

Mayor & Council Regular Meeting – April 24, 2018

The Regular meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, April 24, 2018 at the Borough Hall, Gould Avenue, North Caldwell, New Jersey and began at 7:34pm.

Roll Call indicated the following present:

Mayor Alessi

Present: Council President Santomauro, Councilman Astorino, Councilman Kessler, Councilman Raymond, Councilman Rees

Absent: Councilman Chiaia

Also present were: Mr. David M. Paris, Esq., Borough Attorney; Frank Zichelli, Borough Administrator/Engineer; Rich Mondelli, Borough Chief Financial Officer; Mark Deuer, Police Chief; and Tami Michelotti, Acting Borough Clerk

Mayor Alessi called the meeting to order announcing that notice was provided in accordance with the requirements of Chapter 231, P.L. 1975.

Mayor Alessi asked Chief Deuer to lead the Pledge of Allegiance.

Mayor's Report

Mayor Alessi noted the Borough's recent A+ rating among all New Jersey municipalities. He stated that the Opening Day parade and festivities for the Baseball and Softball season was well-attended and was, once again, a special day for the town.

Mayor Alessi stated that the courtesy curbside collection of branches from the nor'easter storms would be completed within the next two weeks. He noted that the one-time street-by-street collection was performed in-house by the DPW to save costs from outsourcing while still providing the courtesy service to all residents. He added that the Council has been able to keep taxes flat for four out of the last six years due to the hard work of the Council and Borough employees.

Mayor Alessi reminded residents to encourage their landscapers to obtain a landscaper license from the Borough Clerk's office. He announced that Essex County commenced construction of a dog park on the Hilltop Reservation property off of Mountain Avenue which should be ready to open in August. Mayor Alessi invited all to participate in the free tree seedling distribution on Saturday, April 28, 2018 between 11:00am and 1:00pm at Borough Hall.

Mayor Alessi read a letter from long-time residents Mr. and Mrs. Al Lipkin from 15 Cypress Avenue offering congratulations on the selection of Frank Zichelli as Borough Administrator.

Citizens to be Heard

Mr. Anthony Vagnioni – 3 Hemlock Drive

Mr. Vagnioni stated that he was present on behalf of himself and his neighbor, Lynda Mossato, who had addressed the Governing Body at a previous meeting. He noted their concerns for the late-night noise and parking and garbage violations of the renters of the home across the street from him at 4 Hemlock Court. Mr. Vagnioni expressed his appreciation and that of his neighbors for the Borough's response to the complaint filed on April 1, 2018. He thanked Mr. Zichelli and Chief Deuer and commended the Police Department for their action and attentiveness to the neighbors' complaints. He stated that the troublesome activity has quieted down and that he spoke with the property owner to request that the house not be rented to college students in the future.

Mr. Richard Verde- 8 Hickory Drive

Mr. Verde stated that he was present to address the Mayor and Council regarding the proposed 2018 budget. He requested that the Council consider broadcasting meetings on television. Mr. Verde stated that a resident brought to his attention that some members of the Governing Body have health benefit premiums paid by the municipality. He stated that he saw the proposed budget posted on the website after the budget introduction on March 27, 2018. Mr. Verde stated that he came to Borough Hall to view the budget but decided to return for the information on the health benefit premiums at a later date. He stated that he had others reviewing the budget also. Mr. Verde added that he viewed the user-friendly version of the budget that day. He noted the \$64,881.04 cost of personnel health benefits found on page 7 of the user-friendly budget. He asked for an explanation of the \$11,000 base pay to the Governing Body. Mr. Astorino stated that it represents the total of Governing Body stipends. Mayor

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Alessi stated that each council member receives \$1,500 per year and that he receives \$2,000 per year as Mayor.

Mr. Verde asked for an explanation of the net of cost share of \$52,672.54 and which council members received health benefits through the municipality. Councilman Astorino stated that Mayor Alessi, Council President Santomauro and John Chiaia receive health benefits. Mr. Verde asked to know the amount the municipality pays for health benefits for each of those three council members. Council President Santomauro stated that each member of the Governing Body who receives health benefits through the municipality is also contributing toward the premiums. Mr. Mondelli stated that the health benefits premium cost per person is not itemized in the budget or the user-friendly budget but could be provided through the filing of an OPRA request.

Mr. Verde asked what the salary is of the Municipal Prosecutor. Mr. Mondelli stated that it is included in the budget on Sheet 13 under the line item for Legal Services. Mr. Verde inquired about the Borough Attorney's fees. Mr. Paris stated that his firm's contract includes a \$40,000 retainer fee for general services. He added that the rate is based on \$175 per hour but that the amount of services provided to the Borough at \$175 per hour would well exceed the retainer fee. Mr. Paris added that some items are billed separately like representation for litigation and tax appeals. Mr. Verde asked what the Borough Attorney's total fees were for 2017. Mr. Mondelli stated that the information could be retrieved upon completion of an OPRA request. Mr. Verdi asked who the Zoning Board attorney and Planning Board attorney are.

Mr. Verde reiterated his request for broadcasting the meetings on television. He volunteered to help the Municipal Prosecutor and to help with the Borough's website design and updates.

Mr. Paul Scagnelli – 7 Stony Brook Drive

Mr. Scagnelli stated that he was in attendance to see the process of the budget adoption and to get information. He asked how he could have obtained budget information in advance of the adoption meeting. Mr. Paris stated that the budget meetings have been advertised as open, public meetings to which citizens can attend. Mr. Paris stated there are detailed line-by-line reviews, department head contributions and detailed discussions.

Mr. Scagnelli asked when the budget document was made available. Mr. Mondelli stated that the budget document was made available in Borough Hall and on the Borough website when it was introduced on March 27, 2018. Mr. Paris added that the budget process is mandated by State law with which the Borough complies. He noted that the Borough's strict compliance earns us certain allowances such as self-auditing that not all municipalities earn. Mr. Mondelli stated that the Borough's financial strength allows for self-auditing for two of every three years. Mr. Paris noted that permission to self-audit is due to the Borough's ability to manage finances and comply with State regulations, including proper notice and publication of meetings and documents.

Mayor Alessi added that a recent rating found North Caldwell to be the best value for the tax dollar. Councilman Astorino added that committee chairpersons among the Council meet regularly with the staff to advocate for residents. Councilman Rees asked Mr. Mondelli to share any tax increases in recent years. Mr. Mondelli stated that there is no increase in Borough taxes over last year and no increases in four of the last six years.

Mr. Scagnelli raised the concern that North Caldwell does not have a library. Mayor Alessi explained the fiscal impact of building and maintaining a library. Mr. Scagnelli stated that his request is partially driven by the priority that other towns' residents receive for special events and programs over North Caldwell residents who join other municipalities' libraries as non-residents. Council President Santomauro stated that the Council investigated the cost of adding a library in town and that the excessive costs of construction and maintenance are difficult to justify for the small population. She added that there is currently no available property to build one. Mr. Scagnelli stated that anticipated development in town may lead to schools or other Borough buildings becoming vacant. He added that if such a vacancy were to be realized, that a library should be considered. He thanked the Council for their attention to his concerns.

Mr. Richard Verde asked if the town had a reimbursement policy for residents who join libraries in other towns. Mr. Mondelli confirmed that the Borough reimburses 50% of the library membership fee up to \$150.

Approval of Minutes

Council President Santomauro moved to accept the minutes from the Budget Meeting and the Executive Session of March 6, 2018, seconded by Councilman Raymond. Said motion was passed unanimously with five votes.

Council President Santomauro moved to accept the minutes from the Conference Meeting and Executive Session of March 13, 2018, seconded by Councilman Raymond who noted a revision which was made by the Clerk. Said motion was passed unanimously with five votes.

Committee Reports

Legal and Ordinance

Councilman Raymond moved to Open the Public Hearing for Ordinance O-3-18 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank, seconded by Council President Santomauro. Said motion was carried unanimously with five votes.

Seeing no one from the public coming forward, Councilman Raymond moved to Close the Public Hearing for Ordinance O-3-18 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank, seconded by Council President Santomauro. Said motion was carried unanimously with five votes.

Councilman Raymond moved to Adopt the Public Hearing for Ordinance O-3-18 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank, seconded by Council President Santomauro. Said motion was carried unanimously with five votes.

Councilman Raymond moved to Open the Public Hearing for Ordinance O-4-18 – An Ordinance to Provide for Various Capital Items as Enumerated Within for the Borough of North Caldwell, County of Essex and to Provide for the Funding Thereof, seconded by Council President Santomauro. Said motion was carried unanimously with five votes.

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Councilman Raymond moved to Open the Public Hearing for Ordinance O-5-18 – Bond Ordinance Authorizing Various Improvements in and for the Borough of North Caldwell, County of Essex, State of New Jersey, Appropriating \$376,000 Therefore and Authorizing the Issuance of \$357,200 Bonds or Notes to Finance Part of the Cost Thereof, seconded by Council President Santomauro. Said motion was carried unanimously with five votes.

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Councilman Raymond moved to Introduce Ordinance O-6-18 – An Ordinance to Prohibit the Smoking of Tobacco, or any Tobacco Derived Product, or the Use of Smoking or Vaporizing Devices in Public Places, seconded by Council President Santomauro. Said motion was carried unanimously with five votes.

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Public Meeting and Final Reading will be held on Tuesday, May 22, 2018. Council President Santomauro stated that she was in favor of this ordinance in response to complaints of smoking in and near schools and public buildings.

Resolution R-86-18 A Resolution Accepting a Bid and Awarding a Lease for 137 Gould Avenue, North Caldwell, New Jersey Rental Property was read. Motion was made by Councilman Raymond, seconded by Council President Santomauro. Said motion was carried unanimously with five votes.

Personnel/Administration

Resolution R-87-18 A Resolution Authorizing the Payment of Separation Pay to J. Intili was read. Motion was made by Councilman Rees, seconded by Council President Santomauro. Said motion was carried unanimously with five votes.

Finance

Resolution R-88-18 A Resolution Authorizing the Reading of the 2018 Municipal Budget By Title was read. Ms. Michelotti stated that the public hearing of the 2018 Municipal Budget was open. She stated that the budget had been approved for introduction by the Governing Body on March 27, 2018. She presented copies of the budget for the public and stated that it was also posted online. Mayor Alessi offered copies of the budget to the public. Motion was made by Councilman Astorino, seconded by Councilman Kessler. Said motion was carried unanimously with five votes.

Mayor Alessi opened the hearing to the public for comment and asked that questions and comments be directed to the Finance Chairperson. No one from the public came forward.

Councilman Astorino made a motion to close the 2018 Municipal Budget hearing, seconded by Councilman Kessler. Said motion was carried unanimously with five votes.

Resolution R-89-18 A Resolution Adopting an Amendment to the 2018 Municipal Budget was read. Motion was made by Councilman Astorino, seconded by Councilman Kessler. Said motion was carried unanimously with five votes.

Resolution R-90-18 A Resolution Adopting the 2018 Municipal Budget was read. Ms. Michelotti read Section 2 of the Resolution. Motion was made by Councilman Astorino, seconded by Councilman Kessler. Said motion was carried unanimously with five votes.

Councilman Astorino made a motion to Accept the Collector's Report for March 2018, seconded by Councilman Kessler. Said motion was carried unanimously with five votes.

Resolution R-92-18 A Resolution Approving the Payment of Bills was read. Motion was made by Councilman Astorino, seconded by Councilman Kessler. Said motion was carried unanimously with five votes.

Public Safety

Council President Santomauro presented the North Caldwell Police Department Public Safety and Detective Bureau Reports for March 2018. She stated that there were 920 calls to dispatch, many of which were attributed to the snow storm. She added that 51 summonses were issued during the month. Council President Santomauro added that a resident of Coventry Lane expressed appreciation to the North Caldwell Police Department for helping her after getting stuck in a snow bank. She added that the Principal of West Essex High School thanked Chief Deuer and the Police Department for their presence and support during the anti-gun violence "walk out". The principal also mentioned the appreciation of parents for the police presence.

Council President Santomauro presented the North Caldwell Fire Department Public Safety Report for March 2018. She stated that there were 35 calls, 10 of which were from the snow storm.

Resolution R-94-18 A Resolution Authorizing Lease Financing for the Acquisition of Two Police Department Patrol Vehicles was read. Motion was made by Council President Santomauro, seconded by Councilman Raymond. Said motion was carried unanimously with five votes.

Public Works

Council President Santomauro offered the Construction Permit Activity Report for March 2018 which showed \$43,000 in total permit fees collected during the month.

Council President Santomauro offered the Recycling Report for March 2018 which showed decreases which were likely due to the bad weather conditions. She noted the DPW efforts to collect downed trees and branches from the snow storms. She added that Borough took on the courtesy pick-up to save taxpayers money regardless of the overwhelming task. She thanked Mr. Zichelli and the DPW for their hard work for which residents are appreciative.

Council President Santomauro offered the Animal Control Report for March 2018 during which there were three calls, one of which was in assistance to Fairfield.

Resolution R-95-18 A Resolution Awarding a Contract to Willdan Energy as the BPU Direct Install Contractor for Energy Efficient Measures for Borough Hall and the Fireman's Community Center/Department of Public Works Building in an Amount Not to Exceed \$20,000.00 was read. Mr. Zichelli stated that this was sponsored by the New Jersey Department of Environmental Protection and BPU by which the Borough applied for funding to replace lighting fixtures and air conditioning units in Borough Hall, Fireman's Community Center and the DPW garage. Motion was made by Council President Santomauro, seconded by Councilman Astorino. Said motion was carried unanimously with five votes.

Resolution R-96-18 A Resolution Authorizing the Award of a Professional Services Contract between the Borough of North Caldwell and Dykstra Walker Design Group, PA was read. Mr. Zichelli stated that Dykstra Walker designed the subdivision for the Walker Property and that the proposed resolution is to engage Dykstra Walker further to prepare plans for the Borough to finance the installation of utility work which will improve the lots for sale. Motion was made by Council President Santomauro, seconded by Councilman Rees. Said motion was carried unanimously with five votes.

Resolution R-97-18 A Resolution Rejecting Solid Waste Collection Bids and Authorizing the Borough of North Caldwell to Enter Into an Emergency Contract for Solid Waste Collection was read. The Council tabled the motion until after Executive Session to further discuss the contract negotiation.

Resolution R-105-18 A Resolution Adopting the 2018-2020 DPW Collective Bargaining Agreement with Teamsters Local 469 was read. Motion was made by Council President Santomauro, seconded by Councilman Astorino. Said motion was carried unanimously with five votes.

Recreation

Councilman Kessler offered the Recreation Director's Report for April/May 2018. He commended the Recreation Department and 23 volunteers for the well-organized and well-attended Baseball and Softball Opening Day event. He also thanked the DPW and NCPD for the assistance they provided. He added that three local veterans led the parade.

Councilman Kessler stated that the Spring Spectacular and Easter Egg Hunt was held on March 28 with over 200 children participating. He added that spring after-school programs have begun. He noted that the Seniors have a trip to Doolan's in Spring Lake planned for May 16.

Councilman Kessler announced Open Tennis Night on May 4 from 6:00 to 7:30pm featuring free play, instruction and refreshments. He added that registration is open for Summer Fun, tennis memberships and pool memberships. He stated that the pool will open on May 26 for weekends and on June 22 daily. Councilman Kessler stated that Summer Fun camp starts on June 25. Additional upcoming events include the Seniors meeting and luncheon on May 2 and the Pool Open House on June 16 from 1:00 to 5:00pm with June 17 designated as a rain date.

Resolution R-98-18 A Resolution Authorizing the Hiring of Seasonal Employees for the 2018 Baseball/Softball Season – Umpires and Officials was read. Motion was made by Councilman Kessler, seconded by Councilman Raymond. Said motion was carried unanimously with five votes.

Resolution R-99-18 A Resolution Appointing Allison Barth as Swim Team Head Coach of the Borough of North Caldwell for the 2018 Pool Season was read. Motion was made by Councilman Kessler, seconded by Councilman Raymond. Said motion was carried unanimously with five votes.

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Resolution R-100-18 A Resolution Appointing Emma Bossaert as Swim Team Assistant Coach of the Borough of North Caldwell for the 2018 Pool Season was read. Motion was made by Councilman Kessler, seconded by Councilman Raymond. Said motion was carried unanimously with five votes.

Resolution R-101-18 A Resolution Fixing Fees for Recreation Programs – Multi-Sports Camp was read. Motion was made by Councilman Kessler, seconded by Councilman Raymond. Said motion was carried unanimously with five votes.

Resolution R-102-18 A Resolution Authorizing the Hiring of Seasonal Employees for the 2018 Municipal Pool - Lifeguards was read. Motion was made by Councilman Kessler, seconded by Councilman Raymond. Said motion was carried unanimously with five votes.

Resolution R-103-18 A Resolution Authorizing the Placement of Advertising Banners on Borough Property was read. Motion was made by Councilman Kessler, seconded by Councilman Raymond. Said motion was carried unanimously with five votes.

Executive Session

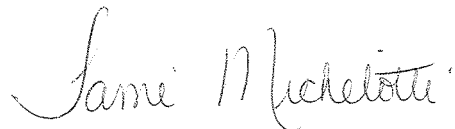
Resolution R-104-18 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting for Certain Specified Purposes: A. Contract Negotiations - (1) RPM, (2) Caldwell Sewer Utility, (3) Solid Waste Collection; B. Litigation - (1) COAH Declaratory Judgment, (2) Pulte Homes. Motion was made by Council President Santomauro, seconded by Councilman Raymond. Said motion was carried unanimously with five votes.

The meeting was re-opened to Public at 9:36pm.

Resolution R-97-18 A Resolution Rejecting Solid Waste Collection Bids and Authorizing the Borough of North Caldwell to Enter Into an Emergency Contract for Solid Waste Collection was read. Motion was made by Council President Santomauro, seconded by Councilman Raymond. Councilman Rees abstained. Said motion was carried with four votes and one abstention.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Councilman, seconded by Councilman, that this meeting be adjourned at 9:37pm. This motion was carried unanimously.

Respectfully submitted,



Tami Michelotti
Acting Borough Clerk