

Mayor and Council Conference and Regular Meeting – August 17, 2021

The combined Conference and Regular Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, August 17, 2021. The meeting began at 6:07pm via tele/video-conference due to the COVID-19 pandemic.

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; Mark Semeraro, Borough Attorney; Rich Mondelli, CFO; Paul Ferriero, Borough Engineer; Mark Deuer, Police Chief; and Tami Michelotti, Borough Clerk.

Mayor Alessi asked Councilman Tilton to lead the Pledge of Allegiance.

Mayor's Report

Mayor Alessi announced the availability of booster shots of the COVID vaccine in Essex County. He congratulated the Women's Softball championship team, Janney Juggernauts; the Men's Softball championship team, North Caldwell Fire Department; and the North Caldwell Knights 13U championship baseball team. Mayor Alessi commended recent Eagle Scouts Matthew Altiero and William Amil.

Mayor Alessi announced the stocking of fish at Walker's Pond courtesy of the NJDEP Fish and Wildlife Division and thanked Borough Engineer Paul Ferriero for conducting a pre-application meeting for the Walkers Pond Site Improvements projects. Mayor Alessi advised the public of the Borough's 2021 Road Improvement Program that would include curbing, milling and paving of certain streets in the coming weeks. He also reminded residents of the ongoing Borough-wide revaluation ordered by the Essex County Board of Taxation. Mayor Alessi welcomed all to participate in the Borough's 9-11 Commemoration ceremony at Borough Hall on Saturday, September 11, 2021 at 8:46am.

Citizens to be Heard

Alex Albu – 40 Ferndale Road

Mr. Albu requested that the Council assist the North Caldwell Board of Education in providing subscription busing for students. He expressed concern for child safety when walking to/from school and noted potential liability for the town and a negative impact of property values.

Mindy Opper – North Caldwell Board of Education member

Ms. Opper invited residents and governing body members to join the Board of Education meeting scheduled for the following evening to discuss the issue further.

Mr. Semeraro explained the limitations of a governing body's role in provision of school transportation. Councilman Atlas, a former North Caldwell Board of Education member, reviewed logistical, staffing and service issues faced when negotiating subscription busing contracts in past years.

Councilman Atlas added that all options were explored by the Board of Education in recent years and there were no logistical solutions available at this time.

Jacek Trzepla – 15 Robin Hill Road

Mr. Trzepla reviewed transportation options using smaller vehicles that were explored by groups of parents in recent weeks. He noted that the solutions were cost-prohibitive unless the town or Board of Education subsidized the cost. He stated that before and after care at the school did not provide enough coverage for working parents.

Councilman Floria-Callori added that Borough officials submitted requests to Essex County for roadway improvements that would provide safer routes to school. He noted that the County made suggestions for the Borough to implement but did not declare the roadways unsafe and commit to providing safety measures.

Maureen Zurlo – 19 Glenview Road

Ms. Zurlo provided background on the private transportation services that was vetted for a substitute to subscription busing. She noted that many families were interested, but that only four families committed to the service due to the high cost.

Jack Lipkin – 15 Cypress Road

Mr. Lipkin noted the frequency of speeding in town which endangers all pedestrians.

Greg Filosa – 22 Maple Drive

Mr. Filosa, Vice President of the North Caldwell Recreation Foundation, requested permission for the Boy Scouts to sell popcorn in the Borough Hall parking lot during the NCRF 5K and Color Run. He invited all to participate in the run. The Council had no issue with the Boy Scouts' sale during the event.

Sean Glasser – 61 Beachmont Terrace

Mr. Glasser noted his disagreement with the proposed installation of speed tables on Beachmont Terrace. He opined that the tables and associated signage would negatively reduce property values in the neighborhood. He suggested that police officers be stationed on the street instead to issue speeding tickets or that raised intersections be installed instead. Mr. Glasser asked to delay the installation of speed tables.

The Council was in agreement to proceed with the installation as scheduled which was coordinated with other road paving projects in town. Borough Engineer Paul Ferriero noted that the proposed speed table installation complies with NJDOT. He reviewed the results from the 2019 traffic study that revealed an average speed of 28 miles per hour on Beachmont Terrace. He stated that sets of speed tables, as opposed to a raised intersection, slow traffic at multiple locations instead of acting as one large table. He stated that the Council would be able to learn from this pilot implementation for speed calming in additional locations. Mr. Glasser asked for a delay in the implementation. Councilman Atlas suggested the plan move forward as noticed to the residents.

Kristin Glasser – 61 Beachmont Terrace

Ms. Glasser asked that the speed table signs be installed in locations where they are less bothersome to residents. Mr. Ferriero explained the signage requirements in advance of the speed table and at the location of the speed table as per the Manual on Uniform Traffic Control Devices. He recommended that signage be installed along with the speed tables to warn drivers of the change in the roadway traffic pattern. He offered to review the requirements with Mr. Semeraro.

Councilman Kessler noted the importance of safety which brought about this pilot program solution. Council President Astorino recalled the speed table solution to replace the multi-way stop signage.

Wendy Brosse – 58 Beachmont Terrace

Ms. Brosse noted her disagreement with the location of the speed table relative to her driveway as drivers will speed up as they approach her driveway entrance after they drive over the speed table.

Maryann Wojek – 22 Canterbury Drive

Ms. Wojek explained drainage and erosion issues on her property that flow from the PSE&G right of way. Mr. O'Sullivan stated that the Borough has notified PSE&G of the continued issues and confirmed that PSE&G would be securing DEP permits for stream bank stabilization.

Council President Astorino stated the need for a financial plan for continued infrastructure improvements. Mr. O'Sullivan noted that the recent drainage bond ordinance was able to fund many concerns as well as drainage studies, stormwater pipe replacements, culvert re-lining, catch basin installation and the dredging of Walker's Pond.

Jules Geftic – 21 Glenview Road

Mr. Geftic described continued flooding from the Glenview Road culvert. Mr. O'Sullivan confirmed that Essex County owns the culvert and has been notified of the flooding issues. He stated that the Borough's drainage study regarding the culvert was shared with the County Engineer and officials. He noted that culvert widening could affect conditions downstream and would require NJDEP approval and permits. Mr. O'Sullivan encouraged residents to also contact county officials directly to request culvert improvements.

David Corby – 4 Fox Run

Mr. Corby requested a timeframe for correction of drainage issues on his property. Mr. O'Sullivan noted that the area was studied in the Borough Drainage Study and recommendations include correction of back pitched drainage pipes. He added that the location was prioritized among drainage projects for which funding was yet to be determined. He noted that the drainage improvements would be done in conjunction with roadway repaving through an anticipated NJDOT grant.

Dan London – 108 Mountain Avenue

Mr. London noted his appreciation for newly installed storm drains that help to alleviate some flooding. He described increased stormwater flow from the Hilltop area which is not captured by those drains and creates flooding on his property and in his home. He requested additional stormdrains on the west side of Hill Street to channel water away from the properties behind his. He added that the stormdrain on

Glenview Road is not sufficient to capture the water flow. Mr. O’Sullivan stated that he would review the suggestions with DPW.

Sherri London – 108 Mountain Avenue

Ms. London described water flow from 4 Hill Street. Councilman Rees described water flow from Verona and from the dog park which bottlenecks at Glenview Road. He requested that the Borough obtain detention basin inspection reports from The Reserve Homeowners Association. Mr. Ferriero confirmed that detention basin 2 was operating properly. He noted that the detention basin near the dog park still has sediment control measures in place which reduces its efficiency during the ongoing construction. He added that road paving at The Reserve was anticipated within the next 30-60 days which will allow the pavement to meet the catch basin height and will allow water to flow in and down better.

Dan Gallagher – 36 Ferndale

Mr. Gallagher expressed support for working with the Board of Education to find a solution for subscription busing. He stated his observation of increased stormwater drainage issues since the Hilltop was developed. He stated that a pre-development underground water study should have been performed and requested such a study be done in advance of any future development.

Daria DeMartino – 58 Ferndale Road

Ms. DeMartino notified the Council of muddy water entering her yard from her rear-yard neighbor on Hilltop Drive and expressed concern with the approaching rainstorm. Mr. Ferriero stated he would look into the conditions.

John Zurlo – 19 Glenview Road

Mr. Zurlo requested help from the Borough to urge Essex County to find a solution to improve the culvert along his property line. He noted the failing infrastructure.

Items for Discussion

Drainage Projects

Mr. O’Sullivan reviewed the list of projects completed in-house by the Department of Public Works. He asked the Council to consider funding options to complete remaining projects.

Walker’s Property

Mr. Ferriero reviewed a pre-application meeting that was held with the Flood Hazard and Wetlands divisions of the NJDEP from which permits would be required for recreational improvements on the Walker’s Pond property. He cautioned that the project improvements should not meet or exceed qualification as a major development (creation of ¼ acre or more impervious surface or 1+ acres of disturbance since February 2004) under the NJDEP’s stormwater definition. He noted that more complex permits would be needed and significant stormwater design would then be required. Mr. Ferriero highlighted the outstanding considerations to proceed with the proposed recreation improvements.

DPW Garage

Mr. O’Sullivan reviewed the need for additional storage for DPW equipment. He stated that options and construction cost estimates were being prepared which would be presented at a future meeting.

Water Valve Testing

Mr. O’Sullivan stated that water main valve testing would begin the following week and that no effect on water pressure was anticipated. He confirmed that public notice to residents would be issued.

Road Paving Projects

This topic was discussed during the Mayor’s Report.

Beachmont Terrace Traffic Calming

This topic was discussed during public comment.

Mountain Avenue and Gould Avenue Intersection Safety

Mr. O’Sullivan reviewed the Borough’s request of Essex County. He confirmed that the county striped the intersection and trimmed landscaping. He added that the Borough is getting cost estimates on flashing signage. He noted that the connecting sidewalk on Mountain Avenue between Gould Avenue and Small Avenue is still outstanding.

Roadway Safety/School Busing

This topic was discussed during public comment.

Land Use Initiatives

Council President Astorino reviewed the need for improved communication regarding land use and for maintaining values of controlled development, safety and inclusivity. He proposed the creation of three

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(3) committees for Walker’s Pond, potential development of Green Brook Country Club and the Gould Avenue Recreation Complex.

American Rescue Plan Act - Local Fiscal Recovery Funds

Mr. O’Sullivan confirmed the receipt of funding through the American Rescue Plan Act. Council President Astorino requested proposals from the Council for use of the funding.

Solar Projects / PSEG Partnerships

Councilman Floria-Callori reviewed an opportunity to work with PSE&G to implement solar energy in the Borough. He noted that the proposal would involve a lease with PSE&G to generate power.

Fleet Management

Mr. O’Sullivan reviewed the proposed agreement with Enterprise for fleet management services and the proposed resolution to join the Cranford Police Cooperative System to purchase a command vehicle for the Fire Department. Mr. Semeraro requested additional time to review the Enterprise Fleet Management resolution.

Motor Vehicle Thefts

Chief Deuer encouraged residents to lock their cars and remove keys and fobs from the cars due to the high volume to theft attempts. He addressed the limitations of police pursuits of stolen vehicles.

Annual Leaf Composting Agreement

Mr. O’Sullivan presented the annual leaf composting interlocal agreement with Fairfield. He stated that a resolution was prepared for consideration later in the meeting.

Boy Scouts Sale at NCRF 5K/Color Run Event

This topic was discussed during public comment.

Approval of Minutes

Council President Astorino moved to accept the minutes from the following meetings (without release of Executive Session minutes), seconded by Councilman Atlas:

- Special Meeting Minutes – July 6, 2021
- Conference and Regular Meeting and Executive Session Minutes – July 20, 2021

Said motion was carried with six affirmative votes.

Committee Reports/Action to be Taken

Legal and Ordinance

O-18-2021: Councilman Atlas opened the public hearing for Ordinance O-18-2021 Multi-Way Stop Sign at West Greenbrook Road/Central Avenue/Grandview Avenue. He stated that Essex County would install the stop signs as requested by the Borough to improve safety.

No one from the public came forward.

Councilman Atlas made a motion to close the public hearing and adopt Ordinance O-18-2021 Multi-Way Stop Sign at West Greenbrook Road/Central Avenue/Grandview Avenue. The motion was seconded by Councilman Tilton. Said motion was carried unanimously with six affirmative votes.

O-19-2021: Councilman Atlas opened the public hearing for Ordinance O-19-2021 An Ordinance to Amend and Supplement Chapter 3, Article XV Department of Police. He noted that the ordinance would allow for the expansion of the police department staff.

No one from the public came forward.

Councilman Atlas made a motion to close the public hearing and adopt Ordinance O-19-2021 An Ordinance to Amend and Supplement Chapter 3, Article XV Department of Police. The motion was seconded by Councilman Tilton. Said motion was carried unanimously with six affirmative votes.

Resolution R-165-2021 A Resolution Closing Deer Trail Road and Robin Hill Road Improvements with AJM Contractors, Inc. was read. Motion was made by Councilman Atlas, seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes.

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Resolution R-166-2021 A Resolution Closing Brookside Terrace Road Improvements Section 3 with AJM Contractors, Inc. was read. Motion was made by Councilman Atlas, seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes.

Resolution R-167-2021 A Resolution Authorizing the Award of a Professional Services Contract Between the Borough of North Caldwell and Ferriero Engineering, Inc. for Engineering and Surveying Services for Tanglewood Road, Glenview Road and Park Avenue Road Improvements was tabled.

Resolution R-168-2021 A Resolution Authorizing the Award of Contracts to Enterprise Fleet Management Inc. for the Lease of Vehicles and Fleet Management Services for the Borough of North Caldwell was tabled.

The following resolutions were read by and moved by Councilman Atlas as a Consent Agenda, seconded by Council President Astorino. The motion was carried unanimously with six affirmative votes.

- Resolution R-169-2021 A Resolution Authorizing the Borough of North Caldwell to Enter into a Cooperative Pricing Agreement with the Cranford Police Cooperative Pricing System.
- Raffle License RA-1-2021 Notre Dame Church 2022 Calendar Raffle
- Raffle License RA-2-2021 Partners for Health 50/50 Raffle at Green Brook Country Club

Personnel and Technology

Resolution R-170-2021 A Resolution to Adopt the Provisions of Chapter 48 (N.J.S.A. 52:14.17.38) under which a Public Employer May Agree to Pay for the SHBP and/or SEHBP Coverage of Certain Retirees was read. Motion was made by Councilman Floria-Callori, seconded by Councilman Atlas. Said motion was carried unanimously with six affirmative votes.

Finance

Council President Astorino presented the Tax Collector's Report –July 2021

Resolution R-171-2021 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.

Public Safety

Councilman Tilton presented the Police Department Public Safety and Detective Bureau Reports for July 2021. He reminded all residents to lock their vehicle doors and remove keys and fobs from the vehicles to prevent car thefts.

Councilman Tilton presented the Fire Department Public Safety Report for July 2021. He noted 31 calls for the month and mutual aid to Fairfield.

Resolution R-172-2021 A Resolution Authorizing the Appointment of Police Department Crossing Guard was read. Motion was made by Councilman Tilton, seconded by Councilman Kessler. Said motion was carried unanimously with six affirmative votes.

Councilman Floria-Callori suggested publicizing a ticketing campaign to deter speeding. Chief Deuer agreed to provide heavy visibility and enforcement on Beachmont Terrace leading up to the start of the school year.

Chief Deuer commended Sergeant DePoe, Sergeant Lynch and Officer Carleo for saving a youth drowning victim.

Public Works

Councilman Rees offered the Construction Permit Activity Report for July 2021. He stated that construction material costs were starting to decrease toward normal levels since the highs during the pandemic.

Councilman Rees offered the Animal Control Report for June and July 2021. He noted that the West Orange Animal Shelter was not utilized during either month.

Resolution R-173-2021 A Resolution Authorizing and Inter-Local Service Agreement with the Township of Fairfield for the Composting of Leaves was read. Motion was made by Councilman Rees, seconded by Council President Astorino. Said motion was carried unanimously with six affirmative votes.

Recreation

Councilman Kessler offered the Recreation Director’s Report for August and September 2021. He announced that 298 children were registered for soccer. He provided a review of the summer camp and pool memberships. He encouraged everyone to register for the North Caldwell Recreation Foundation’s 5K Race and Color Run to be held on September 18th.

Councilman Kessler announced the resumption of monthly luncheons for seniors. He welcomed registrants for fall after-school programs and adult tennis clinic. He announced the last day of the regular pool season on September 6, the Cowboys football pep rally on September 8, the annual Town Picnic on September 11, and the Soccerfest parade on September 25.

Resolution R-174-2021 A Resolution Appointing a Certified Pool Operator/Director was read. Motion was made by Councilman Kessler, seconded by Councilman Atlas. Said motion was carried unanimously with six affirmative votes.

The following resolutions were read by and moved by Councilman Kessler as a Consent Agenda, seconded by Council President Astorino. The motion was carried unanimously with six affirmative votes.

- Resolution R-175-2021 A Resolution Authorizing the Hiring of Additional Part-Time Seasonal Employees – Baseball/Softball Umpires
- Resolution R-176-2021 A Resolution Authorizing the Mayor and Council to Execute an Agreement with U.S. Sports Institute, Inc. to Provide MultiSport Summer Camp Services
- Resolution R-177-2021 A Resolution Authorizing the Mayor and Council to Execute an Agreement with U.S. Sports Institute, Inc. to Provide Flag Football Services
- Resolution R-178-2021 A Resolution Authorizing the Mayor and Council to Execute an Agreement with CSF Soccer Academy to Provide Summer Soccer Camp Services
- Resolution R-179-2021 A Resolution Authorizing the Mayor and Council to Execute an Agreement with CSF Soccer Academy to Provide Fall 2021 Petite Soccer Clinic Services
- Resolution R-180-2021 A Resolution Amending the Compensation for Certain Summer Fun Camp Part-Time Seasonal Employees for the 2021 Camp Season

Executive Session

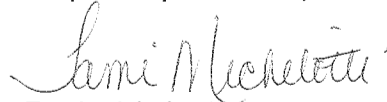
Resolution R-181-2021 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting for Certain Specified Purposes :

- A. Personnel: (1) NCPD, (2) Volunteers’ Code of Conduct;
- B. Attorney/Client Privilege: (1) Grading Violations;
- C. Potential Contract Negotiations: (1) Telecommunications RFQ – VCOMM;
- D. Potential Litigation: (1) Hidden Ridge Performance Bond, (2) Summer Camp

was read. Motion was made by Council President Astorino, seconded by Councilman Atlas. Said motion was carried unanimously with six affirmative votes.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Councilman Floria-Callori, seconded by the Council President Astorino, that this meeting be adjourned at 10:10pm. Said motion was carried unanimously with six affirmative votes.

Respectfully submitted,



Tami Michelotti
Borough Clerk