori stated that boundaries and exact placement would be determined after the survey work was completed by TMobile contractors.

Tom Fink, 2 Skyline Drive – Mr. Fink noted that the surveyors from French and Parrello accessed the paved easement on his property to perform the survey work. He added that they did not use the PSE&G right of way as previously discussed.

On a motion by Councilman Atlas, seconded by Council Kessler, public comment was closed.

Council Commentary

Council President Floria-Callori stated the importance to secure the SIRO and amended settlement agreement with Green Brook Country Club. Councilman Kessler congratulated Council President Floria-Callori, Councilman Atlas and Councilman Tilton on their election victories.

Executive Session

On a motion by Councilman Tilton, seconded by Councilman Weinstein, Resolution R-221-2023 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting:

Resolution R-221-2023 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting:

- A. Contract Negotiations: (1) Collective Bargaining Agreements, (2), PSEG License Agreement, (3) PSEG Construction – Maywood Court, Edgewood Court, Woodmere Court

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

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Council President Floria-Callori, seconded by Councilman Kessler, that this meeting be adjourned at 7:42p.m. Said motion was carried unanimously with six (6) affirmative votes.

Respectfully submitted,



Tami Michelotti, RMC
Borough Clerk