

Mayor and Council Regular Meeting – April 25, 2023

The Regular Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, April 25, 2023. The meeting began at 6:41p.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 Floria-Callori, Councilman Matthew Atlas, Councilman Robert Kessler, Councilman Arthur Rees, Councilman Kenneth Tilton and Councilman Stephen Weinstein.

Also present were: Kevin O’Sullivan, Borough Administrator; Jarrod Kantor, Borough Attorney; Rich Mondelli, CFO; Kari Strodtzoff, Police Chief; and Tami Michelotti, Borough Clerk.

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

Mayor Raymond recognized Essex County Liaison Maya Lordo who was present. Ms. Lordo welcomed all to the State of County Address scheduled for Thursday, May 27, 2023 at 6:00p.m. She announced the latest COVID vaccine guidance from the CDC and the availability of boosters. Ms. Lordo confirmed the end of the public health emergency as of May 11, 2023.

Mayor’s Report

Mayor Raymond announced the submission of a grant application, championed by Congresswoman Sherrill, to enhance safety and protection against vehicle thefts. He announced the approval of a grant for the rehabilitation of the restrooms at Liberty Park. Mayor Raymond stated that bids were received for the cell tower construction at Mountain Avenue and Skyline Drive. He announced the annual NCFD Pancake Breakfast to be held on June 6, 2023 and thanked all who participated in the Earth Day Celebration and clean-up.

Proclamation to CASA of Essex County

Mayor Raymond and the Borough Council recognized CASA (Court Appointed Special Advocates) for Children of Essex County with a proclamation

Citizens to be Heard

Council President Floria-Callori made a motion to open public comment, seconded by Councilman Weinstein. Said motion was carried unanimously with six (6) affirmative votes. No one from the public came forward. Council President Floria-Callori made a motion to close public comment, seconded by Councilman Weinstein. Said motion was carried unanimously with six (6) affirmative votes.

Approval of Minutes

Council President Floria-Callori made a motion to accept the following meeting minutes (without release of Executive Session minutes), seconded by Councilman Rees:

- Special Municipal Budget Meeting and Executive Session Minutes of March 4, 2023 – Councilman Kessler abstained. Said motion was carried with five (5) affirmative votes and one abstention.
- Special Capital Budget Meeting of March 14, 2023 – Said motion was carried unanimously with six (6) affirmative votes.
- Conference Meeting and Executive Session Minutes of March 14, 2023 - Said motion was carried unanimously with six (6) affirmative votes.
- Special Capital Budget Meeting of March 28, 2023 – Councilman Atlas, Councilman Kessler and Councilman Weinstein abstained. Said motion was carried with three (3) affirmative votes.
- Regular Meeting and Executive Session Minutes of March 28, 2023 – Councilman Weinstein abstained. Said motion was carried with five (5) affirmative votes and one abstention.

Committee Reports

The following reports were read into the record:

- Tax Collector’s Report – March 2023
- Police Department Public Safety and Detective Bureau Reports – March 2023
- Fire Department Public Safety Report – March 2023
- DPW Monthly Report – March 2023
- Construction Permit Activity Report – March 2023
- Animal Control Monthly Report – February and March 2023
- Recreation Director’s Report - April/May 2023
- Auction of Borough Property – March/April 2023

2023 Municipal Budget Hearing

Councilman Weinstein made a motion, seconded by Councilman Atlas, to approve Resolution R-90-2023 A Resolution Authorizing the Reading of the 2023 Municipal Budget by Title. Said motion was carried unanimously with six (6) affirmative votes.

Councilman Weinstein made a motion to open the public hearing for the 2023 Municipal Budget, seconded by Councilman Atlas. Said motion was carried unanimously. No one from the public came forward. Councilman Weinstein and Mayor Raymond expressed appreciation to CFO Rich Mondelli and the governing body members for their efforts to present a budget with no tax increase for the residents. Councilman Weinstein made a motion to close the public hearing for the 2023 Municipal Budget, seconded by Councilman Atlas. Said motion was carried unanimously. Mayor Raymond announced that a vote on the budget would be taken at a subsequent meeting.

Ordinances for Final Hearing and Second Reading

Ordinance O-5-2023: Councilman Atlas read and made a motion to open the public hearing An Ordinance Amending Chapter 45 of the Code of the Borough of North Caldwell Regarding Sewer Fees, seconded by Councilman Tilton. Said motion was carried unanimously

No comments were received from the public or governing body.

Councilman Atlas made a motion to close the hearing and adopt Ordinance O-5-2023 An Ordinance Amending Chapter 45 of the Code of the Borough of North Caldwell Regarding Sewer Fees. Said motion was seconded by Councilman Weinstein and carried unanimously with six (6) affirmative votes.

Ordinance O-6-2023: Councilman Atlas read and made a motion to open the public hearing for Ordinance O-6-2023 An Ordinance Amending the Annual Compensation of Certain Officers and Employees of the Borough of North Caldwell, seconded by Councilman Kessler. Said motion was carried unanimously.

No comments were received from the public or governing body.

Councilman Atlas made a motion to close the hearing and adopt Ordinance O-6-2023 An Ordinance Amending the Annual Compensation of Certain Officers and Employees of the Borough of North Caldwell. Said motion was seconded by Councilman Kessler and carried unanimously with six (6) affirmative votes.

Ordinances for Introduction

Ordinance O-7-2023: Councilman Atlas made a motion to introduce Ordinance O-7-2023 An Ordinance to Provide for Various Capital Items as Enumerated Within for the Borough of North Caldwell, County of Essex and to Provide for the Funding Thereof. He announced the public hearing set for May 23, 2023 at 6:30pm. Councilman Tilton seconded the motion which was carried unanimously with six (6) affirmative votes.

Ordinance O-8-2023: Councilman Atlas made a motion introduced Ordinance O-6-2023 An Ordinance Amending the Annual Compensation of Certain Officers and Employees of the Borough of North Caldwell. He announced the public hearing set for May 23, 2023 at 6:30pm. Councilman Weinstein seconded the motion which was carried unanimously with six (6) affirmative votes.

Bond Ordinance BO-1-2023: Councilman Atlas made a motion to introduce Bond Ordinance BO-1-2023 An Ordinance Authorizing Improvements to the Water Tank and Surrounding Area at Skyline Drive in and for the Borough of North Caldwell, in the County of Essex, New Jersey, Appropriating \$575,000 Therefore and Authorizing the Issuance of \$275,000 Bonds or Notes to Finance Part of the Cost Thereof. He announced the public hearing set for May 23, 2023 at 6:30pm. Councilman Weinstein seconded the motion which was carried unanimously with six (6) affirmative votes.

Bond Ordinance BO-2-2023: Councilman Atlas made a motion to introduce Bond Ordinance BO-2-2023 Authorizing Various Improvements in and for the Borough of North Caldwell, in the County of Essex, New Jersey, Appropriating \$2,762,482 Therefore and Authorizing the Issuance of \$2,209,811 Bonds or Notes to Finance Part of the Cost Thereof. He announced the public hearing set for May 23, 2023 at 6:30pm. Councilman Weinstein seconded the motion which was carried unanimously with six (6) affirmative votes.

RESOLUTIONS

Council President requested that Resolutions R-91-2023, R-92-2023 and R-93-2023 be pulled from the Consent Agenda and voted upon individually.

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

- Resolution R-86-2023 A Resolution Authorizing the Execution of a Shared Services Agreement with the Borough of Essex Fells and the Township of Verona for Shared Municipal Court Services

- Resolution R-94-2023 A Resolution Authorizing the Borough of North Caldwell to Enter Into and Execute a Shared Services Agreement Between the Borough of North Caldwell and the West Essex Regional School District to Provide Class III Special Law Enforcement Officers for the 2023-2024 School Year
- Resolution R-95-2023 A Resolution Authorizing the Execution of a Traffic Signal Agreement between the Borough of North Caldwell and the County of Essex
- Resolution R-96-2023 A Resolution Authorizing the Execution of a Traffic Signal Agreement between the Borough of North Caldwell and the North Caldwell Board of Education
- Resolution R-97-2023 A Resolution Authorizing the Borough of North Caldwell to Enter into a Cooperative Pricing Agreement
- Resolution R-98-2023 A Resolution Authorizing the Filing of Assessor's Tax Appeals, Answers, Counterclaims and Cross Appeals in Tax Matters on Behalf of the Borough of North Caldwell
- Resolution R-99-2023 A Resolution Supporting the Establishment of a Veterans' Affairs Center in Northwest New Jersey
- Resolution R-100-2023 A Resolution Authorizing a Change Order with A.J.M. Contracting, Inc. for Park Avenue, Glenview Road, Tanglewood Road Resurfacing Project
- Resolution R-101-2023 A Resolution Approving the Payment of Bills
- Resolution R-102-2023 A Resolution Authorizing for Redemption and Cancellation of Record of Tax Lien – Block 1905, Lot 10
- Resolution R-103-2023 A Resolution Authorizing for Redemption and Cancellation of Record of Tax Lien – Block 1105, Lot 1
- Resolution R-104-2023 A Resolution Authorizing Refund of 2022 Tax Payments Due to Disabled Veteran Exemption Granted on Block 700, Lot 10
- Resolution R-105-2023 A Resolution Extending the Award Period for the DMHAS SFY 2023 Youth Leadership Grant
- Resolution R-106-2023 A Resolution Approving the Governor's Council on Alcoholism and Drug Abuse Fiscal Year 2024 (Grant Cycle 2020-2025)
- Resolution R-107-2023 A Resolution Authorizing the Compensation of Part-Time Seasonal Employees – 2023 Recreation Basketball Referees and Baseball/Softball Umpires
- Resolution R-108-2023 A Resolution Authorizing the Hiring of Part-Time Seasonal Employees –2023 Recreation Basketball Referees and Baseball/Softball Umpires

Resolution R-91-2023: Council President Floria-Callori made a motion to approve Resolution R-91-2023 A Resolution Authorizing the Award of a Contract Between the Borough of North Caldwell and T-Mobile Northeast LLC for Lease of Real Property Owned by the Borough of North Caldwell, Located East of Skyline Drive Accessed Adjacent to 2 Skyline Drive, Also Known As Part of Block 706, Lot 19, for the Design, Construction and Maintenance of a New, Self-Supporting 150' Monopole and Related Equipment and Facilities, seconded by Councilman Weinstein. Council President Floria-Callori provided a history of the cell tower project and bid process. VCOMM representative Dominic Villecco provided an overview of the tower construction project and leasing opportunities which would result in improvement of cellular service in the Borough and revenue generation from cellular providers. Councilman Atlas thanked Council President Floria-Callori for his commitment to finding a solution to improve cellular service and provide better safety for residents at no cost to the Borough. Councilman Rees requested construction plans for the stealth monopole installation and expressed concern for public opposition. Councilman Floria-Callori noted that the Planning Board would be considering the application for a courtesy review during which an opportunity for public comment would be availed. He confirmed that public outreach and education will be planned.

Council President Floria-Callori made a motion to amend Resolution R-91-2023 A Resolution Authorizing the Award of a Contract Between the Borough of North Caldwell and T-Mobile Northeast LLC for Lease of Real Property Owned by the Borough of North Caldwell, Located East of Skyline Drive Accessed Adjacent to 2 Skyline Drive, Also Known As Part of Block 706, Lot 19, for the Design, Construction and Maintenance of a New, Self-Supporting 150' Monopole and Related Equipment and Facilities to approve the agreement "in a form substantively similar to that annexed hereto". Said motion was seconded by Councilman Kessler and approved with five (5) affirmative votes and one "nay" vote from Councilman Rees.

Council President Floria-Callori made a motion to approve the amended Resolution R-91-2023 A Resolution Authorizing the Award of a Contract Between the Borough of North Caldwell and T-Mobile Northeast LLC for Lease of Real Property Owned by the Borough of North Caldwell, Located East of Skyline Drive Accessed Adjacent to 2 Skyline Drive, Also Known As Part of Block 706, Lot 19, for the Design, Construction and Maintenance of a New, Self-Supporting 150' Monopole and Related Equipment and Facilities. Said motion was seconded by Councilman Kessler and approved with five (5) affirmative votes and one "nay" vote from Councilman Rees.

Resolution R-92-2023: Council President Floria-Callori made a motion to amend Resolution R-92-2023 A Resolution Authorizing the Award of a Contract Between the Borough of North Caldwell and T-Mobile Northeast LLC for Lease of Real Property Owned by the Borough of North Caldwell, Located at the Corner

of Mountain Avenue and Arbor Road Also Known as Part of Block 204, Lot 01 for the Design, Construction and Maintenance of a New, Self-Supporting 150' Monopole and Related Equipment and Facilities to approve the agreement "in a form substantively similar to that annexed hereto". Said motion was seconded by Councilman Kessler and approved with five (5) affirmative votes and one "nay" vote from Councilman Rees.

Council President Floria-Callori made a motion to approve the amended Resolution R-92-2023 A Resolution Authorizing the Award of a Contract Between the Borough of North Caldwell and T-Mobile Northeast LLC for Lease of Real Property Owned by the Borough of North Caldwell, Located at the Corner of Mountain Avenue and Arbor Road Also Known as Part of Block 204, Lot 01 for the Design, Construction and Maintenance of a New, Self-Supporting 150' Monopole and Related Equipment and Facilities. Said motion was seconded by Councilman Kessler and approved with five (5) affirmative votes and one "nay" vote from Councilman Rees.

Resolution R-93-2023: Councilman Atlas made a motion to approve Resolution R-93-2023 A Resolution Authorizing the Award of a Contract Between the Borough of North Caldwell and National Metering Services, Inc. for Water Meter Replacement and Installation of Radio Frequency Meter Interface Units – Commercial and Residential Locations Borough-Wide, seconded by Council President Floria-Callori. Councilman Tilton voted no. Said motion was approved with five (5) affirmative votes and one "nay" vote from Councilman Tilton.

Citizens to be Heard

Helen Feinberg, 115 Four Seasons Drive – Ms. Feinberg requested that library membership fees be waived for North Caldwell residents who join libraries in the surrounding towns.

Elliot Sommer, 143 Four Seasons Drive – Mr. Sommer requested increased enforcement for stop sign infractions at the intersection of White Rock Road and Elm Road. He requested automated deductions for water, sewer and property tax payments.

Alba Pennisi, 7 Soder Road – Ms. Pennisi requested that criminal activity updates be distributed through an emergency notification system in real time. She requested an update of the construction project at 13 Soder Road.

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

Council Commentary

Councilman Rees requested that the Borough pursue a speed limit reduction on Mountain Avenue. Mr. O'Sullivan reviewed the criteria to lower a speed limit on the County road. Chief Strodthoff would move digital speed limit signs to Mountain Avenue that were no longer needed on Smull Avenue since the speed table installation.

Councilman Kessler requested an update on the targeted completion date for PSEG construction on Mountain Avenue. Mr. O'Sullivan would request an updated schedule for trench restoration, milling and paving estimated to be done within the next 60 to 90 days.

Executive Session

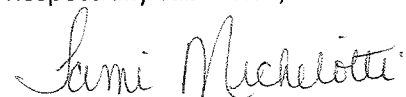
Councilman Weinstein moved Resolution R-109-2023 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting for Certain Specified Purposes:

- A. Attorney/Client Privilege: (1) Green Brook Country Club, (2) Water Meter and Lead Service Line Replacement Notification, (3) Walker's Park;
- B. Personnel: (1) NCPD.

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 8:07p.m.

Respectfully submitted,



Tami Michelotti, RMC
Borough Clerk