

Mayor and Council Conference Meeting – November 10, 2020

The Conference Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, November 10, 2020. The meeting began at 7:32pm via teleconference 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.

Roll Call indicated the following:

Present: Mayor Alessi, Council President Santomauro, Councilman Chiaia, Councilman Kessler, Councilman Rees and Councilman Tilton.

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

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

Citizens to be Heard

No one from the public came forward.

Mayor Alessi announced a significant increase in positive COVID-19 cases in Essex County. He noted that additional testing dates would be offered by the County and urged residents to get tested.

Mayor Alessi announced that the Borough would hold a Veterans Day ceremony at the Veterans memorial the following day led by Councilman Kessler, U.S. Army Captain. He noted that it would be a small ceremony to comply with social distancing. He also stated that recycling collection would be postponed to November 12 in observance of Veterans Day.

Items for Discussion

Repeal of Ordinance O-15-18

Mr. O'Sullivan reviewed the implementation of a multi-way stop sign in December 2018 through Ordinance O-15-18 and the need to repeal the ordinance. Mr. Semeraro stated that it was brought to the Borough's attention that the sign installation was not consistent with the criteria set by the NJDOT for signs of this nature. He noted that legal and engineering reviews found that the DOT requirements were not satisfied and he recommended that the ordinance be repealed. He added that any summonses issued for non-compliance with the stop sign could not be enforced. He recommended that alternative traffic control measures be developed by the NCPD and Borough Engineer.

Repeal of Ordinance O-7-17

Mr. O'Sullivan reviewed the need to repeal the Landscaping License ordinance O-7-17. He stated that former Borough Attorney, Mr. Paris, drafted an ordinance to repeal Chapter 89 of the Borough Code based on the superseding State requirement that landscapers have contractors' licenses. Mr. Semeraro stated that he had no objections to the draft which was ready for introduction at the next Council meeting.

Street Excavation Ordinance

Mr. O'Sullivan stated that the existing ordinance was in need of updates to: 1. reflect that roadway restoration is the responsibility of the applicant; and 2. state that a two (2) year moratorium should be placed on recently repaved roads (with a protected streets list) to limit the risk of recently paved streets from being excavated. He added that an emergency excavation clause would also be added. Mr. Semeraro added that permitting fees would also be clarified in the ordinance amendment.

Fire Hydrant Ordinance

Mr. O'Sullivan reviewed a change requested by the Fire Department to stipulate that new hydrants include the Storz connections required for hose connections. He noted that the ordinance amendment would require developers to install new hydrants to include the Storz connections. He added that the Borough would not incur any cost for this change.

Water Meter Fee Ordinance

Mr. O'Sullivan stated that updates were needed to the Borough Code to accurately reflect the fees for water meter replacements. He noted that fees charged by the Borough for new meters did not match the costs incurred by the Borough. Councilman Rees asked if the ordinance would revise the fees charged for final water readings. Mr. O'Sullivan stated that a review of all UCC fees was under review for a determination of potential increases.

Legalized Games of Chance Ordinance

Mr. O’Sullivan reviewed a proposal to allow the conduct games of chance on Sundays as well as to authorize the Municipal Clerk to approve license applications. He added that an ordinance could be drafted for introduction at a future Council meeting.

2019 Annual Audit

Mr. O’Sullivan reviewed proposed resolutions regarding the receipt of the annual audit and the approval of the correction plan. He offered that the resolutions were prepared for later in the meeting.

COVID-19 Operating Deficits and Extraordinary Expenditures

Mr. O’Sullivan reviewed provisions offered by the State to help municipalities deal with COVID related expenditures and deficits. Mr. Mondelli added that the Department of Community Affairs allows for the allocation of extraordinary expenditures over five (5) years due to the pandemic. He noted that, fortunately, the Borough’s expenses have largely been covered by CARES and FEMA funding and that revenue shortages can be offset by cuts in the budget and cancellation of appropriations. Therefore, the permissible emergency is not needed at this time.

NCPD NIBRS Fee Waiver

Chief Deuer reviewed the National Incident Based Reporting System utilized by the NCPD for uniform crime reporting. He announced that the \$5,000 annual fee for this system was voluntarily waived by the software vendor due to the strong partnership between the vendor and the PD and IT Departments.

NCFD Volunteer Firefighter Applications

Mayor Alessi announced that two new volunteer firefighter applications were received for which appointment resolutions would be considered for the next Regular meeting of the Mayor and Council.

Councilman Chiaia asked that two items be added for discussion and further consideration at a subsequent Council meeting.

- Councilman Chiaia described dangerous traffic issues at the West Greenbrook Road/Central Avenue/Grandview Avenue triangle. He requested that steps be taken to ensure safety and replace the yield signs with stop signs. He suggested a resolution be considered to encourage Essex County to remediate the issues. Mr. Semeraro suggested that further discussion be held regarding a resolution requesting a traffic study and improved traffic controls from the County.
- Councilman Chiaia asked that the Borough determine the feasibility of installing a connecting sidewalk between the corners of Gould and Mountain Avenues and Smull and Mountain Avenues to facilitate pedestrians.

Mayor Alessi agreed to add these discussion items to the next Conference Meeting agenda. He thanked Councilman Chiaia for his previous efforts to ensure public safety at the intersection of Pompton Avenue and Mountain Avenue and the intersection of West Greenbrook Road and Old Mill Road.

Action to be Taken

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

- Resolution R-178-2020 A Resolution Approving the Payment of Bills
- Resolution R-179-2020 A Resolution Certifying the 2019 Annual Audit
- Resolution R-180-2020 A Resolution Approving the 2019 Municipal Audit Corrective Action Plan

Executive Session

Resolution R-181-2020 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; B. Contract Negotiations: (1) Pulte/Hydrogeological Study, (2) Lindsley Heights, (3) Caldwell Sewer Utility Agreement; (4) ROW Agreement; C. Potential Litigation: (1) Trash Collection Contract; D. Pending Litigation: (1) Former Employee was read. Motion was made by Council President Santomauro, seconded by Councilman Rees. Said motion was carried unanimously with five votes.

The meeting was re-opened to Public at 9:13pm.

Councilman Chiaia moved to amend the agenda and move Resolution R-182-2020 A Resolution Authorizing Employment of Nicholas Moskalow as Police Department Probationary Patrolman. The motions were seconded by Councilman Tilton. Said motions were carried unanimously with five affirmative votes.

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 the Council, that this meeting be adjourned at 9:17 pm. This motion was carried unanimously.

Respectfully submitted,

A handwritten signature in cursive script that reads "Tami Michelotti".

Tami Michelotti
Borough Clerk