

Mayor and Council Regular Meeting – April 27, 2021

The Regular Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, April 27, 2021. The meeting began at 6:30pm 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; Ms. Irene Asbury, Esq., attending in lieu of Borough Attorney Mark Semeraro; Rich Mondelli, CFO; Paul Ferriero, Borough Attorney, Mark Deuer, Police Chief; and Tami Michelotti, Borough Clerk.

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

Mayor's Report

Mayor Alessi provided an update on COVID vaccine distribution within Essex County and reviewed Governor Murphy's new Executive Orders. He announced Tree Seedling Day scheduled for April 30. Mayor Alessi announced that the Borough was formulating an update to each department's five-year plan.

Citizens to be Heard

No one from the public came forward.

Approval of Minutes

Councilman Floria-Callori moved to accept the minutes from the following meetings (without release of Executive Session minutes), seconded by Councilman Kessler:

- Special Budget Meeting and Executive Session Minutes – March 6, 2021
- Conference Meeting and Executive Session Minutes– March 9, 2021
- Regular Meeting and Executive Session Minutes – March 23, 2021

Said motion was carried with six affirmative votes.

Committee Reports

Legal and Ordinance

Ordinance O-8-2021

Councilman Atlas opened the public hearing for Ordinance O-8-2021 An Ordinance Amending Chapter 23, Sections 6 and 9 re: Alcoholic Beverages.

No one from the public came forward.

Councilman Atlas made a motion to close the public hearing and adopt for Ordinance O-8-2021 An Ordinance Amending Chapter 23, Sections 6 and 9 re: Alcoholic Beverages. The motion was seconded by Council President Astorino. Said motion was carried unanimously with six affirmative votes.

Ordinance O-9-2021

Councilman Atlas opened the public hearing for Ordinance O-9-2021 Amending Chapter 107 and Chapter 45 re: Zoning, Planning and Land Use Fees

No one from the public came forward.

Councilman Atlas made a motion to close the public hearing and adopt for Ordinance O-8-2021 An Ordinance Amending Chapter 23, Sections 6 and 9 re: Alcoholic Beverages. The motion was seconded by Councilman Floria-Callori. Said motion was carried unanimously with six affirmative votes.

Ordinance O-10-2021

Councilman Atlas opened the public hearing for Ordinance O-10-2021 An Ordinance to Dedicate Shenandoah Drive Extension.

No one from the public came forward.

Councilman Atlas made a motion to close the public hearing and adopt for Ordinance O-10-2021 An Ordinance to Dedicate Shenandoah Drive Extension. The motion was seconded by Council President Astorino. Said motion was carried unanimously with six affirmative votes.

Ordinance O-11-2021

Councilman Atlas made a motion to introduce Ordinance O-11-2021 An Ordinance Accepting Lindsley Heights Easement. Ms. Asbury noted that the appraisal was for \$14,800 but the agreement was based on a price of \$14,500. The motion was seconded by Councilman Floria-Callori. Said motion was carried unanimously with six affirmative votes. Councilman Atlas announced the public hearing scheduled for May 25, 2021.

Ordinance O-12-2021

Councilman Atlas made a motion to introduce Ordinance O-12-2021 An Ordinance Amending the Annual Compensation of Certain Officers and Employees of the Borough of North Caldwell. The motion was seconded by Councilman Kessler. Said motion was carried unanimously with six affirmative votes. Councilman Atlas announced the public hearing scheduled for May 25, 2021.

Ordinance O-15-2021

Councilman Atlas made a motion to introduce Ordinance O-15-2021 An Ordinance Amending the Annual Compensation of Members of the Department of Public Works for the Years 2021, 2022 and 2023. The motion was seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes. Councilman Atlas announced the public hearing scheduled for May 25, 2021.

Ordinance O-13-2021

Councilman Atlas made a motion to introduce Ordinance O-13-2021 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. The motion was seconded by Council President Astorino. Said motion was carried unanimously with six affirmative votes. Councilman Atlas announced the public hearing scheduled for May 25, 2021.

Ordinance O-14-2021

Councilman Atlas made a motion to introduce Ordinance O-14-2021 An Ordinance to Provide for Various Water Capital Items as Enumerated within for the Borough of North Caldwell, County of Essex and to Provide for the Funding Thereof. The motion was seconded by Council President Astorino. Said motion was carried unanimously with six affirmative votes. Councilman Atlas announced the public hearing scheduled for May 25, 2021.

Bond Ordinance BO-2-2021

Councilman Atlas made a motion to introduce Bond Ordinance BO-2-2021 A Bond Ordinance Authorizing Various Improvements in and for the Borough of North Caldwell, in the County of Essex, New Jersey, Appropriating \$1,731,425 Therefore and Authorizing the Issuance of \$1,302,853 Bonds or Notes to Finance Part of the Cost Thereof. The motion was seconded by Councilman Tilton. Said motion was carried unanimously with six affirmative votes. Councilman Atlas announced the public hearing scheduled for May 25, 2021.

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

- Resolution R-62-2021 A Resolution Authorizing the Execution of a Right-Of-Way Agreement with Cross River Fiber, LLC/ZenFi Networks
- Resolution R-85-2021 A Resolution Authorizing the Further Release of the Allen Road Developers, LLC Performance Bond (Letter of Credit)
- Resolution R-86-2021 A Resolution Authorizing the Release of Inspection Fee Escrow for Allen Road Developers
- Resolution R-87-2021 A Resolution Authorizing the Award of a Professional Services Contract for the Borough of North Caldwell – Tax Appeals Counsel
- Resolution R-88-2021 A Resolution Authorizing the Execution of an Agreement With the Morris County Cooperative Pricing Council to Renew Membership Therein for the Period of October 1, 2021 Through September 30, 2026

Councilman Atlas made a motion to add to the agenda Resolution R-95-2021 A Resolution Authorizing the Execution of a Developer's Agreement between 70 Grandview Avenue, LLC and the Borough of North Caldwell Concerning the Construction on Real Property Identified as Block 1903, Lot 2 of the Official Tax Map of the Borough of North Caldwell, New Jersey. The motion was seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes.

Councilman Atlas made a motion to adopt Resolution R-95-2021 A Resolution Authorizing the Execution of a Developer's Agreement between 70 Grandview Avenue, LLC and the Borough of North Caldwell Concerning the Construction on Real Property Identified as Block 1903, Lot 2 of the Official Tax Map of the Borough of North Caldwell, New Jersey. The motion was seconded by Councilman Floria-Callori. Said motion was carried unanimously with six affirmative votes.

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Easement Encroachment Request Withdrawal – 4 Vale Place

Ms. Michelotti announced the withdrawal of an easement encroachment request by the property owners of 4 Vale Place. She stated that the Borough Engineer confirmed the relocation of the fence and landscaping that was placed in the water main easement. No further action was required.

Personnel and Technology

Committee Updates

Councilman Floria-Callori provided an update on the committee's efforts to improve cellular service. He stated that proposals from potential vendors were under consideration as well as funding options. He noted that work on the new Borough website, logo and social media policy progress. Councilman Floria-Callori stated that electric vehicle charging stations would be considered as part of a future Liberty Field complex redesign. He added that a public announcement system and a five-year plan were also being considered.

Resolution R-89-2021 A Resolution Appointing Tree Ordinance Enforcement Officer was read. Motion was made by Councilman Floria-Callori and seconded by Councilman Kessler. Said motion was carried unanimously with six affirmative votes.

Resolution R-90-2021 A Resolution Accepting the Memorandum of Understanding with Teamsters Local 469 was read. Motion was made by Councilman Floria-Callori and seconded by Councilman Rees. Said motion was carried unanimously with six affirmative votes.

Finance

Council President Astorino offered the Tax Collector's Report for February 2021.

Resolution R-91-2021 A Resolution Approving the Payment of Bills was read. Motion was made by Council President Astorino, seconded by Councilman Atlas. Said motion was carried unanimously with six affirmative votes.

Resolution R-92-2021 A Resolution Authorizing the Cancellation of Capital Appropriation Balances was read. Council President Astorino noted a correction to the proposed resolution. Motion was made by Council President Astorino to accept the resolution with the edit, seconded by Councilman Atlas. Said motion was carried unanimously with six affirmative votes.

Resolution R-93-2021 A Resolution Cancelling Water Capital Balances was read. Motion was made by Council President Astorino, seconded by Councilman Atlas. Said motion was carried unanimously with six affirmative votes.

Resolution R-94-2021 A Resolution Approving the Funding for a Master Plan and Budget Analysis of the Gould Avenue Recreation Complex was read. Motion was made by Council President Astorino, seconded by Councilman Atlas. Said motion was carried unanimously with six affirmative votes.

Council President Astorino requested input from the Council for the five-year plan.

Public Safety

Councilman Tilton presented the Police Department Public Safety and Detective Bureau Reports for March 2021. He noted that 890 calls were placed to Dispatch and that 110 violations were issued.

Councilman Tilton presented the Fire Department Public Safety Report for March 2021. He noted responses to 25 calls and that two probationary firefighters were in training.

Resolution R-96-2021 A Resolution Appointing Kevin O'Shaughnessy as Volunteer Fire Department Member was read. Motion was made by Councilman Tilton, seconded by Councilman Kessler. The motion was carried unanimously with six affirmative votes.

Resolution R-97-2021 A Resolution Appointing Philip Young as Volunteer Fire Department Member was read. Motion was made by Councilman Tilton, seconded by Councilman Kessler. The motion was carried unanimously with six affirmative votes.

Resolution R-98-2021 A Resolution Approving the Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2, 2021 – June 30, 2022 was read. Motion was made by Councilman Tilton, seconded by Councilman Kessler. The motion was carried unanimously with six affirmative votes.

Public Works

Councilman Rees thanked the Department of Public Works for their efforts in completing improvements to Borough buildings and grounds. He noted that significant savings are made possible by the DPW performing the work in house.

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Councilman Rees offered the Construction Permit Activity Report for March 2021 during which 42 permits were issued.

Councilman Rees offered the Animal Control Report for March 2021 during which three calls for response were completed.

Resolution R-99-2021 A Resolution Accepting a Bid and Awarding a Contract for Mowing and Trimming of Municipal Facilities within the Borough of North Caldwell was read. Motion was made by Councilman Rees, seconded by Council President Astorino. Said motion was carried unanimously with six affirmative votes.

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

- Resolution R-100-2021 A Resolution Authorizing Application for 2020 Municipal Tonnage Grant
- Resolution R-101-2021 A Resolution Authorizing the Application of PSE&G to Repair a Test Station at 29 Eton Drive
- Resolution R-102-2021 A Resolution Authorizing the Application of PSE&G to Repair a Test Station at 25 White Oak Drive
- Resolution R-103-2021 A Resolution Authorizing the Application of PSE&G to Install Gas Service at 12 Hickory Drive

Recreation

Councilman Kessler offered the Recreation Director's Report for April/May 2021. He noted the success of the Spring Spectacular that hosted over 300 children with COVID safety protocols in place. He stated that 151 tennis members were registered and announced the upcoming repairs to fill the cracks in the courts. He stated that the new ID badges and access cards were functioning well and were welcomed by the members. Councilman Kessler thanked the Cordovano families for their donation of logos placed on the on-deck circles and Fireman's Field dugouts.

Councilman Kessler announced that men's softball was underway and that women's softball would begin in June. He stated that the Senior luncheon was held outdoors in April for the first time since the pandemic began. He noted that pool and camp registrations were open and encouraged applications for pool lifeguard positions.

Councilman Kessler reviewed the Master Plan and Budget Analysis project for the Gould Avenue Recreation Complex. He stated that upgrades and improvements would be studied and then presented to the public for their input. Mr. O'Sullivan reviewed the phases of the project. That could lead to a vote by referendum in the fall.

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-104-2021 A Resolution Authorizing the Award of a Professional Services Contract Between the Borough of North Caldwell and Ferriero Engineering, Inc. for a Master Plan and Budget Analysis of the Gould Avenue Recreation Complex
- Resolution R-105-2021 A Resolution Fixing Fees Pertaining to Recreation Programs – Municipal Pool Concession Stand Offerings and Replacement ID Cards/Additional Family Member Cards
- Resolution R-106-2021 A Resolution Authorizing the Hiring of Additional Seasonal Employees – Baseball/Softball Umpires

Executive Session

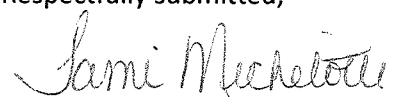
Resolution R-56-2021 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting for Certain Specified Purposes:

- A. Contract Negotiations: (1) Pulte Homes/Hydrogeological Study, (2) Lindsley Heights Easement Agreement, (3) DPW Collective Bargaining Agreement Negotiations, (4) 70 Grandview Avenue Developers Agreement, (5) Cell Tower Improvement;
- B. Personnel: (1) Borough Hall, (2) Borough Facilities Security;
- C. Safety and Security: (1) Walker's Pond

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

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Councilman Atlas, seconded by the Council, that this meeting be adjourned at 8:28pm.

Respectfully submitted,



Tami Michelotti, Borough Clerk