

Conference Meeting February 14, 2017

The Conference Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, February 14, 2017 at the Borough Hall, Gould Avenue and began at 7:31pm.

Roll Call indicated the following present:

Mayor Alessi

Council Members: Council President Santomauro, Councilman Astorino, Councilman Chiaia, Councilman Kessler, Councilman Raymond, Councilman Rees

Also, present were David M. Paris, Esq., Borough Attorney, Mel Levine, Borough Administrator, Mark Deuer, Police Chief, Frank Zichelli, Borough Engineer, Richard Mondelli, CFO and Nancy A. Bretzger, 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 Mr. Mondelli to lead those present in the salute to the American flag.

Citizens to Be Heard

John Wenske – 15 Fairview Drive – Mr. Wenske stated that he was here with questions regarding the Walker Pond acquisition. He stated that he read there was a very substantial environmental issue there and wanted to know if the Council was aware of this before the closing and why the public has not been kept up to date on the status.

The Mayor stated that we did our due diligence before the purchase and that the Council was aware of the issue. Council President Santomauro explained that once the Borough was in contract with the Walker Family, that the Borough did their due diligence and there numerous extensions because of this. Once it was determined that there was a problem and what the approximate cost would be to remediate, there were negotiations again with the Walker Family and a credit was given to the Borough. There was tremendous concern for the cost of the cleanup process and we negotiated a price reduction in the purchase of the property.

David M. Paris, Esq., Borough Attorney stated that the delineation of the environmental issues was done before the closing of the property. He also stated that there was always the intention to dredge the pond, and now the only problem is that now the dredged soil has to be removed from the site.

Frank Zichelli, Borough Engineer stated that they were not high levels of contamination, but they were high enough that the soil has to be removed as part of the dredging. Mr. Zichelli explained that testing was done on the rest of the property and there were no problems. The area where the lots will be sold is forest and the consultants feel that is safe. He also stated that there were 3 different engineering firms that did the testing. The field (meadow) was also tested and was fine for residential use with what was found. It is intended to dredge the pond to a four foot depth.

Mr. Zichelli stated that the Borough is applying for DEP grants that will help with the cost of the remediation and hopefully 75% of the remediation will be paid for from the grant.

Mayor Alessi explained that he received a call from Mr. Paladino today; he read a letter from Mrs. Paladino regarding the building that they own at 715 Main Street. Mrs. Paladino stated in the letter that she is unable to rent the property due to the lack of parking available. Mr. Zichelli stated that he is under the impression that the restaurant was under a variance and that they (owners of restaurant) would be responsible to have parking available and that is why there was parking at STS. The previous tenant left the building because of the restriction of parking on Hillside Ave and Main Street. STS is under new ownership and the new owners were requiring the restaurant owner to carry insurance in order to park on STS property. Mrs. Paladino stated that they were willing to carry the insurance, but they have not heard back from the owners of the property. Mel Levine, Borough Administrator will speak with the new owners. The Mayor stated that he will speak with Mrs. Paladino.

There were no other citizens to be heard. Mayor Alessi returned to the meeting.

Items for Discussion

Walker's Pond – Frank Zichelli, Borough Engineer is working on the grant to be submitted to the DEP for the cleanup of the pond. He stated that there will be a resolution at the next meeting for the submitting the grant application for the study. He also stated that he has been in contact with the tenant and they will be moving out on March 1. It was asked by the Council if there can be a Walker's Pond Update on the website, so that the residents can be aware of what is going on. The Borough Clerk stated that will be done.

Athletic Fields Improvements – Frank Zichelli, Borough Engineer stated that he has an item under closed session to discuss the proposals for the design work of the Turf Field. Once the design work is completed, there will be a better estimate for the cost of the field. Rich Mondelli, CFO was asked to work up the cost and the impact on the residents taxes for the cost of the field. Mr. Mondelli explained the Borough's debt and the payment schedule for the Boroughs bonds. He explained that the resident's taxes would be increased depending on the amount that was bonded for the field. The Council stated that there would be discussions on this at the budget meetings at the end of the month.

Tax Assessor – Tax Matters (Appeals, Answers, Counterclaims and Cross Appeals) – Mr. David M. Paris, Borough Attorney explained that Mr. Librizzi, Borough Tax Assessor asked the Council to adopt this resolution regarding his responsibilities. It is essential a blanket resolution for him to be able to work with Mr. Paris's firm on all aspects of tax appeals. The Council stated that it is basically what he does now and they will pass the resolution in Action to be Taken.

Boy Scout Troop No. 856 – Request for Use of Pool Parking Lot – The Mayor stated that the Council received a letter from the Boy Scouts asking permission to use the Pool Parking Lot for a fundraiser of local crafters to exhibit and sell their products as well as the boys holding a garage sale on Saturday, April 8, 2017. There was discussion and the request was granted. There will be a resolution at the next meeting.

Parking on Hillside Avenue and Main Street – This discussion took place during Citizens to be Heard.

Action to Be Taken

Resolution R-38-17 –Approval to Pay Bills in the amount of \$1,592,921.73 was read. Motion was made by Councilman Astorino, seconded by Council President Santomauro. Said motion was carried unanimously.

Resolution R-40-17 – Liquor License – Social Affair Permit – Kiwanis Club of Caldwell-West Caldwell was read. Motion was made by Councilman Raymond, seconded by Council President Santomauro. Said motion was carried unanimously.

Resolution R-41-17 Acceptance of Resignation of Recreation Program Director – Jamie Cannon was read. Motion was made by Councilman Rees, seconded by Councilman Kessler. Said motion was carried unanimously.

Resolution R-42-17 A Resolution Authorizing the Execution of an Agency Service Agreement with PayGov.US, LLC was read. Motion was made by Councilman Raymond, seconded by Councilman Kessler. Said motion was carried unanimously.

Resolution R-43-17 Authorization to Hire Additional 2017 K-2nd Grade Basketball Clinic Instructors was read. Motion was made by Councilman Kessler, seconded by Councilman Raymond. Said motion was carried unanimously.

Resolution R-44-17 Authorizing Appointment of Tami Michelotti as Part-Time Administrative Assistant/Deputy Clerk for the Borough of North Caldwell was read. Motion was made by Councilman Rees, seconded by Councilman Chiaia. Said motion was carried unanimously.

Resolution R-45-17 Authorizing Execution of an Agreement with the Morris County Cooperative Pricing Council to Renew Membership Therein for the Period of October 1, 2016 Through September 30, 2021 was read. Motion was made by Council President Santomauro, seconded by Councilman Chiaia. Said motion was carried unanimously.

Resolution R-46-17 Resolution Approving a Professional Services Contract By and Between the Borough of North Caldwell and Nassau Capital Advisors, LLC was read. Motion was made by Councilman Raymond, seconded by Councilman Astorino. Said motion was carried unanimously.

Resolution R-47-17 A Resolution Authorizing the Filing of Assessor's Tax Appeals, Answers, Counterclaims, Appeals and Cross Appeals in Tax Matters on Behalf of the Borough of North Caldwell was read. Motion was made by Councilman Raymond, seconded by Councilman Astorino. Said motion was carried unanimously.

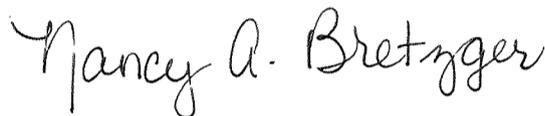
Executive Session

Resolution R-48-17 - Authorization for Executive Session for Certain Specified Purposes: A. Litigation (1) COAH Declaratory Judgment B. Contract Negotiations – (1) Caldwell Sewer Utility (2) Traffic Signal Cost Sharing Agreement (3) Engineering Firm for Subdivision of Walker’s Property (4) Engineering Proposals for Turf Field C. Personnel (1) Part Time Recreation Program Director was read. Motion was made by Council President Santomauro, seconded by Councilman Astorino. Said motion was carried unanimously.

Re-opened to Public Meeting at 9:14pm

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 Astorino that this meeting be adjourned at 9:15pm. This motion was carried unanimously.

Respectfully submitted,



Nancy A. Bretzger, Borough Clerk