

Mayor & Council Regular Meeting – June 25, 2019

The Regular meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, June 25, 2019 at Borough Hall, Gould Avenue, North Caldwell, New Jersey and began at 7:35pm.

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:

Present: Mayor Alessi, Council President Santomauro, Councilman Raymond, Councilman Rees.

Absent: Councilman Astorino, Councilman Kessler.

Also present were: David M. Paris, Esq., Borough Attorney; Kevin O'Sullivan, Borough Administrator; Richard Mondelli, Chief Financial Officer; and Tami Michelotti, Borough Clerk.

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

Mayor's Report

Mayor Alessi announced that the municipal pool is now open daily from 11:00am through 7:45pm with free senior citizen swim days every Wednesday. He thanked pool members for their patience regarding the delayed opening of the zero-depth entry wading pool. Mayor Alessi stated that the Mayor and Council will meet only once a month in July and August when conference and regular meetings are consolidated with meetings beginning at 6:30pm. He noted the success of the annual Firemen's Pancake Breakfast and the Baseball/Softball end-of-season pool party.

Mayor Alessi presented a proclamation to Barbara Longo, Superintendent of West Essex School District, on the occasion of her retirement in honor of her service and leadership to the West Essex community.

Mayor Alessi presented a proclamation to Emily Goldberg and members of Moms Demand Action in honor of Gun Violence Awareness Month.

Citizens to be Heard

Mark Schwarz – 57 Beachmont Terrace

Mr. Schwartz expressed his dismay in the process that led to the installation of multi-way stop signs in front of his home at the intersection of Beachmont Terrace and Hamilton Drive East. He stated that an ordinance was adopted in December of 2018 to allow for the installation of the signs which he became aware of when a warning sign was temporarily erected in January notifying the public of the upcoming stop sign installation. He stated that stop signs are not recommended speed control solutions and asked that a traffic study be conducted in addition to the speed data collected by the NCPD.

Mayor Alessi stated that safety is the focus and that the Council consistently considers all opinions of residents. He added that the issue would continue to be monitored and evaluated for potential next steps. Councilman Chiaia added that two proposals were received for a traffic study which were approximately \$4,000 and \$6,000.

Mr. Schwartz stated that his position has evolved from an aesthetic concern to one of providing the correct safety measures for the situation. He added that there has never been an accident in front of his home during his 18 year residency. He noted that the stop signs may put the Borough at legal risk with no study to document an engineering opinion.

Councilman Rees stated that preliminary speed data from the NCPD completed earlier in the month should be compared to speed data now that the stop signs are in. He noted that the data should be collected after traffic patterns resume in the fall after school re-opens. He added that a traffic study could then be conducted after the speed data is reviewed.

Michael Michura – 30 Brookside Terrace

Ray and Marci Franciose – 32 Brookside Terrace

Mr. Michura and Mr. Franciose asked for an updated Stormwater Management Plan as the most recently posted plan was dated from 2005. Council President Santomauro stated that the Borough adopted and adheres to the State Stormwater Management Plan which provides a municipality's minimum requirements. Mr. O'Sullivan offered to provide the Borough's most recent town-specific plans.

Mrs. Franciose stated the concern with the maintenance of the brook behind her home as well as the culvert between their homes. Mr. Michura added that debris runs down from Cedar Grove into the brook and that vegetation adds to the brook being compromised. Mr. O'Sullivan stated that he and Assistant DPW Director Bill Stickles already evaluated their properties last week. He noted that the area

leading into the culvert is scheduled to be cleaned and maintained within the next two weeks. He confirmed that culvert repairs were planned as it is within the Borough's easement. He noted that in order to access the Borough's culvert and headwall, some additional clearing of the brook may be conducted. He offered to provide a more specific schedule as soon as possible. Mr. Michura added that a regularly scheduled maintenance plan is needed. Council President Santomauro added that sediment is typical. She added that areas where the Borough does not have an easement is the responsibility of homeowners to care for the brooks and streams. She offered the most current mandatory State statute regarding stormwater rules and regulations as per NJAC 7:8.

Councilman Chiaia offered that these residents live on the border of Cedar Grove along which the brook runs. He stated that during regular rain, the brook can handle the flow. He added that water overflowed the brook and culvert walls during last August's storm leaving both needing repair. Mayor Alessi confirmed that the Borough would make repairs to the culvert and head walls. Councilman Chiaia suggested that the Borough discuss the problem with Cedar Grove and Essex County. He added that the Borough needs to delineate which responsibilities for the brook that the Borough will assume vs. what will be the responsibility of the residents.

Bernie Doyle – 31 Glenview Road

Mr. Doyle asked when the stone façade would be installed on the walls of detention basin 2 to which Mr. O'Sullivan replied that the work should begin in approximately two weeks. Mr. Doyle asked about the sealant to which Mr. O'Sullivan stated that a waterproof grout would be added to the interior wall.

Dan Gallagher – 36 Ferndale Road

Mr. Gallagher stated that the leaks in detention basin 2 were coming from the portion of the wall that is below ground. Mr. O'Sullivan answered that the areas with cracks, as identified by the Borough Engineer, would be excavated and sealed.

Mr. Gallagher noted that flooding down Glenview Road was evident that day after rainfall. Mr. O'Sullivan stated that he observed the waterflow and called Tony Rossi of Pulte to ensure remediation for soil erosion. Mr. Gallagher asked the Council to continue to clarify each step in the process on the record for future reference in addition to Planning Board approvals and agreements.

Mr. Gallagher stated that blasting resumed on the Hilltop and asked if seismograph monitoring was in place. Mayor Alessi noted that blasting is controlled and monitored at the State-level. Mr. O'Sullivan added that the State issues blasting permits and has oversight of the site as it is outside of Borough jurisdiction. He noted that complaints and questions must be addressed to the Department of Labor.

Councilman Rees asked that the Borough get a copy of the survey for the blasting. Mr. Paris stated that there should be a pre-blasting survey and post-blasting survey performed. Council President Santomauro stated that another resident with whom she spoke indicated that no pre-blasting survey had been conducted at her home. Mr. Gallagher was also unaware of such surveys of residences.

Mr. Gallagher asked if sediment from waterflows ends up in the brook before reaching the Glenview Road culvert. Council President Santomauro referred to the Petry drainage report and offered that she would research it further to provide a response.

Approval of Minutes

Council President Santomauro moved to accept the minutes from the Conference Meeting and Executive Session of March 12, 2019, seconded by Councilman Raymond. Councilman Chiaia abstained. Said motion was passed unanimously with four votes, including that of Mayor Alessi to achieve a quorum.

Council President Santomauro moved to accept the minutes from the Regular Meeting and Executive Session of March 26, 2019, seconded by Councilman Raymond. Said motion was passed unanimously with four votes.

Council President Santomauro moved to accept the minutes from the Conference Meeting and Executive Session of April 9, 2019, seconded by Councilman Raymond. Said motion was passed unanimously with four votes.

Mayor & Council Regular Meeting – June 25, 2019

Council President Santomauro moved to accept the minutes from the Regular Meeting and Executive Session of April 30, 2019, seconded by Councilman Raymond. Said motion was passed unanimously with four votes.

Committee Reports

Legal and Ordinance

Resolution R-137-19 A Resolution Authorizing Renewal of Liquor License to Dezi's Hospitality, LLC dba Horseneck Tavern was read. Motion made by Councilman Raymond, seconded by Council President Santomauro. Councilman Rees abstained as he owns a property within 200 feet of the licensee. Said motion was carried unanimously with four votes, including that of Mayor Alessi to achieve a quorum.

Personnel and Administration

Resolution R-138-19 A Resolution Authorizing Payment of Annual Salary Increase to Police Dispatcher was read. Motion made by Rees, seconded by Council President Santomauro. Said motion was carried unanimously with four votes.

Finance

Councilman Rees made a motion to accept the Tax Collector's Report for May 2019, seconded by Councilman Chiaia. Said motion was carried unanimously with four votes.

Resolution R-139-19 A Resolution Approving the Payment of Bills was read. Motion made by Councilman Rees, seconded by Councilman Chiaia. Said motion was carried unanimously with four votes.

Resolution R-140-19 A Resolution Approving the Insertion of Revenue Item – Chapter 159 – FEMA Reimbursement was read. Motion made by Councilman Rees, seconded by Councilman Chiaia. Said motion was carried unanimously with four votes.

Public Safety

Councilman Chiaia offered the Police Department Public Safety and Detective Bureau Reports for May 2019. He noted that Dispatch handled 1,055 from North Caldwell residents. He added that 279 moving violation summonses were issued.

Councilman Chiaia offered the Fire Department Public Safety Report for May 2019. He noted that the volunteer firefighters responded to 29 calls of which 18 calls were in response to fire alarms. He added that Chief D'Ascensio asked that propane grill users to make sure fittings are tight to avoid leaks.

Resolution R-141-19 A Resolution Authorizing an Increase in the "Change Fund" for the Municipal Court of North Caldwell and Essex Fells was read. Motion made by Councilman Chiaia, seconded by Councilman Raymond. Said motion was carried unanimously with four votes.

Resolution R-143-19 A Resolution Appointing Charles Tynan as Volunteer Fire Department Member was read. Motion made by Councilman Chiaia, seconded by Councilman Raymond. Said motion was carried unanimously with four votes.

Resolution R-142-19 A Resolution Supporting the Path to Progress Recommendations Made by New Jersey Economic and Fiscal Policy Workgroup was tabled by Councilman Chiaia as further revisions were required before consideration by the Council.

Public Works

Council President Santomauro offered the Construction Permit Activity Report for May 2019. She noted \$219,000 in permit fee revenue.

Council President Santomauro offered the Solid Waste Collection Report for May 2019. She stated that recycling collection has decreased slightly.

Council President Santomauro offered the Animal Control Report for May 2019. She noted a recent coyote attack in Fairfield and suggested that residents be mindful of attraction of wildlife on their properties.

Resolution R-144-19 A Resolution Approving the Submission of a Grant Application and Execution of a Grant Contract with the NJDOT was read. Motion made by Council President Santomauro, seconded by Raymond. Said motion was carried unanimously with four votes.

Recreation

Mayor Alessi offered to table Recreation Director's Report for June/July 2019 as Councilman Kessler was not present.

Resolution R-145-19 A Resolution Authorizing the Hiring of Part-Time Seasonal Employees for the 2019 Municipal Pool Season – Lifeguards was read. Motion made by Councilman Raymond, seconded by Councilman Chiaia. Said motion was carried unanimously with four votes.

Resolution R-146-19 A Resolution Authorizing the Hiring of Part-Time Seasonal Employees for the 2019 Summer Fun Camp Season – Substitute Director was read. Motion made by Councilman Raymond, seconded by Councilman Chiaia. Said motion was carried unanimously with four votes.

Resolution R-147-19 A Resolution Fixing Fees for Recreation Programs – Soccer Clinic was tabled until a subsequent meeting as the soccer clinic vendor had not confirmed the fees.

Executive Session

Council President Santomauro moved Resolution R-148-19 A Resolution Authorizing the Mayor and Council of the Borough of North Caldwell to Hold a Closed Session Meeting for Certain Specified Purposes: A. Personnel: (1) NCPD; B. Potential Litigation: (1) Municipal Pool; C. Anticipated Contract Negotiations: (1) Walker's Property, (2) Verona Municipal Court, (3) Police Dispatch, (4) Liberty Turf Field. Motion was seconded by Councilman Raymond. Said motion was carried unanimously with four votes.

The meeting was re-opened to Public at 9:56pm.

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 9:56pm. This motion was carried unanimously.

Respectfully submitted,



Tami Michelotti
Borough Clerk