

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MARCH 10, 2010 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Regular Meeting at Borough Hall on Wednesday, March 10, 2010. Mayor Heymann called the meeting to order at 7:34 p.m.

1. PLEDGE OF ALLEGIANCE

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

2. OPEN PUBLIC MEETINGS ACT STATEMENT

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

3. ROLL CALL

The following persons were present:

Mayor Sophie Heymann

Councilpersons John C. Glidden, Jr., Alissa Latner, John Kashwick,

David Barad (7:50 p.m.), Arthur Dolson, Victoria Amitai (7:40 p.m.)

Borough Administrator, Quentin Wiest

Borough Attorney, Edward T. Rogan

Borough Clerk, Loretta Castano

Borough Engineer, Nick DeNicola

Chief of Police, David Berrian

4. PROCLAMATION DECLARING THE MONTH OF MARCH AS “WOMEN’S HISTORY MONTH” (7. M.L. 2/25/10)

Mayor Heymann read aloud and so declared.

4a. PROCLAMATION RE BRAIN INJURY AWARENESS MONTH – MARCH 2010

Mayor Heymann read aloud and so declared.

Councilwoman Amitai entered the meeting at 7:40 p.m.

5. 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)

Mayor Heymann opened the meeting to the public.

Kyle Dennerlein, 7 Wilson Place, referred to an article in the March 4th issue of the Suburbanite relative to the Municipal Tax Levy Cap that indicated flexibilities that would be available by eliminating the CAP. He questioned what these flexibilities would be and Councilman Dolson explained that the State mandates many spending line items that must be spent and then restricts the municipality’s ability to collect monies to make those expenditures. If we cannot raise any more monies than we did last year but we are mandated to spend a certain amount more than last year, the Borough must find an avenue to obtain that money without much latitude to do so. If taxes cannot be raised, it would mean cuts in employees and services.

Mr. Dennerlein questioned the status of the Flamm property. Mayor Heymann answered that we are awaiting a report from the Borough Engineer. Councilman Glidden advised that there were serious environmental issues raised by the engineering inspection; and we are on hold until we determine the status of those issues.

Mr. Dennerlein referred to his suggestion last year to question fire hydrant maintenance charges. Mayor Heymann informed that these charges have been questioned for years by Closter and other municipalities; and the last time this was addressed by a consortium of Northern Valley towns, the Water Company said they charge us the equivalent of their expenses.

Steve Isaacson, 97 Columbus Avenue, questioned the status of the easement off Susan Drive by the cemetery; Borough Engineer clarified that he was referring to the Borough right of way; and Borough Attorney advised as follows: there was discussion with the property owner; and we are

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waiting for Spring to finalize it and are hopeful that between the Historic Preservation Commission, Borough representatives and this individual and his attorney that they will cooperate as they were receptive to our concerns and expressed a willingness to work things out.

Mr. Isaacson referred to the test borings on the Flamm property and expressed concern about the possible pollution of the aquifer of our reservoir system. Mayor Heymann explained that the test borings have not been received and noted that if there is toxicity on the property, it must be reported to the Department of Environmental Protection and remediated by the property owner. Councilman Glidden said that the Borough would not acquire the property until the remediation is completed.

Councilman Barad entered the meeting at 7:50 p.m.

Mr. Isaacson noted that all three of the backstops caved in during the recent snowstorm and must be replaced; and voiced his opinion that a Borough employee should have addressed the snow accumulation during the storm. Mayor Heymann said that the backstops like the trees could not withstand the weight of the snow; and these collapses happened all over the County. The Joint Insurance Fund is investigating the matter; and in all likelihood, the replacement would be covered by insurance.

6. COMMUNICATIONS

a. MAIL LIST – FEBRUARY 25, 2010 - Mayor Heymann reviewed the correspondence distributed on this date and asked if any member of the Council wished to address any matter or provide any comments.

b. MAIL LIST – MARCH 4, 2010 – Mayor Heymann reviewed the correspondence distributed on this date and asked if any member of the Council wished to address any matter or provide any comments.

7. OPEN MEETING TO PUBLIC FOR COMMUNICATION ITEMS ONLY
(Subject to 5-minute limit per By-Laws General Rule No. 10)

Mayor Heymann opened the meeting to the public for communication items only.

8a. REVIEW OF CONSENT AGENDA ITEMS
(PROCEDURE TO BE EXPLAINED BY MAYOR HEYMANN)

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

ORDINANCES AND RESOLUTIONS

9.* RE-INTRODUCTION OF ORDINANCE NO. 2010:1063, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS” – PUBLIC HEARING 4/14/10 @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Requested by Borough Attorney 3/1/10) (Received from Borough Attorney 3/3/10)

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

11.* 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)
RESOLUTIONS TO BE PREPARED BY ADMINISTRATOR

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
*ALTERNATE PROSECUTOR	_____	1 Year	12/31/10
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
PART TIME (added 2/10/10)	_____	1 Year	12/31/10
PERMANENT CLERICAL FLOATER	_____	1 Year	12/31/10

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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

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

- ~~12.*~~ RESOLUTION APPOINTING _____ AS ALTERNATE PROSECUTOR FOR A 1-YEAR TERM TO 12/31/10 (Resumes received 3/3/10)
TO BE PREPARED BY ADMINISTRATOR
- 13.* RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$2,465.72 TO FIRST AMERICAN FOR BLOCK 1203 LOT 10 DUE TO 2010 TAX OVERPAYMENT IN THE FIRST QUARTER (Received from Tax Collector 3/1/10)
- 14.* RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A CHECK IN THE AMOUNT OF \$48,596.33 TO U.S. BANK – Cust/Sass Muni V dtr FOR THE REDEMPTION OF TAX SALE CERTIFICATE #08-2 , FOR BLOCK 704 LOT 12, 54 FAIRVIEW AVENUE (Received from Tax Collector 3/1/10)
- 15.* A RESOLUTION TO AFFIRM THE BOROUGH OF CLOSTER’S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS (Received from Borough Attorney 3/2/10)
- ~~16.*~~ RESOLUTION AWARDING THE CONTRACT FOR WEST STREET IMPROVEMENTS, SECTION 5 TO THE LOW BIDDER, VINCENT J. CONSTRUCTION (Received from Borough Attorney 3/4/10)
- 17.* RESOLUTION CONTINUING TEMPORARY APPOINTMENT OF CONSTRUCTION CODE OFFICIAL (Received from Borough Administrator 3/4/10)
- ~~18.*~~ RESOLUTION AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH THE BERGEN COUNTY IMPROVEMENT AUTHORITY’S BERGEN MUNICIPAL BANC PROGRAM (Received from Borough Administrator 3/4/10)

MOTIONS

- 19.* APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES:
 (Distributed 3/4/10) NO ABSTENTIONS
- a. REGULAR MEETING OF FEBRUARY 24, 2010
 - b. WORK SESSION OF FEBRUARY 24, 2010
- ~~20.*~~ 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):

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
BOARD OF ETHICS (R) Member/Environmental Commission (Dolson)	_____	5 Year un- expired to	12/31/11
IMPROVEMENT COMMISSION Member (corrected from Associate Member - 2/3/10)	_____	2 Year	12/31/11

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21.* 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>
BOARD OF HEALTH			
Alternate No. 2	_____	2 Year	12/31/11
HISTORIC PRESERVATION COMMISSION			
Member (Class B)	_____	4 Year	12/31/13
Alternate No. 2	_____	2 Year	12/31/11
IMPROVEMENT COMMISSION			
Member	_____	2 Year	12/31/11
Member	_____	2 Year un- expired to	12/31/10
Alternate No. 2	_____	2 Year un- expired to	12/31/10
LIBRARY			
Belskie Foundation Representative	_____	1 Year	12/31/10
PLANNING BOARD			
*Class IV Member	_____	4 Year	12/31/13
*Alternate No. 2	<u>Dean C. Pialtos</u>	2 Year	12/31/11
POLICE DEPARTMENT			
Assistant Police Surgeon	_____	5 Year	12/31/14
RECREATION COMMISSION			
Assistant Director	_____	1 Year	12/31/10
Assistant Director	_____	1 Year	12/31/10
Associate Member	_____	1 Year	12/31/10
Associate Member	_____	1 Year	12/31/10
Associate Member	_____	1 Year	12/31/10
Associate Member	_____	1 Year	12/31/10
Associate Member	_____	1 Year	12/31/10
Associate Member	_____	1 Year	12/31/10
*SHADE TREE COMMISSION			
Alternate No. 2	_____	4 Year un- expired to	12/31/11
ZONING BOARD OF ADJUSTMENT			
Member	_____	4 Year un- expired to	12/31/10
Alternate No. 2	_____	2 Year	12/31/11
<i>* Mayoral Appointment</i>			

22* MOTION APPROVING RAFFLES APPLICATION FOR CLOSTER P.T.O. TO CONDUCT ON-PREMISE 50/50 RAFFLE AT TENAKILL MIDDLE SCHOOL, 275 HIGH STREET, CLOSTER, NJ, ON FRIDAY, 4/30/10; DRAWINGS TO BE HELD FROM 7:00 P.M. TO 11:00 P.M. (Completed Application filed and appropriate fees paid 3/3/10)

23.* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:

a. CONSTRUCTION OFFICIAL – FEBRUARY 2010 (Received 3/3/10)

The following items were removed from the Consent Agenda by the following individuals: Mayor Heymann previously removed Item Nos. 11, 12, 20 and 21. Councilman Kashwick removed Item No. 9. Borough Engineer removed Item No.16. Borough Administrator removed Item No. 18.

8b. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 9, 11, 12, 16, 18, 20, 21 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, Dolson and Amitai.

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24. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA

9. RE-INTRODUCTION OF ORDINANCE NO. 2010:1063, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS” – PUBLIC HEARING 4/14/10 @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Requested by Borough Attorney 3/1/10) (Received from Borough Attorney 3/3/10)

Councilman Kashwick referred to the fee for trees under “C. Construction Office” number (6) “Tree removal permit” and voiced his understanding that there was no fee for the removal (permit) for one to two trees; and Borough Attorney explained that same was true in the prior ordinance but the new fee for one to five trees is the proposed revision (of \$100).

Motion of approval 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, Dolson, and Amitai.

16. RESOLUTION AWARDED THE CONTRACT FOR WEST STREET IMPROVEMENTS, SECTION 5 TO THE LOW BIDDER, VINCENT J. CONSTRUCTION (Received from Borough Attorney 3/4/10)

Borough Engineer advised that this is the 2010 Local Aid Project; the Grant from the Department of Transportation was approximately \$195,000 and the contract is for \$137,000. Extra work could be done on West Street within the scope of the work, but the 20% overage or \$25,000 cannot be exceeded due to the Local Public Contracts Law. Since we are under the grant threshold, the DOT will reimburse the construction inspections for approximately \$15,000. We may be able to use some of the money to plant more trees in Section 4. In answer to Councilman Kashwick, Borough Engineer advised that one tree has come down already south of the Jovine property and the other tree is lifting up the curb and street on the east side between Harrington Avenue and High Street.

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

18. RESOLUTION AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH THE BERGEN COUNTY IMPROVEMENT AUTHORITY'S BERGEN MUNICIPAL BANC PROGRAM (Received from Borough Administrator 3/4/10)

Borough Administrator advised that the resolution involves specialty equipment such as radar units, radios and digital cameras to be purchased for police vehicles and the costs are being refined. He would be submitting a revised resolution at a later date.

Mayor Heymann asked for a motion to recess the Regular Meeting to go into the Work Session at 8:05 p.m.

Motion to recess the Regular Meeting at 8:05 p.m. was made by Councilman Kashwick, Seconded by Councilwoman Amitai and declared unanimously carried by Mayor Heymann.

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

Mayor Heymann resumed the Regular Meeting at 8:29 p.m.

- 25a. Mayor Heymann asked for governing body approval for the Borough Attorney to effect the necessary changes in the September 2009 Personnel Manual, in accordance with the Municipal Excess Liability Joint Insurance Fund (MEL) requirements, which would also require authorization for his office to prepare an Ordinance regarding the amendments for same for introduction at the Regular Meeting to be held March 24, 2010.

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, Dolson and Amitai.

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- 25b. Motion approving the following resolution 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, 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)(5), A matter involving the expenditure of public funds for the acquisition of real property”; and that the items under discussion in the closed meeting would be disclosed to the public at the conclusion of the matter which should be within 16 weeks.

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

Mayor Heymann resumed the Regular Meeting at 9:05 p.m.

27. ADJOURN

Motion to adjourn the Regular Meeting at 9:05 p.m. was made by Councilman Glidden, seconded by Councilman Barad and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on
March 18, 2010 for approval at the
Regular Meeting to be held
March 24, 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 March 24, 2010
Consent Agenda Item No. 15a.

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WORK SESSION NOTES – MARCH 10, 2010 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:08 p.m.

1. ROLL CALL

The following persons were present:

Mayor Sophie Heymann
Councilpersons John C. Glidden, Jr., Alissa J. Latner, John Kashwick, David Barad,
Arthur B. 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

At this time, Mayor Heymann offered congratulations on the birth of the Borough Clerk's first grandson and she thanked all for same.

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT

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

3. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

1) STATUS REPORT RE CONTRACTS:

a. BOROUGH ADMINISTRATOR (RM 5/13/09) – Mr. Rogan reported that the contract will be resolved between now and the next meeting; and, hopefully, he will be able to bring it to show the Mayor and Council at the next meeting.

b. PROFESSIONAL SERVICES – REORG. MTG. 1/4/10 – The Borough Attorney advised of his understanding that the only contract not finalized is the Alternate Prosecutor which was removed from this evening's Agenda.

2) REPORT – Mr. Rogan reported on the following items:

a. The Control Link Lighting bid opening, which we are now referring to as Sports Field Lighting, is scheduled to be held on 3/24/10 at 11 a.m.

b. They are in the process of finalizing the draft of the Solid Waste Collection bid package so that hopefully within the near future we will have a date and time established for the bid opening.

c. Regarding pending tax appeals, at present there are 11 appeals for commercial properties for 2009, which is not bad considering the market. There are only 2 residential (appeals) left from 2009 – all others have been resolved and/or dismissed. There are 3 left from 2008 and 3 from 2007. Of these remaining 6, 4 were filed by (Jesse) Rosenblum. Therefore, we have only 2 for 2007 and 2008. We expect to be receiving more in the next month or so; but at this point, these are fairly under control. Compared to other municipalities, due to the fact that the Borough saw the decline in the fair market value of houses and did the reassessment of value a year and half or two years ago, we were very fortunate not to be hit with many tax appeals. There are towns half our size that have twice as many tax appeals at this point, so that was a good move on behalf of the governing body and Tax Assessor. Otherwise, these numbers would be dramatically higher and we'd be looking at more refunds and items that could hurt the budget for next year.

d. In terms of legal actions pending, there are two lawsuits that are proceeding:

1. The A&P lawsuit against the Borough and Planning Board is proceeding and there is nothing really new to report on that. He expects some depositions will be occurring over the next couple of

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weeks on that case.

2. The other litigation that is currently pending is a neighbor dispute between Donald Schmidt and Alpine Motors in the commercial business district in town. Depositions were held yesterday of our Zoning Official, Lenny Sinowitz; and we expect to have one other deposition; then that will be on trial some time in May.

Mr. Rogan advised he has one item for Closed Session regarding the purchase of the Flamm property.

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 – No report.
- 2) REPORT RE STATUS OF IMPROVEMENTS TO WEST STREET, SECTION 5 (Notice published in The Record 2/2/10 – Bid Opening held 3/2/10 @ 11:30 a.m.) – No report.
- 3) REPORT – Mr. DeNicola sent the Mayor and Council his status report for January, February and March and that covers most of it. If anyone has any questions or anything they want to bring up he would be happy to answer it.

4. REPORTS

A. BOROUGH ADMINISTRATOR

- 1) STATUS REPORT RE PREPARATION OF 2010 MUNICIPAL BUDGET – Mr. Wiest reported they are just about at the end of their meetings with various departments in terms of preparing the Municipal Budget. We, along with most other municipalities in New Jersey, are anxiously waiting to see what the Governor has to say next week. No State Aid numbers have been released; and everybody is anticipating that information will come out next week, at which point everybody will really know how high of a hill they have to climb for 2010. Our preparatory work is substantially complete.
- 2) STATUS REPORT RE NEW BOROUGH WEB SITE – Mr. Wiest reported that he has nothing new to add other than the fact that we are continually looking for ways to enhance the website. We are trying to finalize the platform which has a very appealing look and format to it with improvements that will allow people to have greater access to the information they need.
- 3) REPORT – Mr. Wiest had nothing further to report.

B. BOROUGH CLERK

- 1) STATUS REPORT RE 2010 APPOINTMENTS – Ms. Castano advised we are continuing to list the outstanding appointments on the Regular Meeting Agenda for follow through.
- 2) STATUS REPORT RE 2010 OATHS OF OFFICE – Borough Clerk expressed her dismay that since 2/12/10, when she provided the requested report to the governing body regarding their Liaison to Boards and Commissions regarding outstanding Oaths of Office, she still has not received signed Oaths of Office. Therefore, as she explained at the last Work Session, she listed all of those open appointments on the Regular Meeting Agenda. Ms. Castano implored the Mayor and Council to follow up with their people and offered to provide the list again noting that if the members are voting, they cannot be doing so because they haven't accepted the Mayor and Council appointment on the Board/Commission which was made at the Reorganization Meeting or other ensuing Council Meetings. She explained that the individuals then went to the Boards and Commissions; and because of the Citizen's Service Act, they took an Oath at that Board/Commission, which does not suffice, as they have to accept the appointment that was made by the Mayor and Council. The secondary Oath would be at the Board or Commission to which they were appointed and filed in her office. She asked them to remind their Boards/Commissions once again anticipating that we will get the 21 that are still outstanding.

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Mayor Heymann emphasized what Ms. Castano has just said pointing out that on this evening's Agenda, you can see listed those offices that were thought to be filled, but in fact, are not. She added that according to the new law (Citizen Leadership Act) if anyone does not fill the Oath of Office or does not attend three (3) meetings in a row, they are automatically off that Board or Commission.

Mr. Kashwick questioned if the forms were different and asked if they could be provided to the Liaisons. Ms. Castano explained that they were provided to the Chairpersons for each Board/Commission and added that the problem is that it is the Oath which was sent by her office to the appointees as a result of the appointments made by the Mayor and Council at the Reorganization Meeting that have not been signed and returned to her office. Some people are sending in the other Oaths made by the Boards/Commissions that he is volunteering to provide; but she has not received that first Oath. She added that if anyone has misplaced the original that was mailed to them by her office, they can call her office and she will fax, email or mail another copy to them for signature and return to her office posthaste.

- 3) STATUS REPORT RE 2010 LICENSES – We are current with 2010 licenses.
- 4) STATUS REPORT RE 2010 MEETING DATES – We are current with 2010 meeting dates.
- 5) STATUS REPORT RE CODIFICATION OF SUPPLEMENT NO. 16 – The Supplement is on the website and the Code is up to date. We now have approximately 13 ordinances that have to be posted on the website that have been adopted since 8/12/09, when the last ordinance was codified, which was Ordinance No. 2009:1049.
- 6) STATUS REPORT RE IMPLEMENTATION OF CITIZEN SERVICE ACT (LOCAL FINANCE NOTICE -LFN 2009-24, 11/12/09) – Ms. Castano reported that she is waiting for the Borough Attorney to approve the Directory she had sent to him for review so it can be placed on the website.
- 7) STATUS REPORT RE PREPARATIONS FOR 2010 ELECTIONS
 - a. Annual School Election –Tuesday, 4/20/10, 2 p.m. to 9 p.m. – The candidates for three 3-year terms are as follows: Michael Goldstein, Steven Isaacson, Peter Micera, Judy Parker, Carmen Pfeiffer. Our office will be open to the public from 9 a.m. to 9 p.m. on Tuesday, 3/30/10, which is the last day to register to vote in the Annual School Election.
 - b. Primary Election – Tuesday, 6/8/10, 6 a.m. to 8 p.m. – The petitions for partisan candidate for Mayor and Council and County Committee are to be filed in the Borough Clerk's office on Monday, 4/12/10, by the deadline of 4 p.m.
 - c. General Election – Tuesday, 11/2/10 – 6 a.m. to 8 p.m.
- 8) STATUS REPORT RE FINANCIAL DISCLOSURE STATEMENTS – Ms. Castano reported that last evening she left 36 sets of financial disclosure statements in the Police Department for pick up by Mr. Archer for review by the Board of Ethics. Today she received return of same with 3 FDS that required follow up which she agreed to follow through. Borough Clerk added that she will provide Mr. Archer with information regarding the paperwork customarily sent by the Closter Board of Ethics. She noted that only 3 out of 36 requiring correction was very good. Their next meetings are scheduled to be held as follows: 4/13/10, 4/30/10; 5/11/10; 10/12/10; 12/14/10. Ms. Castano added that in the memo she sent to Mr. Archer, which was copied to the Mayor and Council, she strongly recommended that the appointment of the unexpired term of Mr. Dolson be made to make a full complement of the Board before their next meeting which will be 4/13/10. Councilman Dolson added that he visited the meeting last night, after a meeting he already attended, and reported they did a count and there are already 3 Republicans and 2 Independents on the Board, which narrows the search.
- 9) REPORT – Ms. Castano had nothing further to report.

C. CHIEF OF POLICE

- 1) REPORT – Chief Berrian advised he had nothing to report other than a Public Safety meeting scheduled for Friday morning (3/12/10).

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4. REPORTS (Continued)

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS:

a. GRANTS FILED

1. Reported by Mayor at Work Session held 12/9/09 as follows:

A) Historic Preservation Grant (\$2,000) for proposed 300th Anniversary Celebration – Mayor Heymann reported that we received \$1,900 of the \$2,000 we asked for.

B) Community Development Block Grant (\$50,000) for curb cuts

C) Shade Tree Grant (\$11,200) for business stimulus

D) DEP Greenhouse Grant Reduction (pre-application)

Reported by Mayor at Work Session held 1/13/10 as follows:

E) Safer Grant (\$50,000) filed 12/18/09 on behalf of Fire Dept.

F) (BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL IMPROVEMENT PROGRAM 2009) Grant (\$37,000) for basketball courts at Memorial Field filed 7/27/09)

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

c. GRANTS TO BE FILED

1. 2010 ROID Grant (\$10,000) for Recreation Commission Challenge Routine (W.S. 12/9/09) (REC OPPS FOR INDIVIDUALS WITH DISABILITIES 2010 DIFFERENTLY ABLED CHALLENGER RECREATION PROGRAM) – Mayor Heymann reported that we received the full \$10,000 grant.

2) REPORT – Mayor Heymann had nothing further to report.

5. OLD BUSINESS

No one wished to be heard.

6. NEW BUSINESS

No one wished to be heard.

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

Mayor Heymann advised she had a few announcements. She received from the Closter Public Schools the calendar which was adopted for the new school year. She offered to pass it around if anyone wanted to look at it.

The Mayor received notification from the Northern Valley Regional High School Superintendent as follows – which is something that especially the Chief should look into: on 3/22/10 from 9:00 a.m. until 12:30 p.m. the NVRHS district, in partnership with the Bergen County Police Chief, in his capacity with the Bergen County Juvenile Unit, is sponsoring a training for We Tip, Inc. We Tip is a community and school action program that allows students and staff to report any kind of safety concern anonymously. The call is received by a counselor who will talk to the caller to determine if the call has enough validity to report the call or threat to the law enforcement agency where the caller resides. It is then the responsibility of the law enforcement agency to notify the Superintendent of the threat or concern. Pomptonian Food Service will be donating a Continental Breakfast starting at 8:30 a.m. on 3/22/10. The program will take place at the NVRHS Demarest auditorium. An RSVP is required by 3/17/10. She suggested it may be of interest to anyone who is concerned about safety in schools what the law enforcement agencies are doing to offset any concerns that may have been expressed by accepting them anonymously.

Mayor Heymann received a request from the United States Conference of Mayors from the New Jersey Conference of Mayors, to act on behalf of the Mayors to explain the antagonism to an FCC regulation which would take away from municipalities the right to control broadband on their rights of way. She is not sure if this would affect Closter very much and offered to pass it to anyone who is interested in this kind of thing. She expressed they need letters from everybody to back the role of the municipalities, and essentially where there is an opportunity in a Borough or Town, it is income for the municipality that the federal government is taking away. Dr. Barad reminded that we have done that in the past.

A bulletin from the New Jersey Planning Officials – and this is very important – because we have discussed the “Time of Decision” which would prohibit our Mayor and Council and Planning Board to effect any changes on any development as soon as the development has come before any Board. It eliminates the opportunity for us to correct errors. The New Jersey Planning Officials have written a very good report on that and she would like for everyone to see that as it is important – Council and audience alike. If they know any legislators, please contact them as she has, and explain why this works against the interest of all municipalities. In response to the Borough Clerk’s question, Mayor Heymann confirmed the S-82 bill is up for a vote in the Senate tomorrow but she believes the Assembly will amend that as they are still listening to comments.

Mayor Heymann received a bulletin from Bergen Community College announcing their immense success with the Meadowlands addition which was only established two years ago and has tripled at this point. It is one of the largest colleges in the East at this point and is doing a marvelous job enrolling people. She hopes everyone has the opportunity to support them.

At this time the Mayor shared that the Historic Preservation Commission and many of the volunteers are representing many arms of the Borough and its volunteers. They have been preparing wonderful programs for the month of April primarily which is to celebrate Closter’s 300 years of history. At this point she has twenty-seven (27) different activities taking place in that one month. She voiced her feeling that there has been wonderful cooperation. She believes this is going towards the closure of publicity which she has to get ready and available before the end of this month. She will pass around the almost complete e-mail in the next day or two so they can understand what is going on and the unbelievably cooperative spirit from every arm of the government and its volunteers. The audience may look at this; and if anyone wants to receive an e-mail regarding same, she will gladly update them. As soon it is completed, it will be on the web and in various newspapers. They are also printing a flyer for distribution.

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Finally, Mayor Heymann called attention to changes in the Personnel Manual that the Borough Attorney has requested to be passed in order to meet the MEL requirements and get paid by the MEL as we should be. The changes are only in the wording; there are no substantial changes whatsoever. That wording is required to satisfy the MEL, so rather than go through all the paces, she asked that upon return to the Regular Meeting that they accept these changes and the Borough Attorney be empowered to make these changes to the Personnel Manual.

8. OPEN MEETING TO THE PUBLIC

Mayor Heymann asked if anyone wished to be heard. No one wishing to be heard the Mayor asked for a motion to adjourn.

9. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

10. ADJOURNMENT

Motion to adjourn the Work Session was made by Councilman Glidden, seconded by Councilman Barad and declared unanimously carried by Mayor Heymann at 8:28 p.m.

Provided to the Mayor and
Council on March 18, 2010
for approval at the Regular Meeting
to be held March 24, 2010

Loretta Castano, RMC
Borough Clerk

Prepared by Arlene Corvelli
utilizing recording and Borough
Clerk's notes

Approved at the Regular Meeting held March 24, 2010
Consent Agenda Item No. 15b.