

Mayor and Council Special Meeting – July 29, 2019

A Special meeting of the Mayor and Council of the Borough of North Caldwell was held on Monday, July 29, 2019 at Borough Hall, 141 Gould Avenue, North Caldwell, New Jersey and began at 6:03pm.

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

Roll Call indicated the following:

Present: Mayor Alessi, Council President Santomauro, Councilman Astorino, Councilman Kessler, Councilman Raymond and Councilman Rees joined the meeting in progress.

Absent: Councilman Chiaia

Also present were: Mr. David M. Paris, Esq., Borough Attorney; Mark Deuer, Police Chief; Richard Mondelli, Chief Financial Officer; and Tami Michelotti, Borough Clerk.

Mayor Alessi asked Mr. David M. Paris, Borough Attorney, to lead the Pledge of Allegiance.

Citizens to be Heard

Paul Scagnelli – 7 Stony Brook Drive

Mr. Scagnelli questioned the need for the special meeting. Councilman Kessler stated that the special meeting was discussed and announced at the last Council meeting. Mr. Paris confirmed that it was publically noticed in accordance with State statute. Council President Santomauro added that the appointment of a COAH Administrative Agent was tabled at the last meeting to allow the Council to research it further. Councilman Astorino added that the Special Meeting agenda also considers the introduction of a bond ordinance which resulted from a recent meeting between the Finance Committee and the Borough's auditors. He noted that the auditors also recommended that the Borough consider an Open Space Trust Fund and Open Space Tax. Mr. Paris added that the bond ordinance would be introduced that evening and that the public hearing would be held at the regularly-scheduled Mayor and Council Conference/Regular meeting on August 13, 2019.

Mr. Scagnelli asked for more information about the Open Space Tax. Councilman Astorino explained that Open Space taxes are imposed for the creation of Open Space trust funds which could help prevent further development of open land in a municipality. He added that the favorable financial standing of the Borough coupled with the favorable long-term bond rates were discussed by the Borough auditors and Finance Committee. He added that the Open Space concept would be an alternative to fund the maintenance of open space in North Caldwell. Councilman Astorino stated that the Council was reviewing the idea for inclusion on the 2019 General Election ballot as a referendum question. He noted that there are time constraints regarding placement of referendum questions on the ballot and that referendum resolution would likely be presented at the next meeting on August 13, 2019.

Councilman Rees joined the meeting at 6:09pm.

Mr. Paris stated that the Open Space Trust Fund had been discussed with respect to the Walker's Pond and property as an alternative to selling five (5) one-acre lots at the end of Meadow Lane. He described that the potential sale of the pre-approved subdivision of the five lots is one possible way to pay for the acquisition of the property. Council President Santomauro added that any development would not be visible from Mountain Avenue. Mr. Paris added that the pond would be dredged and a walking path could be added for use by all residents. Mr. Scagnelli asked for restrictions on development to prevent continued construction of large "mansion" like dwellings in neighborhoods of smaller homes. He suggested that the Planning Board ensure that future development is consistent with existing residences.

Councilman Raymond joined the meeting at 6:15pm.

Items for Discussion

Bond Ordinance BO-2-19

Ms. Michelotti noted a typographical error in the Bond Ordinance amount presented on the meeting agenda. She noted that the correct amount, \$255,500, was identified on the Bond Ordinance document.

Chief Deuer stated that the Police Department Headquarters required a new HVAC system. He explained that an inspection of the non-functioning air conditioning system identified the growth of black mold on the HVAC unit coil, blower, motor and in the ducts. He noted that air, bacteria and swab

samples were taken and tested which confirmed that the mold was not airborne. Chief Deuer received quotes for the replacement of two units and the duct works with repairs needed in the remaining two units.

Councilman Kessler stated that the Finance Committee discussed the funding of this project and other required Building repairs and asked for an itemized list of repairs and their costs. Mr. Mondelli offered to work with the administration and provide the detailed list. He confirmed that any unused portion of the bond could be cancelled.

COAH Administrative Agent Appointment

Mr. Paris stated that COAH Counsel, Erik Nolan, indicated that the Borough is required to appoint a COAH Administrative Agent as per Fair Share Housing regulations. Mayor Alessi confirmed that the appointment is time sensitive as COAH Counsel needs to work with the appointed agent as soon as possible in preparation for the September 2019 Fair Share Housing hearing. Mr. Paris stated that the agent would be responsible for oversight of the COAH fund, compliance and marketing programs. He confirmed that a resolution would be offered for consideration later in the meeting.

Fuel Bid

Ms. Michelotti stated that the second round of bidding produced no bids and confirmed that quotes could be solicited for fuel supply. Chief Deuer noted that the Exxon station that was contracted in 2017 was charging underlying fees which should be considered when soliciting quotes. Ms. Michelotti added that the Township of West Caldwell offered their on-site fuel supply to North Caldwell in times of emergency.

Action to be Taken

Ordinance BO-2-219

Councilman Raymond introduced Bond Ordinance BO-2-19 A Bond Ordinance Authorizing Improvements to Various Municipal Buildings in and for the Borough of North Caldwell, County of Essex, State of New Jersey Appropriating \$255,500 Therefore and Authorizing the Issuance of \$242,725 Bonds or Notes to Finance Part of the Cost Thereof, seconded by Council President Santomauro. Said motion was carried unanimously with five votes. Councilman Raymond announced that a public hearing is scheduled for August 13, 2019 at 6:30pm.

Councilman Rees requested an itemized list of components to be funded by the Bond Ordinance. Mr. Scagnelli asked that it be made available to the public prior to the next meeting. Mayor Alessi confirmed that the request would be met.

Resolutions

Resolution R-153-19 A Resolution Appointing an Administrative Agent Pursuant to the Fair Share Housing Act was read. Motion was made by Councilman Raymond and seconded by Council President Santomauro. Said motion passed unanimously with five votes.

Resolution R-154-19 A Resolution Approving the Payment of Bills was read. Motion was made by Councilman Astorino and seconded by Councilman Kessler. Said motion passed unanimously with five votes.

Before closing the public portion of the meeting, Mayor Alessi announced the loss of Mayor Emeritus James Matarazzo. He noted that Mayor Matarazzo and many of his family members have been active leaders and volunteers in North Caldwell since the 1940's. He asked for a moment of silence in the former mayor's honor.

Councilman Raymond noted that members of the public arrived to the meeting late and moved for an additional opportunity for Citizens to be Heard be held. Said motion was unanimously carried. Mayor Alessi opened the floor to the public.

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Kathy Schwiff, editor of The Progress Newspaper, asked if Green Brook Country Club had been sold to a developer and if a development plan was in place. Mayor Alessi stated that the country club had been purchased by Woodmont Properties who is currently continuing operations as a country club.

Executive Session

Resolution R-152-19 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting for Certain Specified Purposes: A. Potential Litigation: (1) Liberty Turf Field was read. Motion was made by Council President Santomauro and was seconded by Councilman Raymond. Said motion was carried unanimously with five votes.

The meeting was re-opened to Public at 6:45pm.

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 6:46pm. This motion was carried unanimously.

Respectfully submitted,



Tami Michelotti
Borough Clerk