

## Mayor and Council Conference Meeting – October 13, 2020

The Conference Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, October 13, 2020. The meeting began at 7:33pm via teleconference.

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 Astorino, Councilman Kessler, Councilman Rees and Councilman Tilton.

Also present were: Kevin O’Sullivan, Borough Administrator; Irene Kim Asbury, Esq., Borough Attorney; Rich Mondelli, Chief Financial Officer; Mark Deuer, Police Chief; Paul Ferriero, Borough Engineer; and Tami Michelotti, Borough Clerk.

Mayor Alessi asked Councilman Art Rees to lead the Pledge of Allegiance.

### **Citizens to be Heard**

Mr. O’Sullivan provided opportunity to each of the teleconference attendees to be heard by unmuting each participant.

#### **Adam and Vicky Winters - 207 Smull Avenue**

Mr. Winters reviewed his request for an easement encroachment to erect a fence within a drainage easement on his property. He explained that the easement facilitates stormwater runoff and that the proposed fence would be a non-permanent structure. He added that the proposed placement of the fence would allow his family to make full use of the property without artificially reducing the size of the yard if the fence was installed before the easement border. Mr. O’Sullivan noted that the request was on the agenda for consideration by the Council later in the meeting.

#### **Monica Cohen – 7 Cambridge Drive**

Ms. Cohen noted her concern with the increase in positive COVID cases in town and the lack of cooperation during contact tracing efforts. Mayor Alessi noted the need for the Borough to pause recreation programs and close recreation facilities through October 23, 2020 out of an abundance of caution as recommended by the local health officials. Chief Deuer added that the anticipated second wave of the pandemic arrived sooner than predicted and that compliance with contact tracing is essential to protect the community.

### **Items for Discussion**

#### **Monthly Department Reports**

Mr. O’Sullivan presented a request to streamline the meetings by offering the standard monthly department reports by consent agenda. Ms. Asbury noted that the Council could highlight any significant portions of the reports but bundle them on the record as they are typically routine and non-controversial. Councilman Rees stated that this would allow the Council to save some time during meetings that could best be spent engaging with the public. He suggested that the reports be made available to the public on the website or upon request.

#### **Easement Encroachment Requests -4 Vale Place, 207 Smull Avenue**

Mr. Ferriero described the easement encroachment request from the property owners of 207 Smull Avenue. He noted that the Winters were granted a variance for the fence by the Zoning Board of Adjustment but that the encroachment decision is the jurisdiction of the Council. Mr. Ferriero stated that the proposed fence would be installed in a perpendicular manner across the drainage easement in which there is an underground pipe. He noted no significant issues with the request but recommended that gates be installed in the fence to allow for Borough access, one on the Winding Way side of the property and one on the side of the adjacent property.

Mr. Ferriero described the easement encroachment request from the property owners of 4 Vale Place. He noted that the water easement runs down the property line between 4 Vale Place and the neighboring property through which runs the water line. Mr. Ferriero added that the proposed fence would cross over the pipe twice. He therefore recommended that the fence be installed outside of the easement.

#### **Bid Report for Roadway Improvements - Robin Hill Road and Deer Trail Road**

Mr. O’Sullivan stated that 13 bids for the paving project were received and opened September 30. He noted that the lowest bid was received from AJM Contractors in the amount of \$284,970.50. Mr.

O'Sullivan noted that the project, including inspection fees, would be fully funded through the \$362,000 NJDOT Local Aid Grant awarded to the Borough. He added that the legal review of the bid submissions for the paving project was nearly complete and that a resolution awarding a contract would be prepared for the next meeting.

**Bid Report for Roadway Improvements - Brookside Terrace Section 3**

Mr. O'Sullivan stated that 11 bids for the paving project were received and opened September 30. He noted that the lowest bid was received from AJM Contractors in the amount of \$311,501.75. Mr. O'Sullivan noted that the project, including inspection fees, would be fully funded through the \$383,000 NJDOT Local Aid Grant awarded to the Borough. He added that the legal review of the bid submissions for the paving project was nearly complete and that a resolution awarding a contract would be prepared for the next meeting.

**Road Improvement Inspection and Construction Management**

Mr. O'Sullivan presented a proposal from Ferriero Engineering for inspections and management of the paving projects. He noted that the services would be funded from the NJDOT grants. He requested that the resolution be tabled to the next meeting once the paving contracts are awarded.

**Grant Application to NJ Corporate Wetlands Restoration Partnership**

Mr. O'Sullivan reviewed an opportunity for a \$25,000 grant for the Walkers' Pond project. Mayor Alessi thanked our PSE&G liaison, Caryn Freyer, for sharing the opportunity with the Borough.

**CARES Act Reimbursement Agreement**

Mr. O'Sullivan announced an additional award of \$43,000 allocated to the Borough from Essex County for COVID response projects and expenses. He added that a resolution was prepared to authorized the reimbursement agreement and accept the funding allocation.

**Repeal of Ordinance O-15-18**

Mr. O'Sullivan asked to table the ordinance introduction to the November meeting to allow for additional review.

**PSE&G Smart Meters**

Mr. O'Sullivan presented the potential installation of Smart Meters in the Borough. He stated that the installation would be absorbed by PSE&G with no cost to the Borough. He noted that residents would incur a \$3.00 per month fee from PSE&G but would improve service and response time for power restoration. He explained that the meters allow PSE&G to capture real time data as they restore primary wires where currently they rely on feedback and reports of outages from customers. Mr. O'Sullivan stated that the Board of Public Utilities is reviewing would first need to approve the meters which are already used by 46 other states.

**Tax Sale**

Mr. Mondelli stated that tax sales are typically held at the end of each calendar year. He noted that only one property in town has outstanding property taxes and a few have outstanding water and/or sewer balances. He recommended that the tax sale be tabled due to the pandemic which would echo the freeze on water and sewer penalties instituted earlier in the year. The Council was in agreement that no tax sale be conducted.

**Requests for Qualifications**

Mr. O'Sullivan reviewed the RFQ for professional services for the upcoming year. The Mayor agreed to prepare the RFQ and stated that the current professionals serving the Borough were all in good standing and have served the Borough well.

**Raffle License Application**

Ms. Michelotti reviewed the calendar raffle license request from Notre Dame Church for 2021. She noted that the application and gaming license were in order for consideration by the Council later in the meeting.

**Local Registrar Appointment**

Ms. Michelotti noted that her appointment as Local Registrar was up for renewal and requested the Council's consideration for reappointment. She added that a resolution was prepared for the three-year appointment for later in the meeting.

**Action to be Taken**

The following resolutions were considered in a Consent Agenda vote. A motion was made by Council President Santomauro, seconded by Councilman Chiaia. The motion was carried unanimously with six votes.

- Resolution R-165-2020 A Resolution Authorizing the Execution of a Reimbursement Agreement with the County of Essex with Regard to the Acceptance of Stimulus Funds by Virtue of the CARES Act
- Raffle License RA-3-2020 Notre Dame Church Annual 50/50 Calendar Raffle
- Resolution R-166-2020 A Resolution Appointing Tami Michelotti, CMR as Local Registrar of Vital Statistics
- Resolution R-167-2020 A Resolution Approving the Payment of Bills
- Resolution R-168-2020 A Resolution Authorizing the Hiring of Additional Part-Time Seasonal Employees: Recreation Program Instructors

**Executive Session**

Resolution R-169-2020 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting for Certain Specified Purposes: Personnel – Municipal Court, NCPD; Contract Negotiations – Pulte/Hydrogeological Study, Lindsley Heights, Caldwell Sewer Utility Agreement was read. Motion was made by Council President Santomauro, seconded by Councilman Chiaia. Said motion was carried unanimously with six votes.

The meeting was re-opened to Public at 8:50pm.

Resolution R-160-2020 A Resolution Amending R-126-2020 Regarding Deputy Court Administrator Anna Crowell was read. Motion was made by Councilman Chiaia, seconded by Council President Santomauro. Said motion was carried unanimously with five votes. Councilman Astorino was not able to reconnect to the virtual public session after the Executive Session ended.

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 Rees, that this meeting be adjourned at 8:52 pm. This motion was carried unanimously.

Respectfully submitted,



Tami Michelotti  
Borough Clerk