

## Mayor and Council Conference and Regular Meeting – December 15, 2020

The Conference and Regular Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, December 15, 2020. The meeting began at 6:33pm 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; Paul Ferriero, Borough Engineer; Mark Deuer, Police Chief; and Tami Michelotti, Borough Clerk.

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

### **Mayor's Report**

Mayor Alessi provided an update on the COVID-19 virus and Essex County's vaccination plan. He announced the extension of the Senior Freeze property tax reimbursement program, the Annual Rabies Clinic on January 19, 2021, a Special Meeting of the Mayor and Council scheduled for December 29, 2020 at 8:30am and the Annual Reorganization Meeting scheduled for January 5, 2021 at 7:00pm. He noted that he was working with the North Caldwell Board of Education to plan 2021 meetings to ensure no conflict between the NCBOE and the three (3) Borough public bodies.

Mayor Alessi thanked Council President Cynthia Santomauro and Councilman John Chiaia for their several years of dedication and service to the Borough and its residents. He welcomed Councilmen-Elect Atlas and Floria-Callori.

### **Citizens to be Heard**

Council President Santomauro reminded that public that each ordinance on the agenda would have its individual public hearing during which comments will be heard.

#### **John Schmidt – Gloucester City, NJ**

Mr. Schmidt referred to the New Jersey Local Finance Notice #21-2020 regarding public meetings. He encouraged the Borough to facilitate dialogue with the public during the public comment portion of the meetings. Mr. Semeraro reviewed the notice and confirmed that the Governing Body was in compliance with the Local Finance Notice directives.

#### **John Zurlo – 19 Glenview Road**

Mr. Zurlo noted that landscaping at The Reserve was not completed. He asked for an update on detention basins 2 and 3, the NJDEP's follow-up with Pulte Homes regarding required modifications, the hydrogeological study and the Pulte Homes performance bond release.

Mr. Semeraro provided an update on the Borough's request of Pulte to fund the hydrogeological study through the developer's escrow. He explained the need to provide an accurate comparison of pre-construction vs. post-construction conditions to establish a baseline to show a change in condition. He noted that an invitation was being sent to neighboring property owners to compile evidence of condition changes. He noted that a remedy may be more cost-effective than the study.

Mr. Semeraro explained the surety bond evaluation based on the Borough Engineer's cost estimates. He noted that the current bond release request would leave \$1.4 million plus an additional more in cash deposit. He added that appropriate bond reduction is mandated by law.

Mr. Ferriero noted that detention basin modifications are pending review by Soil Conservation and Pulte's engineer. He added that the landscaping plans covered by the performance bond are partially completed but the \$16,000 supplemental landscaping plan is not covered by the bond.

#### **Maureen Duggan – 1461 Stephanie Drive**

Ms. Duggan expressed interest in the Lindsley Heights resolution that was on the agenda. Mr. O'Sullivan stated that it would be discussed later in the meeting and that resolutions are typically read by title.

**Tony Prinzo – 2 Hickory Drive**

Mr. Prinzo thanked Council President Santomauro and Councilman Chiaia for their service and dedication to the Borough. He stated that results of their service will be seen for years to come.

**Paul Holland – 43 Ferndale Road**

Mr. Holland noted his concerns regarding the proposed Conduct of Meetings ordinance with respect to the restriction on the ability of citizens to participate in meetings.

**Matt Atlas – 18 Rose Avenue**

Mr. Atlas expressed opposition regarding the rules of order for meetings included in the proposed ordinance scheduled for a public hearing later in the meeting. He encouraged the Council to allow for interaction with the community and ensure that there is no infringement of free speech. He noted that the new 2021 Council members should decide on the rules of conduct.

**Brian Donnelly - 50 Ferndale Road**

Mr. Donnelly asked for the need for the ordinance regarding conduct of meetings. Mayor Alessi noted that many municipalities in the state have similar ordinances. He noted that extensive public comment can make for unmanageable meeting lengths. He added that the ordinance does not attempt to censor the public.

**Dan Gallagher – 36 Ferndale Road**

Mr. Gallagher asked that the development plans at The Reserve do not reflect testimony provided at the Planning Board hearings for the development. He asked that detention basin issues be documented for appropriate remedy. He thanked Council President Santomauro and Councilman Chiaia for their service.

**Michelle Kupferberg – 2 Kenwood Court**

Ms. Kupferberg expressed her concern with parts of the proposed ordinance regarding conduct of meetings. She asked if the ordinance was circulated to the community. Mr. Semeraro detailed the process for ordinance adoption including public notice and public hearings. Ms. Kupferberg requested that the ordinance be deferred to the incoming council for consideration and a vote.

**Steve Pepe – 77 Brookside Terrace**

Mr. Pepe stated his disagreement with language in the proposed conduct of meetings ordinance regarding time limits on public comment. He asked that the public be able to converse with the Governing Body.

**Dan London – 108 Mountain Avenue**

Mr. London asked if he could comment on the proposed ordinance regarding conduct of meetings. He asked for clarification of the time of the public hearing on the ordinance. Council President ensured the opportunity for public comment later in the meeting.

**Jennifer Quinn – 29 Ferndale Road**

Ms. Quinn asked that the ordinance regarding conduct of meetings be tabled so that residents can attend the North Caldwell Board of Education meeting scheduled at 8:00 that evening and not miss the public hearing on the ordinance. Mayor Alessi stated that the request would be taken into consideration.

**Approval of Minutes**

Council President Santomauro moved to accept the minutes from the Conference Meeting and Executive Session (without release) of October 13, 2020, seconded by Councilman Chiaia. Said motion was carried unanimously with six affirmative votes.

Council President Santomauro moved to accept the minutes from the Regular Meeting and Executive Session (without release) of October 27, 2020, seconded by Councilman Chiaia. Said motion was carried unanimously with six affirmative votes.

Council President Santomauro moved to accept the minutes from the Conference Meeting and Executive Session (without release) of November 10, 2020, seconded by Councilman Kessler. Councilman Astorino abstained. Said motion was carried with five affirmative votes and one abstention.

Council President Santomauro moved to accept the minutes from the Regular Meeting and Executive Session (without release) of November 24, 2020, seconded by Councilman Chiaia. Said motion was carried unanimously with six affirmative votes.

**Items for Discussion**

**2021 Meeting Dates**

Ms. Michelotti presented the proposed meeting dates following the second and fourth Tuesday of each month schedule. She noted she discussed the scheduling conflicts with the North Caldwell Board of Education. She noted that the BOE Administrator was attempting to schedule their meetings to avoid conflict with the Borough. Councilman Tilton suggested that meetings start at 6:30pm. Councilman Kessler suggested that the meetings begin at 7:00pm to allow for residents more time to commute home from work. Mayor Alessi stated the Council could consider the change prior to the Annual Reorganization Meeting.

**Lindsley Heights Easement Agreement**

Mr. Semeraro reviewed the desire of the Governing Body to acquire easement rights on the private road between Lindsley Heights and Birchwood Road for the purpose for public pedestrian and vehicular use. He reviewed the appraisal process of the property and noted that the Borough would not bear liability for maintenance of the road.

**White Rock Urban Renewal: Cancellation of Tax Balance, Certificate of Completion**

Mr. Semeraro stated that the affordable housing development is substantially complete as of September 2020. The certificate of completion was not issued prior to the annual tax bill issuance. He added that the tax bill would be cancelled for 4Q2020 once the PILOT payment was made. Mr. Mondelli confirmed that the PILOT payment was received. Mr. O'Sullivan stated that the resolution will execute the terms of the developer's agreement.

**Emergency Appropriation – Water Utility Fund**

Mr. Mondelli stated that water purchase exceeded the amount budgeted in 2020. He added that \$250,000 additional revenue was realized which would offset the additional expense in the 2021 budget.

**Grant and Appropriations Cancellations**

Mr. Mondelli explained that grant residual balances and appropriations would be cancelled.

**Munidex Agreement**

Mr. Mondelli reviewed that the agreement will provide a portal to allow residents to pay property taxes and sewer bills online by credit card or ACH payment.

**Municipal Opportunity**

Mr. O'Sullivan reviewed the online auction website through which the Borough can auction surplus vehicles and equipment in a contactless method. Councilman Kessler asked if the timelines offered by the website would comply with current procedures. Mr. O'Sullivan confirmed the compliance with procedures and stated that the audience is wider than local newspaper advertisements and that larger revenues may be realized.

**Triangle at West Greenbrook Road/Central Avenue/Grandview Avenue**

Mr. O'Sullivan stated that the Borough would petition Essex County to perform an assessment of recent accidents. Councilman Chiaia added that NCPD reports would be submitted to the County engineer for review and consideration of methods to make the intersection safer.

**Mountain Avenue Pedestrian Traffic**

Mr. O'Sullivan reviewed discussions with Councilman Chiaia and Dr. Freda, North Caldwell School District Superintendent, regarding a connecting pedestrian sidewalk along Mountain Avenue between Gould Avenue and Smull Avenue. He stated that a dual request to the County would be made by the Borough and the Board of Education.

Mr. O'Sullivan added that the request to the County would also include flashing traffic signals on Mountain Avenue. Councilman Tilton noted the dangerous intersection of Mountain Avenue and Smull Avenue when children are being dropped off at school. Chief Deuer offered to erect temporary signage to restrict parking at the beginning of Smull Avenue in the meantime.

**Falcon Point Drive**

Mr. Semeraro stated that he was working on the dedication of the road and release of the performance bond.

**Pulte Homes "The Reserve"**

Councilman Rees requested revisions to correct spikes on detention basin 2, remove barbed wire on the fencing between The Reserve and the rear of Ferndale Road homes, removal of silt fencing on the top of Glenview Road and bill Pulte Homes for the Borough costs to correct Glenview Road drainage. Mr.

O'Sullivan stated that Pulte was put on notice of the Borough's performance of the Glenview Road drainage improvements and confirmed the Borough's right to recover associated costs. Councilman Rees stated that detention basin 2 continues to leak.

Mr. Ferriero stated that the Pulte was instructed to remove the barbed wire fencing and would confirm that action was taken. He confirmed that Soil Conservation must determine if the developer can remove the silt fencing. He offered to investigate the final plans for tree plantings and the detention basin concerns.

#### **Walker's Pond Update**

Mr. O'Sullivan stated that the sediment removal project was progressing faster than anticipated and that minor maintenance on the existing dam would be performed next. He added that tree planting would commence in the spring.

#### **Committee Reports**

##### **Legal and Ordinance**

#### **Ordinance O-13-2020 Repealing Ordinance O-15-18 Multi-Way Stop Sign**

Council President Santomauro recused herself from the discussion due to a conflict. Councilman Astorino suggested tabling the ordinance to 2021 due to earlier public comment. Mr. Semeraro offered to review the ordinance before motions were made.

Mr. Semeraro provided the history of the multi-way stop sign installation as per Ordinance O-15-18. He reviewed the criteria used to impose the sign and noted that it was used incorrectly which now poses potential liability for the Borough. He suggested that the new ordinance repealing the stop sign be adopted and other speed control devices be researched. Chief Deuer suggested installation of temporary signage to warn drivers of the sign removal. Councilman Kessler suggested that speed control devices be installed prior to removing the sign. Mr. Ferriero recommended speed hump installation when the weather was warmer to allow for asphalt work. He noted that speed limit reduction was not an option because the average speed is not lower than the current speed limit. Mr. Ferriero noted that the interpretation of the 500' distance was incorrectly applied to the school property limits instead of to the school entrance.

Councilman Kessler moved to open the public hearing for Ordinance O-13-2020 An Ordinance Repealing Ordinance O-15-18 Multi-Way Stop Sign, seconded by Councilman Astorino. Council President Santomauro and Councilman Chiaia abstained. Said motion was carried with four affirmative votes and two abstentions.

#### **Jim Quinn – 59 Beachmont Terrace**

Mr. Quinn stated that he asked for regulation of speeding on Beachmont Terrace on which vehicular and pedestrian traffic has increased over the years. He stated that speeding has decreased since the sign was installed and requested that the sign not be removed prior to an alternate remedy replacing the sign.

#### **Marc Simonetti – 47 Beachmont Terrace**

Mr. Simonetti read a letter submitted to the Mayor and Council in opposition to the ordinance. He stated that removing the sign is not justified and would increase dangerous conditions on the roadway. He described the increase in vehicular traffic due to the pandemic's effect on school bussing. Mr. Semeraro clarified the previous engineer's determination of sign placement within 500 feet of the school grounds instead of from the school structure. He noted that the certification was based on an incorrect analysis of the NJDOT criteria.

#### **Mark Schwartz – 57 Beachmont Terrace**

Mr. Schwartz stated that he supports the ordinance and desires a properly engineered solution for the road that would ensure safety. He stated that safety has decreased since the installation of the sign. He suggested the placement of signage to notify residents and drivers of the impending stop sign removal.

#### **Anthony Floria-Callori – 4 Chestnut Hill Road**

Mr. Floria-Callori stated his opinion that the sign installation was in accordance with NJSA 39:4-197 1.J regarding distance from the school property. Mr. Semeraro noted that the distance was to be measured from a school structure and not from the school property line. Mr. Floria-Callori noted the residents' desire for safety and suggested a comprehensive traffic study be performed in other areas in town near the schools.

Adam Friedman – 6 Kenwood Court

Mr. Friedman expressed concern for the residents affected by the speeding and noted that other remedies be installed prior to removal of the stop sign. He suggested that the Borough Attorney's counsel be followed.

Steve Pepe – 77 Brookside Terrace

Mr. Pepe stated support for leaving the stop sign in place while performing a traffic study and finding alternative remedies.

Jim Quinn – 59 Beachmont Terrace

Mr. Quinn stated his support for performing a new traffic study to review changing traffic patterns due to the increase in parents driving children to Grandview School during the COVID-19 pandemic.

Anthony Rainone – 15 Aspen Drive

Mr. Rainone expressed support for maintaining the stop sign until an alternate plan was prepared as no emergent action is necessary.

Mayor Alessi stated agreement with maintaining the stop sign until an alternate solution is ready to install. He suggested a traffic study be conducted and plan for the sign removal in tandem with a remedy.

Councilman Rees made a motion to close the public hearing, seconded by Councilman Kessler. Council President and Councilman Chiaia abstained. Said motion was carried with four affirmative votes and two abstentions.

Councilman Rees made a motion to table the ordinance due to safety concerns, seconded by Councilman Kessler. Council President and Councilman Chiaia abstained. Said motion was carried with four affirmative votes and two abstentions.

**Ordinance O-14-2020 Repealing Chapter 89 of the Code of the Borough of North Caldwell Regarding Landscaping Licenses**

Council President Santomauro reviewed the purpose of the ordinance and noted that State statute regulates contractors which supersedes the Borough ordinance. She made a motion to open the public hearing for Ordinance O-14-2020, seconded by Councilman Kessler. Councilman Chiaia abstained. Said motion was carried with five affirmative votes and one abstention.

Council President Santomauro made a motion to close the public hearing and adopt Ordinance O-14-2020, seconded by Councilman Kessler. Councilman Chiaia abstained. Said motion was carried with five affirmative votes and one abstention.

**Ordinance O-15-2020 Amending and Supplementing Chapter 88, Article V Regarding Street Excavations**

Council President Santomauro noted the need for stricter regulations to prevent contractors from opening newly paved roads. She made a motion to open the public hearing for Ordinance O-15-2020, seconded by Councilman Astorino. Said motion was carried unanimously with six affirmative votes.

No members of the public came forward.

Council President Santomauro made a motion to close the public hearing and adopt Ordinance O-15-2020, seconded by Councilman Astorino. Said motion was carried unanimously with six affirmative votes.

**Ordinance O-16-2020 Amending and Supplementing Chapter 88, Article VI Regarding Fire Hydrants**

Council President Santomauro reviewed the need to enhance the ordinance. She made a motion to open the public hearing for Ordinance O-16-2020, seconded by Councilman Chiaia. Said motion was carried unanimously with six affirmative votes.

No members of the public came forward.

Council President Santomauro made a motion to close the public hearing and adopt Ordinance O-16-2020, seconded by Councilman Chiaia. Said motion was carried unanimously with six affirmative votes.

**Ordinance O-17-2020 Amending Grading Permit Fees**

Council President Santomauro made a motion to open the public hearing for Ordinance O-17-2020, seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes.

No members of the public came forward.

Council President Santomauro made a motion to close the public hearing and adopt Ordinance O-17-2020, seconded by Councilman Astorino. Said motion was carried unanimously with six affirmative votes.

**Ordinance O-18-2020 Regarding Conduct of Meetings**

Council President Santomauro stated that she encourages public participation in meetings and would not take any action to suppress First Amendment rights. She noted that many vehicles exist for the public to communicate with Council members. She added that the Borough needed an ordinance to designate Roberts Rules of Order for meeting conduct to ensure efficient conduct of meetings. She noted that the proposed ordinance was similar to those of other municipalities and the North Caldwell Board of Education's rules of meeting conduct.

Mr. Semeraro added that the ordinance does not seek to restrict rights of the public and follows the Open Public Meeting Act to regulate the manner of public comment and the designation of the mayor as the presiding officer of the public body. He agreed that the proposed ordinance mimics those of other municipalities.

Council President Santomauro made a motion to open the public hearing for Ordinance O-18-2020, seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes.

Debbie Holinstat – 11 Brentwood Drive

Ms. Holinstat stated that she recognized the need for time limits and maintenance of decorum but noted her concern with the ordinance's language regarding the authority designated to the mayor. She asked if Mayor Alessi had plans to step down from office. Mayor Alessi stated he had no such plans.

Adam Friedman – 6 Kenwood Court

Mr. Friedman stated that he supported the concept of the ordinance to ensure order but suggested that the presiding officer is awarded too much authority. He recommended that the order should be more content neutral and allow the Council more involvement.

Jann Skelton – 17 Spruce Road

Ms. Skelton noted she was present on behalf of herself as a citizen of the Borough and not on behalf of the West Essex Board of Education. She stated her opposition to the proposed ordinance but noted that she recognizes the need for order and decorum. She stated that the mayor's discretion to prohibit dialogue could be legally challenged. She asked the Council to revisit and modify the ordinance to be less threatening.

John Zurlo – 19 Glenview Road

Mr. Zurlo suggested there be a sliding scale for public comment to allow for longer discussion when there are not many members from the public participating in the meeting. He stated that Mayor Alessi has shown good discretion in the past when allowing commenters more time. He requested that the ordinance not be overly restricted to allow for transparent government and public participation.

John Schmidt – Gloucester City, NJ

Mr. Schmidt suggested that Council members use video cameras for meetings to expand public participation. He noted that the Local Finance Notice 21-2020 requires public bodies to enter into dialogue. He raised objection with part C of the proposed ordinance with regard to public hearings for municipal budgets. He stated that the ordinance is too restrictive. Mr. Semeraro agreed that a revision to the portion of the ordinance regarding public hearings is warranted.

Anthony Rainone – 15 Aspen Drive

Mr. Rainone stated that the Governing Body's five (5) minute allocation for public comment was appropriate and has been exercised expeditiously. He recognized that robust debates have taken place. He noted that litigation against municipalities for OPMA violations are difficult to defend. He suggested that the ordinance be tabled or abandoned to allow for the public to address the Council simultaneously.

## Mayor and Council Conference and Regular Meeting – December 15, 2020

Robert Projansky – Falcon Point Drive

Mr. Projansky noted that he was present on behalf of himself as a citizen of the Borough and not on behalf of the North Caldwell Board of Education. He stated that the proposed ordinance was not consistent with the Board of Education's public meeting rules. He thanked the outgoing Council members for their dedication for which the public is appreciative.

Councilman Chiaia asked if Mr. Semeraro's acknowledgement of revision to the public hearing regulation may be a substantive change to the ordinance. He noted that an ordinance to define the conduct of meetings is necessary but the proposed language requires revision. Councilman Rees agreed that the ordinance should be redrafted. Mr. Semeraro stated that the ordinance is legally appropriate. He added that the suggested revision regarding public hearings is not a substantive change as it was inadvertent and not related to public comment. He acknowledged that it may be prudent to alter some sections of the ordinance if it was the desire of the Governing Body to do so.

Anthony Floria-Callori – 4 Chestnut Hill Road

Mr. Floria-Callori noted that most of the evening's speakers have no issue with adopting meeting conduct standards. He suggested that the ordinance be posted prominently on the Borough website to allow feedback on the objectionable elements.

Dan London – 108 Mountain Avenue

Mr. London stated his opinion that the ordinance is too restrictive as it prevents the public from re-addressing the Governing Body. He suggested the ordinance be revised or discarded.

Dan Gallagher – 36 Ferndale Road

Mr. Gallagher expressed concern for liability from an ordinance that is too restrictive.

Council President Santomauro made a motion to close the public hearing for Ordinance O-18-2020, seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes.

Council President opened the discussion to the Council. Councilman Kessler requested revisions to allow the public to address the Council more than once on varied topics. He stated that a time limit was placed on North Caldwell Board of Education meetings when he served on the board to allow for all members of the public to have the opportunity to speak. He noted the need for structure with a few revisions to the proposed ordinance.

Councilman Astorino recognized the need for peaceful assembly when promoting freedom of speech. He noted the need for public representation at meetings. He suggested a sensitive approach to ensuring structure at meetings.

Councilman Rees stated that meeting structure is needed but that North Caldwell is neighborly and not in need of strict regulations.

Councilman Tilton was in favor of tabling the proposed resolution although a revised version is needed.

Mr. Semeraro stated that the revision suggested by Mr. Schmidt would not be considered a substantial alteration as intent nor policy would not be changed. He noted the revision would not prevent adoption of the ordinance. He offered that other alternations may be too complex to capture on the spot, and could therefore, reintroduction at a later date could be considered. Mayor Alessi agreed to table the ordinance.

Council President Santomauro made a motion to table Ordinance O-18-2020, seconded by Councilman Astorino. Said motion was carried unanimously with six affirmative votes.

The following resolutions were read and moved by Council President Santomauro, seconded by Councilman Astorino.

- Resolution R-192-2020 A Resolution Authorizing the Purchase of the Lindsley Heights Easement for Ingress/Egress by the Governing Body of the Borough of North Caldwell was carried with four affirmative votes. Councilman Rees and Councilman Tilton voted no.
- Resolution R-193-2020 A Resolution Authorizing the Mayor and Council to Enter Into an Agreement with Munidex, Inc. to Provide Online Electronic Funds Transfer Services was carried unanimously with six affirmative votes.
- Resolution R-194-2020 A Resolution Authorizing the Mayor and Council to Enter into an Agreement with Municibid for Online Auction Services was carried unanimously with six affirmative votes.

- Resolution R-203-2020 A Resolution Authorizing the Cancellation of Fourth Quarter 2020 Taxes and Execution of a Certificate for Substantial Completion for Block 2, Lot 17; Block 6, Lots 6 and 21; Block 10, Lot 1; Block 11, Lot 2; and Block 802, lot 21A was carried unanimously with six affirmative votes.

**Personnel and Administration**

Councilman Tilton thanked Council President Santomauro and Councilman Chiaia for their passion and dedication to the Borough. He added that North Caldwell has been well-managed and remains fiscally responsible. He wished them luck and looked forward to working with the incoming Council members.

Resolution R-195-2020 A Resolution Accepting the Memorandum of Agreement with West Essex PBA Local 81 (North Caldwell Unit) and Authorizing the Execution of a Collective Negotiation Agreement Consistent Therewith was read. Motion was made by Councilman Tilton, seconded by Councilman Kessler. Said motion was carried unanimously with six affirmative votes. Mayor Alessi noted that PBA collective bargaining agreement negotiations were smooth and extended his appreciation to Chief Deuer for his leadership.

**Finance**

Councilman Astorino offered the Tax Collector’s Report for November 2020.

The following resolutions were read and moved by Councilman Astorino, seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes.

- Resolution R-196-2020 A Resolution Approving the Payment of Bills
- Resolution R-197-2020 A Resolution Approving 2020 Budget Transfers
- Resolution R-198-2020 A Resolution Authorizing Emergency Appropriation Less Than Three Percent (3%) of Total Operating Appropriations

- Resolution R-199-2020 A Resolution Cancelling 2020 Grant Funding and Budget Appropriations
- Resolution R-200-2020 A Resolution Authorizing Cancellation of Capital Appropriation Balances
- Resolution R-201-2020 A Resolution Authorizing Cancellation of Current Fund Appropriation Balances
- Resolution R-202-2020 A Resolution Authorizing Cancellation of Pool Fund Appropriation Balances

**Public Safety**

Councilman Chiaia expressed appreciation for the sentiments offered during the meeting. He reflected on the PBA negotiations and noted that the Police Department sets the character for the town. He welcomed new officer, Nick Moskalow, who was sworn in earlier that evening.

Councilman Chiaia offered the Police Department Public Safety and Detective Bureau Reports for November 2020 and noted that 742 calls were placed to Dispatch, 68 traffic tickets were issued and three (3) vehicle thefts were attempted.

Councilman Chiaia offered the Fire Department Public Safety Report for November 2020. He noted that there were 17 calls of which some were for mutual aid. He welcomed Joseph Klein to the volunteer department. Councilman Chiaia reminded that Christmas trees can become fire hazards when not properly watered.

Councilman Chiaia thanked the Police and Fire Departments for participating in the socially-distanced Joy, Peace and Goodwill celebration.

Resolution R-188-2020 A Resolution Authorizing an Agreement with Covenant Solutions, Inc. for Cost Recovery Services was read. Motion was made by Councilman Chiaia, seconded by Councilman Kessler. Said motion was carried unanimously with six affirmative votes.

Councilman Chiaia reflected on his years on the North Caldwell Borough Council. He noted the productivity of meetings and encouraged communication. He highlighted his accomplishments including the installation of basketball courts, the dog park, Liberty Turf Field, the expansion of the Mountain Avenue Field parking lot, the purchase of Magunsson Field, saving Walker’s Pond from development, obtaining a AA Moody’s rating, the installation of online bill payments, the installation of the traffic light at West Essex Regional School District, the new left-turn lane at Mountain Avenue and Pompton Avenue. He encouraged continued efforts to keep property taxes stable, improved cell phone coverage and constructive conversation. He stated that it was a distinct pleasure to work with the Governing Body, the residents and pledged his availability to all.



Councilman Rees expressed his gratitude to Council President Santomauro and Councilman Chiaia for all of their accomplishments to make the Borough better.

**Public Works**

Councilman Rees offered the Construction Permit Activity Report for November 2020. He noted that 36 permits were issued in the amount of \$32,060.

Resolution R-204-2020 A Resolution Authorizing the Execution of an Interlocal Agreement with West Orange Animal Shelter for 2021 was read. Motion was made by Councilman Rees, seconded by Councilman Chiaia. Said motion was carried unanimously with six affirmative votes.

Councilman Rees offered the Animal Control report for November 2020.

**Recreation**

Councilman Kessler offered the Recreation Director's Report for November/December 2020. He highlighted the ski program which was restructured to be compliant with pandemic regulations. He reviewed the success of the socially-distanced Joy, Peace and Goodwill drive-thru parade event and thanked the Department of Public Works, Police Department, the Boy Scouts and Bill Maranz, Recreation Program Director, for his creative alternative execution of the event. Councilman Kessler stated that the Borough's toy drive donated toys to Toys for Tots and that holiday gift bags were delivered to members of the Seniors Club members.

Councilman Kessler announced that recreation basketball was on hold due to COVID regulations. He noted that construction on the new backstop was underway at Mountain Avenue field. He welcomed new membership to the North Caldwell Recreation Foundation. He asked for feedback from the Council and the public regarding potential installation of pickle ball courts.

The following resolutions were read and moved by Councilman Kessler, seconded by Councilman Chiaia. Said motion was carried unanimously with six affirmative votes.

- Resolution R-205-2020 A Resolution Fixing Fees for Recreation Programs – Online Gaming
- Resolution R-206-2020 A Resolution Authorizing the Hiring of Additional Seasonal Employees – Soccer Referees

Councilman Kessler thanked Council President Santomauro and Councilman Chiaia for their accomplishments which earned the Borough the accolades it has received. He stated that they leave behind a solid framework with which the Council can move forward and expressed his appreciation for all their work.

**Executive Session**

Resolution R-207-2020 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 Homes - Hydrogeological Study, Bond Reduction Request, (2) Green Brook Country Club, (3) Affordable Housing Obligations, (4) Professional Services RFQ, (5) Caldwell Sewer Utility;
- B. Potential Litigation/Contract Negotiations/Attorney-Client Communication – (1) Hidden Ridge Maintenance Bond Review;
- C. Personnel: (1) NCPD

was read. Motion was made by Council President Santomauro, seconded by Councilman Chiaia. Said motion was carried unanimously with six affirmative votes.

Council President Santomauro stated that there was a possibility of the Council returning to the public session for consideration of Resolution R-208-2020.

Resolution R-208-2020 was tabled with no vote at the meeting.

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 Kessler, that this meeting be adjourned at 12:24am.

Respectfully submitted,

  
Tami Michelotti  
Borough Clerk