

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – JUNE 23, 2010 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Regular Meeting at Borough Hall on Wednesday, June 23, 2010. Mayor Heymann called the meeting to order at 8:37 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,  
Arthur Dolson and Victoria Amitai

Borough Administrator, Quentin Wiest

Borough Attorney, Edward T. Rogan

Borough Clerk, Loretta Castano

Borough Engineer, Nick DeNicola

Chief of Police, David Berrian

4. PROCLAMATIONS, PRESENTATIONS, MOMENTS OF SILENCE

5. 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.

Borough Administrator advised that an Amendment to the Budget would be introduced this evening and that the State has requested a number of documents for review before approval of the Budget can be given which would, hopefully, be by the next meeting.

Motion to adjourn Adoption of the 2010 Municipal Budget to the Regular Meeting of 7/14/10 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, Dolson and Amitai.

6. INTRODUCTION OF AMENDMENT TO 2010 MUNICIPAL BUDGET – PUBLIC HEARING - 7/14/09 @7:30 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Requested by Administrator 6/16/09) - TO BE PREPARED BY AUDITOR

Borough Administrator explained that the Amendment included a decrease in expenses reducing the tax levy by approximately \$56,000 and the percentage increase to 3.17%. In addition, several adjustments were made and we are reflecting grants that have been received.

At this time, Mayor Heymann recommended that the time for the public hearing

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be set at 8:00 p.m. rather than 7:30 p.m. Borough Clerk explained she would contact the Auditor and ask that the notice be corrected to reflect the change. In response to her request, all were in favor of the time change.

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

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

The following Ordinance was introduced at the Regular Meeting held 5/26/10 and was published in the Press Journal on 6/3/10 as stated in the printer's affidavit of publication. Reprint of this Ordinance was posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public:

- a. ORDINANCE NO. 2010:1069, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 169, ARTICLE 88, TRANSFER STATION, OF THE CODE OF THE BOROUGH OF CLOSTER"

Mayor Heymann declared the public hearing open and asked if anyone wished to be heard either for or against this Ordinance.

Motion of approval was made by Councilman Kashwick, seconded by Councilwoman Latner.

BEFORE ROLL CALL VOTE, Councilman Barad commented that the facility has been operating for a long period of time but it is an imposition. These are hard times but we have to live within our means. Mayor Heymann said that this is a change but we are not denying trash collection.

Kyle Dennerlein, 7 Wilson Place, expressed support for the plan; and explained that if same saves money, it is a good idea. Councilman Glidden said he preferred that this change had been done gradually but he felt the residents would get used to the change.

Said motion was declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

8a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the following Consent Agenda Items minus Item Nos. 12, 15, 17, 18, 19, and 20 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, Dolson and Amitai.

INTRODUCTION OF ORDINANCES (WITH PUBLIC HEARING DATE SPECIFIED)

RESOLUTIONS

9. BILL RESOLUTION – JUNE 30, 2010  
TO BE PREPARED BY DEPUTY TREASURER
10. RESOLUTION NO. 2 RE RENEWAL OF 2010-2011 LIQUOR LICENSES
11. RESOLUTION AUTHORIZING PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE NO. 0207-33-003-005 FROM TO CHIH SHYANG CORPORATION T/A PEKING DUCK HOUSE RESTAURANT, 411 PIERMONT ROAD, TO GJEVUKAJ RESTAURANT CORP. TO BE PREPARED BY BOROUGH ATTORNEY

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12. 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) - 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)

No appointments were made

13. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO ISSUE CHECK IN THE AMOUNT OF \$32,183.31 TO ROTHMAN REALTY CORP. PROFIT SHARING AT 411 GRAND AVENUE, ENGLEWOOD, NJ, AS WELL AS A RETURN OF PREMIUM PAID AT TAX SALE IN THE AMOUNT OF \$21,600.00 FOR REDEMPTION OF TAX SALE CERTIFICATE #09-1, RE BLOCK 308 LOT 23, 65 BETHANY CIRCLE (Received from Tax Collector 6/17/10)

14. RESOLUTION AUTHORIZING THE BOROUGH OF CLOSTER TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, C.72 (Received from Auditor 6/8/10) (Adjourned from RM 6/9/10)

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 W.S. and RM of 6/9/10/Adjourned to this meeting)  
 Removed and Adjourned to RM 7/14/10

MOTIONS

16. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed 6/17/10) ABSTENTION: AMITAI:

- a. REGULAR MEETING OF JUNE 9, 2010
- b. WORK SESSION OF JUNE 9, 2010

17. 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:

<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)	_____	5 Year un-	
(3. M.L. 3/11/10)		expired to	12/31/11

\* *Mayoral Appointment*

No appointment was made

18. 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)

No appointment was made

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19. 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):

- 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

Removed/Adjourned to RM 7/14/10

20. 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*

No appointment was made

REPORTS

21. ACCEPTANCE OF THE FOLLOWING REPORTS:  
 (None at time of preparation of this Agenda)

At this time, Mayor Heymann asked for approval for the following resolution:

15a. RESOLUTION AUTHORIZING ESCROW AGREEMENT FOR HOUSING TRUST FUND BETWEEN THE COUNCIL ON AFFORDABLE HOUSING (COAH) AND THE BOROUGH OF CLOSTER AND NVE BANK (the bank)

Motion of approval 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, Dolson and Amitai.

8b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

22. 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)

Kyle Dennerlein, 7 Wilson Place, made suggestions relative to the new agenda format and felt that the public did not know when they would have an opportunity to speak. He questioned the anticipated revenue of \$50,000 from Harrington Park for gasoline. Mayor Heymann answered that this is the subject of an exchange agreement with Harrington Park; and the figure would never deviate from the actual consumption. Access to the tank is with a key card. Borough Administrator said that gasoline is purchased on the County contract, which is bid on a markup set by a market index that fluctuates daily. The gasoline purchased by Harrington Park last year was considerably less because the Police Department was not participating but will be doing so this year, which will bring the monthly cost up to approximately \$4,000. Harrington Park also pays a portion of any pump repair costs.

Mr. Dennerlein referred to the fire hydrant costs and Borough Administrator said that he attended a hearing on the rate case during which questions were entertained on the rate increase. The case is ongoing and should be resolved later this year. The rate is established by the Board of Public Utilities and the Borough pays per hydrant and per foot of water line.

Mr. Dennerlein referred to the Reserve for Accumulated Leave and Councilman Dolson

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explained that money in that category is reserved for terminal leave payments such as sick time, buy-out provisions or vacation leave. Mayor Heymann said that there are a number of ways to pay out for a large number of retirees such as bonding or if the retiree is willing to accept a payout over a number of years. Councilman Glidden commented that replacement of retiring officers would be reviewed; and it is expected that higher salaried officers would be replaced with new recruits.

Councilwoman Amitai questioned how the flow from fire hydrants is monitored. Mayor Heymann said that United Water has indicated that they check the fire hydrants at least once a year and our Fire Department checks the hydrants. Mr. Dennerlein said that the fire hydrant across from his house has not been checked.

Councilman Barad explained that the Budget was on the agenda during the agenda discussion and at that time there was an opportunity for the public to speak.

- 22a. Motion approving the following Resolution at 9:04 p.m. was made by Councilman Barad, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

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 6 weeks.”

Mayor Heymann resumed the public meeting at 9:28 p.m.

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

Borough Clerk questioned if the Council was ready to amend the By-laws to indicate the change in the Agenda procedure but it was felt that more time was needed to finalize the procedural change - but that having the Work Session prior to the Regular Meeting has been working well. Relative to the time of public hearings, it was decided to keep the time at 7:30 p.m. rather than change same to 8:00 p.m.

24. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:30 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 1, 2010 for approval at the  
Regular Meeting to be held  
July 14, 2010

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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 14, 2010  
Consent Agenda Item No. 21a.

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Mayor Heymann called the meeting to order at 7:32 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  
Arthur Dolson and Victoria Amitai  
Borough Administrator, Quentin Wiest  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Chief of Police, David Berrian

Also in attendance:

Kurt Vreeland, Chief, Knickerbocker Hook & Ladder Co.  
Jean Marie Varni, President, Closter Volunteer Ambulance & Rescue Corps.

At this time, Mayor Heymann explained the new procedure.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF JUNE 10, 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 Mr. Wiest, Item No. 4 was removed by Mayor Heymann, Item No. 8 was removed by Borough Clerk, Item No. 12 was removed by Dr. Barad and Item No. 17 was removed by Councilman Kashwick.

Item No. 3 – Received 06/04/10, dated 06/03/10 from Lt. Dwane Razzetti, County Coordinator, County of Bergen Department of Public Safety, Division of Emergency Management to Loretta Castano re Agreement - County of Bergen and Borough of Closter Automated Emergency Telephone Alerting Service (C3), Resolution No. 10-406

Borough Administrator explained there is a proposal we received from the County to utilize their Automated Emergency Telephone Alerting Service, commonly referred to as Reverse 911. They proposed to do this at no cost to the municipalities; and he has requested that Sgt. (James) Winters (OEM Coordinator) review same and advise if it is acceptable for our purposes. We will discuss the issue again at a future meeting if we believe we are comfortable with it.

Item No. 4 – Received 06/07/10, no date from Avraam and Morela Russo, 260 Parsells Lane re Letter

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requesting permission to have Rockland Electric Company install a utility pole on lot at 260 Parsells Lane (Copy to Mayor Heymann, Quentin Wiest 6/7/10) AND

Mayor Heymann asked if anyone knew anything about this request. Mr. Wiest suggested he and the Borough Engineer could speak about this. He explained that there is a contractor building new house and he was questioning whether he could cut the road to install underground utilities or install a utility pole on the site. Mr. Wiest and the Engineer had spoken to him a few days ago after it was determined the road was last paved 5-6 years ago, past the 3 year moratorium, and advised the contractor he could cut into the asphalt to install the utilities. Borough Engineer clarified there will not be a utility pole installed but these will be underground utilities. Any time there is underground service added, infrared to seal the seam is required. The request to install a utility pole is moot at this time.

Item No. 8 – Received 06/08/10, dated 06/07/10 from Rev. Paul A. Cannariato, Pastor, Church of St. Mary re Letter requesting permission to install signs at three named intersections (Copy to Zoning Officer)

Borough Clerk explained the request is for locations at Piermont Road/Closter Dock Road; High Street/Old Hook Road; Durie Ave/Knickerbocker Road. To the best of her knowledge these are all county roads so she is unaware if there will be a response or not. Mr. DeNicola affirmed they are all county roads and this should be a county matter. Borough Attorney advised the Council can indicate whether it has an objection or not and refer the matter to the county for approval. He suggested responding as to whether the Council has any objection and then forward it to the county with a cc: to St. Mary's. Mr. Kashwick voiced his concern that Closter Dock and Piermont's intersection already has a lot of sign clutter but noted that we do have other churches that advertise. He and Mayor Heymann agreed it would be hard to say no to this request for that reason. Mrs. Amitai suggested piggy-backing the signs. No objections to the request were voiced.

Item No. 12 – Hand del'd 06/09/10, dated 06/09/10 from Ronit Slotky, PhD, and Noa Slotky, 8 Arthur Court, to Mayor re Letter written by Noa Slotky requesting the installation of sidewalks on Closter Dock Road at the edge of Henmar Drive en route to Tenakill School with enclosed signature list in support of same (Copy to Chief Berrian)

Dr. Barad voiced his opinion that we have discussed this issue in the past and recently passed a Resolution allowing the waiver of the sidewalk in that area. The Mayor had mentioned this letter previously but it was not yet in their packets, so he felt the need to acknowledge the issue tonight. He explained that this is a petition from a 5<sup>th</sup> grader who walks to school on Closter Dock Road and is requesting sidewalks there. She got 12-15 of her classmates and faculty to sign the petition. He felt we should recognize this and respond to her. Dr. Barad expressed that while we cannot go back and change what has been done, we need to recognize that there are a lot of people that need to be represented. Mayor Heymann informed she will respond to the letter and petition.

Item No. 17 – Received 06/10/10, dated 06/09/10 from David M. Watkins, Esq. re Watkins - 102 Blanch Avenue, Closter, N.J.; Block 1402, Lot 24, Request for immediate removal of property identified as No. 32 on "Privately - Owned Potential Open Space & Recreation Resources"; and "Private-Owned Potential Open Space & Recreation Resources, STREAM ROW'S ONLY" (Copy to Michael Hakim. Environmental Commission)

Mr. Kashwick explained this is a request to be removed from the Open Space list. He voiced his opinion that just because the current occupant/owner does not want to be on the list does not mean we should remove it. Homes can change hands and this list may outlive all of us – they should have the potential should the property become available. Mayor Heymann agreed that the list will be around for a long time; and it can be modified during that time; and in order to expedite the Open Space Element of the Master Plan, she felt it was warranted to inform the property owners that if they really wanted their property removed from the list, we could do so because there is plenty of time in the future – and we will not be able to purchase all of those properties anyway. This is the exact procedure we followed at one time with historic homes giving residents the option. Mr. Kashwick disagreed. Dr. Barad explained that there is no element in this that because you are on the list we will necessarily do anything with your property. It is unsure of the impetus to having it removed but feels it is rather just a misunderstanding. He

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feels if we make an effort to clarify that understanding, we could have a potential buyer in the future in some way. Mayor Heymann informed that the Watkins family had written directly to Michael Hakim (Borough Planner) so that is why it was removed from the list. Mr. Glidden expressed his agreement with Dr. Barad and feels it shouldn't be a concern. He voiced his opinion that we should explain to the residents; and if we cannot legislate their fears about losing the property to eminent domain, we can remove it from the list. In response to Mrs. Amitai, Mayor Heymann explained that everyone on the list was sent a written letter informing them of same. She announced that the Planning Board will be discussing same tomorrow at their meeting. There is no negative aspect to having the property on the list. She suggested she can explain it further and it is a valid point; but sometimes people have concerns that cannot be resolved.

b. MAIL LIST OF JUNE 17, 2010 - Mayor Heymann asked if any member of the Council or Public wished to address any matter or provide any comments.

Item No. 2 – Received 06/16/10, dated 06/14/10 from Dennis McNerney, Bergen County Executive, to Mayor re Notification that the Borough of Closter's Application for 2010 Community Development Block Grant Funds for Barrier Free Curb Cuts in the amount of \$50,000 has been approved for inclusion in Bergen County's 2010 Consolidated Plan submitted to the Department of Housing and Urban Development

Mr. Kashwick questioned if we had any specific spots in mind for these curb cuts or was this a general grant. Mayor Heymann informed that the cuts that are included are the last few that have not been done in Closter. The Borough Engineer affirmed same and reported that a few of the cuts on the list had actually recently been completed under the NJDOT Local Aid for West Street. Mr. Kashwick informed that the new crosswalks on Durie Avenue and Demarest Avenue where the trail goes do not have the handicap ramps. Mr. DeNicola informed those could be done and asked if they had a list they could submit it to him to see what he could switch out for the ones already completed.

Item No. 4 – Received 06/16/10, dated 06/16/10 from James Anzaldi, President, NJS League of Municipalities, Mayor, Clifton re 13th Annual Elected Officials Hall of Fame

Dr. Barad explained this was a nomination form for the Elected Officials Hall of Fame and questioned if they had anyone in office for 20 years. Mayor Heymann clarified this was specifically for elected officials; and whereas some towns do not change their elected officials, Closter does; so at this time, we do not have anyone qualified. He expressed that he did not want the Borough to miss any opportunity.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of June 23, 2010)

At this time, the Governing Body reviewed the Consent Agenda listed in the Regular Meeting Agenda; and the following item(s) were discussed: Item No. 15 was removed for discussion by Councilman Kashwick and Item No. 19 was removed by Councilman Glidden.

CONSENT AGENDA ITEM NO. 15

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

Councilman Kashwick requested that this item be removed from the Consent Agenda. Borough Engineer advised that more data is needed on this item. Mayor Heymann advised that the State is trying to help us to achieve this at a lesser cost. This matter was removed from the Consent Agenda.

CONSENT AGENDA ITEM NO. 19

19. 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):
- 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

Councilman Glidden expressed concern about the impact of the issuance of the permits on existing businesses and explained that their input should be heard before action is taken. Councilman Barad said he would like to have a history of these types of trucks in the area; and if there is a particular need for same. Chief Berrian said that up until several years ago there were these types of trucks primarily on Railroad Avenue servicing Weyerhaeuser and Miele Sanitation. When Weyerhaeuser burned down, they stopped coming to town; but since there is another company coming in, they are now applying for permits. Malafis is a long-standing applicant and the other vendor is new. He said the only prohibition in the ordinance is that peddling is not allowed near the Rec Center while the canteen is open; nor near any existing similar merchant. Councilwoman Amitai said that she would bring this matter before the CIC if they want to get involved. This matter was removed from the Consent Agenda and tabled to the next meeting.

Borough Administrator distributed a Resolution to be added to the Consent Agenda authorizing a change in bank in the escrow agreement for the COAH fees. Several dates were changed in accordance with State regulations. This item was included in the Agenda.

6. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY - DOLSON (GLIDDEN/ KASHWICK)

Councilman Dolson referred to two Resolutions on the Consent Agenda: one is for the tax bills and the other is the Amendment to the Budget; and requested consideration for both items from the Council.

- 1) STATUS REPORT RE CLOSTER WEBSITE – Councilman Dolson had nothing to report regarding the website.
- 2) REPORT – Councilman Dolson noted the previous items concluded his report.

B. PUBLIC SAFETY - GLIDDEN (DOLSON/LATNER)

1) REPORT – Councilman Glidden informed he had no report at this time; and requested a Closed Session.

C. PUBLIC WORKS - LATNER (AMITAI/GLIDDEN)

1) REPORT – Councilwoman Latner reported that yesterday that all of us checked out the streams in town in terms of some issues that have previously come before the Council and the compost facility was discussed. At this time she has nothing to report.

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Dr. Barad informed that JoAnn Riccardi will not be available for the next regularly scheduled Ordinance Committee meeting in the beginning of July. They are trying to arrange another time if the majority are not able to attend the current one. He advised there is no big agenda; but if anyone has any pending issues to let him know.

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2) REPORT – Dr. Barad noted the previous item concluded his report.

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick reported that the Human Resources Committee met last week and they will try to schedule a Department Head meeting some time in July to discuss performance appraisals and switching to goal-based performance management. Mr. Kashwick requested Closed Session regarding same.

2) REPORT – Councilman Kashwick reported on the following:

a. Historic Preservation Commission is working on designation for the structures at the Brooks Farm and the hearing will likely take place at the meeting the 4<sup>th</sup> week in July.

b. Shade Tree Commission planted the trees at Pollack Square; and some of them are not doing so well with the heat. We will need to come up with some long term solution for watering them over the summer. Jason Woods (Road) residents visited the meeting last week and expressed their concerns about new trees to be planted in their area. This street lost most of the pear trees during the storm. They did not want the trees planted inside the sidewalk; they would like them planted between the sidewalk and curb where there is very little space or no tree at all. The Shade Tree Commission is looking for a solution. No trees have been planted in this area yet.

c. Environmental Commission – regarding the trail extension through the United Water Company property, he, as well as Beth Ravit and Ray Cywinski walked the proposed portion of the trail extension this morning; and they agree it will be the perfect addition because it goes along the water and it is a spectacular view. The Environmental Commission will take this up at their next meeting and come back to the Mayor and Council with their suggestions.

Billy (Dahle) informed that the bridge on Oak Street has been completed; we can now work on the loop trail to that side of town from the Cross Closter Trail.

Regarding the (MacBain) Farm contract, the first draft was sent to the Borough Attorney and returned. He forwarded the draft to Mary Mayer and Beth Ravit who will get back to him with any further thoughts. Mr. Kashwick mentioned that 2 years ago, funds were designated from Open Space to possibly build a barn on the Farm. The Commission would like to move forward with the design done by Doug Radick which would be historically appropriate to the site. They wanted to bring that to the attention of the Council to see if there were any objections to that. Mr. Wiest informed he was going to bring this up to let everyone know this is coming back to life; and the plan includes a possible new structure. Mr. Kashwick noted the contract calls for the storage of equipment to not have them exposed so this would coincide with the contract. In response to Dr. Barad he informed it was Open Space Recreation funds. Mayor Heymann explained the funds were assigned 3 years ago so it is pending. Mr. Wiest believes there are funds remaining from 2006 so there are definitely funds available for this design contract; and at that point we could get a better feel for the overall construction price.

Dr. Barad asked about the timeline and insurance or liability issues for the trail. Mr. Kashwick affirmed there can be; and it will be up to the Council to recommend what they want. Mayor Heymann mentioned the Chief had some concerns and she was waiting to hear from the Environmental Commission to try to resolve all of those concerns to be able to provide the trail, which will be spectacular. Mr. DeNicola reminded United Water sent a two page letter with their issues a year ago. He is not aware if the Borough responded to it. Dr. Barad voiced his concern that if we are moving this along, then we need to follow through on that.

The last item the Commission is planning to go ahead with is the sign for Hagen Park. He is not sure exactly where the funding came from but it was allocated some time ago; they think it would be appropriate to have a rededication ceremony for that particular park which honors Olaf Hagen.

F. PRIVATE CONSTRUCTION, LAND USE, ZONING ENFORCEMENT & NEW BUILDINGS – AMITAI (BARAD/DOLSON)

1) REPORT – Councilwoman Amitai reported on the following:

a. The Building Department did not meet this month as she was away on vacation.

b. The Improvement Commission met last night and discussed ideas for an Eagle Scout project. She questioned how to reach the Eagle Scouts. Mayor Heymann advised they will need to contact the Scout Master. Mrs. Amitai suggested asking Eric Mattes, but the Mayor informed he only has a

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Cub Pack.

They are looking into pricing for holiday decorations to try to get a lower quote than last year. They are discussing a fundraiser to pay for the holiday décor.

The Chamber of Commerce project is moving forward towards resurrection. Louise Boyarsky has been reaching out to some people. Fred (Pitofsky) attended the meeting last night; and they discussed some items so, hopefully, they can move forward with that.

At this time, Mr. Glidden on behalf of Recreation Commission announced that if anyone has been getting the Reverse 911 call, the Commission is putting on their second concert in the park tomorrow night at 7:30 p.m. He attended the one last week and expressed it was delightful with great music.

7. OLD BUSINESS

8. NEW BUSINESS

Mayor Heymann announced she wished to discuss the matter of the cleaned up park area in the back of the Library and the Belskie Museum. She believes everyone should have the memo she had passed around recently. The suggestion was made to name that park after Don Farrell, who has been a leading hard worker for the Library and the Belskie. It was suggested to honor him by naming the park Farrell's Woods or something of that sort. She invited comments from the Council and the public. In response to Dr. Barad, the Mayor explained that the park is Borough property which has been improved with Open Space funds at least twice. This last time it was completed largely by the Boy Scouts and volunteers from town; the DPW brought a lot of wood chips and mulch. It has been a combined effort and looks lovely. She feels the location provides a park in the more settled area/a shady nook, Dr. Barad advised he walked back there and it looks lovely. Mr. Glidden requested more time to allow everyone to be able to comment on that because once you name something, it will last a very long time.

The Borough Engineer announced that the NJDOT came out with their Local Aid requirements (5. M.L. 6/24/10). The application will be due 8/13/10. Boswell Engineering will take care of the application; he recalled at a previous meeting it was discussed and agreed to use Herbert Avenue for this grant application. He informed he will need a Resolution to be placed on the Consent Agenda of the Regular Meeting to be held 7/14/10 authorizing the Mayor to sign the grant application to send it to the NJDOT.

Dr. Barad mentioned that some present had spent some time looking at streams recently and asked if anyone had input to provide regarding same. Mayor Heymann explained that in order to make sure all of the Council members understood some of the physical issues in Closter, they went on an exploring tour yesterday morning with Billy Dahle and Nick DeNicola in a van provided by Councilman Dolson. They looked at some of the erosion in town and the compost pile. She invited comments on what they saw. Dr. Barad referred to the compost piles and remarked we have a good facility back there. He informed there are a lot of good wood chips; and suggested residents could bring their own bags and pick up some compost and wood chips as opposed to going into town to purchase it. Dr. Barad mentioned Closter is blessed with a lot of streams that enhance the town with babbling brooks but also create other problems for us. He had learned many years ago that streams meander and we saw good evidence of that yesterday. The stream beds seem to move 10 to 15 feet over a period of 15 to 20 years. It does create quite a problem for the residents whose property abuts those streams. He is not sure what they can or should do about that problem as they have received many complaints recently. He would appreciate input from the public regarding this natural phenomena. He would be interested in hearing what other people's feelings are about that.

9. 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

Jean Marie Varni, President of the Closter Ambulance Corps and Kurt Vreeland, Closter Fire

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Chief, appeared before the governing body and read from a prepared statement outlining issues and questions with regard to the Bergen County Dispatch taking over Interborough Dispatch. She said that meetings have been held with our counterparts in other municipalities. Questions and issues were drafted and forwarded to Mayor Heymann and no response was received. She referred to a letter from Demarest Fire Chief Jim Bailey noting complaints such as paging the Ambulance Corps and Fire Department on the wrong frequency causing delays and lack of monitoring of the frequencies by the dispatchers that have been unresolved over a three-year period. The Ridgefield Police Department feels the change over to the County was a horrible mistake. There are other options rather than going to Bergen County Dispatch and she urged the Council to meet with the emergency services and with other municipalities to explore other options. She noted that the County did do a study, which she has requested, and the study indicated that disbanding Interborough and merging same with the County was not feasible.

Mayor Heymann said that we are open-minded at this point in time and grateful for your comments. You will receive the requested documents tomorrow. Borough Administrator said that the Borough does not have the study that was referred to in the statement. Mayor Heymann said that the questions would be forwarded to Mayor DeRienzo. Councilman Barad said it is crucial that other emergency services are speaking to their governing bodies and, therefore, can be effective. Ms. Varni said that the Interborough emergency services are unified and there needs to be a meeting with all of the governing bodies.

Mayor Heymann said if there was such a meeting can you, in anticipation of that, encourage the other organizations to meet with their Mayors and Councils to outline their feelings in this matter. Ms. Varni said that every Ambulance Corps and Fire Department wants to stay with Interborough. Mayor Tomasko is on board for Alpine. Councilman Barad expressed his agreement noting that we want to preserve Interborough. Councilman Glidden expressed his dissatisfaction with the way this matter has been handled on the part of the County. He said the proposal from the County was ridiculous without any information. He expressed support for a major meeting on the issue. He noted that there is too much politics and that Mayor DeRienzo is at the top of the political list. Mayor Heymann said that she would reach out tomorrow to have the regular Interborough meeting on this matter.

- 10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
- 11. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
- 12. ADJOURNMENT

Motion to adjourn the Work Session at 8:30 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 1, 2010 for approval at the  
Regular Meeting to be held  
July 14, 2010

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held July 14, 2010  
Consent Agenda Item 21b.