

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – JULY 14, 2010 - 7:30 P.M.

Mayor Heymann called the Regular Meeting to order at 9:17 p.m.

1. PLEDGE OF ALLEGIANCE

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was sent to the Press Journal and The Record and published in both newspapers on January 7, 2010, posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

3. ROLL CALL

The following persons were present:

Mayor Sophie Heymann

Councilpersons John C. Glidden, Jr., Alissa Latner, John Kashwick,
David Barad and Arthur Dolson

Borough Administrator, Quentin Wiest

Borough Attorney, Edward T. Rogan

Borough Clerk, Loretta Castano

Borough Engineer, Nick DeNicola

The following persons were absent:

Councilwoman Victoria Amitai

4. ADOPTION OF MUNICIPAL BUDGET, AND RELATED RESOLUTIONS, @ 7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD

The Municipal Budget was introduced at the Regular Meeting held 5/12/10 and the Municipal Budget Summary was published in the Press Journal issue of 5/20/10, as stated in the printer's affidavit of publication. Reprint of the Summary was posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public. On 5/17/10, the Borough Clerk hand delivered a copy of the Municipal Budget to the Library Director in accordance with N.J.S.A. 40A:4-8 for public inspection.

The Public Hearing was held at the Regular Meeting of 6/9/10; and at that time, the Adoption was adjourned to this meeting.

At the Regular Meeting held 6/23/10, the Adoption was adjourned to this meeting.

5. PUBLIC HEARING AND ADOPTION OF AMENDMENT TO 2010 MUNICIPAL BUDGET @8:00 P.M.

At the Regular Meeting held 6/23/10, Introduction of Amendment to the 2010 Municipal Budget was approved and was published in the Press Journal issue of 7/8/10 as stated in the printer's affidavit of publication. Reprint of this Amendment was posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public.

Mayor Heymann declared the public hearing open and asked if anyone wished to be heard. No one wishing to be heard, Mayor Heymann closed the public hearing and asked for a motion of approval.

Motion to approve the Amendment to the 2010 Municipal Budget was made by Councilman Barad, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

5a. ~~POSSIBLE~~ AMENDMENT NO 2. TO 2010 MUNICIPAL BUDGET

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(Requested by Auditor 7/8/10) TO BE PREPARED BY AUDITOR

Borough Administrator explained that the Budget Amendment No. 2 reduces the amount of anticipated revenue by \$4,220.00 thereby increasing the amount to be raised by taxation or \$1.40 per household. This Amendment was required by the State of New Jersey and does not require further public hearing or advertisement.

Motion approving Amendment No. 2 to the 2010 Municipal Budget was made by Councilman Barad, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

Motion to Adopt the 2010 Municipal Budget, As Amended, was made by Councilman Kashwick, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

6. PROCLAMATIONS, PRESENTATIONS, MOMENTS OF SILENCE

a. PRESENTATION OF ACCREDITATION CERTIFICATE FROM NJ STATE ASSOCIATION OF CHIEFS OF POLICE (NJSACOP) (Requested by Chief Berrian via e-mail on 6/7/10)

Upon receipt of approval from the governing body, this presentation was made in the Work Session.

Mayor Heymann made the following appointments:

7. MAYORAL RESOLUTION RATIFYING APPOINTMENT MADE AT REORGANIZATION MEETING HELD 1/4/10 OF SOPHIE HEYMANN AS COMMUNITY DEVELOPMENT REPRESENTATIVE FOR A 1-YEAR TERM TO 6/30/11

8. MAYORAL RESOLUTION RATIFYING APPOINTMENT MADE AT REORGANIZATION MEETING HELD 1/4/10 OF QUENTIN WIEST AS MAYOR'S ALTERNATE TO COMMUNITY DEVELOPMENT FOR A 1-YEAR TERM TO 6/30/11

9a. VOTE ON CONSENT AGENDA ITEMS

Motion to approve the Consent Agenda minus Item Nos. 14, 15, 20e, 20f, 22, 23, and 25 was made by Councilman Barad, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

INTRODUCTION OF ORDINANCES (WITH PUBLIC HEARING DATE SPECIFIED)

RESOLUTIONS

10. BILL RESOLUTION – JULY 15, 2010
TO BE PREPARED BY DEPUTY TREASURER

11. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A CHECK IN THE AMOUNT OF \$800.00 TO COLANTUONO, LEIGH, 5 BEDFORD ROAD, KENDALL PARK, NJ, IN ACCORDANCE WITH N.J.S.A.14-0157b RE DISPOSITION OF FOUND OR RECOVERED PROPERTY HANDED OVER TO THE MUNICIPAL POLICE DEPARTMENT (Received from Tax Collector 6/25/10)

12. RESOLUTION NO. 1 RE AD INTERIM PERMITS

13. RESOLUTION AUTHORIZING THE BOROUGH TO ENTER INTO A GRANT AGREEMENT WITH BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL PROGRAM – 2009 AWARD – MEMORIAL FIELD BASKETBALL RESURFACING - \$36,500.00 – BLOCK 804 LOT 6 (dollar for dollar match) (Received from Mayor's office 6/28/10)

9a. VOTE ON CONSENT AGENDA ITEMS (Continued)

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RESOLUTIONS (Continued)

14. ~~POSSIBLE~~ APPOINTMENT(S) OF SALARIED EMPLOYEES (NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/10; RM 1/13/10; 1/27/10; 2/10/10; 2/24/10; 3/10/10; 3/24/10; 4/14/10; 4/28/10; 5/12/10; 5/26/10; 6/9/10; 6/23/10) - RESOLUTIONS TO BE PREPARED BY ADMINISTRATOR

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
DEPUTY BOROUGH CLERK	_____	1 Year	12/31/10
CONSTRUCTION OFFICIAL	_____	4 Year	12/31/13
DEPUTY TAX COLLECTOR	_____	1 Year	12/31/10
DESK DISPATCHER			
FULL TIME	_____	1 Year	12/31/10
PERMANENT CLERICAL FLOATER	_____	1 Year	12/31/10
POLICE MATRON	_____	1 Year	12/31/10
**QUALIFIED PURCHASING AGENT	_____	1 Year	12/31/10
SCHOOL CROSSING GUARD			
PART TIME	_____	1 Year	12/31/10

**Permissive (1b. Mail List 12/23/09 – recommended Borough Attorney review)

15. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING RELATING TO THE PROVISION OF ENGINEERING SERVICES FOR PERMIT APPLICATION FOR THE CLOSTER COMPOST FACILITY (Discussed at WS & RM of 6/9/10/Adjourned from RM 6/23/10; Proposal received from Boswell Engineering 7/6/10 – 3. M.L. 7/8/10) – TO BE PREPARED BY ADMINISTRATOR

16. RESOLUTION AUTHORIZING MAYOR AND BOROUGH CLERK TO SIGN GRANT AGREEMENT ON BEHALF OF THE BOROUGH OF CLOSTER WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (DOT) FOR THE HERBERT AVENUE PROJECT/ IDENTIFIED AS MA-2011- CLOSTER BOROUGH – 00093 (Received from Borough Attorney 7/7/10)

17. RESOLUTION APPROVING ISSUANCE OF 2010 CERTIFICATES OF COMPLIANCE TO JOHN PETERS PROFESSIONAL LIMOUSINES, 231 HERBERT AVENUE, CLOSTER, NJ, FOR THREE (3) NAMED VEHICLES IN ACCORDANCE WITH N.J.S.A. 48:16-17; EXPIRATION: 12/31/2010 (Approvals received by 7/9/10 from Risk Management Consultant and Borough Attorney)

18. RESOLUTION RATIFYING APPOINTMENT MADE AT THE REORGANIZATION MEETING HELD 1/4/10 OF VICTORIA AMITAI AS COMMUNITY DEVELOPMENT GOVERNING BODY REPRESENTATIVE FOR A 1-YEAR TERM TO 6/30/11

19. RESOLUTION RATIFYING APPOINTMENT MADE AT THE REORGANIZATION MEETING HELD 1/4/10 OF JOHN KASHWICK AS COMMUNITY DEVELOPMENT GOVERNING BODY ALTERNATE FOR A 1-YEAR TERM TO 6/30/11

20. RESOLUTION RATIFYING APPOINTMENT MADE AT THE REORGANIZATION MEETING HELD 1/4/10 OF MAYOR SOPHIE HEYMANN AS MUNICIPAL REPRESENTATIVE TO PARTICIPATE IN BERGEN COUNTY OPEN SPACE TRUST REGIONAL COMMITTEE (PER ORDINANCE NO. 1999:811) FOR A 1-YEAR TERM TO 6/30/11

20a. RESOLUTION ADOPTING 457 DEFERRED COMPENSATION PLAN PROVIDED BY AXA-EQUITABLE ASSIGNED THE PLAN IDENTIFIER (66-PD-EQUITABLE-053107) CLOSTER BY THE DIVISION OF LOCAL GOVERNMENT SERVICES (Received from Administrator 7/8/10 @3:06 P.M.)

9a. VOTE ON CONSENT AGENDA ITEMS (Continued)

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RESOLUTIONS (Continued)

- 20b. RESOLUTION ENDORSING CDBG GRANT APPLICATION IN THE AMOUNT OF \$25,000.00 FOR SPECTRUM FOR LIVING GROUP HOMES INC FOR SPECTRUM'S NORTHERN VALLEY RESPITE AND SOCIALIZATION PROGRAM IN THE BOROUGH OF CLOSTER (This Resolution does not obligate the financial resources of the municipality and is intended solely to expedite the expenditure of the CDBG Funds) (Received from Administrator 7/9/10 @ 11:09 a.m.)
- 20c. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COUNTY CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-11 FOR DIESEL FUEL/MAXIMUM AMOUNT: \$25,000; AND GASOLINE/MAXIMUM AMOUNT \$25,000; VENDOR: RACHELES/MICHELE'S OIL CO. INC., CLIFTON, NJ (Received from Administrator 7/9/11 @ 11:09 a.m.)
- 20d. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a. FOR TIRES AND TUBES/MAXIMUM AMOUNT: \$20,000; VENDOR: C&C TIRE INC, EAST RUTHERFORD; AND FIREFIGHTER PROTECTIVE CLOTHING AND EQUIPMENT/MAXIMUM AMOUNT: \$560; VENDOR: AAA EMERGENCY SUPPLY CO., WHITE PLAINS, NY (Received from Administrator 7/9/11 @ 11:09 a.m.)
- ~~20e.~~—*POSSIBLE* AMENDMENT TO 2010 TEMPORARY BUDGET (If Municipal Budget is not adopted – Requested by Administrator 7/9/10 @ 11:11 a.m.)
TO BE PREPARED BY CHIEF FINANCIAL OFFICER
- ~~20f.~~—*POSSIBLE* RESOLUTION OF PERMANENT APPOINTMENT OF CONSTRUCTION OFFICIAL (Requested by Administrator 7/9/10 @ 11:09 a.m.)
TO BE PREPARED BY ADMINISTRATOR

MOTIONS

21. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed 7/1/10) NO ABSTENTIONS:
- a. REGULAR MEETING OF JUNE 23, 2010
 - b. WORK SESSION OF JUNE 23, 2010
22. MOTION APPROVING THE FOLLOWING NON-SALARIED APPOINTMENTS (NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/10; RM 1/13/10; 1/27/10; 2/10/10; 2/24/10; 3/10/10; 3/24/10; 4/14/10; 4/28/10; 5/12/10; 5/26/10; 6/9/10; 6/23/10:

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION Member	_____	2 Year	12/31/11
*SHADE TREE COMMISSION Member (Ryan) (3. M.L. 3/11/10) * <i>Mayoral Appointment</i>	_____	5 Year un- expired to	12/31/11

23. MOTION APPOINTING _____ TO SERVE AS ZONING BOARD OF ADJUSTMENT ALTERNATE. NO. 3 FOR A 2-YEAR UNEXPIRED TERM (IAFRATE) TO 12/31/10 (3. M.L. 5/27/10) (Adjourned from RM 6/9/10; RM 6/23/10)

- 9a. VOTE ON CONSENT AGENDA ITEMS (Continued)

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MOTIONS (Continued)

24. MOTION APPROVING/~~DENYING~~ THE FOLLOWING APPLICATIONS FOR HAWKER & PEDDLER PERMIT TO OPERATE A CATERING TRUCK ON RAILROAD AVENUE ONLY, SUBJECT TO APPROVAL BY THE BOARD OF HEALTH (Received from Chief of Police 6/17/10) Adjourned from RM 6/23/10:

- a. NO. 2010-003 FOR ANDREW G. MALAFIS, 125 DAVIS DRIVE, RIVER EDGE, NJ 07661, TO OPERATE CATERING TRUCK FOR SALE OF FOOD, COFFEE, SODAS
- b. NO. 2010-004 FOR JOSE A. DESOUSA, 110 MC CULLOUGH ROAD, WASHINGTON, NJ 07882, TO CONDUCT LUNCH TRUCK CATERING FOR SALE OF COFFEE, COLD DRINKS, HOT DOGS, HAMBURGERS, PASTRY AND COOKIES

In response to Councilman Barad’s inquiry, Mayor Heymann noted that before this resolution was authorized, Councilwoman Amitai wanted the opportunity to advise our local vendors of the same opportunity to provide this source of income for themselves. Borough Attorney said that clearance has been received from the Police Department and approval should not be denied because of the possibility of other vendors. In the absence of Councilwoman Amitai, Mayor Heymann explained the history. It was agreed that the motion approving both applications be included in the Consent Agenda.

25. MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO FILL THE FOLLOWING APPOINTMENTS MADE AT THE REORGANIZATION MEETING HELD ON 1/4/10 (Which have not been accepted as of the time of preparation of this Agenda):

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION Member	_____	2 Year un- expired to	12/31/10
*SHADE TREE COMMISSION Alternate No. 2	_____	4 Year un- expired to	12/31/11

**Mayoral Appointment*

26. MOTION GRANTING APPROVAL FOR 58TH ANNUAL PEARLE ROAD BLOCK PARTY TO BE HELD ON 9/11/09 FROM 2:00 P.M. TO 10:00 P.M.; RAIN DATE: 9/12/09 FROM 2:00 P.M. TO 10:00 P.M. (4. M.L. 7/1/10)

REPORTS

27. ACCEPTANCE OF THE FOLLOWING REPORTS:

- a. CONSTRUCTION OFFICIAL – JUNE 2010 (Received 7/2/10)
- b. FIRE CHIEF – MAY 2010 AND JUNE 2010 (Received 7/7/10)

At this time, motion supporting the concept of the resolution relative to the Borough of Teterboro for inclusion in the next (Regular) Meeting (to be held July 28, 2010) was made by Councilman Barad, seconded by Councilman Glidden. Borough Attorney advised a vote was not required on this matter; and it was agreed that the Borough Attorney’s office would prepare this Resolution.

20g. Mayor Heymann asked for governing body approval of the following Resolution:

RESOLUTION CALLING ON THE STATE LEGISLATURE AND THE GOVERNOR TO ENACT PROPERTY TAX REFORM WITH PASSAGE OF THE “MUNICIPAL TOOLKIT” AND OTHER MANDATE RELIEF.

Motion of approval was made by Councilman Barad, seconded by Councilman Kashwick.

BEFORE ROLL CALL VOTE, Councilman Kashwick asked that the specific names of our State Senator and Assemblypersons be included in the Resolution.

Said motion was declared carried by Mayor Heymann upon the affirmative vote of

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Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

- 26a. Motion granting approval for Closter Elks (Lodge No. 2304) to cordon off a portion of the North Borough Parking Lot, adjacent to their property, to display of a number of antique cars and motor cycles for viewing during their 5th Annual Pig Roast to be held on August 28, 2010, subject to Police Department and Risk Management Consultant approval (5. M.L. 7/15/10) was made by Councilman Barad, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

At this time, Borough Attorney asked, for the sake of expediency, for governing body approval regarding the certifications of costs for repairs to be effected at two private properties in the Borough.

- 26b. Motion approving the certification of costs of the repairs in the amount of \$800 for 52 McCain Court and \$4,300 for 412 Homans Avenue, subject to confirmation of receipts of mailings, was made by Councilman Glidden, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

At this time, Borough Clerk confirmed with the Borough Attorney that his office would be providing written memorialization of this approval.

- 9b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

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

Jesse Rosenblum, 65 Knickerbocker Road, referred to a Police Department bear call and questioned if the animal was tracked down and apprehended by the Police Department. Mayor Heymann said that the police go to the scene and the area is closed and the State is notified. Councilman Kashwick recommended that our preventive ordinances be reviewed.

- 28a. Motion approving the following Resolution at 9:35 p.m. was made by Councilman Glidden, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

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)(8), "A matter involving public employees"; and that the item under discussion in the closed meeting would be disclosed to the public at the conclusion of the matter which should be within 4 weeks."

Mayor Heymann resumed the public meeting at 10.00 p.m.

- 20f. RESOLUTION OF PERMANENT APPOINTMENT OF CONSTRUCTION OFFICIAL
(Requested by Administrator 7/9/10 @ 11:09 a.m.)
TO BE PREPARED BY BOROUGH ADMINISTRATOR- ATTORNEY

Motion of approval was made by Councilman Glidden, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson

29. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY

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30. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:01 p.m. was made by Councilman Glidden, seconded by Councilman Kashwick and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on
July 22, 2010 for approval at the
Regular Meeting to be held
July 28, 2010

Loretta Castano, RMC
Borough Clerk

Prepared by Carol A. Kroepke, RMC
utilizing recording and Borough Clerk's
notes

Approved at the Regular Meeting held July 28, 2010
Consent Agenda Item No. 18a.

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BOROUGH OF CLOSTER

WORK SESSION NOTES – JULY 14, 2010 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session at Borough Hall on Wednesday, July 14, 2010. Mayor Heymann called the meeting to order at 7:36 p.m.

1. PLEDGE OF ALLEGIANCE

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

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was sent to the Press Journal and The Record and published in both newspapers on January 7, 2010, posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

3. ROLL CALL

The following persons were present:

Mayor Sophie Heymann
Councilpersons John C. Glidden, Jr., Alissa Latner, John Kashwick,
David Barad and Arthur Dolson
Borough Administrator, Quentin Wiest
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, David Berrian

The following persons were absent:

Councilwoman Victoria Amitai

At this time, Mayor Heymann requested that the representatives from CALEA be first on the Agenda in addition to the 2010 Municipal Budget.

Motion approving the change in order of the Agenda was made by Councilman Glidden, seconded by Councilman Dolson and declared unanimously carried by Mayor Heymann.

Chief Berrian explained the accreditation process that the Police Department went through during the year 2009 with Sergeant Kaine as the Accreditation Manager. He informed that the rewards of the project have benefited the Department and the Borough as a whole. Sam Hishmeh, Rodgers Group Project Manager advised that the process took one year whereas most departments take three years to complete the program, which is comprised of 112 standards to complete the requirements for accreditation. He commended Detective Sergeant Kaine on his performance as Accreditation Manager. Mitchell Sklar of the New Jersey State Association of Chiefs of Police said that his organization is the accrediting body for the State and CALEA is the national accrediting body. He explained accreditation, which adopts the national accepted standards for the operation of a Police Department. Accreditation is valid for three years and then the process begins again. Interim reports must be filed during these three years that compliance is continuing. At this time Mr. Sklar presented the Accreditation Certificate. Borough Administrator expressed his congratulations to the law enforcement personnel in attendance

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF JUNE 24, 2010 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. The following items were removed by the following individuals: Item No. 5 was removed by Councilman Kashwick.

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Item No. 5: Received 06/23/10, dated 06/18/10 from James S. Simpson, Commissioner, NJ Dept. of Transportation to Borough Clerk re Notice that applications will now be accepted for the NJDOT Municipal Aid, Bikeway, Centers of Place, Safe Streets to Transit and Transit Village Programs (Chief Berrian).

Councilman Kashwick noted this was to apply for a grant for Safe Streets to Transit and he questioned whether they could tie the petition received re Closter Dock Road sidewalks or on Schraalenburgh Road where the 177 bus picks up. Mr. DeNicola informed we just received a grant for Safe Routes to School which is the same thing; but in principle it is for a transit facility instead of a school. He assured we could try to apply for it. Mayor Heymann noted that after reading the specifications for the grant, she does not believe that Closter is eligible because we do not have a transit facility; and there is no room for bikeways.

b. MAIL LIST OF JULY 1, 2010 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. The following items were removed by the following individuals: Item No. 1a was removed by the Borough Clerk: Item No. 10 was removed by Councilman Barad.

Item No. 1a I: Received 06/24/10, dated 06/24/10 from William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerks re I. S-1212/A-559, OPRA Fees.

Borough Clerk informed that the fees have been changed from what they have been for many years; and now it is \$.05 per page for letter size and \$.07 per page for legal size. We have not received anything official, therefore, she requested the advice of the Borough Attorney as to whether to keep the fees as they have been until such time as official notification has been received. Mr. Rogan informed that in a recent Appellate decision they found that the stated prices in the original OPRA statutes were too high and that municipalities were charging too much. He recommended that we comply with this new ruling; and once we receive additional information, we can schedule a short presentation for the Borough Hall staff involved in OPRA requests to ensure a uniform policy.

Mayor Heymann voiced her opinion that this will ultimately cost us more money which means taxpayers have to pay for the difference. She explained that the new costs do not pay for the ink that is used, much less the depreciation on the equipment that is used; and even much less for the research that is necessary to bring that about. She wanted to share with all in attendance that she feels it costs the Borough money – tax money. Mr. Rogan added that in addition to these factors, nothing is taken into account for the time expended by employees. As an example, a request may be 10 pages, however, it may take that employee one to two hours or more to gather that information; and so far, none of the legislation has addressed that cost, which is significant. He hopes some point along the way the Senate and Assembly will adjust that.

Item No. 10: Received 07/01/10, dated 06/28/10 from John P. Watt, Mayor, Borough of Teterboro, to Mayor re Letter requesting the municipality to adopt Resolutions Opposing Senate Bill S2078 and Assembly Bill A2939 that propose the dissolution of the Borough of Teterboro.

Dr. Barad voiced his surprise that upon reading the Mail List last week he saw that the State is proposing to dissolve the Borough of Teterboro without any agreement or accord with the people that live in Teterboro. He voiced his opinion that while there may be some overarching rationale to shared services, just imposing from the State level on a community the dissolution – if it starts at Teterboro, where will it go next. He expressed his support for the introduction of a Resolution against supporting the dissolution of Teterboro. Mr. Glidden expressed agreement and noted that after studying consolidation and shared services, he found that no study had been conducted showing the cost savings for the dissolution of the Borough. He felt it was politically motivated. He feels people really need to look underneath and referred to the article the Mayor wrote about it in the local paper. Mayor Heymann added that the Mayor of Teterboro

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has sent two letters to us with extensive reasoning why he is objecting to it. She felt that in the Work Session it was ok to accept the concept of a Resolution; and suggested that if there was agreement, it could be brought up in the Regular Meeting.

c. MAIL LIST OF JULY 8, 2010 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. The following items were removed by the following individuals: Item No. 3 was removed by Councilman Kashwick.

Item No. 3: Received 07/06/10, dated 01/19/10, rev. 06/09/10, rev. 07/01/10 from Stephen T. Boswell, Ph.D., P.E., SECB, Boswell McClave Engineering re Leaf Compost Facility Permit Modification, Class “B” Exemption, Borough of Closter, Bergen County, New Jersey, File No. PR-10-2915, Proposal for Environmental Engineering Services to modify the Borough’s Leaf Compost Facility Class C Exemption.

Councilman Kashwick asked the Borough Engineer for clarification based on the letter, that because we do the tub grinding as well as the leaf composting at the same facility, we are required to obtain this other permit even if we reduce our volume. Mr. DeNicola affirmed same and explained that any wood-chipping or grinding requires a “Class B” exemption. He explained he had provided the Administrator with a revised proposal earlier today with the understanding that the Borough would take care of Task 3, which reduces it by approximately \$2,000. If we reverted back to the volume prior to the storm, we would still be in violation due to the grinding and its frequency of use.

Mr. DeNicola clarified that even with the permit, we would still be limited to grinding 4 times a year; each time for a 2-week period. Mayor Heymann informed that we are trying to find ways to be economical about our resources and satisfying safe standards at the same time. She added that as the Environmental Commission Liaison, Mr. Kashwick should and will be kept in the loop at all times.

Mr. Dolson asked for clarification regarding only being able to grind 4 times a year; and questioned if we would have to stockpile the debris for 3 months to do the chipping in one lump sum. Mr. DeNicola explained the limit is for grinding only because they do not want the grinder running the entire time. It could be there is enough material to grind 8 weeks in a row; or it could be spread out over the year. If they wanted to be able to grind year round, that would require the full “Class B” permit. The exemption has certain limitations. Billy (Dahle, DPW Supt.) and Ken’s Tree Care have to decide. He is not sure how much is being brought in, but they are trying to see how they can work around it. Mr. Wiest informed they keep reports on how much is coming in so we have to take ourselves away from the recent storm because nobody can handle that much; everybody was over their limit. We need to look at what the historic run rates are to see whether or not we can operate within the volume limits they have. He feels we will be in a better position; and in the meantime, we have informed the State that we are actively reducing the amount of material that was at the site; and we will apply for the exemption for the time being. Mr. Kashwick question if chipping is differentiated from grinding and Mr. DeNicola affirmed same.

At this time, Mayor Heymann opened the meeting to the public for communication items only.

Steve Isaacson, 97 Columbus Avenue asked for clarification of the two types of “Class B” permits to which the Borough Engineer referred. Mr. DeNicola explained the exemption is for a town doing a lesser volume. Mahwah, which is a much bigger town, would be using a full “Class B” permit. Closter is using the exemption at this time. Mr. Isaacson voiced his opinion that we have been allowing someone to illegally operate a business on our property for years and questioned that the Borough was not aware of it. He asked why it took the DEP to shut it down before the Council did anything adding that now they expect to spend \$15,000 of the Borough’s money to increase the business being performed on the property.

The Borough Engineer reiterated that a full “Class B” permit would allow Ken’s to operate year round with the exception of grinding being limited to 8 weeks per year. The tub grinder is different from a

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wood chipper. Mr. Isaacson said that as a member of the Environmental Commission and a citizen, he feels we should keep it down to the minimum and not let anyone operate a business back there. The town receives no revenue and no tax dollars. He questioned who provides the insurance for the location if there were to be an injury; and who would be responsible. He suggested this space should be farm land. He believes it is ridiculous for this item to be on the agenda without even the consultation of the Environmental Commission or the discussion of the people of Closter.

Mr. DeNicola explained that the Supt. of Public Works should be here to explain the costs involved to dump and store wood chips as Mr. Isaacson was not aware of the costs but was still questioning the proposal. Mr. Isaacson expressed his understanding that the whole purpose of the tub grinder was to speed up the composting of the leaves; and it had nothing to do with wood. Mr. DeNicola affirmed same; and Mr. Isaacson then questioned why we were allowing a business to operate where we're giving them free merchandise. They are selling it on the street, we're getting nothing for it, and when we need processed wood brought to our DPW, they're charging us \$1,300 per truckload. He asked why can't we truck it ourselves.

Mr. Wiest reiterated he has tried to explain to Mr. Isaacson in the past that those charges were costs we avoided on those operations; we did not pay them anything. They don't pay us and we don't pay them.

Mayor Heymann explained she would like to clear up some erroneous information that Mr. Isaacson has now stated several times. Ken's Tree Service, by the work they do in Closter, is saving us more than a 6-figure amount. He was given this list, to which he just referred, which added up to \$149,000. It is money the Borough is saving and not spending. If we did not have this service, which was let through by a public bid, not through any favoritism, it is money being saved to the Borough that taxpayers would have to ante up for if it weren't done this way. There may be corrections necessary, which the Borough is in the process of doing. It has been a cost effective system which was instituted by the previous Mayor and Council. Mr. DeNicola added that it should be further acknowledged that every town in North Jersey is going through this same thing, not just Closter.

Mr. Isaacson asked why the Borough isn't charging them rent for using our property, and then the cost savings are back out from that number. The Mayor informed the bid specs were picked up by four landscapers. Mr. Isaacson offered to do the Borough a favor and explained that when it is time to re-bid the project, if they give him a copy of the specs he will get 20-30 bids. Mayor Heymann assured she would follow through on that. The Borough Attorney advised the insurance is covered and the bid specs included insurance coverage and a hold harmless agreement for their own equipment – not ours.

Jesse Rosenblum, 65 Knickerbocker Road, explained that he is not in opposition to having Ken's Tree Care do the chipping, but after reviewing the tax assessment, the property is assessed at \$250,000 per acre. If Ken's is using for example \$2 million dollars worth of land, if Ken could find that acreage and make that investment, it is worth a considerable amount of money. He suggested that the next bid have a minimum of at least \$100,000; and after the next bid, Ken's can perform their services for Closter; and, in return, he could do his business. Because of the value of the property, and it's unavailability to most other people in Bergen County, he feels there should be a minimum bid of at least \$100,000. Mayor Heymann agreed and reassured him that while that is a good notion, even at a \$100,000 starting bid, we are still getting much more in return for the services we receive.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of July 14, 2010)

At this time, the governing body reviewed the Consent Agenda items listed in the Regular Meeting Agenda; and the following item(s) were discussed:

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Mr. Wiest removed Item Nos. 15 and 20e. Steve Isaacson removed Item No. 20f..

RESOLUTIONS

15. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING RELATING TO THE PROVISION OF ENGINEERING SERVICES FOR PERMIT APPLICATION FOR THE CLOSTER COMPOST FACILITY
(Discussed at WS & RM of 6/9/10/Adjourned from RM 6/23/10; Proposal received from Boswell Engineering 7/6/10 – 3. M.L. 7/8/10) – TO BE PREPARED BY ADMINISTRATOR

Borough Administrator requested that this item be removed from the Consent Agenda

- 20e. *POSSIBLE* AMENDMENT TO 2010 TEMPORARY BUDGET (If Municipal Budget is not adopted – Requested by Administrator 7/9/10 @ 11:11 a.m.)
TO BE PREPARED BY CHIEF FINANCIAL OFFICER

Mr. Wiest asked that this item be removed from the Consent Agenda as the Municipal Budget was approved this evening, as amended.

- 20f. *POSSIBLE* RESOLUTION OF PERMANENT APPOINTMENT OF CONSTRUCTION OFFICIAL
(Requested by Administrator 7/9/10 @ 11:09 a.m.)
TO BE PREPARED BY ADMINISTRATOR

Borough Administrator requested that this item be removed from the Consent Agenda for discussion in Closed Session prior to approval.

In answer to Steve Isaacson, 97 Columbus Avenue, Borough Attorney advised that the appointment does not mean that the individual has tenure in the position. This appointment is mandated by the State for a 4-year term; and upon reappointment, the individual would attain tenure.

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

1) STATUS REPORT RE CONTRACTS:

a. BOROUGH ADMINISTRATOR (RM 5/13/09) – Mr. Rogan reported modifications have been made and are being reviewed.

b. The Mac Bain Farm Agreement has been reviewed by the Environmental Commission and referred to his office. He visited the Farm with Glenn Parsells (Risk Management Consultant) this past weekend. After reviewing the operation itself, he feels they need to modify the original contract for insurance needs. He will prepare and run by JIF and give to Glenn Parsells and the Environmental Commission for review. There are things that need to be changed, modified and updated.

6. PROFESSIONAL REPORTS (Continued)

A. BOROUGH ATTORNEY (Continued)

Mayor Heymann explained her understanding that although the current contract expires in August, the Farm will still run until a new one is agreed upon. Mr. Rogan affirmed same. In response to Dr.

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Barad, he said he has concerns about the way the original contract was drafted; he feels there are certain provisions that need to be added about Workers Compensation and adjustments made to what liability coverage is for full protection.

2) POSSIBLE POLICE PRIVATE DUTY FEE ORDINANCE (Requested by Borough Attorney 7/1/10) – Mr. Rogan noted there had been a draft circulated with regard to possible private police duty fees; and he questioned if it was to be discussed this evening or if it was being passed to the Ordinance and Legislative Committee. Mayor Heymann informed it will go to the Committee; and Mr. Rogan advised there are a few different proposals drafted for consideration so the Ordinance Committee can review those and report back at the next Mayor and Council meeting.

B. BOROUGH ENGINEER

1) STATUS REPORT RE 2009 SAFE STREETS TO SCHOOL SIDEWALK PROJECT – NJDOT \$275,000 (not to exceed \$52,100) RM 6/24/09 – Mr. DeNicola advised this project encompasses Cedar Lane, Harrington Avenue and Storig Avenue. At this time, it is down at the DOT as it is a federally funded project. There is a great deal of red tape involved; and after speaking to the DOT, they won't be able to review this until the fall. That will probably be bid over the Winter with construction next Spring.

2) STATUS REPORT RE IMPROVEMENTS TO WEST STREET, SECTION 5 - Awarded RM 3/10/10 to Vincent J. Construction, LLC (\$137,041) – The Borough Engineer reported that this project has been completed and all construction is done. He provided all of the paperwork and the maintenance bond and the final contract amount to the Administrator today. He informed that the final contract amount is 12% over the amount of the contract award. The reason is because we had a grant and we wanted to use as much as possible. We used as much as we could given the project's scope, so the Borough will not be expending money for construction or the inspection of that project. The State is covering both.

3) REPORT RE APPLICATION FOR NJDOT LOCAL AID FOR HERBERT AVENUE (WS 6/9/10/RMA 7/14/10) (5. M.L. 6/24/10) – Mr. DeNicola informed there is a Resolution on this evening's Regular Meeting Agenda for the plans for this project to be submitted to the DOT. The project is Herbert Avenue from Closter Dock Road to Primrose Lane; which is the Borough's truck route. It takes a beating with all of the trucks from the transfer station and deliveries. This has a good shot, though the DOT said that if you have received a grant in the past few years, be prepared to miss your turn if you received one several years in a row. The project would be for resurfacing and repair of damaged inlets. Because this grant request is for approximately \$260,000, if they did award it to us, it would probably be over the course of two years because of the amount. Even if we do get a grant, we can expect to do half of that. The submission is due by August 15th and his office will be taking care of it.

7. REPORTS

A. BOROUGH ADMINISTRATOR

1) STATUS REPORT RE 2010 MUNICIPAL BUDGET – Mr. Wiest advised we already adopted the budget this evening.

2) STATUS REPORT RE NEW BOROUGH WEB SITE – No report

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

3) REPORT RE INSURANCE FOR BERGEN BIKE TOUR TO BE CONDUCTED PARTIALLY THROUGH THE BOROUGH ON 9/26/10 BETWEEN 7:30 A.M. AND

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1:00 P.M. (8. M.L. 7/1/10) – No report

4) REPORT – We have to routinely address properties that are not currently occupied which may have been foreclosed on or are being held by a bank. From time to time, the maintenance of these properties is called into question. The Supt. of Public Works, William Dahle, has been out to visit 2 properties and has provided certifications in terms of the anticipated amount of work necessary to clean up these properties. One is 52 McCain Court with an estimated cost of approximately \$800; the other is 412 Homans Avenue which has considerable problems including trees that need to be cut; and we have an estimate of about \$4,300 to complete all of the work necessary. We do have these certifications and proof that we have tried numerous unsuccessful attempts to contact the owners; and they have been given to the Borough Attorney for follow-up.

At this time, Mayor Heymann wanted to explain that the reason it is such an expensive estimate is because there are major trees across the property that are beyond the ability of our DPW to dispose of properly and have to be contracted out.

Mr. Wiest noted he had many copies and would supply them to the Council and anyone else who wanted one. Mr. Rogan reminded of the procedure to be followed: the Council meets with the DPW to review what Mr. Dahle has recommended and authorizes it. The next step would be to adopt a Resolution authorizing our DPW to do it at this cost; and after that, we notify the Tax Collector and it becomes an assessment on that property. When these homes are sold, this cost is added to the taxes that are owed at the time of the sale. Then it becomes money we get back.

Mr. Rogan advised that the one thing that has changed since the last time we did this is a change our Ordinance to indicate that we have the right to make the service on the lien holder. We had been having a problem under the old Ordinance whereas it also allowed us to do this, but we were notifying the homeowner, which in many cases was still living there. What has been happening recently is that due to the number of foreclosures and abandoned houses, we have been unable to make service on anyone because they were empty. A State law was passed around March that gives the Borough notice each time a house goes into foreclosure and includes information as to whom to make service.

Mayor Heymann explained that last year when the system was instituted, which is the only legal way we can place a lien against the property, it took most of the summer to get to the point where we are now. We have a system in place, it is being used and the Property Maintenance Officers are on top of that, in addition to the neighbors who come and complain to her. We will be getting more of these in the future.

Mr. Wiest informed he had nothing further to report.

B. BOROUGH CLERK

- 1) STATUS REPORT RE 2010 APPOINTMENTS – Current.
- 2) STATUS REPORT RE 2010 OATHS OF OFFICE – Current.
- 3) STATUS REPORT RE 2010 LICENSES – Current.

Ms. Castano informed that regarding Liquor Licenses, Ad Interim permits are being carried for two licensees until they obtain Tax Clearance Certificates from the Division of Taxation. Upon receipt of same, she will place the renewal on the Agenda for Mayor and Council approval.

- 4) STATUS REPORT RE 2010 MEETING DATES – Current
- 5) STATUS REPORT RE IMPLEMENTATION OF CITIZEN SERVICE ACT (LOCAL FINANCE NOTICE -LFN 2009-24, 11/12/09) – Nothing new to report.

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

- 6) STATUS REPORT RE PREPARATIONS FOR 2010 GENERAL ELECTION TO BE HELD TUESDAY, 11/2/10 FROM 6 A.M. TO 8 P.M. – Borough Clerk informed that the

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Board of Elections sent a letter to all Bergen County Clerks asking whether they desired to have a review class for their Board Workers. She contacted them and was asked to schedule same between the last two weeks in September/first two weeks in October. She plans to provide 3 dates for review and choice by the Board of Elections and will update this report when obtained. Ms. Castano asked whether the Mayor and Council had any objections to this scheduling and none was voiced.

7) STATUS REPORT RE FINANCIAL DISCLOSURE STATEMENTS – Ms. Castano reported that at the direction of the Chairman of the Board of Ethics, she sent a batch of 23 FDS to the Local Finance Board on 7/2/10 after they had been reviewed and approved by a Committee on 6/30/10. She mailed 5 letters with FDS for correction and return to her office and was pleasantly surprised to receive all 5 as of this date. She explained that at this time, it is her understanding that 10 are outstanding; and the Chairman will contact the Borough Attorney for guidance regarding follow up. Ms. Castano explained that at present a total of 92 have been reviewed and sent to the Local Finance Board.

Mayor Heymann voiced her understanding that a new law has been passed requiring newly appointed or elected officials to file their FDS immediately. The Borough Clerk requested a copy of same for review.

C. CHIEF OF POLICE

1) REPORT – Chief Berrian left the meeting early, therefore, no report was provided.

D. MAYOR

At this time, Mayor Heymann informed as follows:

We are starting the grant filing process for the Open Space and Recreation Master Plan Element for Historic Preservation.

Although not widely advertised, the Historic Preservation Commission will be having a meeting tomorrow night (7/15/10) on the Historic Element of the Master Plan. All are invited and she wanted to bring it to everyone's attention as it is very important for Closter. On 7/26/10, they will be having a hearing on nominating the Brooks Farm on Hickory Lane for Historic Preservation.

The Mayor explained having received a letter from the Closter Elks (5. M.L. 7/15/10) which she read aloud. On 8/28/10, the Elks will hold their 5th Annual Pig Roast and Fund Raiser. The event includes antique cars and motorcycles for viewing; and they are requesting to cordon off the parking lot adjacent to the Elks Club for same to insure the safety of people viewing vehicles. She explained it is a portion of the North Parking Lot behind the feed store. She voiced her understanding that in order to use same they need to have permission granted from the Mayor and Council which will come up again in the Regular Meeting.

The Mayor informed they will be taking up the Resolution from the Mayor of Teterboro when they return to the Regular Meeting.

Mayor Heymann referred to a Resolution that was distributed from the Council of Mayors of New Jersey which pertains to the 2.5% CAP and the Toolkit. There is also an e-mail suggestion from the League of Municipalities which is more complete than the one received from the Council of Mayors, but not as complete as she would have liked.

7. REPORTS (Continued)

D. MAYOR (Continued)

The Mayor and Quentin (Wiest, Administrator) went through the Resolution and improved upon it; Mayor Heymann distributed a copy of same at this time and requested the Council review it for a few

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moments. She explained to the audience that the Resolutions deal with the fact that in order for the CAP to be viable as a savings in property taxes, the Legislature will have to pass the Toolkit, which has 31 issues that will safeguard some of the cost factors in the various towns in New Jersey, but not all of them.

In response to the Borough Clerk, Mayor Heymann explained this new Resolution has a few new items included that were not in the original one and informed she will clarify. The Mayor noted these issues are very important because late this afternoon they received another message from the League informing that health benefits premiums for 2011 will increase to 11.7%. She wished to point out that we have a 2% CAP that has been adopted and signed by the Governor; and the first thing that comes up is an increase in a mandatory payment to 11/7%.

Mr. Dolson informed he has not seen the toolkit. Mayor Heymann explained the listings in the toolkit have been made available to the governing body through the League Alerts. The issues that affect Closter a great deal were omitted. She and Mr. Wiest tried to include them in the revised version such as the reserve for uncollected taxes which affects our taxes for the County and the schools. The other issue is a point that we have to make more clearly, that has been in the news; the State has usurped as its own, the taxes that are on your bill for CMPTRA (Consolidated Municipal Property Tax Relief Aid) and Energy Tax Receipts (ETR) that are supposedly paid to the municipalities and actually is redistributed instead of being paid to the municipalities as State Aid, when in fact it was collected to be given to the municipalities. Now that portion of State Aid is threatened to be taken away as well. The money that is listed on your utility bills that is supposed to be coming to you, which the State has usurped, and then claims they are giving support to the municipalities.

Mr. Dolson voiced his understanding that it was originally created as a way for municipalities to level a real estate tax against a utility because they can't tax utility poles, pipes and wires. The system came up that a utility traveling through a community could pay some kind of tax levy to the community so the State should not be taking any of it. The fact they are taking more and more, an article in the newspaper recently showed that in some towns they are taking 100% of it. Mr. Dolson reiterated what he said earlier questioning if the State was going to use past practices that will cause future events tous, how can they pass a 2% CAP on a tax levy, when they've already told us in advance that they are causing our revenues to decrease anyway. Mandated things with arbitrators – they've already said the next four years you're going to be paying "x". Mr. Wiest added that there was a lot of discussion about giving communities in the midst of contracts some Cap relief for their existing agreements and that is all out the window now.

Mayor Heymann noted that there is another point that is not part of the toolkit, but was supposed to be taken care of in anticipation of all of this; revisions to the COAH regulations which was Bill S-1. It came in front of the Legislature in the very beginning of the session; and they are now postponing it so we are very concerned and not gaining any of the benefits that should have been put into effect.

- 1) STATUS REPORT RE FOLLOWING GRANTS:
- a. GRANTS FILED
- 1. Reported by Mayor at Work Session held 12/9/09 as follows:
 - A) Community Development Block Grant (\$50,000) for curb cuts
 - B) Shade Tree Grant (\$11,200) for business stimulus
 - C) DEP Greenhouse Grant Reduction (pre-application)

7. REPORTS (Continued)

- D. MAYOR (Continued)
- a. GRANTS FILED (Continued)
Reported by Mayor at Work Session held 1/13/10 as follows:

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- D) Safer Grant (\$50,000) filed 12/18/09 on behalf of Fire Dept.
- E) (BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL IMPROVEMENT PROGRAM 2009) Grant (\$37,000) for basketball courts at Memorial Field filed 7/27/09) – Mayor Heymann reported that the Borough received \$36,500 for this grant, which is on the Consent Agenda this evening.

b. GRANTS AWARDED

- 1. BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND & HISTORIC PRESERVATION TRUST FUND; DUE 7/7/06; FILED BY 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)
- 2. SUPER VALUE, INC./PUBLIC ENTITY GRANT - \$6,600.00 awarded for Hazardous Discharge Site Remediation – 121 Schraalenburgh Road, Block 502 Lot 3 (14. M.L. 7/3/08)
- 3. CERTIFIED LOCAL GOVERNMENT GRANT OF \$20,000 FOR HISTORIC PRESERVATION PLAN ELEMENT (7. M.L. 7/30/09)
- 4. COMMUNITY DEVELOPMENT BLOCK GRANT - \$7,000.00 Grant for Senior Center Security System (7. M.L. 6/4/09) RM 10/28/09 - alarm repairs, window replacement, roof support columns and sidewalk improvements
- 5. Reported by Mayor Heymann at WS 1/13/10 as follows:
 - A) (GDL 2009 ENFORCEMENT AND EDUCATION CAMPAIGN, NATIONAL HIGHWAY TRAFFIC SAFETY (NHTSA) SECTION 402, STATE AND COMMUNITY HIGHWAY SAFETY GRANT (\$2,000) filed 4/9/09/awarded 5/2009
- 6. Historic Preservation Grant (\$1,900 of \$2,000 awarded) for 300th Anniversary Celebration (Mayor reported on award at WS 3/10/10)
- 7. 2010 ROID Grant (\$10,000) for Recreation Commission Challenge Routine (W.S. 12/9/09) (REC OPPTS FOR INDIVIDUALS WITH DISABILITIES 2010 DIFFERENTLY ABLED CHALLENGER RECREATION PROGRAM) Mayor reported on award at WS 3/10/10

c. GRANTS TO BE FILED

To be announced by Mayor

8. OLD BUSINESS

9. NEW BUSINESS

a. FEES FOR PRIVATE POLICE DUTY (Requested by Mayor 7/2/10) - Mr. Wiest questioned if the Fees for Private Police Duty were to be forwarded to the Ordinance and Legislative Committee; and Mayor Heymann affirmed same.

b. SIDEWALK REPAIR PROCEDURE (Requested by Mayor 7/2/10) – Councilman Glidden noted that the Building Department has been citing various properties for sidewalk non-compliance; and concern has been expressed by residents on the procedure for same.

9. NEW BUSINESS (Continued)

Tom Migliore, 7 Asmus Road, noted that his property needs sidewalk repair; and he felt that there should be a methodical order for citing properties for sidewalk repair. Mayor Heymann explained that this subject has been discussed with the Building Department; and, at present, if a complaint is received, it is

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investigated. The Property Maintenance officials have been advised to delay notification to individual property owners until the entire neighborhood has been canvassed; and once the property owners are notified, a listing of other properties requiring repair is made available. Instead of a warning notice, a yellow tag will be given noting the need for repair.

Councilman Glidden suggested that there be a temporary moratorium on sidewalk repair fines for approximately 6 to 9 months during which time residents should be encouraged to join together on the necessary repairs. Mr. Migliore suggested that the main roads be inspected first before side streets. Councilman Barad noted that the Department is being reactive but he expressed support for the inspection of the main roads. Mayor Heymann read the letter on sidewalk repair from the Building Department and requested that the 30 days to contact the Department be extended.

At this time, Borough Administrator distributed a draft of a Green Acres enabling resolution that covers the open space process to acquire properties that would be incorporated in a listing provided to the State. He explained that an application is due 7/28/10 and would be addressed at the next Regular Meeting. The resolution allows for an application that might be achievable during the first year. The grants cover a range of \$300,000 to \$800,000, which obligates a 50% match from the Borough. The application would identify the amount of money; and the State would have the listing of properties that could be available in the future. He asked that the Council review the resolution for the next meeting. Mayor Heymann said that the Master Plan Element has not been completed as yet and the enabling resolution would provide for matching funds up to \$750,000. The grants are only available to those communities that have an Open Space Tax and an Open Space and Recreation Element in the Master Plan. The Master Plan is reviewed every six years as well as each element. She noted that having your property on the listing is a benefit not a detriment and cannot be perceived as an eminent domain issue. The Mayor explained that there are approximately 5 property owners that wish to be removed from the listing and two other property owners may wish to opt back in.

10. OPEN MEETING TO THE PUBLIC FOR ANY MATTER PER NJSA 10:4-12(A) SUBJECT TO A 5 MINUTE LIMIT (PER GENERAL RULE NUMBER 10) EXCEPT FOR ITEMS SCHEDULED FOR PUBLIC HEARING AT THE REGULAR MEETING

11. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

Councilman Barad explained that in reviewing vouchers this evening he reviewed a voucher submitted regarding a deer that was killed on Hickory Lane that had to be taken away and cost the Borough approximately \$500. Mayor Heymann said that the homeowner complained; it is the responsibility of Animal Control to remove same; but they are shorthanded, as all other agencies, and it could take weeks to remove the animal. It was not a normal procedure; but after the complaint was received by the Police Department, it was decided because of the hot weather, to have the DPW remove the deer.

Councilman Barad also referred to the high overtime for Police Dispatchers; and Borough Administrator explained that additional overtime hours were worked as part of the effort to reduce police overtime.

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

13. ADJOURNMENT

Motion to adjourn the Work Session at 9:15 p.m. was made by Councilman Glidden, seconded by Councilwoman Latner and declared unanimously carried by Mayor Heymann.

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Provided to the Mayor and Council
on July 22, 2010 for approval at the
Regular Meeting to be held
July 28, 2010

Prepared by Arlene Corvelli and
Carol Kroepke, RMC, utilizing recording
and Borough Clerk's notes

Approved at the Regular Meeting held July 28, 2010
Consent Agenda Item 18b.

Loretta Castano, RMC
Borough Clerk