

Mayor and Council Conference and Regular Meeting – December 20, 2022

The Conference and Regular Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, December 20, 2022. The meeting began at 6:33pm at Borough Hall and was held simultaneously via tele/video-conference.

Mayor Alessi 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 Joseph H. Alessi, Council President Frank Astorino, Councilman Matthew Atlas, Councilman Anthony Floria-Callori, Councilman Robert Kessler, Councilman Arthur Rees, and Councilman Kenneth Tilton.

Also present were: Kevin O'Sullivan, Borough Administrator; Mark Semeraro, Borough Counsel; Rich Mondelli, Chief Financial Officer; Karl Strodthoff, Police Captain; and Tami Michelotti, Borough Clerk.

Mayor Alessi asked his wife, Diane Alessi, to lead the Pledge of Allegiance.

Council President Astorino presented a proclamation and gift to Mayor Alessi on behalf of the Council in appreciation for his service to the Borough. Captain Strodthoff and members of the Police Department presented Mayor Alessi with a flag in honor of his service and commitment to the Borough.

Mayor's Report

Mayor Alessi announced the collection of Christmas trees through January 31, 2023 and collection of bulk metal goods on Tuesday, December 27, 2022 in lieu of the observation of Christmas Day on Monday, December 26. He welcomed all to attend the Annual Reorganization Meeting on January 2, 2023.

Mayor Alessi thanked the current and former Council members, the Borough staff, former mayors and administrators, Foundation Members, volunteers, and the residents for the bonds he formed and for the opportunity to serve them. He looked forward to serving the Borough through the Multicultural Committee that was in development.

Citizens to be Heard

Elliot Sommer, 143 Four Seasons Drive – Mr. Sommer thanked Mayor Alessi and Councilman Tilton for their service. He asked for an update on the enhanced stop signs previously discussed for the intersection of Elm Road and White Rock Road. Mr. O'Sullivan stated that pricing was being obtained in order to prepare a purchase order. A light at Elm Road and Mountain Avenue was discussed as difficult to install a formal traffic light due to the close proximity to the Bloomfield Avenue and Mountain Avenue intersection.

Mayor Joseph Tempesta of West Caldwell – Mayor Tempesta wished Mayor Alessi and Councilman Tilton well and hoped that they remain involved in the West Essex community.

Rose Russo, 76 Estella Avenue – Ms. Russo thanked Mayor Alessi for his service to the Borough. She requested that proper pickle ball courts be installed at the Liberty Park complex noting the popularity of the sport among residents. She noted the quality of courts in surrounding towns that do not charge fees of their residents for use. Mayor Alessi reviewed the prioritization of other recreation projects. Councilman Kessler explained the drainage infrastructure project that is a precursor to tennis and pickle ball court improvements.

Latha Javed, 75 Evergreen Drive and Aristide Dzouankeu, 17 Beachmont Terrace – Ms. Javed expressed her enthusiasm to lead the organization of a Multicultural Association in North Caldwell. She welcomed support from the residents that wish to work toward celebrating the diversity of the Borough. Mr. Dzouankeu added that Mayor Alessi made new residents feel at home and was appreciative for his presence in times of need.

John Zurlo, 16 Skyline Drive – Mr. Zurlo thanked Mayor Alessi for his years of service. He asked for an update on Glenview Road paving. Mr. O'Sullivan stated that a contract was awarded in September but contractors were not able to mobilize before the weather turned too cold. He anticipated that work would commence in the spring. Mr. Zurlo asked if water main breaks had become more frequent and if preventative measures could be implemented. Mr. O'Sullivan reviewed the repairs made due to older pipes failing and those that were made in response to proactive identification through testing of the water distribution system.

Alba Pennisi, Soder Road – Ms. Pennisi expressed her appreciation for the care and patience Mayor Alessi exhibited with residents. Ms. Pennisi expressed concern with the increase in tree removal, noting that 47 trees were removed from a neighboring property. She asked that the Tree Removal ordinance be reviewed and strengthened. Mr. O'Sullivan reviewed the tree and landscaping replacement plan

regarding the property in question. He noted that permits are required for most tree removal but that the current ordinance would be reviewed with the Legal and Ordinance Committee.

Ellen Barrett, 10 Soder Road – Ms. Barrett asked that a tree expert be advised regarding tree removal and a revised tree ordinance. Councilman Floria-Callori acknowledged that the Council would review the ordinance to strengthen the ratio of replanting and increase notification to tree contractors in addition to residents.

Peggy Caprio, 21 Squire Hill Road – Ms. Caprio thanked the Mayor and Council for considering her neighborhoods concern regarding vehicular traffic at the rear entrance of West Essex Regional schools. She asked the Council to consider holding a public forum regarding tree removal and cited concerns of stormwater runoff from new developments.

Sheila Fant, 18 Squire Hill Road – Ms. Fant noted that property owners have the right to remove trees from the property but asked that the Council protect the property owners who have not removed trees.

Pete Montano, 548 Mountain Avenue – Mr. Montano and his son Jake thanked Mayor Alessi for his service and for his support of the Boys Scouts, Cub Scouts and Eagle Scouts.

Jen Giunta, 26 Sunset Drive – Ms. Giunta thanked Mayor Alessi for his service to the Borough and for his support of the scouting community.

Josh Raymond, 33 Oak Place – Mayor-Elect Raymond thanked Mayor Alessi and Councilman Tilton for their service and dedication to the community and for their leadership. He thanked Mayor Alessi, Mr. O'Sullivan and Ms. Michelotti for assisting with his transition into the Office of Mayor. He expressed appreciation to Mrs. Alessi and the daughters of Mayor and Mrs. Alessi for their sacrifices during Mayor Alessi's service.

Items for Discussion

PSE&G Gas Main Project – Members of the PSE&G pre-construction tea were present to review the Gas Reinforcement Program planned for Mountain Avenue in January 2023. The gas main improvement program will correct water infiltration issues, reduce leaks and emissions, and increase safety, reliability and pressure. Full restoration and road paving would be performed approximately 40 to 90 days after the project is completed to allow for the ground to settle. Public notice and traffic controls were discussed and would be further coordinated with Borough and County officials. The project was estimated to continue for eight (8) to ten (10) weeks.

2023 Meeting Dates – Proposed meeting dates were reviewed for 2023. The schedule of meetings would be presented at the Reorganization Meeting for Council approval.

Water Meter Replacement and Installation Bid Results – Mr. O'Sullivan reviewed the need to issue revised bid specs for the meter replacement project. He presented the three (3) bids received in response to the original bid which would be rejected.

Tree Removal Ordinance – Councilman Kessler suggested the ordinance be revisited next month after the Reorganization Meeting. Councilman Rees suggested that ordinances from other municipalities be reviewed for suggested practices.

Rezoning Request , 61 Lindsley Road – Mr. O'Sullivan reviewed a request from a representative of the property owner which mimicked a request from a year prior. He noted that the Borough requested a concept plan in the past and has not received one.

Interlocal Health Services Agreement – Mr. O'Sullivan presented the five (5)- year proposed contract renewal for health services in which the first year proposed no cost increase, followed by a an increase each year thereafter. A resolution was prepared for consideration later in the meeting.

Interlocal Animal Facility Shelter Services Agreement – Mr. O'Sullivan stated that per diem rates were being sought from several municipalities in the area for the service seldom used by North Caldwell. He would provide an update at the next meeting. If no per diem rates could be secured, the annual renewal agreement from West Orange would be considered at the next meeting.

Local Recreation Improvement Grant (LRIG) Program Application – Councilman Kessler reviewed the grant that was applicable to the Liberty Field snack stand restrooms that were in need of renovation. He noted that the Borough would be expected to provide a 10% match to the funding if the grant was awarded. A resolution authorizing the grant application was prepared for Council consideration later in the meeting.

Disabled Veteran Property Tax Exemption – Mr. O’Sullivan reviewed the certification by the Department of Veterans Affairs declaring a resident to be eligible for full property tax exemption for which resolutions were prepared for Council consideration later in the meeting.

2022 Budget Transfers – Council President Astorino reviewed the proposed budget transfers suggested by the Chief Financial Officer. A resolution was prepared for Council consideration later in the meeting rank

NCPD Appointments – Patrolman, SLEO Class III – Captain Strodthoff announced that a SLEO Class III officer would be serving at West Essex Regional School District as of January 3, 2023 on weekdays from 7:00am to 3:00pm. He confirmed that a NCPD officer was still stationed on campus each day until the SLEO Class II starts. He noted that the department found a candidate for the open position of Probationary Patrolman. Resolutions for both appointments would be presented later in the meeting.

NCPD HQ Proposed Design – Mayor Alessi referred to a design proposal for improvements to the Police Department headquarters. He asked if the project could be accomplished in stages. Captain Strodthoff suggested that the most urgent deficiencies be addressed first, noting that the expansion of the Dispatch department was needed as Caldwell dispatch was recently assumed as part of a Shared Services agreement.

Cell Phone Stipends – Mr. O’Sullivan presented the annual cell phone stipend allotment to certain non-union employees. The Council would consider any additional staff stipends for the following year.

Passaic Valley Water – Mr. O’Sullivan presented the current contract between North Caldwell and Passaic Valley Water as well as the presentation from a recent on-site visit.

Walker’s Pond Conservation Easement – Mr. Ferriero reviewed the proposed mitigation easement boundaries and the actions required of the Borough to proceed with NJDEP permit applications. He reviewed the status of the trees planted in the mitigation area for which an annual report to the NJDEP is required.

Mr. Ferriero explained the effect of the subdivided lots at the rear of the property on the designation of the conservation easement for the entire property. The governing body considered consolidating the five lots back into the Walker’s Park property. Mr. Ferriero noted that abandoning the subdivision would allow for improvements on the single lot without as many restrictions. Mr. Semeraro would research the lot consolidation.

Walker’s Park Request for Expression of Interest – Mr. O’Sullivan presented the draft of the Request for Expression of Interest prepared by Mr. Semeraro. He stated that the non-binding bid was ready for noticing to the public. Mr. Semeraro confirmed that the Borough would have no obligations or be restricted by the RFEI.

Basketball Referee Pay Rate Increase - Councilman Kessler presented the new rates of pay for Recreation Basketball Referees for which a resolution was prepared for Council consideration later in the meeting.

Recreation Basketball Staffing – Scorekeepers, Gym Monitors – Councilman Kessler presented the new hires for the Recreation Basketball Season for which a resolution was prepared for Council consideration later in the meeting.

Quarterly Newsletter – Councilman Kessler asked for suggestions for the draft of the quarterly newsletter. He stated that the Walker’s Park update from earlier in the meeting would be added to content prior to distribution the following week.

Approval of Minutes

Councilman Floria-Callori moved to accept the following minutes (without release of Executive Session minutes), seconded by Councilman Kessler:

- Conference Meeting and Executive Session Minutes – November 7, 2022
- Regular Meeting and Executive Session Minutes – November 22, 2022

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

Mayor Alessi called for a brief recess at 8:58pm. The meeting resumed at 9:03pm

Committee Reports/Action to be Taken

Legal and Ordinance

Councilman Atlas thanked and commended Mayor Alessi and Councilman Tilton for their service and dedication to the Borough.

Ordinance O-14-2022: Councilman Atlas made a motion to table Ordinance O-14-2022 An Ordinance Amending and Modifying Chapter 3 Administration of Government, Article XV Department of Police, seconded by Council President Astorino. Said motion was carried unanimously with six (6) affirmative votes.

Ordinance O-15-2022: Councilman Atlas opened the hearing for Ordinance O-15-2022 An Ordinance Amending and Modifying Chapter 99 Vehicles and Traffic, Schedule III, No Stopping or Standing. He stated that the ordinance would provide for a stopping/standing distance of 200-feet from the intersection of Squire Hill Road and Sunset Drive during certain times on school days. No one from the public came forward. There were no comments from the governing body. Councilman Atlas made a motion to close the public hearing, seconded by Councilman Tilton and carried unanimously with six (6) affirmative votes. Councilman Atlas made a motion to adopt Ordinance O-15-2022 An Ordinance Amending and Modifying Chapter 99 Vehicles and Traffic, Schedule III, No Stopping or Standing, seconded by Councilman Tilton and carried unanimously with six (6) affirmative votes.

Resolution R-182-2022 A Resolution Authorizing the Execution and Recording of a Grant of Conservation Restriction for Riparian Zone Mitigation to the New Jersey Department of Environmental Protection for the Property Known as Walker's Pond was tabled on a motion by Councilman Rees, seconded by Councilman Atlas. Said motion was carried unanimously with six (6) affirmative votes. More research would follow regarding consolidating the lots and its effect on the conservation easement.

Resolution R-192-2022 A Resolution Authorizing the Execution of an Interlocal Agreement with the Township of West Orange for Animal Facility Sheltering Services was removed from the Consent Agenda and tabled upon a motion by Councilman Atlas, seconded by Councilman Rees. Said motion was carried with six (6) unanimous votes.

The following resolutions were read by and moved by Councilman Atlas as Consent Agenda:

- Resolution R-190-2022 A Resolution Authorizing the Issuance of a Request for Expression of Interest
- Resolution R-191-2022 A Resolution Authorizing the Execution of an Interlocal Agreement with the Township of West Caldwell for Board of Health Services
- Resolution R-193-2022 A Resolution Rejecting Water Meter Replacement and Installation of Radio Frequency Meter Interface Units Bid and Authorizing the Borough of North Caldwell to Re-Bid for Water Meter Replacement and Installation of Radio Frequency Meter Interface Units Project
- Resolution R-194-2022 A Resolution Authorizing Submission of an Application and Abiding by Concessions of the New Jersey Department of Community Affairs FY2023 Local Recreation Improvement Grant (LRIG) Program

Said motion was seconded by Council President Astorino and was carried unanimously with six (6) affirmative votes.

Personnel and Technology

Councilman Floria-Callori thanked Mayor Alessi for his service and for bringing people together in the Borough. He thanked Councilman Tilton for his professionalism and for his efforts supporting the Police Foundation.

Committee Updates – Councilman Floria-Callori stated that an update on cellular service improvements would be discussed in Executive Session.

The following resolutions were read and moved by Councilman Floria-Callori:

- Resolution R-195-2022 A Resolution Authorizing Payment of Stipends To Certain Borough Employees For Personal Cell Phone Usage For Municipal Purposes For The Year 2022
- Resolution R-196-2022 A Resolution Authorizing Employment of SLEO Class III Officer
- Resolution R-197-2022 A Resolution Authorizing Employment of Police Department Probationary Patrolman

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

Finance

Councilman Astorino thanked Councilman Tilton for his work on the North Caldwell Police Foundation. He presented the Tax Collector's Report for November 2022.

The following resolutions were read and moved by Council President Astorino:

- Resolution R-198-2022 A Resolution Approving the Payment of Bills
- Resolution R-199-2022 A Resolution Authorizing the Exemption from Taxation of Property Owned by Disabled Veteran Pursuant to N.J.S.A. 54:4-3.30
- Resolution R-200-2022 A Resolution Authorizing the Refund of Taxes Previously Paid to the Borough of North Caldwell by Douglas Contreras

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- Resolution R-204-2022 A Resolution Approving 2022 Budget Transfers

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

Public Safety

Mayor Alessi thanked Councilman Tilton for his service and for bringing a new dimension to the Council as a business leader.

Councilman Tilton presented the Police Department Public Safety and Detective Bureau Reports for November 2022 during which 807 calls were received by Dispatch and 35 summonses were issued. He reminded residents to be proactive in preventing motor vehicle thefts.

Councilman Tilton presented the Fire Department Public Safety Report for November 2022 during which three calls for mutual aid were received. He reminded residents to be vigilant regarding holiday lighting and indoor trees.

Councilman Tilton expressed appreciation to his family, the Mayor, Council, former and future members of the governing body and Borough staff for their support and dedication to the Borough. He stated his commitment to stay involved in the Police Foundation to support public safety.

Public Works

Councilman Rees thanked Mayor Alessi and Councilman Tilton for all they did to serve the town.

Councilman Rees presented the DPW Committee Report for November 2022. He noted that storm drain repairs on Shenandoah Drive and a water main break on Cypress Avenue were completed. He thanked Gilbert Tree Service for responding to some needs of the Borough while they have been stationed in town for PSE&G projects.

Councilman Rees presented the Construction Permit Activity Report for November 2022 noting that 36 permits were issued for a year-to-date total of 388 permits.

Councilman Rees presented the Animal Control Report for November 2022 noting that one dog was sent to West Orange Animal Shelter for sheltering services.

Recreation

Councilman Kessler thanked Mayor Alessi and Councilman Tilton for their service and encouraged them to stay involved in the Borough.

Councilman Kessler presented the Recreation Director's Report for December 2022/January 2023. He congratulated the Recreation Soccer teams who won the championship games. He thanked all who participated in and volunteered for the Joy Peace and Goodwill celebration. He stated that Recreation Basketball has approximately 300 participants and that the Ski Trip program would begin on January 3, 2023. Councilman Kessler thanked those who donated to the Food Drive and Toy Drive.

Councilman Kessler provided an update on the Firemen's Turf Field project; turf is expected to be installed in mid- to late January. He stated that off-season work to the dam at Camp Wyanokie was expected and thanked Bill Stickles and Tony Romano for their assistance in providing dam repair recommendations. He noted that an increase in the Borough's contribution to Camp Wyanokie is expected for 2023 based on a cost distribution based on population.

Councilman Kessler announced upcoming events including baseball clinics in January, a Walker's Park Conservancy event in February, Cal Ripken baseball and softball registration in February, registrations for pool, tennis and Summer Fun Camp in March and the Spring Spectacular event in April.

The following resolutions were read and moved by Councilman Kessler:

- Resolution R-201-2022 A Resolution Authorizing Pay Rate Increase for Basketball Referees
- Resolution R-202-2022 A Resolution Authorizing the Hiring of Additional Part-Time Seasonal Employees for the 2022-2023 Recreation Basketball Season - Scorekeepers/Gym Monitors

Said motion was seconded by Councilman Floria-Callori. Councilman Atlas abstained from Resolution R-202-2022 which was passed with five (5) affirmative votes and one abstention. Resolution R-201-2022 was carried unanimously with six (6) affirmative votes.

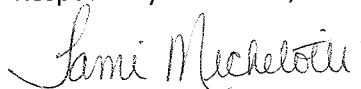
Executive Session

Resolution R-203-2022 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting for Certain Specified Purposes :
Potential Contract Negotiations: (1) Green Brook Country Club, (2) Cell Tower Bid; Personnel: (1) NCPD

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was read. Motion was made by Council President Astorino, seconded by Councilman Atlas, to enter Executive Session and close the meeting with no return to public session. Said motion was carried unanimously with six (6) affirmative votes. The public meeting ended at 9:43pm

Respectfully submitted,

A handwritten signature in cursive script that reads "Tami Michelotti".

Tami Michelotti, RMC
Borough Clerk