

Mayor and Council Regular Meeting – November 24, 2020

The Regular Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, November 24, 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. 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 Santomauro, Councilman Chiaia, Councilman Astorino, Councilman Kessler, Councilman Rees and Councilman Tilton.

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

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

Mayor's Report

Mayor Alessi wished everyone a Happy Thanksgiving. He provided a COVID-19 updating citing surges positive cases. He encouraged all to limit holiday gatherings and participate in the Essex County mobile testing. He stated that vaccine distribution was being planned by the County with each municipality. He welcomed donations for the Annual Toy Drive. Mayor Alessi provided an update on the progress made on the Walker's Pond sediment removal project.

Mayor Alessi congratulated Matthew Atlas and Anthony Floria-Callori on their election to the Borough Council. He thanked Council President Santomauro and Councilman Chiaia for their devotion serving the Borough for many years. He recognized the Team United and the Earthquakes recreation soccer team champions, the 8U Knights travel baseball champions for 2020 and the West Essex Girls' Field Hockey team champions.

Citizens to be Heard

John Zurlo – 19 Glenview Road

Mr. Zurlo thanked the DPW for removing branches obstructing the brook adjacent to his property. He asked for updates on the pending landscaping at The Reserve, the detention basin improvements at the Hilltop and Essex County's improvements of the Glenview culvert and brook.

Mr. O'Sullivan stated that Pulte Homes was notified of trees that were yet to be installed and/or replaced. He stated that the status of detention basins would be included in the Pulte Homes/Hydrogeological Study discussion in Executive Session. Mr. O'Sullivan stated that no commitment had been received from the County for the brook and culvert improvements. He stated that he would be communicating with utility companies in preparation of the paving of Glenview Road. Mr. Zurlo suggested that Pulte's bond be held as leverage until improvements are completed.

Anthony Rainone – 15 Aspen Drive

Mr. Rainone asked the Governing Body to change the Council meeting dates to avoid conflict with the North Caldwell Board of Education Meeting. Mayor Alessi stated that the Borough Council meeting schedule is established in coordination with the other public body meetings in the Borough, i.e. Planning Board, Zoning Board and Municipal Court. He noted that there may not be much flexibility but offered to speak with the NCBOE. Mr. Rainone requested that the Governing Body and Borough officials activate their video capability for meetings.

Dan Gallagher – 36 Ferndale Road

Mr. Gallagher thanked Councilman Chiaia for his concern regarding the maintenance of the quality of life in town and regarding the safety at the West Greenbrook Road/Central Avenue/Grandview Avenue triangle mentioned during the November 10, 2020 meeting. He thanked Council President Santomauro for her service and consistent concern for issues stemming from the Hilltop development. He encouraged the Council to partner with the Hilltop residents, new and old, in decision-making and issue resolution. Mr. Gallagher suggested that the Glenview Road culvert and stream issues be solved with help of the citizens, County and Borough. He noted that four (4) new streams have developed which feed into the brook, deposit sediment and reduce the capacity of the culvert.

Committee Reports

Legal and Ordinance

Councilman Astorino made a motion to introduce Ordinance O-13-2020 Repealing Ordinance O-15-18 Multi-Way Stop Sign, seconded by Councilman Chiaia. Council President Santomauro abstained due to a conflict. Said motion was carried with five affirmative votes and one abstention. Councilman Astorino stated that the public hearing is scheduled for December 15, 2020 at 6:30pm.

Council President Santomauro made a motion to introduce Ordinance O-14-2020 Repealing Chapter 89 of the Code of the Borough of North Caldwell Regarding Landscaping Licenses, seconded by Councilman Astorino. Said motion was carried with six affirmative votes. Council President Santomauro stated that the public hearing is scheduled for December 15, 2020 at 6:30pm.

Council President Santomauro made a motion to introduce Ordinance O-15-2020 Amending and Supplementing Chapter 88, Article V Regarding Street Excavations, seconded by Councilman Astorino. Said motion was carried with six affirmative votes. Council President Santomauro stated that the public hearing is scheduled for December 15, 2020 at 6:30pm.

Council President Santomauro made a motion to introduce Ordinance O-16-2020 Amending and Supplementing Chapter 88, Article VI Regarding Fire Hydrants, seconded by Councilman Chiaia. Said motion was carried with six affirmative votes. Council President Santomauro stated that the public hearing is scheduled for December 15, 2020 at 6:30pm.

Council President Santomauro made a motion to introduce Ordinance O-17-2020 Amending Grading Permit Fees, seconded by Councilman Rees. Said motion was carried with six affirmative votes. Council President Santomauro stated that the public hearing is scheduled for December 15, 2020 at 6:30pm. Mr. O'Sullivan added that the proposed amendment would reflect the actual costs incurred by the Borough for both plans that are not considered major developments as well as for plans requiring subdivision or site plan applications.

Council President Santomauro made a motion to introduce O-18-2020 Regarding Conduct of Meetings, seconded by Councilman Astorino. Said motion was carried with six affirmative votes. Council President Santomauro stated that the public hearing is scheduled for December 15, 2020 at 6:30pm. Mr. Semeraro added that the ordinance provides a framework for public meetings and the agenda process, delineates public comment, describes the maintenance and adoption of minutes, and is consistent with the Open Public Meetings Act.

The introduction of Ordinance O-19-2020 regarding Legalized Games of Chance was tabled until 2021 pending further review and development.

Resolution R-183-2020 A Resolution Authorizing the Execution of a Right-of-Way Agreement with ZenFi Networks was read. Mr. O'Sullivan described the request from ZenFi to access the Borough right-of-way to install wires and noted that approval was granted by the Board of Public Utilities. Mr. Semeraro stated that he received questions from a member of the Council which will be addressed in Executive Session under Contract Negotiations. He noted that the resolution would be tabled to the next Council meeting. He added that the request was to use PSE&G poles to run overhead fiber optics communication wires. Council President Santomauro tabled the resolution to the next meeting.

Resolution R-184-2020 A Resolution Authorizing Extension of Property Revaluation Professional Services Contract was read. Council President Santomauro reviewed the extension imposed by Essex County to delay the revaluation due to the pandemic. She stated that the resolution extends the contract for revaluation services. Motion was made by Council President Santomauro, seconded by Councilman Astorino. Said motion was carried unanimously with six affirmative votes.

Personnel and Administration

Resolution R-185-2020 A Resolution Appointing Volunteer Fire Department Member Julia Adamowicz was read. Motion was made by Councilman Tilton, seconded by Council President Santomauro. Said motion was carried unanimously with six affirmative votes.

Resolution R-186-2020 A Resolution Appointing Volunteer Fire Department Member Joseph C. Klein was read. Motion was made by Councilman Tilton, seconded by Councilman Chiaia. Said motion was carried unanimously with six affirmative votes.

Finance

Councilman Astorino made a motion to accept the Tax Collector's Report for October 2020, seconded by Council President Santomauro. Said motion was carried unanimously with six affirmative votes.

Resolution R-187-2020 A Resolution Approving the Payment of Bills was read. Motion was made by Councilman Astorino, seconded by Council President Santomauro. Said motion was carried unanimously with six affirmative votes.

Public Safety

Councilman Chiaia offered the Police Department Public Safety and Detective Bureau Reports for October 2020. He noted that the call volume of 758 to Dispatch was 20% lower than in recent months. He stated that 99 summonses were issued in an effort to keep Borough streets safe.

Councilman Chiaia provided an update on the improvement of cellular phone service in town. He stated that the project has been progressing over the past eight (8) months to install an antenna on a water tower that will improve service as well as generate revenue through a lease agreement.

Councilman Chiaia added that the department increased the patrol staff by one but remains within budget. He added that the additional PD member will allow for better shift coverage and flexibility with less overtime incurred, especially during the pandemic. He noted increased strain on staffing as positive COVID cases in town rise and staff encounters quarantine orders after exposure to the virus.

Councilman Chiaia stated that PBA negotiations were nearly complete for the next three (3) year contract. He noted that the negotiations went smoothly and credited the well-respected Police Chief and the Police Department for their dedication to the town. He thanked Councilman Kessler and Councilman Tilton for the participation in the negotiation meetings.

Chief Deuer reviewed the increase of COVID positive cases in town. He noted the limited staff when quarantines occur. He stressed the importance of social distancing, limiting contacts and using good judgement. He thanked the public for their donations of PPE and participation in fundraisers to support first responders. He echoed the success of the contract negotiations touting the mutual respect between the NCPD and the Governing Body.

Councilman Chiaia offered the Fire Department Public Safety Report for October 2020 and highlighted 20 service calls including two (2) mutual aid calls from Caldwell and Montclair. He welcomed new firefighters Sam Carsillo and Julia Adamowicz. Chief Peterson reminded residents to maintain a 10-foot distance from structures when deep-frying turkeys this Thanksgiving. Councilman Chiaia thanked Chief Peterson and the volunteer Fire Department for their dedication, enthusiasm and dedication to keeping their members trained and ready to respond.

Resolution R-188-2020 A Resolution Authorizing a Professional Services Agreement with Covenant Solutions, Inc. was presented. Mr. Semeraro asked that the resolution be tabled to the next meeting to allow him to further review some of the terms of the agreement.

Councilman Chiaia stated that he spoke with both Councilmen-Elect and noted their dedication and desire to work with the Mayor, Council and Borough Administration.

Public Works

Councilman Rees offered the Construction Permit Activity Report for October 2020 and noted 54 new permits issued with a total of \$404,000 in fees collected for the year to date.

Councilman Rees stated that the Animal Control Department had no calls or complaints for October 2020.

Walker's Pond Update – Mr. O'Sullivan stated that the project was progressing faster than anticipated and that financial projections are under budget at this time. Councilman Rees noted the depth at the dam of approximately six (6) feet. Mr. O'Sullivan stated that Borough Engineer Paul Ferriero and his inspectors are reviewing the next steps to repair some dam issues. He noted that an update would be given at the December meeting.

Recreation

Councilman Kessler offered the Recreation Director's Report for October/November 2020. He congratulated the champions of the recreation soccer, travel baseball and softball teams and the West Essex Cowboys football team. He noted the success of the inaugural year for the recreation field hockey program. He thanked the West Essex High School Key Club and the NCFD volunteers for the help at the Halloween Trick or Treat Drive-Thru. He expressed appreciation for the Food Drive donations.

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Councilman Kessler announced a Ski Club discount offered in lieu of the traditional club group ski night and a drive-in parade for the annual Joy, Peace and Goodwill event for the lighting of the Christmas Tree and Menorah scheduled for December 6.

Councilman Kessler stated that the recreation basketball season has been delayed due to restrictions on indoor sports due to the pandemic. He noted that an update would be provided in mid-December regarding the potential of a basketball season.

Resolution R-189-2020 A Resolution Fixing Fees for Recreation Program – Recreation Event General Admission was read. Motion was made by Councilman Kessler, seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes.

Resolution R-190-2020 A Resolution Authorizing the Hiring of Additional Part-Time Seasonal Employees: Referees was read. Motion was made by Councilman Kessler, seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes.

Councilman Chiaia acknowledged Councilman Kessler, the Recreation Committee and the Recreation Department staff for their efforts to offer a Halloween event that was within COVID regulations. He thanked the Key Club for their volunteerism and the NCFD and NCPD for their efforts in coordinating the event.

Council President wished all a happy and healthy Thanksgiving.

Executive Session

Resolution R-191-2020 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting for Certain Specified Purposes :

- A. Contract Negotiations: (1) Pulte/Hydrogeological Study, (2) Lindsley Heights, (3) Caldwell Sewer Utility Agreement, (4) Collective Bargaining Agreement Negotiations, (5) Green Brook Country Club;
- B. Potential Litigation – (1) Solid Waste Collection Contract;
- C. Potential Litigation/Contract Negotiations/Attorney-Client Communication – (1) Hidden Ridge Maintenance Bond Review;
- D. Pending Litigation – (1) Former Employee

was read. Motion was made by Council President Santomauro, 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 Council President Santomauro, seconded by the Council, that this meeting be adjourned at 9:51pm.

Respectfully submitted,



Tami Michelotti
Borough Clerk