

Mayor & Council Conference & Regular Meeting, July 22, 2014

The Conference and Regular Meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, July 22, 2014 at the Borough Hall, Gould Avenue, North Caldwell, New Jersey and began at 6:45 p.m.

Roll Call indicated the following present:

Mayor Alessi

Present: Councilman Astorino, Councilwoman Fost, Councilman Raymond, Councilman Rees

Also present were: David M. Paris, Borough Attorney, Mel Levine, Borough Administrator, Mark Deuer, Police Chief, Frank Zichelli, Borough Engineer and Nancy Pravata, Borough Clerk

Councilman Chiaia arrived at 6:55pm. Council President Santomauro arrived at 7:10pm. Chief Mark Deuer arrived at 7:10pm.

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. Joseph Stigliano to lead the Pledge of Allegiance.

MAYOR'S REPORT

The Mayor introduced Mr. Joseph Stigliano, who is a graduate of West Essex High School and the University of Maryland. The Mayor stated Mr. Stigliano, who is interested in political science, will be interning this summer with the Mayor. He commended Mr. Stigliano as being a hard worker who will be a great help to the town.

On September 18, 2014 at the Essex Fells Country Club, there will be a ceremony celebrating Grover Cleveland's wedding.

Tomorrow, the Kiwanis Club of the Caldwell's will hold a ceremony for the Grand Opening of the all-inclusive playground dedicated to the children in the West Essex community. The ceremony will take place at 11:00am at Harrison School in West Caldwell.

The Senior Olympics will be held September 5 through the 14, 2014 in Woodbridge, NJ.

The Mayor spoke of the serious issues caused by the overpopulation of deer, effecting the residents' health, safety and property enjoyment. The Mayor spoke about Laura Ostenheimer, who is the Chairwoman of the Citizen's Deer Task Force Committee. He cited Laura for doing a great job. The Borough worked diligently on the Deer Management program, which took place from October 5 through December 23, 2013. The program resulted in 39 deer being removed. The Mayor encouraged anyone interested, to please join the Task Force.

This season's final Movie at the Pool is Disney Teen Beach scheduled for Thursday, July 24, 2014.

ITEMS FOR DISCUSSION

- A. Traffic Light – Green Brook Road at Jay L. Hand Drive (WE High School)
Frank Zichelli explained that the consulting firm did an analysis as to whether a traffic signal is needed. Essex County has accepted those findings, and a cost sharing agreement with the County. They will commit to paying 2/3 of the cost, and WE Board of Education has agreed to pay half of our share. Cost sharing agreements will be written up for the next meeting.
- B. Invasive Plants – Mel Levine explained about the invasive plantings in the area. Bamboo is a fast privacy shield. It spreads and goes under concrete and causes problems. He has checked with other towns in the area and no one has done anything in this regard.

- C. Hillside Avenue Parking – David M. Paris explained that he and the Chief had gone through this issue and came up with a proposed ordinance for the permit parking. There was a question brought up regarding the homes whose addresses are on Main Street, but technically live on Hillside Ave. The Mayor suggested a minimal fee for the parking permit. There was discussion on the decals, annual permits and fees. The Mayor stated we are not looking into making monies on this, just some way of keeping track. The issue of more than one person visiting the home needs to be addressed. Councilman Rees asked if the dog groomer is in North Caldwell on Main Street. He stated the business has to be considered, even though the residents want parking reserved for residents only.
- D. Retail Distribution Liquor License – Issue as to whether we want to put out the bid for Retail Distribution Liquor License again. The price will be discussed in executive session. The resolution will be on the agenda at the next meeting.
- E. Bid Report for Evergreen Drive (Section 2) (NJDOT Grant) – Bids were received today. D&L Contracting was the lowest bidder. They are doing the job now for roadway improvements. There is a Recommendation of Award at the end of the meeting.
- F. Long Range Planning – The Mayor was at a meeting with Councilman Raymond and a few other people. The Mayor explained that he would like all of the chairs to meet with their departments and draft a long range plan. The Mayor would like to have this done by October 15. This will be a great basis to start the budget process for the next few years. Monetary and personnel issues will be involved in each of the departments.

MINUTES

Motion was made by Council President Santomauro to accept the minutes of the Regular Meeting of June 26, 2014, seconded by Councilman Raymond, with Councilman Chiaia and Councilman Astorino abstaining. Said motion was passed.

Motion was made by Councilman Chiaia to accept the minutes of February 11, 2014 executive session, seconded by Councilman Raymond. Said motion was unanimously carried.

Motion was made by Council President Santomauro to accept the minutes of February 25, 2014 executive session, seconded by Councilman Raymond, with Councilwoman Fost abstaining. Said motion was passed.

Motion was made by Council President Santomauro to accept the minutes of March 11, 2014 executive session, seconded by Councilman Raymond. Said motion was unanimously carried.

Motion was made by Councilman Chiaia to accept the minutes of April 8, 2014 executive session, seconded by Councilman Raymond. Said motion was unanimously carried.

Motion was made by Council President Santomauro to accept the minutes of April 28, 2014 executive session, seconded by Councilwoman Fost. Said motion was unanimously carried.

Motion was made by Councilwoman Fost to accept the minutes of May 13, 2014 executive session, seconded by Councilman Raymond, with Councilman Rees abstaining. Said motion was passed.

COMMITTEE REPORTS

LEGAL AND ORDINANCE

Council President Santomauro moved to Open the Public Hearing for Ordinance O-6-14 – An Ordinance to Vacate Birch Avenue in the Borough of North Caldwell, County of Essex, State of New Jersey. Council President Santomauro explained this is a paper street in between two homes. The Borough does not need this particular property any longer. This way it will be vacated and available for the residents on either side to purchase the property if they would like. Said motion was seconded by Councilman Astorino, with Councilman Chiaia recusing himself due to conflict of interest. Said motion was unanimously carried.

Seeing no one from the public coming forward, Council President Santomauro moved to Close the Public Hearing for Ordinance O-6-14 – An Ordinance to Vacate Birch Avenue in the Borough of North Caldwell, County of Essex, State of New Jersey seconded by Councilman Raymond. Said motion was unanimously carried.

Council President Santomauro moved to Adopt Ordinance O-6-14-An Ordinance to Vacate Birch Avenue in the Borough of North Caldwell, County of Essex, State of New Jersey, seconded by Councilman Raymond. Said motion was unanimously carried.

Council President Santomauro introduced Ordinance O-7-14 – An Ordinance Amending Chapter 99 of the Code of the Borough of North Caldwell to Require Permit Parking on Hillside Avenue – This Ordinance was Tabled to the next meeting and some changes can be made as discussed during the discussion portion of the meeting.

Resolution R-117-14 Liquor License – Social Affair Permit for the Borough Picnic was read. Motion was made by Council President Santomauro, seconded by Councilman Astorino. Said motion was unanimously carried.

Raffle Application by Notre Dame Church - Motioned by Council President Santomauro to grant the Raffle application to Notre Dame Church for their Calendar Raffle for the year 2015, seconded by Councilwoman Fost. Said motion was unanimously carried.

PERSONNEL AND ADMINISTRATION

Resolution R-118-14 - Authorizing Re-appointment of Leonard Mendola as the Construction Code Official, Building Sub Code Official, Building Inspector, Code Enforcement Officer and Zoning Officer was read. This resolution was tabled for the next meeting, there were some questions regarding the agreement that needed to be answered.

PUBLIC SAFETY

Councilman Chiaia read the Public Safety Report for June, 2014. There were 86 violations issued by the Police Department and 22 issues addressed by the Detective Bureau.

A thank you letter was received from Frank Petrucci, Director of the Essex County Special Olympics. Mr. Petrucci thanked Captain William Texas and Officer Suzanne DePoe for their help at Brookdale Park on April 23, 2014 during the event.

Resolution R-119-14 - Drive Sober or Get Pulled Over 2014 Statewide Crackdown was read. Motion was made by Councilman Chiaia, seconded by Council President Santomauro. Said motion was unanimously carried.

FINANCE

Councilman Astorino offered the collector's report for the month of June 2014, of \$621,074.97 in taxes, \$75,315.44 for water and \$60,468.82 for the pool. Councilman Astorino moved that the collector's report be accepted, seconded by Councilman Raymond. Said motion was unanimously carried.

Resolution R-120-14 - Payment of Bills - Approval to pay bills in the amount of \$2,209,435.35. Motion was made by Councilman Astorino, seconded by Council President Santomauro. Said Motion was unanimously carried.

Resolution R-121-14 - Insertion of Revenue Item - Chapter 159 - Department of Transportation - Evergreen Drive (Section 2) was read. A letter was received from Governor Christie offering the township a grant. Motion was made by Councilman Astorino, seconded by Councilman Raymond. Said motion was unanimously carried.

Resolution R-122-14 - Insertion of Revenue Item - Chapter 159 - Clean Communities was read. Motion was made by Councilman Astorino, seconded by Council President Santomauro. Said motion was unanimously carried.

Resolution R-123-14 - Insertion of Revenue Item - Chapter 159 - Drive Sober or Get Pulled Over Statewide Crackdown Grant was read. Motion was made by Councilman Astorino, seconded by Councilman Chiaia. Said motion was unanimously carried amended to read \$5000.00 instead of the \$4000.00.

PUBLIC WORKS/UTILITIES

Councilwoman Fost offered the Construction Report for June, 2014. No new construction was reported. Cost of alteration year-to-date is \$601,765.72 with 55 permits being issued for the month of June.

Councilwoman Fost offered the Recycling Report for June, 2014 deferred to the August Meeting as we are waiting for invoices from the vendors.

Councilwoman Fost offered the Animal Control Report for June, 2014. There were seven animal calls; four deceased animals were picked up; no summons issued and no quarantines.

Recommendation of Award State Aid Project - Evergreen Drive (Section 2) - Pavement Overlay was read. Motion was made by Councilwoman Fost, seconded by Councilman Chiaia. Said motion was unanimously carried.

Frank Zichelli, Borough Engineer explained that the Borough of North Caldwell is making application to the NJDEP Green Acres Program for Funding to Purchase and Preserve 10.66 Acres of Block 606, Lot 1 - commonly known as the Walker Property.

The Public Hearing which has been advertised for tonight is being conducted in accordance with Green Acres application requirements.

The Borough is currently negotiating the purchase of the property.

The Walker Property is 17.51 acres in mass. It is the Borough's intention to purchase the entire lot and to preserve 10.66 acres for public use. The area to be preserved fronts along Mountain Avenue and includes the pond. The Borough also plans to dredge the pond and restore it to the original depth and dimensions.

The Borough is seeking funding from the state for the 10.66 acres in the form of a 25% grant and 75% low interest loan (1,245,000.00 in total - \$311,250.00 grant - \$933,750 low interest loan)

Applications are scored on a point system that includes such factors as: Need, environmental protection and water access.

Applications are due July 31, 2014. The review process can take some time. The applications are first reviewed by Green Acres staff. Recommended projects go to the Garden State Preservation Trust for review. A list of approved projects must then go through the legislature.

Councilwoman Fost moved to Open the Public Hearing on the Green Acres Grant – Purchase Approximately 10.66 Acres of the Subject Property located on Mountain Avenue and is commonly known as the Walker Property (Block 606, Lot 1 on the Tax Maps of the Borough of North Caldwell) was made, seconded by Council President Santomauro. Said motion was unanimously carried.

No one from the Public came forward.

Councilwoman Fost moved to Close the Public Hearing on the Green Acres Grant – Purchase Approximately 10.66 Acres of the Subject Property located on Mountain Avenue and is commonly known as the Walker Property (Block 606, Lot 1 on the Tax Maps of the Borough of North Caldwell) was made, seconded by Councilman Chiaia. Said motion was unanimously carried.

DPW has been aggressively taking care of the pot holes and drainage issues.

Mr. Paris stated that on Friday evening he had the opportunity to work with Animal Control Officer Stickles to take care of a dog that had roamed into his garage. It was a really good experience getting to work with people who do such a nice job.

RECREATION

Councilman Raymond read the July/August 2014 Report. Summer programs are all underway for the season. Pool memberships are slightly down this year from last year. We are trying our best to correct the trend of decreasing memberships, while trying to improve the facilities. Town picnic scheduled for September 6, rain date September 7.

Resolution R-124-14 - Authorization to Hire Additional Seasonal Employees for 2014 – Municipal Pool was read. Motion was made by Councilman Raymond, seconded by Councilwoman Fost. Said motion was unanimously carried.

Resolution R-125-14 - Authorization to Hire Additional Seasonal Employees for 2014 – Summer Fun Program was read. Motion was made by Councilman Raymond, seconded by Councilwoman Fost. Said motion was unanimously carried.

Councilman Raymond asked DJ Salvante from Essex County if he had anything to report to the council at this time. DJ Salvante reported that the county opened a new Educational Center at Turtle Back Zoo and that construction was starting on a new parking garage at the facility. A new children's playground at the Turtle Back Zoo will hopefully open on August 1. The July 4 concert and fireworks scheduled at Brookdale Park will take place July 24.

CITIZENS TO BE HEARD

Harvey Bazar, Skyline Drive – What is happening regarding the deer in town? The Mayor stated that the borough had a culling Oct 5 – Dec. 23, 2013 with a total of 39 deer being removed. The Mayor stated bow and arrow is not as efficient as the use of guns. Using rifles is more efficient and more humane. We are doing what we can to help eliminate some of the deer problems.

Chief Deuer stated last year was our first controlled deer culling. We have to follow the NJ Fish and Wildlife rules and regulations. We were successful last year and we

have more information to be more successful this year. We can only hunt on Borough property. Shot gun season is in the winter and something that can be looked into by the Council. Bow and arrow starts on September 6, 2014. We are going to start earlier this year than last year.

Mr. Bazar also asked about the turkeys. Chief Deuer said he is looking into whether they can be hunted in our zone. Can turkeys be captured and removed? Chief Deuer said he will look into that as well. Chief also mentioned the county conducts their own culling on the Hilltop.

Laura Ostenheimer, Hamilton Drive North - The deer have migrated into the populated areas. She stated she can drive from Wildwood up Spruce and see at least eight or nine deer. When she spoke with the NJ Department of Fish and Wildlife, she was told you can petition to extend your culling season. There is a survey which asks all the questions which the residents are most concerned about. Mrs. Ostenheimer spoke about bringing in a private company that will drop net and sterilize the deer. The cost is \$500 per deer. She feels residents will be willing to pay in their area to have deer removed. White Buffalo, a Connecticut company, said the cost based on statistics, would be approximately \$300,000.

Kerry Saranme - Hamilton Drive East - She stated she had a bad case of lyme disease. She had fully recovered. Last week, she was diagnosed with early stages of lyme disease again. She is in fear of her kids being outside and going to school.

It was asked if there was any way to look to see if the rules of shooting the deer can be changed in order to address the situation.

Dolores Strus - stated that she called the Humane Society that the deer cannot be moved. Laura Ostenheimer stated that the sterilization of the deer which is done by giving the deer something to ingest is really not effective and has to be repeated yearly. A more effective option is to perform the sterilization surgically.

Beverly Salerno asked if you remove the deer won't they come back. Laura Ostenheimer said that's hard to determine whether or not they'd return.

Kerry asked if the town can absorb the cost of spraying for ticks. It was stated that it cannot be forced on private property so it is not feasible for the town to do this. The town is spraying on the perimeters of the playing fields and parks for ticks at the beginning of each season for the last two years.

With Council approval, the Chief will have the state deer survey put up on the website along with a nixle and reverse 911. The responses go directly to Trenton.

The Mayor asked the representative from The Progress to please try and get this important message out in their publication.

Darren Silverstein, Hamilton Drive East - The culling is only available on town property. There are a few private properties that must fit the criteria, but the owner has to give permission. Is there any way for private citizens to set traps? Councilman Rees stated that the most productive way is driving the deer. You need to push the deer towards the hunt.

Chief Deuer stated drive them to the hunt; bait the culling area. This year, he is hoping to have hunters every day and an extended hunting season.

Henry Fostenhauser asked if residents could purchase the spray the town uses and spray their own properties. Laura Ostenheimer stated this is expensive, has to be applied after every rain and all it does is kill the ticks.

No one else came forward for public comment.

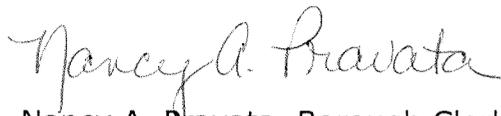
Resolution R-126-14 - Authorization for Executive Session for Certain Specified Purposes - Contract Negotiations - Acquisition of Walker's Pond Property, Personnel

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was read. Motion was made by Council President Santomauro, seconded by Councilman Astorino. Said motion was unanimously carried.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Councilman Rees, seconded by Councilman Raymond that this meeting be adjourned at 9:15 p.m. This motion was unanimously carried.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nancy A. Pravata".

Nancy A. Pravata, Borough Clerk