

Mayor and Council Regular Meeting – February 23, 2021

The Regular Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, February 23, 2021. The meeting began at 7:31pm 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 Alessi, Council President Astorino, Councilman Atlas, Councilman Floria-Callori, Councilman Kessler, Councilman Rees and Councilman Tilton.

Also present were: Kevin O'Sullivan, Borough Administrator; Mr. Mark Semeraro, Esq., Borough Attorney; Mark Deuer, Police Chief; and Tami Michelotti, Borough Clerk.

Mayor Alessi asked Borough Administrator Kevin O'Sullivan to lead the Pledge of Allegiance.

Mayor's Report

Mayor Alessi provided a COVID-19 update regarding testing and vaccinations provided by Essex County. He noted that 2,285 individuals had been vaccinated with at least the first inoculation as of February 15, 2021. He encouraged the community to register with the County and the State for vaccine scheduling. He encouraged homebound citizens to register for in-home vaccinations.

Mayor Alessi updated the community on the Walker's Pond Sediment Removal project. He noted that tree mitigation plantings would begin in the spring. He added that a revised concept plan would be soon available that will incorporate the Walker's Pond Conservancy suggestions.

Mayor Alessi welcomed applications for part-time, seasonal employment for the Municipal Pool and Summer Fun camp. He acknowledged the Shop-Rite All-Star recipients from North Caldwell: Brianna Puorro and Sam Prince. He announced an awareness program for Usher's Syndrome which afflicts one of the Borough's young residents.

Citizens to be Heard

John Zurlo – Glenview Road

Mr. Zurlo asked for an update on NJDEP's evaluation of Detention Basin 2 at the Hilltop property and the outstanding landscaping at The Reserve. Mr. O'Sullivan noted the effects of the COVID-19 pandemic on DEP staffing which was charged with determining possible mitigation issues. He added that the remaining landscaping installation was weather dependent. He confirmed that the landscaping is included in the performance bond estimates.

Dan Gallagher – 36 Ferndale Road

Mr. Gallagher asked for an update on an underground water study. He expressed appreciation for the DPW installation of the catch basin at the top of Glenview Road which solved the problems of water running into the street and freezing in the winter. Mr. Gallagher encouraged the Council to allow for dialogue and discussion in the proposed ordinance regarding meeting rules of order.

Approval of Minutes

Councilman Atlas moved to accept the minutes from the Reorganization Meeting and Executive Session (the latter without release) of January 5, 2021, seconded by Council President Astorino. Said motion was carried unanimously with six affirmative votes.

Councilman Atlas moved to accept the minutes from the Conference Meeting and Executive Session (the latter without release) of January 12, 2021, seconded by Council President Astorino. Said motion was carried with six affirmative votes.

Councilman Atlas moved to accept the minutes from the Regular Meeting and Executive Session (the latter without release) of January 26, 2021, seconded by Council President Astorino. Said motion was carried with six affirmative votes.

Committee Reports

Legal and Ordinance

Ordinance O-1-2021

Councilman Atlas opened the public hearing for Ordinance O-1-2021 An Ordinance to Amend and Supplement the Revised General Ordinances of the Borough of North Caldwell, Chapter 53, Article III Regarding On-Site Stormwater Detention, Stormwater Controls. He noted that changes made by the NJDEP necessitated an amendment to the Borough ordinance by March 2, 2021.

No one from the public came forward.

Councilman Atlas made a motion to close the public hearing and adopt Ordinance O-1-2021 An Ordinance to Amend and Supplement the Revised General Ordinances of the Borough of North Caldwell, Chapter 53, Article III Regarding On-Site Stormwater Detention, Stormwater Controls. The motion was seconded by Councilman Floria-Callori. Said motion was carried with six affirmative votes.

Ordinance O-2-2021

Councilman Atlas opened the public hearing for Ordinance O-2-2021 An Ordinance to Accept Falcon Point Drive as a Public Thoroughfare. He noted that the street would be accepted by the Borough as a public street upon the recommendation of the Borough Engineer.

No one from the public came forward.

Councilman Atlas made a motion to close the public hearing and adopt Ordinance O-2-2021 An Ordinance to Accept Falcon Point Drive as a Public Thoroughfare. The motion was seconded by Council President Astorino. Said motion was carried unanimously with six affirmative votes.

Ordinance O-3-2021

Councilman Atlas made a motion to introduce Ordinance O-3-2021 An Ordinance to Amend and Supplement the Revised General Ordinances of the Borough of North Caldwell, Chapter 2, Article VII, Entitled "Rules of Order", seconded by Councilman Floria-Callori. Said motion was carried unanimously with six affirmative votes. Councilman Atlas noted that a public hearing was scheduled for March 23, 2021 at 7:30pm. He noted that the ordinance was revised from last year's draft based on feedback from the public.

Ordinance O-4-2021

Councilman Atlas made a motion to introduce Ordinance O-4-2021 An Ordinance to Amend the Annual Compensation of Members of the Police Department for the Years 2021, 2022 and 2023, seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes. Councilman Atlas noted that a public hearing was scheduled for March 23, 2021 at 7:30pm. Councilman Atlas noted that the ordinance sets compensation levels as agreed upon in the approved PBA collective bargaining agreement.

Ordinance O-5-2021

Councilman Atlas made a motion to introduce Ordinance O-5-2021 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank for Calendar Year 2021, seconded by Council President Astorino. Said motion was carried unanimously with six affirmative votes. Councilman Atlas noted that a public hearing was scheduled for March 23, 2021 at 7:30pm.

Ordinance O-6-2021

Councilman Atlas made a motion to introduce Ordinance O-6-2021 An Ordinance to Amend Chapter 34, Section 4 of the Code of the Borough of North Caldwell Regarding Uniform Construction Code Fees for Smoke/CO Detector Certification Inspections, seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes. Councilman Atlas noted that a public hearing was scheduled for March 23, 2021 at 7:30pm. He stated that the ordinance would raise fees from \$75.00 to \$100.00 which is consistent with neighboring municipalities.

Ordinance O-7-2021

Councilman Atlas made a motion to introduce Ordinance O-7-2021 An Ordinance to Amend Various Provisions of Chapters 71 and 45 of the Code of the Borough of North Caldwell Concerning Field Use Fees and Scheduling, seconded by Councilman Kessler. Said motion was carried unanimously with six affirmative votes. Councilman Atlas noted that a public hearing was scheduled for March 23, 2021 at 7:30pm.

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Resolution R-47-2021 A Resolution Authorizing a Change Order for the Walker's Pond Sediment Removal Project was read. Motion was made by Councilman Atlas, seconded by Council President Astorino. Said motion was carried unanimously with six affirmative votes.

Resolution R-48-2021 A Resolution Authorizing the Release of the Falcon Custom Homes, LLC Performance Bond No. 38125 was read. Motion was made by Councilman Atlas, seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes.

Resolution R-49-2021 A Resolution Amending R-38-2021 Concerning the Release of the RPM Development-White Rock Urban Renewal Associates, LLP Performance Bond No. SU1150042 Zoning Board of Adjustment 2020 Annual Report was read. Motion was made by Councilman Atlas seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes.

Zoning Board of Adjustment Annual Report - The Annual Report was presented by Ms. Michelotti on behalf of the Zoning Board.

Personnel and Technology

Councilman Floria-Callori provided an update on from recent meetings among the Personnel and Technology Sub-Committee. He noted that a structured monthly report would be forthcoming. He announced that the ability to pay water utility, sewer utility and property tax bills online through the Borough website. Councilman Floria-Callori reviewed proposed solutions to upgrade the Borough website, expand cellular service and provide solar energy options. He updated the Council on ongoing projects including access control security, livestreaming meetings, job description updates and social media policies.

Resolution R-50-2021 A Resolution Amending Employment Contract of Chief Mark Deuer was read. Motion was made by Councilman Floria-Callori, seconded by Councilman Tilton. Said motion was carried unanimously with six affirmative votes.

Finance

Council President Astorino offered the Tax Collector's Report for January 2021. He noted that a Finance Committee meeting would be held before the Annual Budget Meeting.

Resolution R-51-2021 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.

Resolution R-52-2021 A Resolution Approving Budget Transfer from Snow Removal Salary and Wages and Operating Expenses to a Dedicated Trust Fund was read. Motion was made by Council President Astorino, seconded by Councilman Floria-Callori. Said motion was carried unanimously with six affirmative votes.

Resolution R-53-2021 A Resolution Authorizing the Cancellation of Unclaimed Bail and Refund Checks for the North Caldwell Bail Account 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 expressed condolences on behalf of the Borough to the family of Carolyn Bifalco, wife of Volunteer Firefighter Mario Bifalco.

Councilman Tilton offered the Police Department Public Safety and Detective Bureau Reports for January 2021 which included 764 calls to Dispatch from North Caldwell residents and the issuance of 65 summonses.

Councilman Tilton offered the Volunteer Fire Department Public Safety Report for January 2021 which included 25 calls of which seven (7) were for mutual aid assistance. He reminded the public to change the batteries in carbon monoxide and smoke detectors.

Public Works

Councilman Rees offered the Construction Permit Activity Report for January 2021 during which 43 permits were issued which was less than the same time last year.

Councilman Rees offered the Animal Control Report for December 2020 which included one response by officers for a dog at large which was returned to its owner.

Recreation

Councilman Kessler offered the Recreation Director’s Report for February and March 2021. He announced the opening of the Municipal Pool and Summer Fun camp for the 2021 season. He noted that tennis registration is open and the launch of after school programs in early March. Councilman Kessler announced player evaluations for the Cal Ripken baseball and softball league and the availability of team sponsorships. He thanked the Recreation Department and Gould School students who made Valentine cards and goodie bags for members of the Seniors Club.

Resolution R-55-2021 A Resolution Fixing Fees Pertaining to Recreation Programs was read. Motion was made by Councilman Kessler, seconded by Councilman Atlas. Said motion was carried unanimously with six affirmative votes.

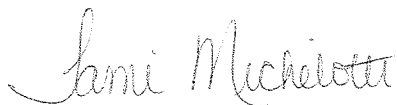
Councilman Kessler stated that one response was received for the Municipal Pool Concession Stand Bid which would be reviewed by the Borough Attorney.

Executive Session

Resolution R-56-2021 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting for Certain Specified Purposes: A. Contract Negotiations: (1) Pulte Homes/Hydrogeological Study, (2) Lindsley Heights, (3) Caldwell Sewer Utility Agreement, (4) Collective Bargaining Agreement Negotiations, (5) Joint Municipal Court, (6) Essex Fells Wholesale Water, (7) Zen-Fi ROW, (9) Developer’s Agreement – 70 Grandview Avenue; B. Attorney Client Privilege – (1) Voice Mail System, (2) Pool Sponsorship, (3) Liquor License, (4) Social Media Policy; C. Personnel – (1) Employee Responsibilities, (2) Employee Compensation was read. Motion was made by Council President Astorino, seconded by Councilman Kessler. 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, that this meeting be adjourned at 9:50pm.

Respectfully submitted,



Tami Michelotti
Borough Clerk