

Mayor and Council Conference Meeting – March 13, 2018

The Conference Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, March 13, 2018 at the Borough Hall, Gould Avenue and began at 7:30pm.

Roll Call indicated the following present:

Mayor Alessi

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

Also, present were David M. Paris, Borough Attorney; Trevor Lyons, Borough Labor Attorney; Frank Zichelli, Borough Engineer; Mark Deuer, Police Chief; Richard Mondelli, Chief Financial Officer; 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 Emily Goldberg to lead those present in the salute to the American flag.

Citizens to Be Heard

No one from the public came forward.

Items for Discussion

Everytown for Gun Safety Coalition - Mayors Against Illegal Guns

Emily Goldberg appeared before the Governing Body to express her appreciation for the adoption of the Proclamation acknowledging Gun Violence Awareness Day. She was present to also ask the Governing Body to join Mayors Against Illegal Guns which is a coalition of over 1,000 mayors started by former Mayor Bloomberg of New York City. She indicated that participation requires agreeing to the principles of the coalition but involves no commitment of time or money. She stated that other participating towns include Caldwell, Orange, East Orange, West Orange, Maplewood and Montclair. Ms. Goldberg added that the principles center on prohibiting illegal guns, extending background check requirements, preventing gun trafficking, opposing federal trace data, and developing technologies to trace illegal guns.

Ms. Goldberg stated that participation in the coalition allows for the exchange of information among members. She stated that efforts are not to remove guns but to promote gun safety. She stated that her organization, Moms Demand Action, supports gun safety and education without infringing on citizens' rights to own guns.

Mayor Alessi thanked Ms. Goldberg for bringing the coalition to the attention of the Council and stated that he would consider participation in the coalition.

Executive Session

Resolution R-58-18 Authorization for Executive Session for Certain Specified Purposes: A. Contract Negotiations – DPW, RPM; B. Litigation – COAH Declaratory Judgement; C. Personnel – DPW was read. Motion was made by Council President Santomauro, seconded by Councilman Chiaia. Said motion was carried unanimously with six votes.

Executive Session began at 7:38pm.

The public meeting was reopened at 8:11pm.

Items for Discussion (continued)

Local Emergency Planning Council (LEPC) Appointments

John D'Ascensio, Fire Chief and Office of Emergency Management Coordinator, was unable to attend as scheduled to provide recommendations to the Governing Body regarding appointments to a state-mandated Local Emergency Planning Council. The Mayor stated that volunteers include Ms. Stephanie Fein representing the North Caldwell Police Foundation,

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Laurence or Jodi Funder representing Jola Coffee, David M. Paris, Esq. and Chief Mark Deuer. Further discussion was tabled until the next conference meeting when Chief D'Ascensio could be present.

An Ordinance to Prohibit the Smoking of Tobacco, or any Tobacco Derived Product, or the Use of Smoking Devices in Public Places

Mr. Paris stated that he and Chief Deuer need to discuss the ordinance further, specifically, the existing State statute and what violations can be prosecuted in municipal court. Chief Deuer added that the rules of West Essex Regional School District do not allow the North Caldwell Police Department to prosecute students and/or visitors to the school for smoking. He added that the ordinance needs to transcend tobacco use and apply the ordinance to any smoking. Mr. Paris stated that a draft would be shared with the Governing Body at an upcoming conference meeting.

Review of Resolution R-47-17 re: Assessor's Tax Appeals, Answers, Counterclaims, Appeals and Cross Appeals in Tax Matters

Mr. Zichelli stated that Resolution R-47-17 was adopted last year to allow the Tax Assessor freedom to handle tax appeals independently on behalf of the Governing Body. He noted that during the Budget Meeting held on March 6, 2018, the discussion of unanticipated legal fees brought light to the amount spent on litigation regarding a tax assessment appeal. Mr. Zichelli stated that the resolution allowed for the expenses to be incurred without prior approval of the Governing Body. The Council decided to amend the resolution to incorporate parameters. It was decided that Mr. Paris and Mr. Zichelli would discuss options and make recommendations to the Governing Body at a subsequent meeting.

2018 Operating and Capital Budgets

Mr. Mondelli reviewed three memos issued to the Governing Body dated March 8, 2018 that detailed and summarized revisions to the proposed 2018 Municipal Budget. He presented the potential adjustments that would reduce the proposed budget by \$99,833 which is more than the amount needed to be flat at a .391 tax rate. Mr. Mondelli noted that tax points are increased for each \$16,000 in tax dollars. Council President Santomauro indicated the preference to finalize the budget below last year's total. Mr. Mondelli stated he would have the auditors prepare the budget for introduction at the next meeting.

Mr. Mondelli reviewed the General Capital items that totaled \$489,458.53 which would increase the Borough's debt by \$357,200. He stated that a bond ordinance could be prepared for introduction at the March 27 meeting.

Mr. Mondelli reviewed the water capital items that totaled \$294,800.00. He stated the requests could be fully funded by the Water Capital Improvement fund surplus from 2017. He stated that a Capital Funding Ordinance would be prepared after the 2018 Municipal Budget is approved.

Bids for Mowing & Trimming Municipal Facilities

Mr. Zichelli stated that two (2) bidders submitted bids for mowing and trimming services. He stated that LTI, Inc. submitted the lowest bid although it is \$150 more per week than last year. He stated that it includes a one-time tick spray application which was effective last year.

Appointments of Pool Manager and Assistant Manager

Mr. Zichelli stated that the Recreation Director and Program Director recommend the hiring of the same pool managers as last year. The Council approved the salary increase of \$100 for the season for each manager as was customary in past years.

Appointments of Summer Fun Director, Assistant Director and EMT

Mr. Zichelli stated that the Recreation Director and Program Director recommend the hiring of the same Summer Fun director, assistant director and emergency medical technician as last year. The Council approved the salary increase of \$100 for the season for each person, representing \$50 for the upper camp and \$50 for the lower camp.

Hourly Wage Increase for Lifeguards

Mr. Zichelli stated that it has been customary to offer returning lifeguards an increase of \$0.25 per hour, up to a maximum of \$10 per hour. He added that our rate of pay is on target with other towns. Mr. Zichelli noted that the most senior lifeguard who runs the swim program and has been reliable could be given an increase up to \$12. Council President Santomauro suggested assigning a title to the position to differentiate the role, i.e. Head Lifeguard. Councilman Kessler stated that our lifeguards are paid fairly. Mr. Zichelli stated that a resolution would be prepared for an upcoming meeting.

Action to be Taken

Resolution R-52-18 Approval of Payment of Bills was read. Motion was made by Councilman Astorino, seconded by Council President Santomauro. Said motion was carried unanimously with six votes.

Resolution R-53-18 Approval of 2017 Budget Transfer of Funds was read. Motion was made by Councilman Astorino, seconded by Council President Santomauro. Said motion was carried unanimously with six votes.

Resolution R-54-18 A Resolution for Bid Acceptance and Contract Award for Mowing and Trimming of Municipal Services within the Borough of North Caldwell was read. Motion was made by Council President Santomauro, seconded by Councilman Chiaia. Said motion was carried unanimously with six votes.

Resolution R-55-18 A Resolution Authorizing the Award of a Professional Services Contract Between the Borough of North Caldwell and Nassau Capital Advisors, LLC was read. Motion was made by Councilman Rees, seconded by Council President Santomauro. Said motion was carried unanimously with six votes.

Resolution R-56-18 A Resolution Authorizing the Lease of Borough Real Property to Wit: 137 Gould Avenue, North Caldwell, New Jersey, Pursuant to N.J.S.A. 40A:12-14 was read. Motion was made by Councilman Raymond, seconded by Councilman Astorino. Said motion was carried unanimously with six votes.

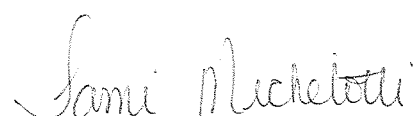
Resolution R-57-18 A Resolution Authorizing the Placement of Advertising Banners on Borough Property was read. Motion was made by Councilman Kessler, seconded by Councilman Raymond. Council President Santomauro and Councilman Astorino abstained. Said motion was carried four affirmative votes and two abstentions.

A motion was made by Council President Santomauro, seconded by Councilman Chiaia to re-enter Executive Session to complete discussion as noted in Resolution R-58-18. Said motion was carried unanimously with six votes.

The public meeting was reopened at 9:02pm.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Councilman Chiaia, seconded by Councilman Raymond that this meeting be adjourned at 9:02pm. This motion was carried unanimously.

Respectfully submitted,



Tami Michelotti
Acting Borough Clerk