

Mayor & Council Special Meeting – December 28, 2018

The Special meeting of the Mayor and Council of the Borough of North Caldwell was held on Friday, December 28, 2018 at the Borough Hall, Gould Avenue, North Caldwell, New Jersey and began at 8:00am.

Roll Call indicated the following present:

Present: Council President Santomauro, Councilman Chiaia, Councilman Kessler, Councilman Raymond

Absent: Mayor Alessi, Councilman Astorino, Councilman Rees

Also present were: Mr. David M. Paris, Esq. and Tami Michelotti, Acting Borough Clerk

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

Council President Santomauro led the Pledge of Allegiance.

Citizens to be Heard

Jessica Fenster

Ms. Fenster stated that she is a temporary resident of Caldwell and is under contract for construction of a Pulte home at The Reserve. She referred to a letter emailed to the Council by her husband dated December 18, 2018. She asked for the status of the Borough's issuance of construction permits that would allow Pulte Homes to begin building the home for which she has a contract.

Ms. Fenster stated that she and her husband were unaware of the litigation between the Borough and Pulte until very recently. She added that her family was temporarily renting in Caldwell since July as they anticipated moving into their new home in the Spring of 2019. Ms. Fenster stated that they signed a contract with Pulte in March or April of 2018 and that construction had not begun. She noted that the 10 month lease was coming to an end and was concerned that they would have no home if Pulte did not begin construction as soon as possible. Ms. Fenster described the contracted home as including a master bedroom on the first floor for the purpose of accommodating out-of-town visiting parents.

Council President Santomauro stated that litigation with Pulte Homes is in progress and that legal issues prevent permits from being issued as the submitted plans do not conform to plans approved by the Planning Board. She added that the Borough welcomes their family but could not comment on the litigation at this time. Council President Santomauro suggested Ms. Fenster look into her current lease and seek counsel to ensure they are not wrongfully displaced from their rental home.

Ms. Fenster asked the Council why Pulte offered options in home models to buyers that they were not permitted to build. Council President Santomauro stated that she hoped to give the Fensters more information soon but that no comment could be provided at that time due to ongoing litigation.

Action to Be Taken

Resolution R-228-18 A Resolution Approving the Payment of Bills was read. Motion was made by Councilman Kessler, seconded by Councilman Chiaia. Said motion was carried unanimously with four votes.

Resolution R-229-18 A Resolution Approving 2018 Budget Transfers was read. Motion was made by Councilman Kessler, seconded by Councilman Chiaia. Said motion was carried unanimously with four votes.

Resolution R-230-18 Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting for Certain Specified Purposes: A. Contract Negotiations, B. Litigation, C. Personnel was read. Motion was made by Council President Santomauro, seconded by Councilman Raymond. Said motion was carried unanimously with four votes.

The meeting was re-opened to Public at 10:07am.

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 the Councilman Chiaia, that this meeting be adjourned at 10:07am. This motion was carried unanimously.

Respectfully submitted,


Tami Michelotti
Borough Clerk