

The regular meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, June 28, 2016 at the Borough Hall, Gould Avenue, North Caldwell, New Jersey and began at 7:38pm.

Roll Call indicated the following present:

Mayor Alessi

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

Absent: Councilman Astorino

Also present were: David M. Paris, Borough Attorney, Mel Levine, Borough Administrator, Frank Zichelli, Borough Engineer, Nancy 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 Councilman Rees to lead the Pledge of Allegiance.

### **MAYOR'S REPORT**

Mayor Alessi thanked Verner Cadby for the Mustang 440 GT they donated for the Borough's use at the Memorial Day Parade. Due to bad weather, the parade was cancelled, but the Mayor hopes to ride in the Mustang at next year's parade.

The 4<sup>th</sup> of July Fireworks will be held at the back fields as Bonnel Field is currently under construction and will not be finished in time for the festivities.

The Mayor thanked Henry Forstenhausler, John Ritter and all the North Caldwell firemen on another successful pancake breakfast. He also thanked Boy Scout Troop 6 and Adventure Crew 59 for their help. Over 600 people attended including Congressman Frelinghuysen.

Mayor Alessi spoke about the flowers that have been planted in front of the Police Station. Tiger Scout Pack 856 planted the flowers and they look beautiful.

The pool is now open for the season. The addition of WiFi and a 55 inch screen TV have been a big hit. July 21<sup>st</sup>, July 28<sup>th</sup> and August 4<sup>th</sup> are the scheduled dates for Movies at the Pool. The Mayor encouraged everyone to enjoy the pool and not miss the movie nights.

The Mayor stated that he wanted to change the agenda and have the Citizens to be Heard at the beginning of the meeting.

### **CITIZENS TO BE HEARD**

Henry Forstenhausler – Mountain Avenue, Mr. Forstenhausler stated he does not understand why North Caldwell Senior Citizens still do not have access to senior bussing. Caldwell, West Caldwell and Roseland have had senior bussing for many years. Mayor Alessi explained that North Caldwell's Business Administrator has looked into the cost and it is not warranted at this time.

Shari Ritter – 12 Hamilton Drive East, Mrs. Ritter stated she has concerns with the house currently being built at 16 Hamilton Drive East. Because of its large size, she feels it does not fit in with the aesthetics of the neighborhood. It appears the house is much too large for the piece of property. She is also concerned with the current condition of the construction site as she feels it poses a safety hazard.

Neil Boyle – 13 Hamilton Drive East, Mr. Hamilton questioned the Council on how a house of that size could be approved to be built on that size property. He feels it is

so large its appearance is that of an office building. He asked if there should be some kind of an ordinance going forward that when you tear a home down for new construction, it should fit into the aesthetics of the neighborhood.

The Council explained that when building a home you cannot judge its style. There had been litigation many years ago in North Caldwell regarding this issue. It was also explained that when applying for building permits, if the house does not fall within the guidelines, then a variance is required. It is at this time, residents within 200 feet of the property are given notice. However, if there is no need for a variance, there is no requirement for notification.

Karen Hipsher – 14 Hamilton Drive East, Mrs. Hipsher explained that she was the executrix of the previous owner's estate. It was her fiduciary responsibility to the estate to get the best price possible for the property. But, as a resident of the neighborhood, she is unhappy with the house being constructed. The driveway is now going to butt up against her property line and she has concerns with water runoff issues. She believes the house is approximately 6000 square feet and cannot understand why the neighbors were not given notice.

The Mayor stated that North Caldwell's Construction Code Official, Paul Milani, would explain the process when renovating or building a home. The Mayor also stated that he spoke with the contractor with regard to the general condition of the site, specifically the port-a-john and large pieces of concrete. He told the contractor that the entire neighborhood is displeased with the site. The contractor did install a dumpster onsite.

Paul Milani, Zoning and Construction Code Official, stated that when building, renovating or adding to an existing structure the plans are reviewed for zoning compliance and building code. Impervious coverage, which is the percentage of the lot that can be covered with all impervious material including the building, walkways and drive-way is calculated. The percentage allowed is 30% and this home's impervious coverage is slightly over 29%. The height in that zone allows for 32 feet. The calculation is based from the average grade of the property. On the plans submitted, it is at slightly less than 32 feet. If the applicant exceeds any of the restrictions, a denial letter is generated giving the applicant the opportunity to then go before the Planning Board or Zoning Board for a variance for relief for whatever zoning requirement are not being met by the proposed construction. The mechanism in place going forward is after the foundation is laid, a survey measuring its height is taken. A height survey of the home is also required when it is complete. This is required to verify compliance with the plans that were submitted. With this particular house, it is maxed out in every direction but remains compliant. Therefore, residents within 200 feet of this property were not required to be notified.

Mr. Milani also spoke about the water runoff. He said there is an ordinance which requires runoff to be calculated and containment systems needed to be engineered and submitted for approval. This particular property is required to have a large concrete containment system in place. The drainage from gutters would go into this system. This house has three of them. This is more than the minimum required and more than sufficient for the runoff. This runoff system will be an improvement as there was most likely no runoff system in place prior to this.

The Board asked Mr. Milani if a site plan and survey showing all the impervious coverage is submitted and signed off by the engineer and/or the architect and if those plans are open to the public for review. Mr. Milani stated that residents are welcomed and encouraged to come to the Building Department and view the plans prior to and during construction. If there are any concerns at any point, Mr. Milani said to contact him or the Building Department directly.

Mrs. Hipsher asked Mr. Milani about the retaining wall, the exact square footage of the structure, the size of the lot and the percentage being covered. Mr. Milani stated he will have to get back to her on those issues. It was also asked if the home was built on the existing foundation. Mr. Milani said he will answer all

questions the residents may have and suggested they contact the Building Department for his response.

John Rapkin – 35 Willowbrook Drive

Josh Lightner - 4 Coventry Lane

Mr. Rapkin said they were here to provide an update on improving the Borough's recreation facilities. Currently, they are working on a fund raising plan, understanding the specific improvements and their priorities and understanding the cost, timeline and feasibility of the project(s).

In the past two months, they have met with Bill Maranz, Recreation Director and the North Caldwell Recreation Foundation for which they are now committee members.

A 5K run/walk is scheduled for October 29. Part of the proceeds from this event will be used for the refurbishment of the fields. Bill Maranz informed Messrs. Rapkin and Lightner of the possibility of a \$100,000 to \$150,000 Open Space Grant. They will start exploring the sponsorship from local business and look to the Council for guidance for the possibility of having private and/or corporate donors for naming rights.

They said they conducted an online survey. Three hundred thirty four residents participated. A sample of the findings are as follows: 73% are willing to contribute time and money; 70% feel the athletic fields are the Borough's number one priority; over 80% feel the outdoor recreational facilities need improvement; less than 10% surveyed feel the athletic fields are good to excellent. Lastly, the open feedback portion of the survey indicates that residents are interested in better restrooms, easier accessibility for seniors, working scoreboards and snack bars/improved snack bars.

It was asked if a landscape engineer could be hired to evaluate each of the fields in order to have a better understanding of what the possibilities are, turf field vs. grass field, restrooms, the cost involved, etc. Following this, an open town hall meeting with residents could be held to address the findings. Frank Zichelli, Borough Engineer, stated he has been in contact with several firms for an estimated proposal. Borough Attorney, David Paris suggested that due to timing issues, the Recreation Foundation may want to consider undertaking this study. At a later date, if it is deemed the study a benefit to the public, the Council could possibly pass a resolution to reimburse the foundation.

Councilman Chiaia suggested North Caldwell Sgt. Karl Strodthoff be recognized at future Council meeting for his heroic efforts responding to a house fire in Fairfield while he was off duty. The Council was in agreement and will contact Sgt. Strodthoff to schedule a time when he and his family are available to attend a meeting.

### **APPROVAL OF MINUTES**

Council President Santomauro moved to accept the minutes from the Regular Meeting of May 24, 2016, seconded by Councilman Chiaia, with Councilman Kessler and Councilman Rees abstaining. Said motion was passed 3-0-2.

Council President Santomauro moved to accept the minutes from the Executive Session of May 24, 2016, seconded by Councilman Chiaia, with Councilman Kessler and Councilman Rees abstaining. Said motion was passed 3-0-2.

Council President Santomauro moved to accept the minutes from the Conference Meeting of June 13, 2016, seconded by Councilman Kessler, with Councilman Rees abstaining. Said motion was passed 4-0-1.

Council President Santomauro moved to accept the minutes from the Executive Session of June 13, 2016, seconded by Councilman Kessler, with Councilman Rees abstaining. Said motion was passed 4-0-1.

## **COMMITTEE REPORTS**

### **LEGAL AND ORDINANCE**

An update on the acquisition of Walker's Pond was given. Borough Attorney, David Paris said the due diligence date has been extended to July 22, 2016. Borough Engineer, Frank Zichelli, stated the Green Acres requirements are completed and have been submitted. Further soil and sediment samples are tentatively scheduled for next week. David Paris suggested moving the due diligence date to July 28.

Resolution R-119-16 – Resolution of the Borough of North Caldwell, County of Essex, State of New Jersey, Determining to Permit the Issuance of One New Plenary Retail Distribution License Within the Borough of North Caldwell Pursuant to the Public Bid Option Pursuant to N.J.S.A. 33:1-19.3 was read. Motion was made by Council President Santomauro, seconded by Councilman Rees, with Councilman Chiaia abstaining. Said motion was passed 4-0-1.

Raffle Application by Notre Dame Church for a Calendar Raffle for 2017 to be held at Notre Dame Church on the 22<sup>nd</sup> day of each month in 2017 – A motion was made by Council President Santomauro to grant the raffle application to Notre Dame Church for a Calendar Raffle for 2017, seconded by Councilman Chiaia. Said motion was carried unanimously.

Resolution R-129-16 Liquor License Renewal – Dezi's Hospitality, LLC was read. Motion was made by Council President Santomauro, seconded by Councilman Chiaia. Said motion was carried unanimously.

### **PERSONNEL AND ADMINISTRATION**

Resolution R-120-16 – Appointment of Samantha Benanti as Head Director of the Summer Fun and Kiddie Camp for 2016 was read. Motion was made by Councilman Rees, seconded by Councilman Raymond. Said motion was carried unanimously.

Resolution R-121-16 – Appointment of Victoria Zizzo as Director of Lower Camp and Assistant Director of Kiddie Camp for 2016 was read. Motion was made by Councilman Rees, seconded by Councilman Raymond. Said motion was carried unanimously.

Resolution R-122-16 - Authorization to Hire Seasonal Employees for 2016 – Summer Fun was read. Motion was made by Councilman Rees, seconded by Councilman Raymond. Said motion was carried unanimously.

### **FINANCE**

Councilman Chiaia, in Councilman Astorino's absence, moved to accept the May 2016 Collector's Report, seconded by Councilman Kessler. Said motion was carried unanimously.

Resolution R-123-16 – Approval to Pay Bills – Councilman Chicia made a motion for the approval to pay bills in the amount of \$1,341,714.57, seconded by Council President Santomauro. Said motion was carried unanimously.

Resolution R-124-16 Resolution Exempting Property Owned by Disabled Veteran From Taxation Pursuant to N.J.S.A. 54:4-3.30 was read. Motion was made by Councilman Chiaia, seconded by Council President Santomauro. Said motion was carried unanimously.

Resolution R-125-16 Tax Lien Redemption, Block 1701, Lot 2 was read. Motion was made by Councilman Chiaia, seconded by Council President Santomauro. Said motion was carried unanimously.

#### PUBLIC SAFETY

Councilman Chiaia offered the Police Department Public Safety Report for May 2016. There were 1162 calls to dispatch for the month. There were 120 traffic violations and other tickets issued during the month. summons issued. There were four thefts and four juvenile matters at West Essex High School. There were 115 hours of overtime for the month, 36.5 hours were reimbursable.

#### PUBLIC WORKS AND UTILITIES

Councilman Kessler offered the May 2016 Construction Report. For the month of May, 53 permits were issued bringing the year-to-date total to 219. This represents a 29% increase from last year. Fees collected for permits issued for the month was \$19,580.00 bringing the yearly total to \$77,335.00.

Councilman Kessler offered the May Recycling Report stating 314 tons of waste was collected. 71.76% collected was recycling. For the year, there were 365 tons of recycling collected and 1,387 tons of total waste collected.

Councilman Kessler read the Animal Control Report for the month of May 2016. There were ten calls received during the month. Five summons and two warning were issued.

#### RECREATION

Councilman Raymond offered the June/July 2016 Recreation Report. Recreation baseball and softball concluded with 277 participants. The pool party held on June 6 was a success with over 600 family members attending. There was pizza from Forte's and Italian ice from Gelotti's. A special thank you to North Caldwell resident Marc Cinque from Premio Sausage Company for supplying the sausage sandwiches.

Scheduling for travel and men's baseball is underway.

Spring youth track and field was a success with 60 participants and the new program, Cardio tennis for adults, was also a success.

Summer fun is underway with 165 children registered. On June 1 the seniors had their indoor picnic at Firemen's Hall to kick off the summer season.

Tennis memberships are down due to the courts upcoming refurbishing. When completed, the tennis courts will now be blue and green to match the U.S. Open courts.

Soccer sign-ups are underway. The July 4 fireworks will be held at the James Caldwell High School baseball field.

Councilman Raymond recognized Detective Michael Credico for a tremendous job in getting the WiFi connection at the pool. The residents are very happy to have free WiFi as well as the new TV and ping pong table.

Resolution R-126-16 – Resolution of the Borough of North Caldwell Authorizing the Nick Tanelli Children's Soccer Foundation 5K Run on October 29, 2016 was read. Motion was made by Councilman Raymond, seconded by Councilman Chiaia. Said motion was carried unanimously.

Resolution R-127-16 – Authorization to Hire Additional Seasonal Employees for 2016 Baseball/Softball Season Umpires and Officials was read. Motion was made by Councilman Raymond, seconded by Councilman Kessler. Said motion was carried unanimously.


**EXECUTIVE SESSION**

Resolution R-128-16 - Authorization for Executive Session for Certain Specified Purposes - Contract Negotiations –(1) Mt. St. Dominic’s; (2) Traffic Signal Cost Sharing Agreement;(3) Verizon Wireless Small Network Nodes (4) Caldwell Sewer Utility B. Litigation – (1) COAH Declaratory Judgement was read. Motion was made by Council President Santomauro seconded by Councilman Kessler. Said motion was carried unanimously.

Re-opened to Public Meeting at 10:42pm.

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 Kessler that this meeting be adjourned at 10:44pm. This motion was carried unanimously.

Respectfully submitted,

  
Nancy A. Bretzger, Borough Clerk