

Mayor and Council Conference Meeting – April 14, 2020

The Conference Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, April 14, 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; David M. Paris, Esq., Interim Borough Attorney; Mark Deuer, Police Chief; Rich Mondelli, Chief Financial Officer; Paul Ferriero, Borough Engineer; and Tami Michelotti, Borough Clerk.

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

Mayor Alessi asked for a moment of silence in memory of all who have lost their lives to COVID-19.

Citizens to be Heard

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

Maureen Zurlo – 19 Glenview Road

Ms. Zurlo asked if a Homeowners' Association had been established for The Reserve at the Hilltop. Mr. O'Sullivan stated that a transition of responsibility would occur after Pulte completes the project. Mr. Paris stated that there is a process for developers to turn over control to HOAs and officers and management of the HOA is established to manage the project.

John Zurlo – 19 Glenview Road

Mr. Zurlo asked for an update on Borough tasks in response to the drainage studies. Mr. O'Sullivan provided an update of projects assumed in house by DPW including cleaning of drainage ditches, improved tracking and progress monitoring, creation of formal inspection and maintenance records. He added that larger projects will require long term financing and proper ranking of the projects based on public safety, cost and required permitting. Mr. Ferriero stated that issues typical to several parts of the Borough are ranked higher. He added that the stormwater pollution and prevention plan has been updated. Mr. Zurlo asked if a policy had been made to provide maintenance of drainage and waterways on private property. Mr. O'Sullivan stated that a policy would require discussion and decision by the Council.

Mr. Zurlo asked for an update on Walker's Pond. Council President Santomauro explained that a Bond Ordinance was on the agenda for discussion to fund improvements on the property. Mr. O'Sullivan provided a timeline of the steps leading up to dredging of the pond.

Paul Scagnelli – 7 Stony Brook Road

Mr. Scagnelli asked for an update of Pulte Homes' extension request negotiations and details of the terms of the agreement. Mayor Alessi stated that negotiations were not complete as a recent Executive Order from Governor Murphy regarding construction during the COVID-19 pandemic necessitated revisions to the agreement.

Items for Discussion

COVID-19 Response Update

Mayor Alessi thanked residents for complying with the Governor's Stay at Home order and expressed appreciation for all first responders. He added that Council President Santomauro and Councilman Chiaia were leading a citizen outreach to provide volunteer assistance to neighbors in need.

Walker's Pond Bond Ordinance

Mr. O'Sullivan reviewed the need for a bond ordinance to fund the remediation of Walker's Pond which will include the remediation professional management fees and the disposal of soil.

Roadway Paving Bond Ordinance

Mr. O'Sullivan presented the Borough roads in need of repair and the need for a bond ordinance to temporarily fund the improvements to roads approved by the NJDOT for grants. He noted the grant funds are not provided until after the start of the project, necessitating funding up front. He added that

addition streets in town would be funded from the bond ordinance in addition to those that received grant approval.

Interest on Delinquent Taxes and Grace Period

Mr. Mondelli stated that the Borough does not have the ability to extend the grace period for property tax payments. Mayor Alessi confirmed that the Governor had not yet made a provision for a grace period extension.

2020 Municipal Budget

Mr. Mondelli presented revisions to the proposed budget to reflect decreases across all departments in consideration of the potential effects on taxpayers from the pandemic. The Council expressed appreciation to Mr. Mondelli and Borough department heads for their efforts to decrease expenses. Mr. Mondelli announced that he would work with the Borough Auditors for introduction of the 2020 Municipal Budget at the April 28, 2020 meeting.

Pulte Extension Request

Mr. O’Sullivan stated that he was unable to hear comment from a citizen on the teleconference during the Citizens to be Heard portion of the meeting. He stated that Mr. Matt Atlas asked for information on the Pulte extension request. Mr. Paris stated that the proposed resolution would be tabled as the agreement was not yet finalized before the meeting.

Virtual Online Recreation Programs

Councilman Kessler announced two new virtual programs offered by the Recreation Department: fitness and arts/crafts. He stated that the classes were free but required registration through Community Pass.

Tennis Courts

Councilman Kessler stated that the tennis courts required repair. Mr. O’Sullivan reviewed options for repairing one and/or both courts. He offered to obtain additional quotes.

Municipal Pool Concession Stand Bids

Mr. O’Sullivan stated that no bids were received for operation of the municipal pool concession stand. He stated that negotiations would be tabled until some certainly regarding the Stay at Home order was loosened.

Action to be Taken

Ordinance O-4-2020

Council President Santomauro made a motion to open the public hearing for Ordinance O-4-2020 An Ordinance Amending and Supplementing Chapter 53 Regarding On-Site Stormwater Detention, Stormwater Controls. Councilman Chiaia seconded the motion. Said motion was carried unanimously with six affirmative votes.

Mr. Ferriero described the elements of the ordinance amendment including: clarification of deck and patio regulations, revision requiring site plan approval for individual homes, and the definition of major development. He noted that the revisions are consistent with recommendations in the drainage study performed by Suburban Consulting Engineers. Mr. Paris stated that the amendments to the ordinance would make stormwater controls more stringent as per Suburban’s recommendations.

Hearing no further comment from the public or from the Governing Body, Council President Santomauro made a motion to close the public hearing for Ordinance O-4-2020 An Ordinance Amending and Supplementing Chapter 53 Regarding On-Site Stormwater Detention, Stormwater Controls. Councilman Chiaia seconded the motion. Said motion was carried unanimously with six affirmative votes.

Council President Santomauro made a motion to adopt Ordinance O-4-2020 An Ordinance Amending and Supplementing Chapter 53 Regarding On-Site Stormwater Detention, Stormwater Controls. Councilman Chiaia seconded the motion. Said motion was carried unanimously with six affirmative votes.

Ordinance O-5-2020

Council President Santomauro made a motion to open the public hearing for Ordinance O-5-2020 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A.

40A:4-45.14). Councilman Rees seconded the motion. Said motion was carried unanimously with six affirmative votes.

Council President Santomauro stated that the ordinance allows the Borough to exceed the 2.5% cap; however, the Borough has never needed to do so. She added that the ordinance allows the Borough to bank the difference for two years.

Hearing no comment from the public or from the Governing Body, Council President Santomauro made a motion to close the public hearing for Ordinance O-5-2020 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14). Councilman Rees seconded the motion. Said motion was carried unanimously with six affirmative votes.

Council President Santomauro made a motion to adopt Ordinance O-5-2020 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14). Councilman Rees seconded the motion. Said motion was carried unanimously with six affirmative votes.

Ordinance O-6-2020

Council President Santomauro made a motion to open the public hearing for Ordinance O-6-2020 An Ordinance Amending Chapter 96 of the Code of the Borough of North Caldwell Regarding Trees: Removal and Destruction. Councilman Chiaia seconded the motion. Said motion was carried unanimously with six affirmative votes.

Council President Santomauro reviewed the sub-committee membership who reviewed the existing tree ordinance and the need for revisions in response to recent drainage studies.

Anthony Floria-Callori of 4 Chestnut Hill Road stated he was a sub-committee participant and asked how the ordinance would be publicized if adopted. Council President Santomauro confirmed that adopted ordinances are posted to the website.

Councilman Tilton expressed concern that the ordinance should require a permit for the removal of five or more trees instead of three or more.

Hearing no further comment from the public or from the Governing Body, Council President Santomauro made a motion to close the public hearing for Ordinance O-6-2020 An Ordinance Amending Chapter 96 of the Code of the Borough of North Caldwell Regarding Trees: Removal and Destruction. Councilman Chiaia seconded the motion. Said motion was carried unanimously with six affirmative votes.

Council President Santomauro made a motion to adopt Ordinance O-6-2020 An Ordinance Amending Chapter 96 of the Code of the Borough of North Caldwell Regarding Trees: Removal and Destruction. Councilman Chiaia seconded the motion. Councilman Tilton voted no. Said motion was carried with five affirmative votes and one nay.

Councilman Astorino thanked Mr. Mondelli, the Finance Committee and the department heads for their sacrifices to keep the budget as low as possible as the Borough faces uncertainty due to the pandemic.

Resolution R-56-2020 A Resolution Approving the Payment of Bills was read. Motion was made by Councilman Astorino, seconded by Councilman Rees. Said motion was carried unanimously with six votes.

Resolution R-57-2020 A Resolution Authorizing the Execution of an Agreement by and between the Borough of North Caldwell and Pulte Homes of N.J. Limited Partnership was tabled.

Resolution R-58-2020 A Resolution Accepting A Bid and Awarding a Contract for Mowing and Trimming of Municipal Facilities was read. Councilman Rees stated that two bids were received with LTI, Inc. submitting the lower bid. Councilman Chiaia noted that awarding the contract saves the Borough the expense of the purchase of a mower. Motion was made by Councilman Rees, seconded by Council President Santomauro. Said motion was carried unanimously with six votes.

Resolution R-59-2020 A Resolution Fixing Fees for Certain Recreation Programs – Virtual Online Clinics was read. Councilman Kessler stated that virtual clinics would be offered at no cost. Motion was made by Councilman Kessler, seconded by Councilman Chiaia. Said motion was carried unanimously with six votes.

Resolution R-60-2020 A Resolution Authorizing the Hiring of Additional Part-Time Seasonal Employees – Recreation Program Instructors was read. Councilman Kessler noted that the additional employees are instructors for the two new virtual programs. Motion was made by Councilman Kessler, seconded by Councilman Chiaia. Said motion was carried unanimously with six votes.

Executive Session

Resolution R-61-2020 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting for Certain Specified Purposes: Personnel – NCPD, Contract Negotiations – Pulte Extension Request 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 10:04pm.

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 Tilton, that this meeting be adjourned at 10:04 pm. This motion was carried unanimously.

Respectfully submitted,



Tami Michelotti
Borough Clerk