

The regular meeting of the Mayor and Council of the Borough of North Caldwell was held on Tuesday, March 22, 2016 at the Borough Hall, Gould Avenue, North Caldwell, New Jersey and began at 7:04pm.

Roll Call indicated the following present:

Mayor Alessi

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

Also present were: David M. Paris, Borough Attorney, Mel Levine, Borough Administrator, Frank Zichelli, Borough Engineer, Mark Deuer, Police Chief, and 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 Council President Santomauro to lead the Pledge of Allegiance.

MAYOR'S REPORT

The Mayor and Council presented basketball awards to the girls and boys 5th and 6th grade championship teams. The Mayor congratulated the teams and coaches on their successful season and wished them continued success.

EXECUTIVE SESSION

Resolution R-68-16 - Authorization for Executive Session for Certain Specified Purposes - Contract Negotiations –(1) Caldwell Sewer Utility; (2) Traffic Signal Cost Sharing Agreement (3) PVWC Contract (4) 2016 Tennis Courts Rehabilitation; B. Litigation – (1) COAH Declaratory Judgement – A. RFP's B. Deed Restriction – 620 Mountain Ave.; C. Personnel was read. Motion was made by Council President Santomauro seconded by Councilman Raymond. Said motion was carried unanimously.

Re-opened to Public Meeting at 8:04pm.

APPROVAL OF MINUTES

Council President Santomauro moved to accept the minutes from the Budget Meeting of February 23, 2016, seconded by Councilman Kessler. Said motion carried unanimously.

Council President Santomauro moved to accept the minutes from the Executive Session Budget Meeting of February 23, 2016, seconded by Councilman Kessler. Said motion carried unanimously.

Council President Santomauro moved to accept the minutes from the Regular Meeting of February 23, 2016, seconded by Councilman Kessler. Said motion carried unanimously.

Council President Santomauro moved to accept the minutes from the Executive Session Meeting of February 23, 2016, seconded by Councilman Kessler. Said motion carried unanimously.

Council President Santomauro moved to accept the minutes from the Capital Budget Meeting of March 8, 2016, seconded by Councilman Kessler. Said motion carried unanimously.

Council President Santomauro moved to accept the minutes from the Conference Meeting of March 8, 2016, seconded by Councilman Kessler. Said motion carried unanimously.

Council President Santomauro moved to accept the minutes from the Executive Session Meeting of March 8, 2016, seconded by Councilman Kessler. Said motion carried unanimously.

COMMITTEE REPORTS

Council President Santomauro spoke about the contract which was recently signed to acquire Walker's Pond. She said as exciting as that was, it will be even more so when the project starts.

LEGAL AND ORDINANCE

Council President Santomauro moved to Open the Public Hearing for Ordinance O-3-16 – Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14), seconded by Councilman Astorino. Said motion was carried unanimously. Seeing no one from the public coming forward, Council President Santomauro moved to Close the Public Hearing for Ordinance O-3-16 – Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-4-45.14), seconded by Councilman Astorino. Said motion was carried unanimously.

Council President Santomauro moved to Adopt Ordinance O-3-16-Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14), seconded by Councilman Astorino. Said motion was carried unanimously.

Council President Santomauro moved to Open the Public Hearing for Ordinance O-4-16 – Bond Ordinance Authorizing Acquisition of Real Property Located at 400 Mountain Avenue and Site Improvements Thereto In and For the Borough of North Caldwell, In the County of Essex, New Jersey, Appropriating \$2,850,000 Therefore and Authorizing the Issuance of \$2,625,000 Bonds or Notes to Finance Part of the Cost Thereof, seconded by Councilman Kessler. Said motion was carried unanimously.

Mr. Steven Pepe, 77 Brookside Terrace stated he has lived in North Caldwell for ten years. He knows that no one is interested in developing Walker's Pond. He stated many surrounding towns have community centers and better athletic fields and feels this is where funds in North Caldwell should be spent. He stated there will not be a parking lot to accommodate cars and the ongoing maintenance will be expensive. He thinks this should have gone out on a public referendum to let the residents decide. Mayor Alessi explained that if a developer were to purchase the property they would be able to do almost anything with it, i.e. houses, townhomes, condominiums. Borough Attorney, David Paris, explained that not everything in town is done by referendum. He said at a certain point the elected officials use their best judgment on behalf of the town in order to preserve the future of the town.

Mrs. Edith Jenkins spoke about the purchase of Walker's Pond. Mrs. Jenkins stated that she has been approached by many residents who are in favor of purchasing the property. It will serve as a recreation area with skating, a nature preserve, as suggested by the Council, and some houses on the back of the property that will generate income for the town. She feels it would be sad if the property was not preserved.

Council President Santomauro moved to Close the Public Hearing for Ordinance O-4-16 – Bond Ordinance Authorizing Acquisition of Real Property Located at 400 Mountain Avenue and Site Improvements Thereto In and For the Borough of North Caldwell, In the County of Essex, New Jersey, Appropriating \$2,850,000 Therefore

and Authorizing the Issuance of \$2,625,000 Bonds or Notes to Finance Part of the Cost Thereof, seconded by Councilman Astorino. Said motion was carried unanimously.

Councilman Raymond addressed Mr. Pepe's concerns regarding the Walker property. He said although he is not in favor of purchasing the property, he has spoken with many residents who are. They remember the days as it being a beautiful sight and would like to see it return to that.

Councilman Raymond said he is concerned with the outlay of \$2.8 million dollars as this does not include dredging the wetlands, renovating existing structures, winter maintenance for skating, filling the pond for summer fishing, garbage pick-up, lawn maintenance, snow removal, lighting and police monitoring which are all issues set forth in Councilman Astorino's five-year plan. He is concerned there is no vision on how to fund these issues going forward.

Councilman Raymond stated there are lengthy discussions during Council meetings on improving facilities and all Council members are concerned about making this a better community. The dialogue needs to continue and in order to figure out our priorities, which includes turf fields, community center and fixing current facilities.

Council President Santomauro moved to Adopt Ordinance O-4-16 Bond Ordinance Authorizing Acquisition of Real Property Located at 400 Mountain Avenue and Site Improvements Thereto In and For the Borough of North Caldwell, In the County of Essex, New Jersey, Appropriating \$2,850,000 Therefore and Authorizing the Issuance of \$2,625,000 Bonds or Notes to Finance Part of the Cost Thereof, seconded by Councilman Astorino. Councilman Raymond voted No, with all others voting Yes. Said motion was passed.

Resolution R-69-16 – Resolution Approving a Professional Services Contract By and Between the Borough of North Caldwell and Lasser Sussman Associates, LLC was read. A motion was made by Council President Santomauro, seconded by Councilman Rees. Councilman Raymond voted No, with all others voting Yes. Said motion was passed.

Resolution R-70-16 - A Resolution Authorizing the Approval of an Agreement By the Borough of North Caldwell with Econsult Individually was read. A motion was made by Council President Santomauro, seconded by Councilman Astorino. Said motion was carried unanimously.

Resolution R-71-16 - A Resolution Authorizing the Borough of North Caldwell to Enter Into a Local Municipal Group Agreement with Econsult Solutions, Inc. was read. A motion was made by Council President Santomauro, seconded by Councilman Astorino. Said motion was carried unanimously.

PERSONNEL AND ADMINISTRATION

Resolution R-72-16 - Resolution Confirming Appointment of Robert Bernard Bell as Part-Time Electrical Inspector of the Borough of North Caldwell was read. A motion was made by Councilman Rees, seconded by Councilman Kessler. Said motion was carried unanimously.

FINANCE

Councilman Astorino said since he was quoted regarding the 5-year Master Plan, he'd like to discuss how decisions are made as to the purchase of Walker's property or turfing a field.

He said many on the Council have served on the Planning Board and they recognize there is a Master Plan that incorporates principle, prudence, tax planning and grandeur. He said no one is against a turf field, but when you need to weigh the economics between a turf field and property that covers multiple aspects of our town, including tax revenue and history. \$1.8 million dollars for a turf field that may only last up to 15 years is an issue that needs to be seriously considered and

may possibly come up again in the future. Councilman Astorino said that 17% of the tax levy is used to run the Borough. Money needs to be spent accordingly and he suggests revisiting the Master Plan.

Councilman Astorino offered the Collector's Report for the month of February 2016 in the amount of \$6,713,310.42. The water account collected \$102,493.55 and the pool account collected \$719. Councilman Astorino moved that the Collector's Report be accepted, seconded by Council President Santomauro. Said motion was carried unanimously.

Resolution R-73-16 – 2015 Appropriation Reserves Transfers Approval in the amount of \$27,150.00 was read. Motion was made by Councilman Astorino, seconded by Council President Santomauro. Said motion was carried unanimously.

Resolution R-74-16 – Approval to Pay Bills – Approval to pay bills in the amount of \$447,058.49 was read. Motion was made by Councilman Astorino, seconded by Council President Santomauro. Said motion was carried unanimously.

Resolution R-75-16 – 2016 Municipal Budget Introduction was read. Motion was made by Councilman Astorino, seconded by Council President Santomauro. Said motion was carried unanimously.

Resolution R-76-16 – Deferred Local District School Tax was read. Motion was made by Councilman Astorino, seconded by Council President Santomauro. Said motion was carried unanimously.

Resolution R-77-16 – Deferred Regional High School Tax was read. Motion was made by Councilman Astorino, seconded by Council President Santomauro. Said motion was carried unanimously.

Resolution R-78-16 – Resolution Computing 2016 Reserve for Uncollected Taxes Pursuant to N.J.S.A. 40A4-41c(2) was read. Motion was made by Councilman Astorino, seconded by Councilman President Santomauro. Said motion was carried unanimously.

Resolution R-79-16 – Resolution Fixing Water Rates Pursuant to Ordinance O-1-09 was read. Motion was made by Councilman Astorino, seconded by Councilman Kessler. Said motion was carried unanimously.

PUBLIC SAFETY

Councilman Chiaia offered the Police Department Public Safety Report for February 2016. There were 921 calls to dispatch for the month of February. Thirteen officers patrolled the town and 67 tickets were issued. The detective report states there were two arrests for DWI and three juvenile matters at the high school. Overtime for the month was 32 hours with the courts and shift coverage. Forty seven hours are reimbursable from the high school. The Borough's nine vehicles logged in 8,387 miles.

The Fire Department reminds residents to check their batteries in their smoke and carbon monoxide detectors.

PUBLIC WORKS AND UTILITIES

Councilman Kessler offered the February 2016 Construction Report. For the month of February, 31 permits were issued in the amount of 12,729.00. Year-to date total of permits issues is 79 with fees collected in the amount of \$28,164.00.

Councilman Kessler read the Animal Control Report for the month of February 2016. There were four calls for the month. One warning was issued, a dog attack which resulted in the owner being hospitalized and a deer was stuck in a batting cage and had to be put down. There were two carcasses removed.

Councilman Kessler read the Recycling Report for February 2016. There was 226 tons of solid waste collected, of which 8.69 tons were bulk, household waste 154.99 tons, recycling was 62.93 tons. February totals were 17 tons below January 2016 totals. To date 489.56 tons of waste was collected, of which 142.09 tons was recycling.

Resolution R-80-16 – Bid Acceptance & Contract Award – Mowing & Trimming Municipal Facilities was read. Motion was made by Councilman Kessler, seconded by Councilman Astorino. Said motion was carried unanimously.

RECREATION

Councilman Raymond offered the March/April 2016 Recreation Report. Senior Bingo was a success with 27 attendees. Senior Fitness has begun with 13 enrolled.

Senior Men's basketball concluded their season mid-March. Forty and over open gym continues every Wednesday night at Gould School from 8:00pm to 9:30pm.

Recreation baseball and softball registration has ended. There are 274 participants enrolled from grades K – 8. Practices begin at the end of March.

Spring quick start tennis program is full with 16 enrolled. The program starts in April.

Spring track and field registration is underway. Practices begin April 5th.

Travel baseball and soccer practices have begun.

There is a scheduling change with baseball and softball opening day. It is now scheduled for Saturday, April 30th at 9:00am rather than April 23rd, which is the first day of Passover.

Resolution R-81-16 – Fixing Fees Pertaining to Recreation Programs – Summer Fun was read. Motion was made by Councilman Raymond with amendments to the Resolution, seconded by Councilman Kessler. Said motion was carried unanimously.

Resolution R-82-16 - Resolution of the Borough of North Caldwell Waiving the Fire Inspection Permit Fee for the North Caldwell Education Foundation Food Truck Fundraiser on May 7, 2016 was read. Motion was made by Councilman Raymond, seconded by Councilman Chiaia. Said motion was carried unanimously.

Resolution R-83-16 - Authorization to Hire Addition Seasonal Employees for 2015-2016 Basketball Season Scorekeepers was read. Motion was made by Councilman Raymond, seconded by Councilman Kessler. Said motion was carried unanimously.

Resolution R-84-16 - Contract Award-Food and Beverage Concession at the North Caldwell Community Pool was read. Motion was made by Councilman Raymond, seconded by Councilman Kessler. Said motion was carried unanimously.

CITIZENS TO BE HEARD

Richard Verde – 8 Hickory Drive – Mr. Verde thanked Borough Clerk, Nancy Bretzger, for providing him with information regarding deer culling. He said he received three reports prepared by Police Chief Mark Deuer, and the permits issued to the hunters. He stated he did not receive the rules and regulations of the hunt pursuant to the ordinance. He feels where and when the hunts occur should be communicated to the residents of the town. He is addressing this issue for safety reasons. Residents should be aware so they can avoid these designated hunting areas.

Chief Deuer stated there are a set of rules for the hunters that he will give to the Borough Clerk. The locations of the hunt are on the reports and on the permits issued to the hunters. Chief Deuer said there are signs posted on the perimeter of the areas where the hunt occurs stating the times and locations. The County sets up the large flashing sign with police presence while the hunters are in the woods.

Mr. Verde stated he feels the residents should be informed directly. He mentioned the possibility of a nixle alert as a means of doing so.

Mr. Verde asked about the potholes on Hickory Drive and other locations throughout the town. Borough Engineer, Frank Zichelli, stated this is a work in progress. He also asked about Central and Grandview Avenues. Frank Zichelli stated he has received a schedule from the County with the 2016 roadway resurfacing dates. Central and Granview Avenues are on it for some time this spring into summer.

The condition of Elm Road was mentioned and Mr. Verde wanted to know if any contact has been made with Caldwell Mayor, Ann Dassing. Mayor Alessi said he will contact Mayor Dassing after Easter.

Mr. Verde said he would like to revisit the issue of the sign ordinance. He feels that there should be an ordinance where political signs can be displayed 45 days before an election and removed no longer than five days after. Borough Attorney, David Paris, stated there is no ordinance that limits the period of time a resident can display a political sign.

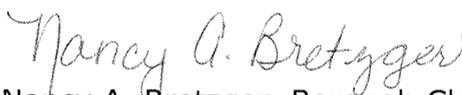
Mr. Verde spoke about his upcoming party, Farewell to the Prosecutor. He asked Chief Deuer to please extend an invitation to the entire police department. He also extended an invitation to the Council. The party is set for April 17th at 4:00pm at Mr. Verde's home.

Council President Santomauro made a motion to go back into Executive Session that was adjourned previously, seconded by Councilman Chiaia. Said motion was carried unanimously.

Re-opened to the Public Meeting at 9:29pm.

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 Chiaia that this meeting be adjourned at 9:32pm. This motion was carried unanimously.

Respectfully submitted,


Nancy A. Bretzger, Borough Clerk