

The Conference Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, January 10, 2023. The meeting began at 6:30 p.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 Stephen Weinstein.

Also present were: Kevin O’Sullivan, Borough Administrator; Rebecca Maioriello, Borough Counsel; Paul Ferriero, Borough Engineer; Karl Strodthoff, Police Captain; and Tami Michelotti, Borough Clerk.

Mayor Raymond asked for a moment of silence in memory of former Fire Chief Kenneth Bechtold, Sr. who passed away that week. Mayor Raymond asked Council President Floria-Callori to lead the Pledge of Allegiance.

Citizens to be Heard

John Miskulin, 2 Andover Drive – Mr. Miskulin stated that he was present on behalf of the residents of 4, 6, 8 and 10 Andover Drive and 244 Park Avenue regarding the construction in progress at 13 Soder Road. He noted that stormwater runoff was affecting their yards since trees were removed. He asked that the project be evaluated to determine if a variance should have been sought and to ensure that building, landscaping and stormwater regulations are enforced. Mr. Miskulin requested an independent engineering review of the project at the builder’s expense as well as the posting of a maintenance bond.

David Satz, 8 Andover Drive – Mr. Satz requested that the Borough’s tree removal ordinance be revised to enhance protection of the land and of adjoining land owners. He noted that significant tree removal causes changes in drainage patterns which affects contiguous sites. He requested that the drainage and landscaping concerns be addressed by the Borough Council.

Mayor Raymond confirmed that the Borough would review the concerns and associated drainage reports to ensure proper permitting and stormwater measures. Council President Floria-Callori thanked the residents for providing potential solutions to their concerns. Mr. O’Sullivan confirmed that soil erosion measures are in place.

Mr. Ferriero provided an engineering update on the construction at 13 Soder Road. An inspector evaluated the site earlier that day and confirmed the installation of silt fencing for erosion control and stated that additional fencing could be mandated due to the large area of disturbance. He added that the initial stormwater drainage plan was approved as the area of disturbance was limited to less than one acre; however, the inspection performed that day determined the regrading of the property expanded the limits of the disturbance area to over one acre. Mr. Ferriero stated that the developer expanded beyond the one-acre threshold. The site would now be categorized as a major development and would require redesigned stormwater measures. A stop-work order would be issued until the site plan is revised. Mr. Ferriero added that a deed restriction to ensure long-term stormwater maintenance would now be required. He stated that he would work with NJDEP Soil Conservation to ensure compliance and would not issue a Certificate of Occupancy unless full compliance was followed.

Ted Roth, 17 Wind Ridge Drive – Mr. Roth requested that action be taken to prevent “blueprint” developers from expanding upon permits and to ensure adherence to regulations. He asked that a moratorium be placed on construction permit issuance by the Building Department and that an audit be performed of the Construction Official and builder at 13 Soder Road. He stated that unsafe construction practices put residents’ properties in jeopardy. Mr. Roth suggested that zoning penalties be made more stringent regarding building code violations with a premium imposed on new construction.

Mayor Raymond charged the Legal and Ordinance committee with reviewing and addressing building code and tree removal ordinances.

Tony Prinzo, 2 Hickory Drive – Mr. Prinzo stated concern for speeding on Mountain Avenue. He described motor vehicle accidents at the intersection near his property over the past 7 years. He requested that speed calming measures be installed by the Borough and/or Essex County as well as increased speed enforcement. Captain Strodthoff presented the limitations of speed calming measures on the county road but offered to install speed monitoring signage near the intersection. Councilman Rees stated that the Mountain Avenue speeding has been an ongoing issue. The Council would follow up on the issue with Essex County.

Items for Discussion

Council Vacancy – Mayor Raymond announced that former Council President Frank Astorino provided notice of his resignation as of January 1, 2023. Mayor Raymond reviewed the process to fill the vacancy through which three (3) potential candidates for the position were provided by the North Caldwell Republican County Committee to the Borough Council. The Borough Council would select one candidate to fill the vacancy until the General Election in November 2023. The Council discussed the nominees: Paul Sceppaguercio, Lara Schlachter and Kenneth Tilton.

Mayor Raymond requested that the associated action to be taken for the vote on Borough Council member be considered at this time. Councilman Rees made a motion to appoint Kenneth Tilton to the Borough Council vacancy, seconded by Councilman Kessler. Said motion was approved unanimously with five (5) affirmative votes.

Mayor Raymond announced that Mr. Tilton would be sworn into office at the January 24, 2023 meeting and would resume as Public Safety Chairperson. He thanked Lara Schlachter and Paul Sceppaguercio for stepping forward for consideration.

PSEG Improvements on Mountain Avenue – Mr. O’Sullivan provided an update on the scheduled gas line installation including public notifications and traffic control plans.

Walker’s Pond Conservation Easement, Walker’s Park Subdivision Consolidation – Mr. Ferriero reviewed the conservation easement near the pond and the conservation easement required of the five (5) lot subdivision. He recommended that the subdivision be consolidated back into the 17-acre parcel in order to proceed with permit applications for park improvements. Mr. Ferriero noted that the pond mitigation plan was revised to narrow the gap of the easement away from Mountain Avenue for which action was required. Action by ordinance would be required for the subdivision consolidation and for the conservation easement filing. Mr. Ferriero added that the first of five annual reports was just submitted to the NJDEP. He confirmed that a request for parking in the PSE&G right of way was not permissible due to wetlands delineations.

ALPR Camera Installation - Mr. O’Sullivan reviewed the need for an agreement between the Borough and the County of Essex to install license plate reader cameras on the traffic light and in the county right of way on West Greenbrook Road. A resolution and the agreement would be prepared for consideration at the next meeting.

NCPD SLEO Class III Salary Ordinance Amendment – Mr. O’Sullivan reviewed the need to increase the hourly wages for the SLEO Class III position to be competitive with the current market. An ordinance amendment would be prepared for introduction at the next meeting to increase the hourly rate to \$30 - \$45 per hour.

Tree Removal Ordinance – Mr. O’Sullivan would meet with the Legal and Ordinance committee to review the existing Tree Removal Ordinance and to make recommendations for amendments regarding quantities of trees that could be removed as well as the fee and penalty structures.

Animal Shelter Services – Mr. O’Sullivan reviewed the requirement to secure sheltering services which has been fulfilled through an interlocal service agreement with West Orange in past years. He stated that per diem rates were sought among several neighboring municipalities with no success. He recommended that the annual contract with West Orange be renewed for 2023 at the next meeting.

Firemen’s Field Improvements – Mr. O’Sullivan provided an update on the turf field installation at Firemen’s Field. He stated that turf delivery was on schedule for late January with installation to follow. Councilman Kessler presented the proposed colors for the dugouts to which the Council agreed. Councilman Rees noted the need for parking lot improvements at the site.

Winter Ice Activity Best Practices – Mr. O’Sullivan reviewed the recommendations provided by the Morris County Joint Insurance Fund for winter ice activities at Walker’s Pond. He detailed the current “at your own risk” practice for which signage was placed at the pond. Mr. Ferriero recommended continuation of the “at your own risk” practice and suggested that the policy be stated on the Borough website to better educate the public. The Council agreed to continue the current “at your own risk” policy.

Municipal Pool Improvements Re-bid

Mr. O’Sullivan reviewed the bond ordinance and details of pool improvements. He stated that no bids were received for the improvements project last year. The design plans would be revised and prepared for re-bid in February. Council President Floria-Callori asked for clarification from Borough Counsel regarding the ability to negotiate contracts after two unsuccessful bids.

Recreation Basketball Staffing

Councilman Kessler reviewed the additional part-time seasonal staffing needed for the Recreation Basketball season including trainers/instructors and a scorekeeper/monitor. A resolution would be prepared for consideration at the next meeting.

Action to be Taken

Resolution R-30-2023 A Resolution Approving the Payment of Bills was read. Motion was made by Councilman Weinstein and seconded by Councilman Atlas. Said motion was carried unanimously with five (5) affirmative votes.

Executive Session

Resolution R-31-2023 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting:

- A. Potential Litigation: (1) Hidden Ridge Performance Bond, (2) Property Maintenance/Drainage;
- B. Potential Contract Negotiations: (1) Shared Municipal Court, (2) Drainage Easement, (3) Land Lease for Construction of Cell Tower Bid;
- C. Personnel: (1) NCPD;
- D. Contract Negotiations: (1) Borough Attorney Professional Services; (2) Green Brook Country Club

was read. Motion was made by Council President Floria-Callori and seconded by Councilman Weinstein. Said motion was carried unanimously with five (5) affirmative votes.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Councilman Atlas, seconded by the Council, that this meeting be adjourned at 9:18pm. Said motion was carried unanimously with five (5) affirmative votes.

Respectfully submitted,



Tami Michelotti, RMC
Borough Clerk