

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MAY 14, 2008 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Regular Meeting at Borough Hall on Wednesday, May 14, 2008. Mayor Heymann called the meeting to order at 7:52 p.m.

1. PLEDGE OF ALLEGIANCE

Mayor Heymann invited all to join in the Pledge of Allegiance.

2. OPEN PUBLIC MEETINGS ACT STATEMENT

Mayor Heymann declared that the meeting was being held in compliance with the provisions of the Open Public Meetings Act.

3. ROLL CALL

The following persons were present:

Mayor Sophie Heymann

Councilpersons Thomas Hennessey, John Kashwick (9:00 p.m.), David Barad (7:35 p.m.)

Cynthia L. Tutoli (7:45 p.m.), Victoria Roti Amitai

Acting Administrator/Treasurer, John DiStefano

Borough Attorney, Edward T. Rogan

Borough Clerk, Loretta Castano

Borough Engineer, Nick DeNicola

Chief of Police, David Berrian

The following persons were absent:

Councilman John C. Glidden, Jr.

4. NOTE RE 2008 MUNICIPAL BUDGET: At the Regular Meeting held April 23, 2008 the Public Hearing and Adoption of the 2008 Municipal Budget was adjourned to the Regular Meeting to be held May 28, 2008 at 7:30 p.m. or as soon thereafter as the matter may be heard.

(The Municipal Budget was introduced at the Special Meeting held March 19, 2008. Synopsis of the Municipal Budget was published in the Press Journal on April 3, 2008, as stated in the printer's affidavit of publication. Reprint of the Synopsis was posted on the Municipal Bulletin Board, in accordance with statutory requirements, and copies have been made available to the general public. A copy of the Municipal Budget was hand delivered to the Closter Library on March 25, 2008 for review by the public, as stated in the Municipal Clerk's memo to the Mayor and Council dated March 25, 2008.)

Mayor Heymann announced that the Budget hearing will be postponed because the Borough asked for Extraordinary Aid for many reasons. This will not be granted until the State Budget is adopted, which is currently in a state of flux as to the amount of regular aid the municipalities under 10,000 people will be getting. Therefore, they cannot formulate the final Budget because they don't know what their State Grant income is going to be. Mayor Heymann advised anyone with personal questions regarding the Budget to meet with her separately so she can provide clarification.

5. OPEN MEETING TO PUBLIC FOR ANY MATTER, PER N.J.S.A. 10:4-12 (a) (Subject to 5-minute limit per General Rule No. 10)

Mayor Heymann opened the meeting to the public and advised that any Budget issues be saved until the time of the public hearing.

Carl Olsson, 215 Irving Avenue, explained he had sent one e-mail to Dr. Barad, adding that he speaks to the Mayor frequently about the tax burden that is rising year after year here in Closter. Every time he has spoken to the Mayor or anyone else, the issue is that we can't touch; we have no control over schools. However, schools count for approximately 77% of the tax burden; and the Mayor and Council controls a very small portion of the Budget. At the same time, year after year, they watch the spending increase in the local schools, even though enrollment is decreasing. He explained that while you may deal with a Budget issue this year, it is next year that troubles him. Last year, there were 12 new faculty members in the local school; and they had new people coming into the regional (high) school. He asked if it is necessary for every person to

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be replaced when there is a decline in enrollment. He further explained that Trenton is bankrupt and will probably shove more burdens on the backs of the municipalities. He asked if the Mayor and Council has any role in trying to deal with the local and regional schools.

Dr. Barad explained that their only role is as concerned citizens living in the same municipality as that Board is independent. Mr. Olsson voiced his understanding that the Mayor and Council has the power to speak out about this; and if they continuously look the other way, then the tax burden on the community will continue to grow. He understood that they couldn't do anything, but he suggested that local and regional schools can be questioned regarding filling empty slots. Mayor Heymann explained that she could write a letter to the School Board and the School Superintendent, making the point he was making and representing this as being asked by the community to do so. She can make the point that they have been controlling the number of new hires in Closter Borough, adding that they are wondering what they can do on the subject of the School level. She can write the letter as a representative of the people of Closter, so she can ask these questions.

Mrs. Amitai wondered if any of the Mayors in surrounding towns that have families that feed into the school system, might consider signing the same letter. Mayor Heymann pointed out that Mr. Olsson was referring to Closter's local schools; and Mr. Olsson clarified that he was concerned about the regional school also. Mayor Heymann assured she could write the same letter to the regional school and pass it along to other municipalities. Mr. Olsson explained as follows: the point of his letter to Dr. Barad really had to do with the fact that there was going to be a vacancy; and they couldn't find anybody to fill that vacancy; it was an Administrative position and they were going to promote somebody from underneath; in today's environment, where they have more Administrators in the regional school than the State average, instead of hiring somebody to fill that person who is promoted, maybe that one person can wear two hats, as to hire fewer people. Mayor Heymann assured she would include this in her letter.

Borough Attorney advised as follows: the legal and practical frustration that Governing Bodies have on this issue for years is that their Budget is actually put up to vote; the residents of the town vote; the remedy is if enough people feel the same way, that Budget will not be approved and those positions will not be filled; statutorily, the Mayor and Council run one Budget; they are separately elected, the Budget is put up for vote; in Norwood it went down; then the Mayor and Council can jump in; there were years when they did jump in. Mr. Olsson voiced his opinion that the time to jump in is before they hire people and before the offers for new positions are advertised. Mr. Rogan explained the practicality of it, noting that legally, the Budget is put up for a referendum every year. Mr. Olsson asked if anyone had read what he referred to as the week-long series in the Bergen Record about how the unions control the local school budgets and Boards of Education. He questioned how many people had voted in the last Budget. Mr. Rogan explained that the remedy is to get people involved, interested and to vote. If they don't vote, then they cannot complain. Mr. Olsson voiced his understanding that the Mayor and Council are the representatives of the tax payers of the town. He also explained that Mayor Giuliani didn't wait until he was advised what he could do legally; instead he tried to push the issue. He asked if the Mayor and Council has any obligation on behalf of everyone who is what he termed as "sweating under rising taxes" to do something pro-actively.

Mayor Heymann reiterated that she would do what she could to have the Boards of Education understand that there are members of their constituency who are concerned and that the Borough itself has done everything it can to control expenses, hoping they would use the same measures. Mr. Olsson voiced his opinion that these measures wouldn't be strong enough.

Jack Kelly, 132 Herbert Avenue, referred to the Budget, explaining he wished to look at numbers. He voiced his understanding that the Borough had \$1.3 million in Surplus at the beginning of the year; and Mr. DiStefano agreed that this was correct. Mr. Kelly also pointed out that they had taken \$600,000 out of Surplus since then, adding that they must raise \$1.2 million with the \$600,000 to meet our Budget requirement. Mayor Heymann agreed; however, she noted that whatever is taken out of Surplus will be replaced during the year. Therefore, on December 31, 2008, the Surplus figure should at least be equal to the figure from January 1, 2008. Mr. Kelly asked where this Surplus would come from; and Mayor Heymann explained that it primarily comes from construction that takes place in the second half of the year when the Borough does not have to pay taxes to the schools or the County and the money stays in Closter. Therefore, they get a bigger share of the tax return and they can build up a Surplus, because it is unanticipated directly. In response to Mr. Kelly, Mayor Heymann informed that as of right now, there is definitely a pick up in the activity in the Building Department in Closter. Mr. Kelly asked if there was any guarantee that this Surplus would be replaced due to an increase of business in the Building Department; and Mayor Heymann agreed that this was not a guarantee. Mr. Kelly voiced his assumption that they may have to take more out of Surplus next year; and Mayor Heymann informed that there wouldn't be any left to take out. Mr. Kelly questioned what

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could be done to combat the continuous rise in taxes; and Mayor Heymann explained as follows: 90% of what is in the Budget is totally beyond the Borough's control; they cannot do anything about it; they use extreme measures to save where they can; there has been a hiring freeze for full-time employees since she has become Mayor; and they have a number of positions in town; this is a big savings and the biggest thing that can be done; they rejected the potential re-building of Borough Hall and they are trying to make the appropriate improvements, even using the inmates from the Bergen County Sheriff to do some of the work; they have also used volunteers to do some of the work; they are doing everything they can to save where it is possible; as Mr. Olsson pointed out, the largest amount of the money that is being required for the tax system is totally beyond the Borough's control; they are also not getting a new police car this year, which is something they never did before; they are taking every economic measure they can.

Mr. Kelly voiced concern that eventually the tax payer himself will have to do something about it. He predicted that his taxes may go up about 15%. He pointed out that it comes down to the taxpayer, who is responsible for paying. Mr. DiStefano informed that a lot of it goes back to what the Mayor stated, adding that this is a reality that we all must live with. Mayor Heymann suggested he speak to the Governor and the Legislature, adding that they are the ones who are putting the Borough in the bind in which they now exist. In order for the Legislature to show the people of New Jersey that they are really concerned with savings, they have established Executive Superintendents of School, instead of regular ones, who are now mandated to review all of the school expenses before they go on the Budget line to their communities. In addition, they have also developed and started a State Comptroller, who is going to audit every single community's fiscal situation, including how they choose their Auditor and what they do about it. All of this not only adds staff to those two positions on the State level, which are paid for in State taxes, but it will also be more paperwork for the schools and the municipalities in a big way so that instead of saving money, it is costing more money. This is the way the State has been running things and she advised anyone with concerns to address the Governor and the Legislature, adding that she believes it is a travesty in terms of saving money to hire a Comptroller. Mr. Kelly voiced his opinion that they cannot continuously blame others for this, noting that he can no longer afford to pay taxes.

Donna Kelly, 333 Demarest Avenue, explained she attended the School Budget Meeting, informed that the only people who were in attendance were the members of the PTO, so that they had enough people to agree to support the Budget. She noted that if more people showed up and asked intelligent questions to the people presenting the Budget, then the people in the audience would be informed. She further noted that they told her that the Budget has only failed once, which the Mayor and Council disagreed to, pointing out that it failed more than just once. Mr. Rogan explained that it failed at least three times under his Administration. She explained that they informed her that if it failed, then they would present a new Budget to the Mayor and Council, who would then always approve same. She explained that they made a big deal about us not getting 'Chinese 2' if the Budget wasn't passed. She voiced her understanding that most of the parents, excluding herself, feel that because they have children in the school, they have to support the Budget. However, she pointed out that if more people showed up to ask intelligent questions, they would see that they don't have to do so.

Carl Olsson, 215 Irving Avenue, explained as follows: after the Budget meeting at the local School Budget Hearing, he received information from the regional school regarding how well the school and its children were doing; however, he noticed that they included something which showed the total increase, including benefits, year after year, for payroll for the school; it was up eight percent; they were proud of that because the State, on average, was up ten percent; when he went to the Budget meeting and he questioned the total increase, including benefits, they refused to answer the question; if the High School is up eight percent year after year, he assumed that the local school is up at least eight percent year after year; if somebody doesn't speak out, this will continue; they will not get help from Trenton; somebody has to start to address these things in a pro-active way; otherwise, they are looking at eight to ten percent a year increases just in 77% of the Budget.

Jack Kelly, 132 Herbert Avenue, explained that a friend of his has a two-family house and he is of the opinion that the Mayor wishes to do away with the two-family houses. He asked if this person's taxes would decrease if he were to get rid of it. Mayor Heymann advised that she would need more facts in order to answer this question. Generally speaking, the taxes on two-family houses are not much different than that of a regular one-family home; they are very little above. Mr. Kelly reiterated his question; and Mr. DiStefano suggested he speak to the Tax Assessor. Mayor Heymann voiced her understanding that they might decrease a little. Mr. Kelly asked if this was a good idea in a time of this tough economy; and suggested that they should be allowing

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these poor people to remain the way they are. Mayor Heymann explained that they must follow the laws and the ordinances of the Borough of Closter, adding that if there is a question of an ordinance being violated, the Zoning Board of Adjustment would have to intervene. She doesn't know the facts of this case, so she couldn't provide an answer; however, she welcomed him to share the details in her office, noting that she would try her best to help. Mr. Kelly explained that the gentleman was in attendance at the last meeting, and Mayor Heymann assured that they gave him the answers he needed and added that one of the problems with this particular situation, was the fact that a resident of Closter had gone to the courts and invalidated an ordinance that would have made it possible to keep this two-family home.

Jesse Rosenblum, 65 Knickerbocker Road, asked if the Mayor had a member of her family who is employed by Temple Emanu-El and Mayor Heymann agreed she did.

6. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCES AT 7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

The following Ordinances were introduced at the Regular Meeting held April 9, 2008 and were published in the Press Journal issue of April 17, 2008, as stated in the printer's affidavit of publication. Reprints of these Ordinances were posted on the Municipal Bulletin Board, in accordance with statutory requirements, and copies have been made available to the general public.

a. ORDINANCE NO 2008:1005, AN ORDINANCE ENTITLED "PAY TO PLAY" WITHIN THE BOROUGH OF CLOSTER, COUNTY OF BERGEN, STATE OF NEW JERSEY"

Mayor Heymann declared a Public Hearing. No one wished to be heard. Mayor Heymann closed the Public Hearing

Motion approving Ordinance No. 2008:1005 was made by Councilman Barad, seconded by Councilwoman Tutoli and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Hennessey, Barad, Tutoli and Amitai.

b. ORDINANCE NO. 2008:1012, AN ORDINANCE AMENDING CHAPTER 92, DRIVEWAYS, OF THE CODE SPECIFICALLY, SECTION 92-2(E) PURSUANT TO THE RECOMMENDATION OF THE PLANNING BOARD"

Mayor Heymann declared a Public Hearing.

Scott Pierce, 447 Demarest Avenue, commended the Planning Board on this action, explaining that he presented a situation to pave an existing gravel driveway to the Construction Office last year. It was immediately responded to that they could not approve it, based on the fact of the impervious coverage, it was too large. However, the driveway was in existence since the 1950s. He was forced to go to the Zoning Board of Adjustment. He attempted to ask several questions at the Construction Office on how to proceed and was met instantly with a response suggesting he hire an attorney. He recommended that the Mayor and Council take a serious look at some second and third generation families who are trying to deal with pre-existing, non-conforming colonial houses that have numerous things that are not in conformance with today's Code. He gave complete respect to the Zoning Board as to how they handled it, but complained that the Construction Office sends people to the Zoning Board of Adjustment immediately, instead of trying to help. Mayor Heymann explained that it is not the responsibility of the offices to give personal judgment of these matters; only the Zoning Board has this power. The reason for this Ordinance is to avoid some of the concerns he voiced this evening.

Dr. Barad assured that they would continue to move forward on these issues. Mr. Pierce explained that he has not completed his driveway yet, as he is waiting for the Contractor. He further noted that he is curious to see how this changes it. He will try to work with the Construction Office on this. Mr. Pierce posed the following scenario: if the side wall of his pre-existing single car garage, which is a foot and a half off of the property line, needs to be replaced, and the proper thing is to apply for a permit, he will be denied, because the situation again arises that it is a pre-existing, non-conforming. However, Mr. Rogan didn't entirely agree with this interpretation if it is questioned. Mayor Heymann voiced her understanding that they were all very much aware of the issues he was raising, adding that he could ask Dr. Barad about the matter. She explained that they are working on it, asking that they be patient. Mr. Rogan advised that the repair to a non-conforming structure should not require Board approval; it should be by permit, unless it is a knock-down.

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Motion to approve Ordinance No. 2008:1012 was made by Councilman Barad, seconded by Councilman Hennessey and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Hennessey, Barad, Tutoli and Amitai.

7. COMMUNICATIONS

a. MAIL LIST – APRIL 24, 2008 - Mayor Heymann reviewed the correspondence distributed on this date and asked if any member of the Council wished to address any matter or provide any comments.

No one wished to be heard.

b. MAIL LIST – MAY 1, 2008 - Mayor Heymann reviewed the correspondence distributed on this date and asked if any member of the Council wished to address any matter or provide any comments.

The following items were removed by the following individuals: Mayor Heymann commented on Item No. 5.

Item No. 5 – Received 04/30/08, dated 04/25/08, from Ernest McGill, The Potowmack Institute; to Mayor , re illegal traffic of firearms between and among state and local jurisdictions

Mayor Heymann informed that she attended a meeting in Washington, DC, of the Mayors against illegal guns, which dealt with the same issues. It was not a matter of outlawing guns or not having them, but a matter of controlling them legally. They want to have a very big handle on the issue of gun control.

c. MAIL LIST – MAY 8, 2008 - Mayor Heymann reviewed the correspondence distributed on this date and asked if any member of the Council wished to address any matter or provide any comments.

The following items were removed by the following individuals: Borough Clerk referred to Item No. 7.

Item No. 7 – Received 05/06/08, dated 05/02/08, from Christina Camali, Facilities Manager, Northern Valley Sports Academy, LLC, regarding request for permission to use Ruckman Field, at recommendation of Jim Oettinger, for Summer Day Camp, for a fee, for ten 5-day weeks beginning 6/23/08 and ending 8/29/08; (Copy to Glenn Parsells of attached Certificate of Insurance for review and approval; copy of letter only to Jim Oettinger, William Dahle); Possible approval upon approval of Mayor and Council and Risk Management Consultant

Borough Clerk pointed out that this was not on the Agenda this evening, as it is an item that is open to discussion. She explained that this was the first request they had and it requires insurance approvals in order for action to be taken.

Mayor Heymann explained that the Certificate of Insurance was sent to Glen Parsells for review and approval. It was not approved because the person listed as the insured was the Recreation Commission instead of the Borough of Closter. Also, the Hold Harmless Agreement was not yet included. There will be a fee; and the Recreation Commission is recommending a \$500 per week fee total for the season. Mrs. Amitai asked for clarification and Mayor Heymann informed that the field would be rented out during a time when no one else is using it, because Closter gets priority. The space that they will be using for a fee for ten five-day weeks will not interfere with our regular activities. Although this was a way to make money, Mrs. Amitai didn't agree that it was the best idea, as it will set a precedent. Borough Clerk informed that she would not place anything on the Agenda without the appropriate insurance documents posted and approved by the Risk Management Consultant. She also pointed out that this is an entirely new concept for the Governing Body. Mayor Heymann explained that not all of the insurance documents are in order yet, noting that it is obviously a controversial subject. She asked that it be placed on the Regular Meeting Agenda of May 28, 2008. However, Mrs. Amitai voiced her opinion that the parks are for the residents, not for private people to rent them out.

Borough Attorney explained that this is not just someone using the field for a single event, but it is a private business. Mr. Hennessey suggested that the Mayor ask how many people would be gathering at the park every day. Mayor Heymann advised that they either reject this or put it on the next Agenda for more information and discussion on the subject. Mrs. Amitai wished to

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reject it, while Dr. Barad asked for more information before he decides whether or not to reject it. Borough Clerk received clarification from the Mayor that this would be a possible resolution placed on the next meeting for approval or rejection. Dr. Barad suggested they have someone present at the meeting to answer questions on the topic.

8. OPEN MEETING TO PUBLIC FOR COMMUNICATION ITEMS ONLY (Subject to 5-minute per By-Laws General Rule No. 10)
- 9a. REVIEW OF CONSENT AGENDA ITEMS
(PROCEDURE TO BE EXPLAINED BY MAYOR HEYMANN)

Mayor Heymann reviewed the items on the Consent Agenda and asked if any member of the Council or Public wished to remove or discuss any item.

ORDINANCES AND RESOLUTIONS

- 10.* INTRODUCTION OF ORDINANCE NO. 2008:1013, “AN ORDINANCE TO DETERMINE THE RATE, AMOUNT, SALARIES, WAGES AND COMPENSATION AND THE METHOD OF PAYMENT THEREOF TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF CLOSTER FOR THE YEARS 2008 AND 2009, OR AS OTHERWISE NOTED” – PUBLIC HEARING ~~6/25/08~~ 6/11/08 @ 7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD
(Received from Acting Administrator/Treasurer 5/8/08)
- 11.* BILL RESOLUTION – APRIL 30, 2008
TO BE PREPARED BY TREASURER
- 12.* BILL RESOLUTION – MAY 15, 2008
TO BE PREPARED BY TREASURER
- 13.* RESOLUTION APPROVING THE TRANSFER OF PERSON-TO-PERSON PLENARY RETAIL CONSUMPTION LICENSE NO. 0207-33-009-009, HERETOFORE ISSUED TO DELMONICO’S INC., TO FRESCO, INC., FOR PREMISES LOCATED AT 171 SCHRAALENBURGH ROAD, CLOSTER, NEW JERSEY; AND DIRECTING THE BOROUGH CLERK TO ENDORSE THE LICENSE CERTIFICATE TO THE NEW OWNERSHIP
- 14.* RESOLUTION APPROVING RELEASE OF THE FOLLOWING CLOSED SESSION MINUTES: JANUARY 10, 2007, JULY 25, 2007, SEPTEMBER 13, 2007 (Received from Borough Attorney 5/5/08)
- 15.* RESOLUTION AUTHORIZING THE BOROUGH TREASURER TO MAKE THE 2007 LOSAP CONTRIBUTION ON BEHALF OF THE CLOSTER VOLUNTEER FIRE DEPARTMENT (Received from Acting Administrator/Treasurer 5/8/08)
- 16.* RESOLUTION AUTHORIZING THE BOROUGH TREASURER TO MAKE THE 2007 LOSAP CONTRIBUTION ON BEHALF OF THE CLOSTER VOLUNTEER AMBULANCE AND RESCUE CORPS. (Received from Acting Administrator/Treasurer 5/8/08)
- 17.* RESOLUTION APPROVING THE RE-DESIGNED PLAN ENTITLED 2007 ROAD IMPROVEMENT PROGRAM, CONSTRUCTION PLAN (RUCKMAN FIELD PARKING LOT AND TENNIS COURT) DATED MAY 5, 2008 AND PREPARED BY BOSWELL MCCLAVE ENGINEERING FOR A CERTAIN PUBLIC IMPROVEMENT GENERALLY DESCRIBED AS 2007 ROAD IMPROVEMENT PROGRAM CONSTRUCTION PLAN (RUCKMAN FIELD PARKING LOT AND TENNIS COURT) (Received from Acting Administrator/Treasurer 5/8/08)
- 18.* RESOLUTION APPROVING BOSWELL MC CLAVE ENGINEERING FOR INSPECTION OF THE TENAKILL PEDESTRIAN BRIDGE FOR THE CLOSTER NATURE TRAIL PROJECT NOT TO EXCEED \$7,500.00 (Received from Acting Administrator/Treasurer 5/8/08)

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19.* RESOLUTION ESTABLISHING TEMPORARY BUDGET APPROPRIATIONS FOR 2008
 (Requested by Acting Administrator/Treasurer 5/8/08)
TO BE PREPARED BY AUDITOR

~~20.*~~ POSSIBLE RESOLUTION AUTHORIZING PARTICIPATION IN THE BERGEN COUNTY
 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR A
 3-YEAR PERIOD FROM 7/1/2009 TO 6/30/2012 (8. M.L. 5/8/08)

At this time, Mayor Heymann asked that the word “Possible” be removed from this Resolution. She explained that the Block Grant Programs are passed through grants that come from the Federal Government, to the State, to the County and finally, to the individual Municipalities. When they make application for them, they are usually successful. This particular Resolution would authorize continuation for Closter to participate in that project.

~~20a.*~~ RESOLUTION RE EMERGENCY APPROPRIATION IN THE AMOUNT OF \$95,814.00
 UNDER N.J.S.A. 40A:4-48 FOR THE ACQUISITION OF AN EMERGENCY GENERATOR
 (Received from Acting Administrator 5/14/08)

You would have seen the area in which that generator is going, being dug up on the east side of Borough Hall today. The generator they had broke down and it is extremely important for the borough hall to have a generator available at all times because of communications in an emergency; if the electricity went down, they would need to continue that. This generator is more powerful than the previous one and it is being installed outside the building for better building circulation and it’s safer and greener.

~~20b.*~~ RESOLUTION RE REQUEST FOR EMERGENCY CONTRACT AWARD TO ACADEMY
 ELECTRIC CONTRACTORS, INC., IN AN AMOUNT NOT TO EXCEED \$95,814.00 FOR
 THE ACQUISITION OF AN EMERGENCY GENERATOR (Received from Acting
 Administrator 5/14/08)

Mayor Heymann explained that the reasoning for this is because emergencies don’t go under the same identical rules as the bids.

MOTIONS

21.* APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/02/08;
 Adjourned from Regular Meetings held 1/09/08, 1/23/08, 2/13/08, 2/27/08, 3/12/08, 3/26/08, 4/9/08,
 4/23/08

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
HEALTH, BOARD OF Alternate No. 2	Phyllis Buonomo	_____	2 Year	12/31/09
IMPROVEMENT COMMISSION				
Member	Maria Danziger	_____	2 Year	12/31/09
Member	Wilson Reimers	_____	2 Year	12/31/09
Alternate No. 1	Frank Rodriguez	_____	2 Year	12/31/09
Alternate No. 2	Bobbie-Bouton- Goldberg	_____	Unexp. 2 Year	12/31/09

22.* MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO SERVE AS MEMBER(S) OF THE
 HISTORIC PRESERVATION COMMISSION TO FULFILL REQUIREMENT MADE BY
 ADOPTION OF ORDINANCE NO. 2008:1004 ON 3/12/08
 (Term to be determined by Borough Attorney in accordance with N.J.S.A. 55D-107) – Adjourned from
 RM 04/23/08

<u>Appointee</u>	<u>Class</u>	<u>Term</u>	<u>Expiration</u>
a. _____			
b. _____			

23.* MOTION APPOINTING DOUG PANGBURN AS AN ASSOCIATE MEMBER TO THE
 RECREATION COMMISSION FOR A ONE-YEAR TERM TO 12/31/08 (Requested by Mayor
 Heymann 5/2/08)

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- 24.* MOTION APPROVING RAFFLES APPLICATION NO. RA:555 FOR CLOSTER LIONS CLUB, P.O. BOX 206, CLOSTER, NJ 07624, TO CONDUCT HOLE-IN-ONE CONTEST; TO BE HELD AT THE CLOSTER GOLF INC., 153 HOMANS AVENUE, CLOSTER, NJ 07624 ON 06/21/08 AND 6/22/08 FROM 9:00 A.M. TO 6:00 P.M. (Completed application filed and appropriate fees paid)
- 25.* GRANTING APPROVAL FOR BLOCK PARTY TO BE HELD ON BRADLEY PLACE (BETWEEN ALPINE DRIVE AND COLLINS AVENUE) ON SUNDAY, 6/8/08, BETWEEN THE HOURS OF 10:00 A.M. AND 6:00 P.M.; RAIN DATE: SUNDAY, 6/15/08 (9. M.L. 5/1/08/correction requested by Chief of Police 5/7/08)
- 26.* a. APPROVING THE FOLLOWING MINUTES (Distributed 5/1/08):
- 1) REGULAR MEETINGS HELD
 - A) APRIL 9, 2008 – ABSTENTIONS: CYNTHIA L. TUTOLI (Distributed 4/23/08)
 - B) APRIL 23, 2008 – NO ABSTENTIONS
 - 2) WORK SESSION NOTES OF MEETINGS HELD
 - A) APRIL 9, 2008 – ABSTENTIONS: CYNTHIA L. TUTOLI
 - B) APRIL 23, 2008 – NO ABSTENTIONS
- 26b.* GRANTING APPROVAL FOR MAYOR AND COUNCIL TO PURCHASE LIVE PLANTS AS CONTRIBUTION TO THE MEMORIAL DAY PLANTINGS; TOTAL OUTLAY NOT TO EXCEED 2007 COST (Requested by Mayor 5/14/08)
- 19.* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:
- a. CONSTRUCTION OFFICIAL – APRIL 2008 (Received 05/02/08)

The following items were removed by the following individuals: Mayor Heymann commented on Item Nos. 20, 20a. and 20b.; and removed Item No. 22; Mr. DeNicola asked that Item No. 17 be removed; Jesse Rosenblum asked that Item Nos. 20a. and 20b. be removed.

9b. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 17, 20, 20a., 20b., 21 and 22 was made by Councilman Barad, seconded by Councilman Hennessey and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Hennessey, Barad, Tutoli and Amitai.

28. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA

17. RESOLUTION APPROVING THE RE-DESIGNED PLAN ENTITLED 2007 ROAD IMPROVEMENT PROGRAM, CONSTRUCTION PLAN (RUCKMAN FIELD PARKING LOT AND TENNIS COURT) DATED MAY 5, 2008 AND PREPARED BY BOSWELL MCCLAVE ENGINEERING FOR A CERTAIN PUBLIC IMPROVEMENT GENERALLY DESCRIBED AS 2007 ROAD IMPROVEMENT PROGRAM CONSTRUCTION PLAN (RUCKMAN FIELD PARKING LOT AND TENNIS COURT) (Received from Acting Administrator/Treasurer 5/8/08)

Mr. DeNicola explained that this is approval of the Borough for the revised plan for the striping for the Ruckman Field parking lot, which was resurfaced today. Initially, as part of the contract documents, they had approved the plan with the egress/exit being further east, and the west side being the ingress. Upon installation of the actual improvements, even though it met the Borough Code as far as the proximity of the intersection, he informed that he, the Police and the DPW, as well as the Recreation Commissioner had a discussion that it might be a better idea to switch the entrance and exit of the parking lot. This is for safety purposes, as there is a signal right there, which allows a right, turn on red. Therefore, this can cause an accident for someone who is exiting the parking lot. So, the ingress will be the easterly driveway and the egress will be the westerly driveway, which will be striped tomorrow or Friday. This Resolution is the approval of this situation. In response to Mr. Rogan, Mr. DeNicola explained that a right turn out of the parking lot will be allowed now that the driveway is further west.

Motion to approve was made by Councilman Barad, seconded by Councilman Hennessey and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Hennessey, Barad, Tutoli and Amitai.

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – WEDNESDAY, MAY 14, 2008 – 7:30 P.M.

- 20a. RESOLUTION RE EMERGENCY APPROPRIATION IN THE AMOUNT OF \$95,814.00 UNDER N.J.S.A. 40A:4-48 FOR THE ACQUISITION OF AN EMERGENCY GENERATOR (Received from Acting Administrator 5/14/08)
- 20b. RESOLUTION RE REQUEST FOR EMERGENCY CONTRACT AWARD TO ACADEMY ELECTRIC CONTRACTORS, INC., IN AN AMOUNT NOT TO EXCEED \$95,814.00 FOR THE ACQUISITION OF AN EMERGENCY GENERATOR (Received from Acting Administrator 5/14/08)

Jesse Rosenblum, 65 Knickerbocker Road, asked if the old generator had any value and if it could be repaired. Mr. DiStefano explained that a number of people have looked at it, noting that it “fires up, lasts a few minutes and then collapses”. It is way beyond repair. Mr. Rosenblum asked if they will sell it for scrap; and Mr. DiStefano explained that they will have to pull it out.

Motion approving Item Nos. 20a. and 20b. was made by Councilman Barad, seconded by Councilman Hennessey.

BEFORE ROLL CALL VOTE, Mrs. Amitai asked if there was a way this cost could be shared with other municipalities through the Interborough, since it is for the office of Emergency Management. Mr. DiStefano informed that it will service the entire building as a whole, not just the Interborough. Mayor Heymann pointed out that they charge the Interborough a certain fee for the use of our facilities, which will be included.

Said Motion was declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Hennessey, Barad, Tutoli and Amitai.

29. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
a. CONTINUED DISCUSSION RE PARKING SPACE FEE (Requested by Mayor 1/18/08)

Motion approving the following Closed Session Resolution at 8:53 p.m. was made by Councilman Hennessey, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Hennessey, Barad, Tutoli and Amitai:

- 29b. OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(4), “A collective bargaining agreement”; N.J.S.A. 10:4-12(b)(5), “A matter involving the expenditure of public funds for the acquisition of real property”; N.J.S.A. 10:4-12(b)(7), “A matter falling within the attorney-client privilege”; N.J.S.A. 10:4-12(b)(8), “A matter involving public employees”; and that the item(s) under discussion the closed meeting will be disclosed to the public at the conclusion of the matters which should be within 2-12 weeks.

30. DISCUSSION OF PUBLIC COMMENTS OR ANY OTHER TIMELY MATTER, IF APPROPRIATE

At this time, Mr. DeNicola explained that a majority of the Council was not present when he gave his report in the Work Session and referred to the Paving Program. He informed that there might be extra money left over; and asked if the Council would like to pave in front of Ruckman parking lot; a portion of Ruckman Road. In response to Mayor Heymann, he informed that this is a decision that needs to be made by the Council. As he reported in the Work Session, they are in the process of completing a paving program and they may be enough under budget that they will be able to do some additional work. Since they are completing a new parking lot and tennis court, as well as other improvements, they thought it might be a good idea to improve the section of the road right in front of the parking lot. It will be within the scope of the work and within the budget of the work and the contract is already mobilized. Mr. Hennessey questioned if it was necessary for the road to be repaved in this area; and Mayor Heymann agreed that the road was in terrible shape. She explained that the DPW spends much of their time fixing the same problems on this road. Mr. DeNicola advised that they would only be paving approximately 400 feet; otherwise, it would definitely survive another two to three years. Mr. Kashwick pointed out that the section in front of the Fire House is much worse, and asked if it would be better to pave this area instead; and Mr. DeNicola again informed that this was a decision of the Council.

Mayor Heymann explained that the reason they haven't done Ruckman Road is not because it is not bad, but because it is so wide; and the cost of the asphalt is so expensive that they could do an entire road program. She further noted that doing a portion of it now would save them money from having to do it in the future. Mrs. Amitai questioned the possibility of a planter aisle in the middle of Ruckman Road. Mayor Heymann explained that they were referring to west of Piermont Road. Mr. Hennessey asked if they could spend the money by doing improvements on Homans Avenue to get rid of the

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – WEDNESDAY, MAY 14, 2008 – 7:30 P.M.

drainage problem there. Mr. DeNicola disagreed that this was a possibility, adding that the drainage problem is not on Homans Avenue, but it is in the stream which would be a separate project and would require DEP permits. In response to Mr. Hennessey, Mr. DeNicola informed that they are doing thermoplastic on all of the roads, as well as any roads improved this year, which is part of the Road Program, inclusive of parking lots.

- 30a. Motion to do the portion of Ruckman Road in front of the field/parking lot, from the intersection, approximately 400 feet west, provided it falls within the Budget of the project, was made by Councilman Kashwick, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Hennessey, Kashwick, Barad, Tutoli and Amitai.

At this time, Mr. Rogan explained that there would be a quick Resolution to be approved, authorizing the Mayor to sign an easement agreement for the C-2 Learning Center at 222 Closter Dock Road, Closter, NJ, which is an easement granting 50 feet of property along the back end of that property, approved by the Mini Site Plan Committee of the Planning Board. He confirmed that C-2 is the application, adding that the easement runs with the property. They have some of the adjoining properties, but not all of them.

- 30b. Motion to approve said Resolution was made by Councilman Hennessey, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Hennessey, Kashwick, Barad, Tutoli and Amitai.

Mr. Rogan also asked for approval of a Resolution authorizing the Mayor to sign a proposed contract for purchase of real estate for the Estate of Donald Flamm Preserve.

- 30c. Motion to approve said Resolution was made by Councilman Kashwick, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Hennessey, Kashwick, Barad, Tutoli and Amitai.

Mr. Rogan informed that this contract would be signed by the Mayor and sent to Donald Flamm's Estates Attorney for their signature and return. He explained they modified the one paragraph from reading "Donald Flamm Volunteer Park" to "Donald Flamm Preserve" and also noted clarification of the development that it will just be preserved; and no language in the Rider with regard to development in terms of the deed restriction. He noted they will have a deed restriction, but not restricting our development, subject to their approval.

31. ADJOURN

Motion to adjourn the Regular Meeting at 10:26 p.m. was made by Councilman Kashwick, seconded by Councilman Barad and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
on May 22, 2008 for approval at the
Regular Meeting to be held
May 28, 2008

Loretta Castano, Borough Clerk

Prepared by Cynthia L. Meyer utilizing
recording and Borough Clerk's notes

Approved at the Regular Meeting of 5/28/08
Consent Agenda Item No. 20.1)

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – WEDNESDAY, MAY 14, 2008 – 7:30 P.M.

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – WEDNESDAY, MAY 14, 2008 – 7:30 P.M.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – MAY 14, 2008 - 7:30 P.M.

Mayor Heymann called the meeting to order at 7:34 p.m.

1. ROLL CALL

The following persons were present:

Mayor Sophie Heymann
Councilpersons Thomas Hennessey, David Barad (7:35 p.m.),
Cynthia Tutoli (7:45 p.m.), Victoria Amitai
Acting Administrator/Treasurer, John DiStefano
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, David Berrian

The following persons were absent:

Councilpersons John C. Glidden, Jr. and John Kashwick

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT

Mayor Heymann declared that the meeting was being held in compliance with the provisions of the Open Public Meetings Act.

3. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

1) STATUS REPORT RE 28 FOURTH STREET, BLOCK 17 AND 18 – Mr. Rogan explained that discussions have resumed on this and there is an interest with the current and former owners; they are pursuing a purchase. He hoped to have this finalized by the next meeting.

2) STATUS REPORT RE FOLLOWING DEVELOPER'S AGREEMENTS:

a. PLANNING BOARD - SAM LEE, CLOSTER DOCK ROAD, BLOCK 1305 LOTS 5 & 6 FINAL SITE PLAN APPROVAL (6. M.L. 5/30/07) – They are waiting to hear from Arthur Chagaris from the Planning Board; and he will report once he has received the information.

3) REPORT RE PREPARATION OF CONTRACT WITH D.R. MULLEN CONSTRUCTION CO., INC., RECEIVED AT THE BID OPENING HELD 3/28/08 IN THE AMOUNT OF \$78,634.00 FOR THE CLOSTER NATURE TRAIL PROJECT (Resolution approved at RM held 2/13/08) - These have been received, they are complete and can be removed from the Agenda.

4) REPORT RE PREPARATION OF CONTRACT WITH ARNOLD'S ROADS AWARDED AT RM 4/23/08 IN THE AMOUNT OF \$132,088 FOR THE 2007 SIDEWALK REPAIR PROJECT – This is complete and can be removed from the Agenda.

CLOSTER MAYOR AND COUNCIL

WORK SESSION NOTES – WEDNESDAY, MAY 14, 2008 – 7:30 P.M.

3. PROFESSIONAL REPORTS (Continued)

A. BOROUGH ATTORNEY (Continued)

5) REPORT RE CLARIFICATION OF MAYORAL APPOINTMENTS TO BE MADE AS FOLLOW UP TO THE FOLLOWING ORDINANCES:

a. 2008:1006 – PLANNING BOARD – This change was statutory and can be rectified going into next year.

b. 2008:1008 – SHADE TREE COMMISSION – There needs to be some adjustment at the Reorganization Meeting as there are changes regarding Alternates.

6) REPORT – Mr. Rogan reported as follows:

a. He has three matters for Closed Session, one involving acquisition of land, one regarding personnel, and one pending litigation.

At this time, Mayor Heymann explained that they had begun the Work Session prior to the Regular Meeting because they did not have a quorum. The Work Session Agenda requires no action on the part of any Council members; therefore, it is legal to start with that first.

B. BOROUGH ENGINEER

1) STATUS REPORT RE CONSTRUCTION OF PERMANENT TRAFFIC LIGHT INTERSECTION OF HOMANS/OAKLAND AVENUES (Meeting held 3/13/08)

The Contractor has completed the majority of the work; the remaining issue is to have Orange and Rockland relocate the pole. After this is complete, Rockbourne will mill and pave the intersection.

2) STATUS REPORT RE 2007 ROAD IMPROVEMENT PROGRAM - AWARDED TO ROCKBORN TRUCKING AND EXCAVATING INC.

(\$998,521.21 for 2007 Road Improvement Program – Approved RM 02/13/08) –

All of the roads have been milled and resurfaced with the exception of First Street, which has not been completed. First Street is half-finished, with the remaining half expected to be completed when the contractor mobilizes for the repaving and milling of the Homans/Oakland intersection. They completed the Tennis Court parking lots today, with striping to take place tomorrow or Friday, weather permitting.

3) REPORT RE PREPARATION OF BID FOR PLAN ENTITLED TENAKILL BRIDGE PLAN, DATED 3/08, FOR A CERTAIN PUBLIC IMPROVEMENT GENERALLY DESCRIBED AS TENAKILL BRIDGE PLAN (Approved at RM 03/26/08) – This can be removed as it can be combined with Item No. 5.

4) REPORT RE 2007 CURB AND SIDEWALK PROGRAM (Awarded to Arnold's Roads at RM 04/23/08 - \$132,088) – The contractor is expected to commence work during the week of 5/26/08; this will include curbs and sidewalks along portions of Harrington, Knickerbocker, Piermont, Demarest and Hickory roads.

5) REPORT RE CLOSTER NATURE TRAIL (Awarded to D.R. Mullen at RM 4/9/08 - \$78,634) – D.R. Mullen has not yet submitted the drawings for the bridge, which can be expected within the next few weeks. It will then be reviewed and approved and ordered from the bridge manufacturer. The lead-time is approximately 8-12 weeks, depending upon when they receive the drawings.

CLOSTER MAYOR AND COUNCIL

WORK SESSION NOTES – WEDNESDAY, MAY 14, 2008 – 7:30 P.M.

3. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER (Continued)

At this time, Mayor Heymann noted concern by the Environmental Commission regarding deadlines for the grant, and questioned if they should request an additional extension; Mr. DeNicola confirmed this should be done, as the deadline is June 1. In response to Councilman Hennessey, they are not going to mobilize too early; and the foundations will be done within 10 days of the bridge.

6) REPORT – Mr. DeNicola reported as follows:

a. He met with the County regarding information for barrier-free ramps along roads that have been resurfaced within the last 2-3 years. Due to state funding included in their contracts, they are required to conform to ADA; therefore, they have to go backwards to 2005, 2006, and 2007 and install handicapped ramps for the County roads that were resurfaced. This will affect Knickerbocker and High Street in Closter; they will have to install ramps there and they will want the Borough to put money in for minor engineering and inspection of the project. In response to Mayor Heymann, Mr. DeNicola informed that they are the same as the ones being installed on local roads, but the County has not been installing same. This is why they have to go back and redo this; the letter should be coming to the Borough to explain the procedure in a few weeks.

4. REPORTS

A. ACTING BOROUGH ADMINISTRATOR

1) STATUS REPORT RE 2008 MUNICIPAL BUDGET (Introduced at SM 03/19/08; Public Hearing RM 04/23/08/Adjourned to RM 5/28/08) – The Budget has been adjourned until the next meeting. They will see what the status is when they receive more information from the State.

2) STATUS REPORT RE BOROUGH WEBSITE –The website continues to be enhanced.

3) STATUS REPORT RE PARIS GRANT (Approved at RM 1/9/08) – Neither he nor the Borough Clerk have received information regarding this.

4) REPORT RE INSURANCE ITEM (S) FOR FOLLOW UP:

a. None at this time.

5) STATUS REPORT RE FOLLOW UP OF CONTRACT FOR 2007 ROAD IMPROVEMENT PROGRAM – AWARDED TO ROCKBORN TRUCKING AND EXCAVATING INC. (\$998,521.21 FOR 2007 Road Improvement Program – RM 02/13/08) – This can be removed.

6) REPORT RE ACCEPTANCE OF LOW BID OF D.R. MULLEN CONSTRUCTION CO., INC., RECEIVED AT THE BID OPENING HELD 3/28/08, IN THE AMOUNT OF \$78,634.00 FOR THE CLOSTER NATURE TRAIL PROJECT (Resolution approved at RM 2/26/08) – This can be removed.

7) REPORT RE ACCEPTANCE OF LOW BID OF ARNOLD’S ROADS, RECEIVED AT THE BID OPENING HELD 4/17/08, IN THE AMOUNT OF \$132,088 FOR 2007 CURB AND SIDEWALK PROGRAM (Resolution approved at RM 4/23/08) – This can be removed.

CLOSTER MAYOR AND COUNCIL

WORK SESSION NOTES – WEDNESDAY, MAY 14, 2008 – 7:30 P.M.

4. REPORTS (Continued)

A. ACTING BOROUGH ADMINISTRATOR (Continued)

8) REPORT – Mr. DiStefano reported as follows:

- a. The 2007 Tax Sale will be held 6/19/08.
- b. They are going to have a Capital and Open Space on Finance within the next few weeks.
- c. He had one item for Closed Session regarding Finance.

B. BOROUGH CLERK

1) STATUS REPORT RE 2008 APPOINTMENTS – These are current with the request made of the Borough Attorney, but those will be handled at the Reorganization Meeting.

2) STATUS REPORT RE 2008 OATHS OF OFFICE – There are two outstanding Oaths that were reported to Mayor Heymann; she received a question about one of them and is still awaiting the other.

3) STATUS REPORT RE 2008 LICENSES – These are current. Regarding the transfer of one liquor license, it is on the Agenda this evening for approval. There is another person-to-person transfer of Korea Palace at the corner of Piermont and Ruckman Road; this is in progress and she is awaiting reports from the Borough Officials. Most likely, it will be a transfer to “pocket” because the building needs work. On the Application, it states they will begin business once the license is transferred, but since the building requires work, this cannot take place.

4) STATUS REPORT RE 2008 MEETING DATES – Current.

5) REPORT RE ELECTIONS

a. ANNUAL SCHOOL ELECTION HELD TUESDAY, APRIL 15, 2008 – Ms. Castano informed of reading in the newspapers of the possibility of changes being made to the date that the School Election will be held. Rather than April, they would like it to be held in November, allowing a larger number to vote for the candidates, but not for the School Budget.

b. PRIMARY TO BE HELD TUESDAY, JUNE 3, 2008 – The Clerk’s Office was open to the public from 9 a.m. to 9 p.m. on 5/12/08 as it was the last day to register to vote. As usually, people came in the next day to complain that they had missed the last day to register to vote. Ms. Castano received the Sample Ballots from the County Clerk Elections Division today to review and approve the names of all the candidates that will be running for Council and County Committee. She informed that this year seems to be more of a problem than usual as she has received more questions about County Committee candidates than ever before.

c. GENERAL ELECTION TO BE HELD TUESDAY, NOVEMBER 4, 2008 – Nothing to report at this time.

6) STATUS REPORT RE CODIFICATION – SUPPLEMENT NO. 15 – This is in process; and Ms. Castano hoped to receive information from General Code soon.

7) STATUS REPORT RE FINANCIAL DISCLOSURE STATEMENTS – On 4/30/08, at the request of the Chairman of the Board of Ethics, Ms. Castano sent 94 completed and reviewed Financial Disclosure Statements to the Local Finance Board in Trenton. The day after she received others and now has seven; the Chairman informed her that the Board of Ethics has done all it had to do with them and asked her to send these seven to the Local Finance Board in Trenton as well.

8) REPORT – Nothing further to report.

Ms. Tutoli entered the meeting at this time.

CLOSTER MAYOR AND COUNCIL

WORK SESSION NOTES – WEDNESDAY, MAY 14, 2008 – 7:30 P.M.

4. REPORTS (Continued)

C. CHIEF OF POLICE

1) REPORT – Chief Berrian reported as follows:

- a. He would like to meet with Mr. DiStefano and other Department Heads to set up an Auction of used or outdated Borough equipment; this usually coincides with the Sidewalk Sale.
- b. He thanked the Mayor and Council for their support regarding his father, his father's twin sister and his son who had problems recently.
- c. PSE&G will be replacing the gas main on Durie Avenue between Knickerbocker and Demarest; the project will take about seven weeks and they paid the escrow. They can expect detours and traffic pattern changes during the day for that period of time. They will use the Police Department's message board to remind motorists, especially those going to schools.
- d. He wished to remind everyone of the Memorial Day Parade, in which they honor the men and women of the Services, which will be held Monday, 5/27/08.

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANT APPLICATIONS – Mayor Heymann informed she would mention only the changes that could be made on the following:

a. GRANTS FILED

1. FY 2007 NATIONAL TRAIL RECREATION GRANT - \$25,000 - \$10,000 MATCH FOR TRAIL MAINTENANCE (Extension requested???)
2. GREEN COMMUNITIES 2008 APPLICATION FOR \$4,500 WITH A MATCHING SUM FROM CLOSTER IN THE AMOUNT OF \$1500 (Requested by Mayor Heymann 11/7/07)

b. GRANTS AWARDED

1. BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND & HISTORIC PRESERVATION TRUST FUND; DUE 7/7/06; FILED BY COUNCILMAN KASHWICK - 50% LOCAL MATCH REQUIRED?- ACQUISITION OF FLAMM PROPERTY END OF RUCKMAN ROAD/HOMANS AVENUE- \$500,000 AWARDED 7/11/07 FOR BLOCK 1308, LOTS 3 AND 4, 37 HOMANS AVENUE (8.M.L.7/26/07) – This is going to be taken up in Closed Session; and she hoped to have a final discussion on this when they return to open session.

2. BERGEN COUNTY OPEN SPACE TRUST FUND - 2004 FUNDING ROUND FOR MUNICIPAL PARK IMPROVEMENT AND LAND ACQUISITION PROGRAM (50% local match); APPLICATION DEADLINE: 10/29/04 (8.M.L.8/26/04) (~~\$190,000.00~~ \$120,000.00 for Recreational Trails Program/RM10/27/04 - \$120,000 Recommended Award - County Public Hearing 5/26/05)
3. NATIONAL TRAILS RECREATION PROGRAM - \$25,000 (local match of \$10,000 required) filed 12/15/05
4. (DCA) DOMESTIC VIOLENCE TRAINING REIMBURSEMENT GRANT FOR SWORN OFFICERS \$1,411.92 Awarded/ rec'd 9. M.L. 5/24/07)
5. ANJEC GRANT - \$20,000 requested/\$6,000 received

CLOSTER MAYOR AND COUNCIL

WORK SESSION NOTES – WEDNESDAY, MAY 14, 2008 – 7:30 P.M.

4. REPORTS (Continued)

D. MAYOR (Continued)

b. GRANTS AWARDED (Continued)

6. 2008 NJDOT MUNICIPAL AID PROGRAM FOR WEST STREET (SECTION 3) \$150,000 awarded (5. M.L. 12/27/07)
7. HAZARDOUS DISCHARGE SITE REMEDIATION FUND APPLICATION (Requested by Mayor Heymann 11/7/07) – At the WS of 03/12/08, Mayor Heymann reported that \$6,600 was awarded for this grant. – 12. ML 03/06/08
8. FY2008 ENHANCED 9-1-1 GENERAL ASSISTANCE GRANT- \$28,019.00 awarded (5. M.L. 04/24/08) – This is an Interborough grant and is not entirely for

Closter, but is shared with the Interborough communities.

c. GRANTS TO BE FILED – Mayor Heymann informed of the following two grants that will be drafted within the next two weeks:

1. OPEN SPACE GRANT (deadline 6/27/08)
2. RECREATIONAL FACILITIES GRANT (deadline 6/27/08)
- 2) REPORT RE STATUS OF COAH 3RD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN DOCUMENT COMPLETION; DEADLINE: 11/26/07 (4. M.L. 8/2/07)
- 3) STATUS REPORT RE SKATE PARK DONATION (Letter received from Borough Attorney 10/2/07)
- 4) FOLLOW UP REPORT RE DOCUMENTATION OF ACTIONS VIS-A-VIS TREE INSPECTIONS (Requested by Mayor 2/8/08 to be placed on Agenda – Discussed at WS 2/13/08)
- 5) REPORT – Mayor Heymann reported as follows:
 - a. Whole Foods signed a contract lease with the owner of the Plaza Shopping Center and is official as of today. It will be a long process, as plans must come to the Planning Board as there will be conceptual changes and it will affect the entire shopping center and not only Stop and Shop. It will be a major project; and she believed everyone would be proud; it will take patience and work.
 - b. They are covering the Land Use office with a Summer intern, which will give them the opportunity to hire an appropriate person. They have held eight or nine interviews and felt that they could get someone more suitable for the spot. She distributed the resume of the intern who will be filling the office for the Summer.
 - c. She distributed a thank you note from Jim Gabettie for the Mayor and Council's recognition of his work while he was the Acting DPW chair.
 - d. Last night, the Ambulance Corps met with representatives of the new owners of Pascack Valley Hospital; she questioned if Chief Berrian had heard anything, to which he replied he had not. Mayor Heymann explained that they came to discuss issues and how there would be communication between the new owners of the hospital and how they would take care of emergencies. There is a public meeting in Westwood this evening on the same subject, to which there will most likely be more meetings held in the same fashion.

CLOSTER MAYOR AND COUNCIL

WORK SESSION NOTES – WEDNESDAY, MAY 14, 2008 – 7:30 P.M.

5. REPORTS (Continued)

D. MAYOR (Continued)

e. Mayor Heymann reminded that Memorial Day is Monday, 5/26/08, and was looking forward to seeing everyone at the parade grounds watching the parade or participating in the memorials that the American Legion, Fire Department and Elks have with the parade. The parade will leave St. Mary's parking lot on Legion Place at noon; the Fire Department and American Legion will have their services earlier on, the Elks will entertain all at their services at Memorial Field at the conclusion of the parade.

5. OLD BUSINESS

No one wished to be heard.

6. NEW BUSINESS

No one wished to be heard.

7. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY

No one wished to be heard.

8. OPEN MEETING TO THE PUBLIC

Jack Kelly, 132 Herbert Avenue, asked for clarification regarding Mr. DeNicola's report informing that they would be placing curbs on Knickerbocker Road. Mr. DeNicola clarified that they would be installing curbs and sidewalks on a portion of Knickerbocker Road from High Street south to Demarest. In response to Mr. Kelly, he added that the Borough would be paying for this as the County does not pay for anything beyond the curb.

9. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

No one wished to be heard.

10. ADJOURNMENT

Motion to adjourn the Work Session at 7:55 p.m. was made by Councilwoman Amitai, seconded by Councilman Hennessey and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
on May 22, 2008 for approval at
the Regular Meeting to be held
May 28, 2008

Loretta Castano, RMC
Borough Clerk

Prepared by Donelle Bright
utilizing recording and
Borough Clerk's notes

Approved at the Regular Meeting held 5/28/08
Consent Agenda Item No. 20.2)