

Mayor and Council Conference Meeting – June 9, 2020

The Conference Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, June 9, 2020. The meeting began at 7:32pm 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 Astorino, 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 Ms. Emily Goldberg 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.

Paul Scagnelli – 7 Stony Brook Road

Mr. Scagnelli asked that the opportunity for citizens to be heard be moved to a later point in the agenda so that the public can hear from the Governing Body prior to questions and comments. Council President Santomauro stated that the opportunity for citizens to be heard used to be held at the end of each meeting but was moved to the beginning of each meeting in response to requests from the public.

Emily Goldberg – Moms Demand Action for Gun Sense in America

Ms. Goldberg thanked Mayor Alessi and the Borough Council for recognizing Gun Violence Awareness Day by proclamation. She noted an increased access to firearms during the COVID-19 quarantine and the need for continued education to prevent gun-related violence.

Jill Cosse – 105 Grandview Avenue

Ms. Cosse thanked the Mayor and Council for their generosity and service to the Borough. She stated her frustration regarding the Governor’s limitations on sports and recreation during the pandemic.

Mark Espino – 20 Elm Road

Mr. Espino stated his opposition to allowing alcoholic beverage service on the front walkway of Horseneck Tavern due to noise issues impacting the neighborhood.

Jim Faloni – Horseneck Tavern, 11 Bloomfield Avenue

Mr. Faloni requested permission to permanently reinstate alcoholic beverage service and increased occupancy on the front walkway of Horseneck Tavern in light of recent COVID-related restrictions imposed on restaurants. He stated that social distancing protocols would be in place.

Mayor Alessi delivered a message regarding the recent death of George Floyd and the associated nationwide protests and marches in support of equality.

Items for Discussion

Gun Violence Awareness Proclamation

Mayor Alessi presented the Gun Violence Awareness Proclamation in support of Gun Violence Awareness month.

ABC License - Horseneck Tavern

Councilman Chiaia recused himself from the discussion.

Mr. O’Sullivan reviewed the request of Horseneck Tavern to permit alcoholic beverage service and increased occupancy on the front sidewalk dining area due to Governor Murphy’s COVID-imposed restrictions on indoor dining. The Council discussed a “sunset” clause for the permission, if granted, of November 30, 2020. Councilman Rees stated his support of the North Caldwell business which was echoed by the Council.

The Council discussed granting the permission until November 30, 2020 to coincide with Governor Murphy’s Executive Order #150. The Council discussed limiting the service of alcoholic beverages on the front sidewalk area to 10:00pm on weekdays (Sunday through Thursday) and 11:00pm on weekends

(Friday through Saturday). A limit of six (6) tables with four (4) persons per table was recommended as a stipulation for the permission.

Councilman Chiaia rejoined the meeting at 8:32pm.

Part-Time Building Inspector

Mr. O’Sullivan reviewed a request from Construction Official Paul Milani to supplement the Construction Code Department with a part-time construction code official. Mayor Alessi suggested that interested qualified candidates be considered.

2020 Capital Budget Review

Mr. Mondelli reviewed revisions to the proposed 2020 Capital Budget based on reductions made by department heads in response to the COVID-19 pandemic. The Council found the revisions to be consistent with prior discussions with the department heads. Mr. Mondelli offered to have a Bond Ordinance and Capital Ordinance ready for introduction at the June 23, 2020 meeting.

2020 NJDOT Grant Application

Mr. O’Sullivan stated that the 2020 grant application to the New Jersey Department of Transportation was due on July 3, 2020. He noted that Park Avenue, Tanglewood Road and Glenview Road were in need of paving and suitable for grant consideration. He offered that a resolution would be prepared for consideration at the June 23, 2020 meeting.

Drywell Waiver Request

Mr. O’Sullivan reviewed a request from a Lakeside Drive resident to waive the installation of a seepage pit associated with the construction of an in ground pool. He noted that Borough Code allows for such a waiver request to be heard by the Council and approved by resolution. The Council had questions for the Municipal Engineer who would be joining the meeting later in the night.

Baseball/Softball Refunds

Councilman Kessler announced that the Recreation Baseball and Softball seasons were cancelled due to the COVID-19 quarantine requirements. He noted that refunds must be issued to the participants who had already registered and paid.

Summer Fun

Councilman Kessler announced the opening of Summer Fun Camp for a five (5) week season once all requirements were met including: (1) a completed application to the State due by June 15, (2) approval from the local Health Inspector, (3) submission of a Youth Camp Attestation at least 24 hours prior to opening. He noted that the Borough Recreation Department must now register with the State as a New Jersey Camp which had previously been waived in the past.

Mountain Avenue Field Baseball Diamond

Councilman Kessler reviewed the condition of the backstops and fencing at Mountain Avenue ball fields. He noted safety issues regarding the backstop at the larger field which necessitates its removal. He presented a proposal from the Recreation Department to remove the infield dirt on the large diamond and install topsoil and grass seed to enlarge the playing area for soccer, football, lacrosse, etc. while maintaining the small diamond for baseball and softball. The Council agreed with the plan.

Municipal Pool

Councilman Kessler reviewed the State guidelines announced regarding opening of the municipal pool. He proposed that the pool open on June 27 with procedures in place to ensure 50% occupancy and adherence to Department of Health stipulations. The Council agreed that attendance be based on a “first come, first served” basis until capacity is reached. It was agreed that North Caldwell residents be given first opportunity to register for membership with residents from adjacent towns being placed on a waitlist until memberships become available.

Fencing repairs at the pool were discussed as well as “touchless” sensor upgrades to the restroom fixtures. The Council decided to limit pool hours in light of the pandemic, provide social distancing ambassadors and implement contact tracing procedures.

Action to be Taken

Resolution R-86-2020 A Resolution Amending Resolution R-161-18 Regarding Service of Alcoholic Beverages within Extension of Premises at Horseneck Tavern was read. Motion was made by Council President Santomauro who noted the stipulations regarding the number of tables and persons per table

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permitted on the front walkway and the hours of alcoholic beverage service on the front walkway. The motion was seconded by Councilman Tilton. Councilman Chiaia and Councilman Rees abstained. Said motion was carried with four affirmative votes and two abstentions.

Resolution R-87-2020 A Resolution Appointing a Part-Time Building Inspector was tabled to a future meeting.

Resolution R-88-2020 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 votes.

Resolution R-89-2020 A Resolution Authorizing and Directing the Tax Collector of the Borough of North Caldwell to Prepare and Mail Third Quarter 2020 Estimated Tax Bills was read. Motion was made by Councilman Astorino, seconded by Council President Santomauro. Said motion was carried unanimously with six votes.

Resolution R-90-2020 A Resolution Authorizing the Mayor and Council to Approve Waiver of Installation of Drywell or Seepage Pit Pursuant to Borough Code §53-6 was tabled until after the Executive Session after which Municipal Engineer Paul Ferriero would be available to answer outstanding questions.

Resolution R-91-2020 A Resolution Authorizing Refunds of Recreation Program Fees was read. Motion was made by Councilman Kessler, seconded by Councilman Astorino. Said motion was carried unanimously with six votes.

Executive Session

Resolution R-92-2020 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting for Certain Specified Purposes: Potential Litigation – Hydrogeological Study was read. Motion was made by Council President Santomauro, seconded by Councilman Kessler. Said motion was carried unanimously with six votes.

The meeting was re-opened to Public at 10:24pm.

Drywell Waiver Request

Mr. Ferriero reviewed the drywell waiver request and the process for granting such a request as per Borough Ordinance. He provided a description of the property in question and its proximity to a pond. Alternatives to the drywell installation were discussed as options for the property owner. Mr. Semeraro provided guidance regarding the Governing Body's options to deny or grant the waiver. The Council discussed the impact of the pool installation on drainage. Mayor Alessi suggested that the Borough ordinance be revised to allow the Zoning Board of Adjustment govern waiver requests.

Resolution R-90-2020 A Resolution Authorizing the Mayor and Council to Approve Waiver of Installation of Drywell or Seepage Pit Pursuant to Borough Code §53-6 was read. Motion was made by Councilman Rees to deny the waiver, seconded by Council President Santomauro. Said motion to deny the request was carried unanimously with five votes as Councilman Tilton had lost connection to the teleconference momentarily during the vote.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Councilman Rees, seconded by Council President Santomauro, that this meeting be adjourned at 10:42 pm. This motion was carried unanimously.

Respectfully submitted,



Tami Michelotti
Borough Clerk