

Mayor & Council Regular Meeting, January 30, 2018

The Regular meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, January 30, 2018 at the Borough Hall, Gould Avenue, North Caldwell, New Jersey and began at 7:34pm.

Roll Call indicated the following present:

Mayor Alessi

Present: Council President Santomauro, Councilman Astorino, Councilman Chiaia, Councilman Kessler, Councilman Raymond, Councilman Rees

Also present were: Mr. David M. Paris, Esq., Borough Attorney; Frank Zichelli, Borough Engineer; and Tami Michelotti, Acting Borough Clerk

Mayor Alessi called the meeting to order announcing that notice was provided in accordance with the requirements of Chapter 231, P.L. 1975.

Mayor Alessi asked Mr. David Paris, Esq. to lead the Pledge of Allegiance.

Mayor Alessi's State of the Borough Address

Mayor Alessi announced that the state of the Borough is strong and progressing well. He stated that the 2017 municipal budget saw an increase of 1.82% over 2016 and that the average North Caldwell home saw a property tax increase of \$47.74. The Mayor stated that the 2018 budget is being prepared and that the Council will work toward holding the line.

Mayor Alessi noted Personnel additions including Tami Michelotti as Acting Borough Clerk; Samantha O'Neill as Recreation Program Director; John Ritter, Anthony Romano and Bob Kirk as DPW Roadmen; and James Durkin and Paul Cicchetti as Police Department Dispatchers. Mayor Alessi added that 15 year employee, Kerwin "Jake" Armstrong, retired as well as former Mayor and Borough Administrator, Mel Levine.

Mayor Alessi added that the Borough had the privilege to choose Frank Zichelli to assume the role of Borough Administrator in addition to his role as Borough Engineer. He noted that Mr. Zichelli has 31 years of service to the Borough and that his contributions as Borough Administrator are already evident.

Mayor Alessi stated that infrastructure upgrades include the Police and Fire Department radio system, the Borough phone system, and the digital message board. He added that a FEMA grant was used to purchase a backup generator for Borough Hall and for Fireman's Hall and the DPW building. The Mayor noted that a DOT grant was used to repave Ferndale Road, Hickory Drive, Timber Drive and Willow Brook Drive. He added that a new parking lot was installed at Magnusson Field. Mayor Alessi noted the installation of a traffic light in front of the entrance to the West Essex Regional Schools which is the only traffic light in the Borough. He mentioned the importance of the safety provided by the traffic light which was paid for by the Borough, Essex County and the West Essex Board of Education.

Mayor Alessi extended his appreciation to Eagle Scout candidate, Jeremiah Murnane IV, for improving the grounds at Veteran's Memorial Park. He stated that the new year will bring the construction of a dog park by Essex County on the Hilltop property and thanked Councilman Chiaia for his efforts on the project. Mayor Alessi added that a zero-entry wading pool and splashground will be coming to the municipal pool this summer. He stated that membership at the pool is on the rise and that the pool is financially self-sufficient. Mayor Alessi stated that the Walker family property that was purchased in 2016 will be converted to a park with a portion subdivided into five one-acre lots to be sold to defray the cost of the acquisition. He added that the Borough has submitted grant and permit applications with the NJDEP to dredge and restore the pond. The Mayor stated that the construction of 62 single-family homes on the Hilltop property is underway and the addition of 55 affordable housing rental units was approved in 2017 which will allow the Borough to meet its COAH obligation.

The Mayor stated that 2017 brought great recreation events such as Opening Day of Baseball and Softball, Soccerfest, Opening Day of the pool, the North Caldwell Police Foundation fundraising concert in August with Smokey Robinson, and the Mayor's Ball in September which raised approximately \$80,000 for the North Caldwell Recreation Foundation fundraising efforts toward the installation of a turf field at Liberty Field.

Finally, Mayor Alessi welcomed the addition of Jola Coffee to town, under the ownership of long-time residents Jodi and Larry Funder. He also noted the loss of several residents including Mr. Henry Forstenhausler, Chub Jones, Joe Bono, Chuck Longo, Leslie Craw and Donald Meserlian.

Citizens to be Heard

No one from the public came forward.

Approval of Minutes

Council President Santomauro moved to accept the minutes from the Regular Meeting of November 28, 2017, seconded by Councilman Astorino. Said motion was passed unanimously with six votes.

Council President Santomauro moved to accept the minutes from the Executive Session of November 28, 2017, seconded by Councilman Astorino. Said motion was passed unanimously with six votes.

Council President Santomauro moved to accept the minutes from the Conference and Regular Meeting of December 18, 2017, seconded by Councilman Kessler. Councilman Astorino and Councilman Rees abstained. Said motion was passed with four votes and two abstentions.

Council President Santomauro moved to accept the minutes from the Executive Session of December 18, 2017, seconded by Councilman Kessler. Councilman Astorino and Councilman Rees abstained. Said motion was passed with four votes and two abstentions.

Council President Santomauro moved to accept the minutes from the Special Meeting of December 29, 2017, seconded by Councilman Chiaia. Councilman Astorino abstained. Said motion was passed unanimously with five votes and one abstention.

Essex County Report

Mayor Alessi called upon Essex County liaison. He extended Happy New Year wishes and thanks to the County leaders for all they do for the Borough. County Liaison, Asmeret Ghebremichel invited the Governing Body to the State of the County address in February.

Committee Reports

Legal and Ordinance

Councilman Raymond introduced Ordinance O-1-18 An Ordinance of the Borough of North Caldwell, County of Essex, State of New Jersey, Amending the Zoning Ordinance of the Borough of North Caldwell, Chapter 107-19 "Prohibited Uses". Said ordinance is scheduled for approval at the Public Hearing and Final Reading to be held on Tuesday, February 27, 2018.

Councilman Raymond stated that the ordinance adds paragraph N to the Chapter 107-19 prohibiting the sale of marijuana and paraphernalia associated with marijuana use in the Borough. Councilman Raymond added that he feels it is premature of the Governing Body to introduce an ordinance since the State of New Jersey has not yet legalized the recreational use of marijuana. He added that it may be appropriate and necessary in the future. Council President Santomauro stated that in her opinion, the ordinance is not premature. She added that if the Borough ordinance is not passed in advance of potential state legislation allowing marijuana for recreational use, it may be too late to prevent commercial marijuana sales in the Borough. She noted that towns are entitled to prohibit sales of marijuana and several towns are adopting ordinances such as this. Council President Santomauro stated that allowing marijuana sales in the Borough would also require more of the resources of the Police Department.

Councilman Raymond inquired if it would be too late for a municipality to refuse marijuana sales in their town once the State enacts a law allowing the sale of recreational marijuana. Council President Santomauro stated that many municipalities fear that it could be too late to enact an ordinance prohibiting marijuana sales after State approval. Mayor Alessi agreed that there would be no down-side to adopting an ordinance ahead of State legislation. Councilman Raymond stated the premature nature of the ordinance noting that if the State approves the legal sale of marijuana, the Borough could adopt an ordinance at that time if it wished that is more specific to the State statute's allowances. Councilman Raymond also noted the potential loss of tax revenues for which the Borough would not be eligible if a prohibitive ordinance was adopted. Councilman Chiaia noted that the proposed ordinance is a zoning ordinance to prohibit marijuana sales near schools, churches, etc. and that future State legislation may lead to a different type of ordinance. He added that a permit applicant would have the option of appearing before the Zoning Board for a use variance should this ordinance be approved. Councilman Raymond stated he welcomes feedback from the public on the topic and that the Borough's opt-out options should be investigated further.

Council President seconded the motion by Councilman Raymond introducing Ordinance O-1-18. Councilman Astorino abstained stating a potential conflict of interest. Said motion was carried unanimously with five votes and one abstention.

Resolution R-32-18 A Resolution Approving the Person-to-Person Transfer for Green Brook Country Club Liquor License #0715-33-001-001 was read. Motion was made by Councilman Raymond, seconded by Council President Santomauro. Said motion was carried unanimously with six votes.

Raffle License Application for the Caldwell-West Essex Kiwanis Foundation 50/50 Raffle and Tricky Tray Raffle to be held at Notre Dame Church on March 10, 2018 was moved by Councilman Raymond, seconded by Council President Santomauro. The application was approved unanimously with six votes.

Personnel/Administration

Councilman Rees had no updates to report at this time.

Finance

A motion to accept the Collector's Report for December 2017 was made by Councilman Astorino, seconded by Councilman Kessler. Councilman Astorino noted a December 2017 fund total of \$5,978,916.71 and a year-end total of \$44,598,677.51. Said motion was carried unanimously with six votes.

Resolution R-33-18 Approval to Pay Bills in the amount of \$2,079,948.08 was read. Motion was made by Councilman Astorino, seconded by Councilman Kessler. Said motion was carried unanimously with six votes.

Public Safety

Councilman Chiaia stated that the Police Department's Annual Report included appreciation from Chief Deuer for the respect shown by the residents and the support of the Council for making it possible to adequately budget for the NCPD's protection of the Borough. Councilman Chiaia added that NCPD dispatch handles an average of 10,000 calls from North Caldwell residents and an additional 8,000 from Essex Fells residents per year. He added that there were 834 calls from North Caldwell residents in December 2017 and only 108 overtime hours for the month.

Councilman Chiaia stated that there were 16 Fire Department calls. He added that Chief D'Ascensio recognized Police Department Officer and Volunteer Firefighter Paul O'Neill for discovering a broken pipe from a heating furnace while on patrol at the West Essex Regional School campus. He noted that Officer O'Neill's discovery saved the school from extensive damages.

Resolution R-34-18 A Resolution Approving the Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2014 - June 2019 was read. Councilman Chiaia stated that the funds from this grant are used to get children involved in the community, to respect the community and thereby keeping them away from crime and drug use. He added that any money not spent in a year reduced the amount of the grant for the following year. Councilman Chiaia noted that we should use the full amount of the grant on activities to get the children of the community involved. Motion was made by Councilman Chiaia, seconded by Council President Kessler. Said motion was carried unanimously with six votes.

Public Works/Utilities

Council President Santomauro offered the Construction Permit Activity Report for December, 2017. She stated that permit fees decreased slightly but total year to date was \$205,000 which was an increase from the year prior. Council President Santomauro offered the Recycling Report for December, 2017. She stated that totals decreased a bit with 3,560 tons collected.

Council President Santomauro stated that the Rabies Clinic held on January 6, 2018 brought 25 Borough pets and 4 out of town pets. She offered the Animal Control Report for December, 2017 and noted an incident between two dogs during which both dogs were bit. She added that there were a few instances of dead animals, dogs running at large and a deer that was caught in a fence.

Council President Santomauro provided a reminder that landscapers working in North Caldwell are required to obtain a license. She added that applications are available at Borough Hall.

Recreation

Councilman Kessler offered the Recreation Report for January 2018. He stated that the Dr. Stem program is underway with 20 participants and a second class was planned for mid-February. He added that Beginner Yoga and Quick Start Tennis are under way. Councilman Kessler stated that post-season basketball would be starting in mid-February and the annual Mayor's Cup basketball tournament for recreation teams would be played in late February through early March. Councilman Kessler stated that the Ski Club has completed three trips. He added that upcoming spring after-school programs include tee ball, lacrosse and UK Elite soccer.

Councilman Kessler stated that the next Seniors meeting was planned for the following day and that the Valentine's celebration would be held on February 14, 2018. He added that Senior fitness would be held from March 6 through May 10 on Tuesdays and Thursdays from 10:00-11:00am.

Councilman Kessler highlighted some important upcoming dates including: baseball and softball registration beginning in February, track and field registration starting at the end of February, tennis registration beginning on March 1 with play starting on April 1, Summer Fun registration beginning on March 19, the Spring Spectacular and Easter Egg Hunt on March 28 at Liberty Field, Baseball and Softball Opening Day parade and festivities on April 21, and the Town Pool Open House on Saturday, June 16 from 1:00-5:00pm.

Resolution R-35-18 A Resolution Adopting Anti-Harassment, Intimidation and Bullying Policy for the Borough of North Caldwell Recreation Department was read. Councilman Kessler thanked Borough Administrator/Engineer Frank Zichelli for his research on this issue. He stated that the resolution is worthy and emphasizes the support of the children participating in Borough recreation programs. Councilman Kessler read the policy and stated the importance of the policy. Motion was made by Councilman Kessler, seconded by Councilman Raymond. Said motion was carried unanimously with six votes. Mayor Alessi thanked Councilman Kessler for bringing this issue to the Council and noted the quality of the legislation.

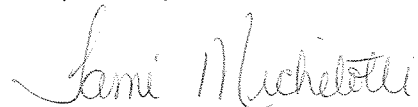
Executive Session

Resolution R-36-18 Authorization for Executive Session for Certain Specified Purposes: A. Contract Negotiations – (1) DPW, (2) RPM, B. Litigation - (1) COAH, (2) DPW was read. Motion was made by Council President Santomauro, seconded by Councilman Raymond. Said motion was carried unanimously with six votes.

The meeting was re-opened to Public at 9:24pm.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Council President Santomauro, seconded by Councilman Raymond, that this meeting be adjourned at 9:24pm. This motion was carried unanimously.

Respectfully submitted,



Tami Michelotti
Acting Borough Clerk