

The Conference Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, October 11, 2022. The meeting began at 6:30pm 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 Francis Astorino, Councilman Matthew Atlas, Councilman Anthony Floria-Callori, Councilman Robert Kessler, Councilman Arthur Rees, Councilman Kenneth Tilton.

Also present were: Kevin O'Sullivan, Borough Administrator; Guenther Waldow, Borough Attorney; Rich Mondelli, Chief Financial Officer; Mark Deuer, Police Chief; and Tami Michelotti, Borough Clerk.

Mayor Alessi asked Borough resident Bernie Doyle to lead the Pledge of Allegiance.

Executive Session

Resolution R-172-2022 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting for Certain Specified Purposes: A. Attorney-Client Privilege: (1) Tax Appeals was read. Councilman Rees requested the justification that the discussion be held in closed session. Mr. Waldow stated that the Tax Appeal Counsel would be addressing matters of Attorney-Client Privilege. Motion was made by Council President Astorino, seconded by Councilman Atlas. Said motion was carried with six (6) affirmative votes.

The governing body returned to public session at 7:09pm.

Mr. Waldow recognized Mayor Edward Davis of Essex Fells who was present to provide an update on water quality. Mr. Waldow noted that there would be no discussion of the pending water agreement at this time as it would be discussed in Executive Session to preserve the integrity of negotiations.

Citizens to be Heard

Essex Fells Mayor Edward Davis provided an update on the Essex Fells water quality. He confirmed that current PFOA levels are within New Jersey standards. He noted that some Essex Fells wells remain closed while others came back on line after treatment facilities were installed. Mayor Davis anticipates the implementation of long term treatment systems in 2023. Councilman Rees noted that the EPA is developing new standards which are expected to be lower than those set by NJDEP. Mayor Davis anticipated a ruling from the EPA in late 2023. He confirmed that more frequent filtration changes would be implemented to accommodate stricter regulations. He estimated the cost for the treatment facilities between \$4.5 million and \$5 million and was hopeful for federal assistance, grants or low-interest loans.

John Chiaia – 34 Grandview Place

Mr. Chiaia, Chairman of the Walker's Park Conservancy, requested the Council's permission to use Walker's Park for an Annual Fall Celebration on Saturday, October 22, 2022 which would be free of charge and open to all North Caldwell residents. He presented proposed entertainment including a petting zoo, pony rides, pumpkin painting and photo opportunities. He added that corporate sponsors were secured to fund the cost of the event. Mayor Alessi noted that there are wetlands on the property which could not be encroached upon. Councilman Kessler suggested the Recreation Department's field use permit application be completed and submitted for review. He noted that the field use ordinance is under review for expansion of the fee schedule for Walker's Park use. Councilman Atlas requested that the event be held on a different day given its proximity to the date of the General Election. Council President Astorino requested that the Walker's Park Conservancy meetings be planned with more notice to facilitate attendance by members and that the Conservancy work through the Recreation Chair instead of addressing the council during Public Comment.

Jack Lipkin, 15 Cypress Avenue – Mr. Lipkin, Walker's Park Conservancy member, stated that the Fall Festival was planned before recent election campaigning highlighted the lack of use of Walker's Park. He added that the event is an appropriate use of the property and the date was secured based on vendor availability.

Bernie Doyle – 31 Glenview Road

Mr. Doyle requested that the wall of the detention basin adjacent to his property be inspected as it seems unfinished. Mr. O'Sullivan stated that the detention basin was still covered by Pulte Homes' maintenance bond and that he would have it inspected by the Engineering Department.

Jennifer Giunta – 26 Sunset Drive

Ms. Giunta expressed her appreciation for the Borough's assistance with enforcement of safety rules at the intersection of Squire Hill Road and Sunset Drive. She requested continued patrol during morning drop-off and afternoon pick-up of students. She asked that a "no parking" or "no stopping/standing" ordinance be adopted to permanently address the vehicular issues.

Items for Discussion

Revaluation – There was no further update at this time.

Request for Use of Borough Property – This matter was addressed during Citizens to be Heard.

Walker's Park Use Ordinance – Councilman Kessler suggested that the Parks and Public Lands ordinance be updated to include Walker's Park. Mr. Waldow would prepare an amending ordinance.

Stormwater Feasibility Grant Application – Mr. O'Sullivan reviewed a State program to obtain a grant for stormwater utility feasibility study. If awarded, the grant would appoint one of five professionals appointed by the State of New Jersey to perform the study. The Borough could potentially save \$68,000 awarded to the Borough Engineer for this type of study. A resolution authorizing the grant application submission would be prepared for the next meeting.

Outreach to Mobile Carriers – Councilman Floria-Callori presented a letter to be executed by the governing body to motivate a carrier commitment from cellular providers. Councilman Kessler requested a link on the Borough website to collect resident complaints which can be submitted to the cellular providers.

Operating Budget Update – CFO Rich Mondelli provided a status on the 2022 Municipal Budget. He noted that the Pool Utility Budget exceeded revenues by \$70,000 but expended \$20,000 over budget for a net profit of \$50,000. Councilman Floria-Callori suggested that membership fees be more widely differentiated for non-residents vs. residents. Mr. Mondelli stated that the Water Utility Budget should break even for the year due to lower appropriations than last year balancing out increased water rents. The Current Fund shows a decrease in court fines with no significant changes. Overall, Mr. Mondelli noted a savings in legal expenses, health benefits and streets/roads salaries and wages. He added that gasoline, sewer treatment and trash collection costs all exceed the budgetary expectations.

Budget Transfers – Mr. Mondelli suggested that funds left in the 2021 budget for snow removal be moved into a trust for future snow removal expenses. He also recommended that balances in other line items be moved into a trust for unused sick/vacation payouts. Resolutions would be prepared for the next meeting.

2022 Best Practices Inventory – Mr. O'Sullivan reviewed the annual requirement to present and submit the annual Best Practices Inventory to the State. Ms. Michelotti reviewed the scoring thresholds to secure State aid.

Homeowners' Association Reimbursements – Mr. Waldow reviewed a request from Four Seasons at North Caldwell Homeowners Association that a per-capita re-calculation be adopted regarding snow removal reimbursement. Mr. Waldow noted the need to maintain an equitable distribution to citizens which can be offered with the current per mile basis but would not be achieved with per capita calculations.

Traffic and Roadway Safety – Smull Avenue, Hilltop Drive, Sunset Drive – Mr. O'Sullivan noted that Sunset Drive was discussed earlier in the meeting. He reviewed the placement of speed tables on Smull Avenue and reviewed discussions held with concerned residents. He anticipated construction of the tables to occur on a Saturday to avoid school traffic but would confirm the final date by issuing a notice to residents and to the district schools. Mr. O'Sullivan reminded the Council that the speed limit signs on Smull Avenue would be repurposed on Hilltop Drive. Councilman Rees asked for an evaluation of Hilltop Drive for the installation of three-way stop signs. Mr. O'Sullivan would follow up with the Borough Engineer for a review of speed since signage had been installed in the area.

DPW Grove Access – Mr. O'Sullivan reviewed the potential access to the DPW grove from Mountain Avenue through the PSE&G right of way. He would submit an application to construct an access driveway and sidewalk for access to Walker's Park from the Firemen's Field area. He noted the potential to redesign the Firemen's Field parking lot if access was granted. The Council approved the submission of the application.

Bulk Metal Recycling Day – Councilman Kessler reviewed the results of the Bulk Metal Recycling Day held on October 1, 2022. He stated that the event was attended by approximately 30 residents. The value of the metal goods collected would not offset the cost of DPW staffing incurred.

Firemen's Field Improvements – Mr. O'Sullivan provided an update on the turf field construction and anticipated that the turf carpet would be rolled out around Thanksgiving.

Walker's Park – Building Improvements, Trails – Mr. O'Sullivan stated that permits for walking trails were submitted to the DEP for which comments were received requesting clarification and additional documentation. The Borough Engineer would submit responses. Mr. O'Sullivan reviewed the condition of the home on the property and suggested that the DPW complete minor improvements and construct restrooms with outdoor access. Councilman Kessler noted that the parking area and walking trails could be constructed along the same timeline as the structure improvements. He encouraged the Council to move forward with making the house operational so residents could begin utilizing the building. An architect would be required for ingress/egress, load occupancy, ADA compliance, etc. Councilman Floria-Callori suggested the issuance of a non-binding Request for Proposals regarding use of the structure. Mr. Waldow would prepare a Request for Expression of Interest. Councilman Rees asked that operational utility services be confirmed.

Chief Deuer departed the meeting at 8:48pm. Mayor Alessi called for a brief recess at 8:50pm. The meeting resumed at 8:54pm.

Gould Avenue Beautification – Councilman Rees suggested that street lamps with options for hanging banners and/or plans be installed on Gould Avenue. Mr. O'Sullivan would research a PSE&G lease program for this purpose.

Community Newsletters – Mayor Alessi noted that the recent newsletter raised concern regarding the potential for development at Green Brook Country Club. He stated that the wording did not intentionally insinuate that school expansion was unnecessary. Councilman Kessler confirmed that all future newsletters would be distributed to Council members for approval before distribution.

Action to be Taken

Resolution R-173-2022 A Resolution Approving the Payment of Bills was read. Motion was made by Council President Astorino, seconded by Councilman Atlas. Said motion was carried unanimously with six affirmative votes.

Executive Session - Continued

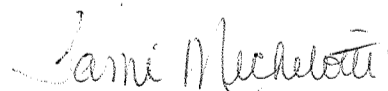
Council President Astorino made a motion to return to Executive Session to discuss:

- B. Personnel: (1) NCPD;
- C. Contract Negotiations: (1) SLEO Class III Officer, (2) Shared Municipal Court, (3) Essex Fells Water, (4) Caldwell Sewer, (5) Marketing - Cellular Service;
- D. Potential Litigation: (1) Hidden Ridge.

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

Resolution R-173-2022
There being no other matters to be addressed by the Governing Body at this time, a motion was made by Councilman Rees, seconded by Councilman Kessler, that this meeting be adjourned at 9:53pm. Said motion was carried unanimously with six affirmative votes.

Respectfully submitted,



Tami Michelotti, RMC
Borough Clerk