

Mayor and Council Regular Meeting – July 20, 2021

The combined Conference and Regular Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, July 20, 2021. The meeting began at 6:02pm via tele/video-conference 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 Joseph H. Alessi, Council President Francis Astorino, Councilman Matthew Atlas, Councilman Anthony Floria-Callori, Councilman Robert Kessler, Councilman Arthur Rees, Councilman Kenneth Tilton.

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

Mayor Alessi asked Council President Astorino to lead the Pledge of Allegiance.

### **Mayor's Report**

Mayor Alessi announced the distribution of the Borough newsletter and thanked Council President Astorino for preparing the publication. The Mayor announced the re-opening of Borough Hall to the public on September 7, 2021. He reviewed the several Borough property and building improvements completed through the pandemic and those that would be completed in time for reopening of Borough Hall. Mayor Alessi confirmed that remote public participation would be maintained when in-person meetings of the Borough's public bodies resume.

Mayor Alessi announced the receipt of \$346,505.25 from the American Rescue Plan Recovery Fund. He added that possible uses would be discussed among the Finance Committee.

Mayor Alessi extended the Borough's condolences to the DeLeo family on the loss of Crystal DeLeo. He congratulated Jonah Finkelstein, West Essex Senior and North Caldwell resident on being valedictorian of the 2021 West Essex graduating class.

Mayor Alessi reminded all of the revised start time of 6:00pm for the August combined conference and regular meeting.

### **Citizens to be Heard**

No one from the public came forward.

### **Items for Discussion**

#### **Reopening of Borough Offices/In-Person Public Meetings**

Mr. O'Sullivan confirmed that a solution had been identified to maintain interactive remote meetings of the Borough's public bodies. He noted that there is a delay in procuring the necessary computer chips and to integrate the existing technology in the Council chambers with the remote access capability. He added that the target implementation date was estimated for the fall. Councilman Atlas asked that alternative temporary solutions be sought should the procurement be further delayed.

#### **Public Holidays**

Mr. O'Sullivan noted that federal holidays are codified as paid holidays for Borough employees. The Council discussed adding Juneteenth as a paid holiday or swapping it with another holiday. No decision was made at this time pending a review of the holidays recognized to date.

#### **Plenary Retail Liquor License**

Mr. O'Sullivan noted that no bids were received for the plenary retail distribution license. The Council authorized a rebid process with a lower minimum bid of \$100,000.

#### **RFQ Results for Radio and Wireless Telecommunications Antenna/Tower Siting and Management Consultant**

Councilman Floria-Callori reviewed the three (3) responses to the RFQ. He noted that one was not in line with the Borough's needs. He added that the Technology Committee was interested in pursuing further discussion with one of the consulting firms regarding their ability to renegotiate the existing cell tower lease and infrastructure needs and to draft bid specs to secure cellular service improvements. The Council discussed the potential for using American Rescue Plan Act money to fund the project.

### **Electric Vehicle (EV) Charging Stations**

Mr. O'Sullivan reviewed PSE&G's grant program for electric vehicle charging stations. Councilman Floria-Callori reviewed the types of charging stations and anticipated submitting grant applications within the coming months for installation of stations on Borough property.

### **American Rescue Plan Act - Local Fiscal Recovery Funds**

Mr. O'Sullivan reviewed the permitted uses of ARP funds including certain infrastructure projects and restoration of lost revenue. Suggested projects were discussed including a Borough-wide water meter reader replacement, broadband improvement and stormwater projects. Council President Astorino noted that the funding would be spread out over two years. He added that the Finance Committee would review the options and make a recommendation to the Council.

### **Mountain Avenue and Gould Avenue Intersection Safety**

Mr. O'Sullivan presented a response from the Essex County engineer regarding the Borough's pedestrian and vehicular safety concerns at the Mountain Avenue and Gould Avenue intersection. Essex County offered to trim trees along the intersection and to install ladder lines on the crosswalk. The Council discussed the County's suggested action items and determined to repair electrical lines and install blinking signs. Chief Deuer committed to keeping the 25mph zone signs in effect at all times and suggested that all of the County's recommendations be executed in lieu of a traffic light. The Council would also partner with the North Caldwell Board of Education to install a sidewalk on Mountain Avenue between Gould Avenue and Smull Avenue.

### **Fleet Management**

Mr. O'Sullivan presented a municipal fleet management solution through Enterprise, a member of Sourcewell Cooperative organization. He stated that the solution would not include trucks for which a CDL license is required, but noted the ease of replacing vehicles before the resale value decreases greatly. Enterprise anticipates a savings of \$200,000 over 10 years based on the Borough's current fleet needs.

### **Walker's Property – Use of Building**

Councilman Tilton suggested a revenue generating use of the Walker property house and garage including a farm-to-table restaurant and farm stand that would maintain the integrity of the structure and its history. Councilman Rees suggested identifying the buildable footprint on the property. Mr. O'Sullivan noted the wetlands and limitations of the property. He reviewed the current use of the garage for DPW equipment which would need to be removed. Mr. O'Sullivan informed the Council of a pre-application meeting planned with the NJDEP for review of the property concept plan and the associated permits that would be required.

Council President Astorino presented an overview of a land use initiatives process and noted the positive economic environment for financing projects. He recommended land use sub-committee assignments to ensure communication and accountability.

### **DPW Garage**

Mr. O'Sullivan presented the special constraints of the current DPW building and reviewed a pre-fabricated building solution for equipment storage and maintenance. Councilman Rees would discuss the needs of the department with the DPW Director and advise the Council of estimated costs.

### **2021 Road Paving Program**

Mr. O'Sullivan provided an update on the Old Farm Road culvert repair and associated curbing and paving work. He noted additional improvements planned for Hamilton Drive North, Chestnut Hill Road, Mill Street, a portion of Beachmont Terrace in preparation for speed table installation, the driveway to Firemen's Field, and the Borough Hall parking lot entrances. Mr. O'Sullivan anticipated the projects being completed before the start of the school year.

### **Approval of Minutes**

Councilman Atlas moved to accept the minutes from the following meetings (without release of Executive Session minutes), seconded by Council President Astorino:

- Conference Meeting and Executive Session Minutes – June 9, 2021
- Regular Meeting and Executive Session Minutes – June 22, 2021

Said motion was carried with six affirmative votes.

**Committee Reports**

**Legal and Ordinance**

**Ordinance O-17-2021**

Councilman Atlas opened the public hearing for Ordinance O-17-2021 An Ordinance by the Borough of North Caldwell in Essex County, New Jersey Prohibiting the Operation of any Class of Cannabis Businesses within its Geographical Boundaries and Amending Section 107-19(N) of the Borough Code.

No one from the public came forward.

Councilman Atlas made a motion to close the public hearing and adopt Ordinance O-17-2021 An Ordinance by the Borough of North Caldwell in Essex County, New Jersey Prohibiting the Operation of any Class of Cannabis Businesses within its Geographical Boundaries and Amending Section 107-19(N) of the Borough Code. The motion was seconded by Council President Astorino. Said motion was carried unanimously with six affirmative votes.

**Ordinance O-18-2021**

Councilman Atlas introduced Ordinance O-18-2021 An Ordinance Amending Chapter 99 “Vehicles and Traffic”, SS99-10 “Schedule VIII, Stop Intersections”, of the Code of the Borough of North Caldwell to Accept Stop Signs at the Central Avenue/Grandview Avenue/West Greenbrook Road Triangle, seconded by Councilman Rees. Mr. O’Sullivan noted that previous remedies were not effective enough and that this ordinance would allow Essex County to install the stop signs. Ms. Michelotti announced the public hearing scheduled for August 17, 2021 at 6:00pm. Said motion was carried unanimously with six affirmative votes.

Resolution R-154-2021 A Resolution Appointing Administrative Agent Pursuant to the Fair Housing Act was read. Motion was made by Councilman Atlas, seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes.

Resolution R-155-2021 A Resolution Closing Walker’s Pond Sediment Removal Project with T. R. Weniger, Inc. was read. Motion was made by Councilman Atlas, seconded by Councilman Kessler. Said motion was carried unanimously with six affirmative votes. Councilman Atlas noted that a maintenance bond was posted in the amount of \$37,000.00. Mr. O’Sullivan reviewed the continued treatment of the pond which is covered under an annual contract with a pond management firm.

**Personnel and Technology**

Councilman Floria-Callori provided an update on the creation of a Borough logo that would be used for the new website, signage, branding, etc.

**Public Safety**

Councilman Tilton presented the Police Department Public Safety and Detective Bureau Reports for June 2021. He highlighted 725 calls to dispatch and the increase in motor vehicle thefts. He reminded residents to remove key fobs from their vehicles and to lock doors.

Councilman Tilton presented the Fire Department Public Safety Report for June 2021 during which 32 calls were placed for assistance. He acknowledged the service of Firefighter Mario Peplar who assisted in the building collapse recovery efforts in Florida.

Resolution R-158-2021 A Resolution Authorizing the Acceptance of the State of New Jersey Department of Law and Public Safety, Office of the Attorney General SFY21 Body-Worn Camera Grant Program – State Fiscal Year 2021 was read. Motion was made by Councilman Tilton, seconded by Councilman Kessler. Said motion was carried unanimously with six affirmative votes.

**Finance**

Council President Astorino presented the Tax Collector’s Report for June 2021.

Resolution R-156-2021 A Resolution Approving the Payment of Bills was read. Motion was made by Council President Astorino, seconded by Councilman Atlas. Councilman Tilton abstained. Said motion was carried with five affirmative votes and one abstention.

Resolution R-157-2021 A Resolution of the Mayor and Council of the Borough of North Caldwell Authorizing for Redemption and Cancellation of Record of Tax Lien was read. Motion was made by Council President Astorino, seconded by Councilman Atlas. Said motion was carried unanimously with six affirmative votes.

**Public Works**

Councilman Rees provided the Solid Waste Collection Report for the first and second quarters of 2021. He noted an average recycling rate of 21% of all solid waste collected.

Councilman Rees presented the Construction Permit Activity Report for June 2021 during which time 48 permits were issued. He stated a decrease in fees collected since last year. Mr. Mondelli noted last year's one-time construction fees collected by the RPM/White Rock affordable housing development.

**Recreation**

Councilman Kessler offered the Recreation Director's Report for July/August 2021. He announced the end of the adult softball season. He welcomed registration for fall soccer, pool membership and the NCRF sponsored 5K and Color Run. He announced the Town Picnic scheduled for September 11 and Soccerfest on September 25.

The following resolutions were read by and moved by Councilman Kessler as a Consent Agenda, seconded by Councilman Atlas. The motion was carried unanimously with six affirmative votes.

- Resolution R-159-2021 A Resolution Authorizing Payment of Stipend(s) for West Essex Fireworks Gate Monitor(s)
- Resolution R-160-2021 A Resolution Authorizing the Hiring of Part-Time Seasonal Employees for the 2021 Municipal Pool Season
- Resolution R-161-2021 A Resolution Authorizing the Hiring of Additional Part-Time Seasonal Employees – Baseball/Softball Umpires
- Resolution R-162-2021 A Resolution Fixing Fees Pertaining to Recreation Programs - Dr. Stem, Softball Camp- Resolution R-147-2021 A Resolution Appointing Seasonal Part-Time Lead Instructor for the 2021 Summer Fun Program – Upper Camp

**Executive Session**

Resolution R-163-2021 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) Retiree Medical Benefits, (2) Recreation Department, (3) NCPD
- B. Potential Contract Negotiations: (1) Animal Control, (2) Cell Tower Lease Proposal
- C. Potential Litigation: (1) Hidden Ridge Performance Bond
- D. Attorney/Client Privilege: (1) Birch Avenue Business Use

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

The Council returned to public session at 8:47pm. Councilman Atlas departed the meeting at 8:47pm.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Council President Astorino, seconded by the Council, that this meeting be adjourned at 8:48pm. Said motion was carried unanimously with six affirmative votes.

Respectfully submitted,



Tami Michelotti  
Borough Clerk