

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MARCH 24, 2010 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Regular Meeting at Borough Hall on Wednesday, March 24, 2010. Mayor Heymann called the meeting to order at 7:33 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 (7:37p.m.), Arthur Dolson, Victoria Amitai

Borough Administrator, Quentin Wiest

Borough Attorney, Edward T. Rogan

Borough Engineer, Nick DeNicola

The following persons were absent:

Borough Clerk, Loretta Castano

Chief of Police, David Berrian

Also present in the audience:

Lt. Richard D'Amico

At this time, Mayor Heymann announced that the month long 300<sup>th</sup> Anniversary celebration would start this Sunday at the Lions Club Breakfast; and the program would be available indicating the celebration events and activities. The program will also be available on the website and in the Suburbanite.

Mayor Heymann read a letter from Orange and Rockland addressed to William Dahle, Superintendent of Public Works thanking the Department for their hard work and assistance during the February 25<sup>th</sup> snowstorm.

4. MAYORAL PROCLAMATIONS DECLARING THE FOLLOWING:

- a. MONTH OF APRIL 2010 AS “SEXUAL ASSAULT AWARENESS MONTH”  
(6. M.L. 03/11/10)

Mayor Heymann read aloud and so declared. She noted that a “WE TIP” program was sponsored by the High School and surrounding Police Departments on sexual harassment and provision of awards for any incident information.

- b. APRIL 14, 2010 AS “BRUCE HARPER DAY”(Received from Mayor 3/03/10)

Mayor Heymann read aloud and so declared.

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, commended William Dahle and the Department of Public Works for the job they have done and questioned if there is a schedule for storm debris pickup. Mayor Heymann said that we both recognize that it is an enormous undertaking; and Councilwoman Latner said that they are doing the best they can without incurring overtime. Progress is being made.

Mr. Dennerlein questioned why the potholes are not being addressed in Closter Plaza and he

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suggested daily fines. Mayor Heymann answered that part of the Plaza reconstruction is the parking lot; and since same is imminent, we agreed with the Plaza owners that it did not make sense to fill in potholes. Since the process is taking longer than expected, she has asked the Building Department and Property Maintenance people to start issuing summonses.

Jack Kelly, 132 Herbert Avenue, also addressed the issue of brush pickup and the removal of trees from the back yards of properties. Mayor Heymann noted that these items can be included in the pickup. Mr. Kelly referred to a listing he had compiled on DPW Superintendent salaries in surrounding municipalities; and in reference to an article about the budget CAP, he questioned Councilman Dolson about what could be done about same. Councilman Dolson reported that the budget numbers are being assembled and he could not speculate on same until the numbers are formalized and discussed by the Committee.

Mr. Kelly questioned the building fees and asked if same are to be raised. Mayor Heymann said that the State has requested that costs be balanced by expenses; and the fees would be raised to match most of those elsewhere. The fees are not out of line and are totally appropriate. She also noted that the Borough is keeping up with paying the bills. Mr. Kelly referred to the availability of public records; and Mayor Heymann said that the Borough obeys the current law but that it costs the Borough money to comply with the law. Borough Attorney said that the copies would not be free since the statute provides that the Borough can charge for the cost to duplicate same. Regarding Mr. Kelly's question about Whole Foods and Hugh Johnson, Mayor Heymann said that the matter is proceeding and that she expected to see some action very soon. Relative to Hugh Johnson, Borough Attorney advised that there is a temporary restraining order in place until the trial date; and that he cannot attend a public meeting unless he asks permission from the Chief of Police.

Jesse Rosenblum, 65 Knickerbocker Road, referred to two complaints he filed in July with the Municipal Court and the Property Maintenance Officer has indicated that the cinder block structure has been removed from Westminster Avenue in addition to the large containers placed on John Street. He said that the area on Westminster Avenue should be reforested to eliminate these types of violations. He said that oily waste has been found coming on to Borough property because of the violations and should be checked. He felt other citations should be given to Wiggers since the violations have not been removed. Borough Attorney remarked that the more significant problem with Wiggers is the movement of equipment; and this matter would be addressed.

Steve Isaacson, 97 Columbus Avenue, referred to the Plaza parking lot and questioned how long the rebuilding would take. Mayor Heymann said that if the potholes are not taken care of, summonses would be issued. Mr. Isaacson asked for an update on the BP Sunoco station and Mayor Heymann said that there is an action against them for misuse of the property but they are also before the Planning Board for the signage.

Mr. Isaacson noted that he attended the last School Board meeting, that the budget is increasing; and if money is needed, they would be approaching the Borough to assess for the shortfall in the budget. He also noted that there would not be a Candidates Night this year but that the candidates would be invited to a PTO meeting. In addition, letters to the newspaper on the subject would not be allowed after April 8<sup>th</sup>. Relative to tree pick up, he suggested that Ken's Tree Care be approached about the pick up in exchange for his use of the land at Buzzoni Field. Mayor Heymann noted that this matter has been discussed and we are keeping track of the services provided to the town by Ken's Tree Care. Councilwoman Latner advised that the Borough has been picking up the brush and tree debris and Ken's Tree Care is grinding same; and this provides a huge savings to the Borough. Borough Attorney said that the use of the land was publicly bid and that of the proposals submitted, Ken's Tree Care was the best bid received.

Mr. Isaacson referred to the property across from the Weyerhaeuser property that has been cleared; and Mayor Heymann said that we are aware of the matter and same would be addressed. Borough Attorney advised that sales of real estate do not come before the Mayor and Council unless it is part of a subdivision.

Relative to the school budget, Mayor Heymann advised that she, Councilman Glidden and the Borough Administrator were asked to meet with the School Board; and the documents indicated that the Board is asking for a 3% increase which is below their CAP.

Michael Kafer, 261 Parsells Lane, asked if the first reading of proposed municipal budget would be put on the website and if there would be more non-recurring revenue items. Borough

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Administrator said the anticipated revenues are consistent through the years and there would be no reimbursement from Capital items this year. Mr. Kafer referred to the use of the Open Space Tax that generates approximately \$210,000 per year and suggested that same be eliminated and using the money to protect our children by reducing the unfunded liabilities that increases each year.

Jesse Rosenblum, 65 Knickerbocker Road, suggested when a property changes hands the County Clerk be requested to provide a print-out of non-residential property sales to the Building Department or the Mayor and Council. Mayor Heymann said that the process of entering the sales takes months; and when fully entered, same is forwarded to the Tax Assessor. She said that she would check into the matter.

Steve Isaacson, 97 Columbus Avenue, referred to the yellow pipes lining Durie Avenue; and informed that two days after hookup started, the residents were notified by United Water that the procedure would be ongoing for four months. He felt there should have been advance notification. Mayor Heymann said that the sub-contractor was not aware of the notification timetable and began work when the pipes were delivered early.

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

At this time, 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.\* INTRODUCTION OF THE FOLLOWING ORDINANCES - PUBLIC HEARING - 4/28/10 @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

- a. ORDINANCE NO. 2010:1064, “AN ORDINANCE ADOPTING AMENDMENTS TO THE SEPTEMBER 2009 CLOSTER PERSONNEL MANUAL” (Received from Borough Attorney 3/17/10)
- b. ORDINANCE NO. 2010:1065, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS, SPECIFICALLY FOR THE POLICE DEPARTMENT’S FEES FOR PRIVATE DUTY WORK” (Received from Borough Attorney 3/15/10)

10.\* BILL RESOLUTION – MARCH 31, 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; 3/10/10) 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
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 No appointment AS ALTERNATE PROSECUTOR FOR A 1-YEAR TERM TO 12/31/10 (Resumes received 3/3/10) (Removed from RM Agenda 3/10/10) - TO BE PREPARED BY ADMINISTRATOR

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- 13.\* RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A CHECK IN THE AMOUNT OF \$46,081.29 TO ROYAL TAX LIEN SERVICES, LLC AT 179 WASHINGTON LAND, JENKINTOWN, PA 19046, AS WELL AS A RETURN OF PREMIUM PAID AT TAX SALE IN THE AMOUNT OF \$20,000.00 FOR THE REDEMPTION OF TAX SALE CERTIFICATE #08-2 FOR BLOCK 1313, Lot 3, 540 DURIE AVENUE (Received from Tax Collector 3/16/10)
- ~~14.\*~~ RESOLUTION AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH THE BERGEN COUNTY IMPROVEMENT AUTHORITY'S BERGEN MUNICIPAL BANC PROGRAM (Received from Borough Administrator 3/12/10)

MOTIONS

- 15.\* APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed 3/18/10) NO ABSTENTIONS:
- a. REGULAR MEETING OF MARCH 10, 2010
  - b. WORK SESSION OF MARCH 10, 2010
- 16.\* 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):

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
BOARD OF ETHICS (R) Member/Environmental Commission (Dolson)	<u>Susan Semler</u>	5 Year un- expired to	12/31/11

At this time, at the request of Mayor, the Borough Attorney administered the Oath of Office to Ms. Semler

IMPROVEMENT COMMISSION

Member (corrected from Associate Member - 2/3/10)	_____	2 Year	12/31/11
*SHADE TREE COMMISSION Member (Ryan) (3. M.L. 3/11/10)	_____	5 Year un- expired to	12/31/11
* <i>Mayoral Appointment</i>			

- 17.\* 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
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

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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
<b>*SHADE TREE COMMISSION</b>			
Alternate No. 2	_____	4 Year un- expired to	12/31/11
<b>ZONING BOARD OF ADJUSTMENT</b>			
Alternate No. 2	_____	2 Year	12/31/11
<i>* Mayoral Appointment</i>			

At this time, Mayor Heymann advised that the foregoing appointments had been made but that the Oaths of Office had not been returned at the time of preparation of the Agenda. In the interim, to her knowledge, the following Oaths have been submitted:

PLANNING BOARD Class IV Member – No vacancy  
 RECREATION COMMISSION, 2 Assistant Directors and 3 Associate members – No vacancy

At this time, Councilman Kashwick advised that the HISTORIC PRESERVATION COMMISSION should have submitted their Oaths on Monday night.

At this time, Councilwoman Amitai advised that the IMPROVEMENT COMMISSION Oaths were scanned to the Borough Clerk and hard copies were supposed to be given to her last night under her door.

At this time, Councilman Dolson advised that the BOARD OF HEALTH, Alternate No. 2 should be removed as he had spoken to the individual at the last meeting who assured of early compliance as she had misunderstood her responsibility.

- 18.\* MOTION APPROVING/DENYING APPLICATION FOR HAWKER & PEDDLER PERMIT NO. 2010-001 FOR GEORGE A. CORBO, JR., HOME RUN ICE CREAM, 25 SO. PROSPECT AVENUE, BERGENFIELD, NJ 07621, TO SELL PACKAGED ICE CREAM AND ICE CREAM NOVELTIES IN THE BOROUGH OF CLOSTER UNTIL THE END OF 2010, SUBJECT TO APPROVAL BY THE BOARD OF HEALTH  
 NOTE: VENDING IS PROHIBITED WITHIN 3 BLOCKS OF THE CLOSTER RECREATION CANTEEN AT MEMORIAL FIELD ON HARRINGTON AVENUE AT ALL TIMES WHILE THE CANTEEN IS OPEN FOR BUSINESS (Received from Chief of Police 3/16/10)

- 19.\* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:  
 a. CHIEF OF POLICE – FEBRUARY 2010 (Received 3/10/10)

The following items were removed from the Consent Agenda by the following individuals: Mayor Heymann previously removed Item Nos. 11 and 12. Councilman Glidden removed Item No. 14.

8b. VOTE ON CONSENT AGENDA ITEMS

Motion to approve the Consent Agenda minus Item Nos. 11, 12 and 14 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.

At this time Mayor Heymann read the following items that had been included in Addendum No. 1 and Addendum No. 2 , which she had not read, and asked if any member of the Council or public wished to remove or discuss any item:

ORDINANCES AND RESOLUTIONS (Continued)

- 9.\* INTRODUCTION OF THE FOLLOWING ORDINANCES - PUBLIC HEARING - 4/28/10 @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:  
 9c.\* ORDINANCE NO. 2010:1066, “AN ORDINANCE REPEALING ORDINANCE 2009:1036 AND AMENDING SCHEDULE A: LIMITING SCHEDULE, SPECIFICALLY, CHANGING THE MAXIMUM SIZE OF RETAIL STORES IN DISTRICT NO. 3 BUSINESS AREA” (Requested by Borough Attorney 3/24/10 – Received @ 1:00 p.m.)  
 14a.\* TRANSFER RESOLUTION NO. 6 (Received from Administrator 3/23/10 @ 2:00 p.m.)

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- 14b.\* RESOLUTION AUTHORIZING PARTICIPATION IN THE BOND FINANCING PROGRAM OF THE BERGEN COUNTY IMPROVEMENT AUTHORITY AND AUTHORIZING THE APPLICATION TO LOCAL FINANCE BOARD FOR NONCONFORMING MATURITY SCHEDULE (Received from Administrator 3/23/10 @ 2:00 p.m.)
- 14c.\* RESOLUTION TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDING A CONTRACT FOR A HISTORIC PRESERVATION PLANNER (Received from Borough Administrator 3/24/10 @ 1:45 p.m.)
- 14d.\* RESOLUTION OF NO OBJECTION TO BERGEN COUNTY SOLID WASTE MANAGEMENT PLAN INCLUDING A PORTION OF WELLINGTON AVENUE TO MIELE SANITATION’S APPLICATION FOR RENEWAL AND MODIFICATION OF A RECYCLING CENTER (Received from Borough Administrator 3/24/10 @ 1:45 p.m.)

MOTIONS (Continued)

- 18a.\* MOTION APPROVING RAFFLES APPLICATION FOR HSA CRESSKILL JR/SR HIGH SCHOOL TO CONDUCT ON-PREMISE 50/50 RAFFLE AT THE ASSEMBLY EAST HILL, 597 PIERMONT ROAD; DRAWINGS TO BE HELD FROM 6:30 P.M. - 11:00 P.M. ON SATURDAY, MAY 15, 2010 (Completed Application filed and appropriate fees paid 3/22/10)

In response to Mayor Heymann’s request, no one wished to have any item removed.

- 8b. VOTE ON CONSENT AGENDA ITEMS (Continued)

Motion approving the above noted Consent Agenda Items was made by Councilman Barad, seconded by Councilman Dolson and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

- 20. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA
- 14. RESOLUTION AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH THE BERGEN COUNTY IMPROVEMENT AUTHORITY’S BERGEN MUNICIPAL BANC PROGRAM (Received from Borough Administrator 3/12/10)

Councilman Glidden advised that the Borough has approximately \$4.5 million in notes outstanding and the question is to remain with short-term notes or move same into long term bonds. He recommended that the notes be moved into favorable long-term bonds. He also recommended the Bergen County Improvement Authority program that pools bond issues and sells larger issues with savings to be had because the County guarantees those and takes the bond issue from an A-1 rating to a AAA rating. Borough Administrator advised that Item No. 14 referred to the acquisition of capital equipment to be installed in new police vehicles and Item No. 14b referred to the Bond Financing Program.

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.

- 6. COMMUNICATIONS

At this time, Mayor Heymann read the following correspondence:

- a. MAIL LIST – MARCH 11, 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.

The following items were removed by the following individuals: Councilman Dolson removed Item No. 4. Councilman Kashwick removed Item No. 7.

Item No. 4 – Received 3/8/10, no date from Richard A. Hubschman, Jr., Attorney for applications X-tra Care, LLC to Borough Clerk re Notice of Zoning Board of Adjustment Hearing to be held 3/17/10 at 8p.m. re Block 1701, Lot 1, 309 Closter Dock Road.

Councilman Dolson advised that a request has been received from the applicant’s attorney to delay the meeting to the next available meeting date.

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Item No. 7 – Received 3/8/10, dated 3/5/10 from Mrs. Mildred Atkinson, 39 Whitney Street re Letter outlining snow problem on 2/26/2010 (copy to William Dahle, III).

Councilman Kashwick questioned the resolution of the problem indicated in the letter. Mayor Heymann said that the main street had to be cleared for emergency vehicles and remained on the corner. It was unavoidable and was removed as soon as possible. Councilman Dolson said that a fallen tree was mixed in with the snow.

b. MAIL LIST – MARCH 18, 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.

No one wished to have any item removed.

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.

Vanessa Killeen, 254 Demarest Avenue, referred to a phone call she received regarding her fence, pine trees that had come down during the storm and additional trees that her husband removed after an inspection by a tree service. The Building Inspector advised of the need for a permit for removal, of which she and her husband were not aware. She expressed concern about the expense. Councilman Barad said that a permit is not needed to remove a damaged tree. Mayor Heymann said that the tree expert should vouch for the need to remove the trees in writing to the Building Inspector.

In response to Mayor Heymann's request, Motion to recess the Regular Meeting at 8:40 p.m. to go into the Work Session was made by Councilman Glidden, seconded by Councilman Barad and declared unanimously carried by Mayor Heymann.

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

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

Mayor Heymann resumed the Regular Meeting at 9:15 p.m.

23. ADJOURN

Motion to adjourn the Regular Meeting at 9:15 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  
April 1, 2010 for approval at the  
Regular Meeting to be held  
April 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 April 14, 2010  
Consent Agenda Item No. 21a.

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WORK SESSION NOTES – MARCH 24, 2010 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:41 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  
Court Administrator, Bonnie Switzer  
Borough Engineer, Nick DeNicola

The following persons were absent:

Borough Clerk, Loretta Castano  
Chief of Police, David Berrian

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. COMMITTEE REPORTS

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

1) STATUS REPORT RE CLOSTER WEBSITE – Councilman Dolson explained that at one point there was an issue with the primary website and the link to the Board of Health. He reported several of them had tried it and experienced no difficulty, but discussed it at the meeting. Michael Rothschild was going to communicate with Kevin Whitney just to check and make sure it is working. Mr. Dolson suggested that the word be put out to Boards, Committees and Commissions that they should review their links and update the information as some are still posted from 2008. The webmaster cannot author that type of information and Mayor Heymann concurred.

2) REPORT – Councilman Dolson reported on the following:

a. Ambulance Corps. – They are in the process of making sure they are all up to date with their continuing education credits and certifications for services they provide to the Borough. They are very enthusiastic and he expressed he is sure we owe them all a great deal of thanks. In that light he explained that during the storm we had last week there were no storm related injuries or calls to the Ambulance Corps. Unfortunately we lost many trees; but we didn't lose any people. That is a wonderful thing to be grateful for.

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b. Board of Health – At the meeting last Thursday the Board passed the Ordinance incorporating the certification of the Food Handler’s Manager into the Code. That is an issue where someone has to be responsible for food serving establishments all the time that they’re open to the public. That is a State issue and the Board has followed through on that and now they can make sure they inspect that along with the regular routine inspections they perform.

c. Zoning Board of Adjustment – Mr. Dolson noted that Vanessa Killeen and her husband were in the audience and explained that on Thursday they had received permission to continue operating their two family house. He mentioned that their house was as neat as a pin and the Board was very good to her; but he feels badly about the fact that she was told to move the trees. Mrs. Latner added that she has known Vanessa for quite some time and knows she has done everything she can to comply with everything she has been asked; and Mr. Dolson agreed. He continued that he had a copy of a letter that was on the Zoning Board of Adjustment mail list, that the Chairman of the Board had resigned. Mayor Heymann interjected and stated he was “considering it”. Mr. Dolson continued to read aloud from that letter and the Mayor stated that he may change his mind, and he has put in his resignation but she has not accepted it yet. The Mayor explained that the Chairman was concerned there may be a conflict between the handling of the Flamm property and his officiating at the Zoning Board. She had checked with various attorneys who advised there should not be a conflict as he could recuse himself if it ever became a direct issue. She pointed that out to him and he may be reconsidering his position.

d. The Finance Committee has met several times in the last few weeks and assembled all of the numbers and reviewed all of the requests. At this time those numbers are being input into a program to reduce the budget workbook; and, hopefully, within a few days, as soon as they get word on when it is, they will call the next Committee Meeting and do the budget in its entirety. His understanding is that the introduction date was postponed from March 31 to the first Council meeting in April which he noted was April 14. He does not want to speculate but assured all of the numbers would be complied and compared; and at the request of the audience tonight, he did not respond.

**B. PUBLIC SAFETY - GLIDDEN (DOLSON/LATNER)**

1) REPORT – Councilman Glidden reported they continue to have monthly meetings on a number of different issues, but primarily with the PBA representatives on improving productivity and morale. Those meetings will continue and the productivity numbers will be reviewed on a continuing basis; and his monthly report will be based on those outcomes.

**C. PUBLIC WORKS - LATNER (AMITAI/GLIDDEN)**

1) REPORT - Councilwoman Latner reported she had been in regular contact with Billy (Dahle, DPW Supt.) during the last storm; and there are a few things he asked her to share. She reported that for that whole second storm there was only \$4,000 spent in overtime which is pretty remarkable considering it does not include police - just for the DPW; and that was with no outside help. She did authorize him to hire one temp guy to come in and help out with everything. She mentioned before Ken’s Tree Care – as much as whatever they’re going to say, he said it’s almost like you can’t put a dollar amount right now on the idea that they’re grinding down the wood and what that is saving with the compost facility. They are trying to keep

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everything within budget and that's why they're not doing a lot of overtime. One concern he did bring up was ordinances. He is aware that in Alpine, it is enforced; and there is an ordinance that she was not aware of that landscapers are not allowed to put the brush to the curb, they are supposed to take it, although it has never really been enforced. In light of everything that is going on now, he is aware that at least in Alpine they are enforcing it; not necessarily that the landscapers per se are out there but the workers are – that if that were to possibly be enforced he feels a bit of a handicap. Mayor Heymann called the issue to Lt. D'Amico's attention. Mrs. Latner said she is aware that was not really being enforced but in Alpine they are having a problem with landscapers leaving it out at the curb; and for all of them that do that, it would be a tremendous help if it was enforced. That would be one aspect of being able to get the brush picked up quicker. She continued on that Billy himself had 90 extra hours during the storm, so he really was here overseeing everything. She reported that they have laid off the cleaning company and they are doing it in-house now so that should be a nice savings overall with the budget. Despite the fact that it was the most insane month that Billy could remember being here, they did get things going. She noted with the damage to the police station and everything else, she feels Billy needs to be credited for doing what they could and getting everything up and running without incurring a lot of overtime costs. Mayor Heymann added that at the last meeting they discussed the damaged backboards at the recreational facility; and they will be receiving \$2,500 from insurance to fix that. Also among the damages that took place, the entire ceiling came down in Borough Hall. It is now so well replaced not only can you not see it now, it is better than ever. In response to Mr. Kashwick's question about the tree in front of Borough Hall, Mayor Heymann noted that originally, after everyone had looked at it, including Mark Lupardi, the consensus was that nothing could be done about it. Just today, she spoke to Billy about why it hadn't been cleared yet and he informed her he had heard from Mark Lupardi that they were going to try to raise it. Some of the roots are in the ground and some of the roots are up, but they are going to try to align it with some other trees and see if we can raise it. Mr. Dolson added that he noticed that Mr. McCaffrey at Alpine Gardens moves trees of that size all the time. She explained that in our case, where the tree pulled up from the ground, a good portion of those roots are destroyed. Mrs. Amitai commended the efforts of both the DPW and the Fire Department. She then questioned if the damage to the backboards; baseball backstops - wasn't partially due to a design flaw which caused them to implode. Mr. Glidden expressed that this was an issue for the entire county and Mr. DeNicola informed that it could be designed heavier, but then it would cost a lot more money. Mr. Glidden thanked and commended the Police Department for their efforts in the recent storm as well. Mayor Heymann announced that she had written a letter to the editor on the subject of the storm commending the seamless work of all the departments involved.

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Dr. Barad reported there was an Executive Session of the Ordinance Committee on 3/2/10 where just he and JoAnn (Riccardi) had gotten a lot accomplished. The ordinances that were introduced tonight were discussed at that time and they decided not to push the parking ordinance at this time, but perhaps in the future. The model paint ordinance had been reviewed by (Michael) Sartori (Acting Construction Official) and he felt that all of the issues were already covered in our ordinances and, therefore, redundant. There was not a full committee to discuss this further so the next time

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they are all together they will. The other issue they would like to address as a committee is the possibility of changing the order of the meetings. The topic will be on their next agenda for discussion. The committee meets on the first Tuesday of each month.

2) REPORT – Dr. Barad advised he had nothing further to report.

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman

Kashwick reported that the HR Committee met two weeks ago to discuss a disciplinary issue as well as performance appraisals for this year; and there is one thing they are planning on changing – which is to add a goals section.

2) REPORT – Councilman Kashwick reported on the following:

a. Shade Tree Commission – At the next meeting, they will have prepared a Proclamation for Arbor Day which is scheduled in Closter this year on 4/17/10. As can be seen on the flyer the Mayor handed out, it will take place at 10:00 a.m. at Pollack Square which is on the corner of Closter Dock and Piermont Roads. The recent storms have given quite a bit of additional opportunity for the Shade Tree Commission to plant trees. There were a great deal of losses in the snow storm, particularly on the east hill; and this last storm has taken down a number of trees throughout the Borough; so there is ample opportunity there. The Commission is in the process of figuring out how to inventory the street trees, which is a requirement for our Community Forestry Master Plan, where two districts are required to be completed this year. He noted that a few years ago, the Mayor was interested in removing the metal grates in the downtown area and planting flowers there. Susan Boudet has been attending the Shade Tree meetings, brought this matter up independent of the Mayor's suggestion and mentioned she wanted to do a test to try it on one tree this year to see how it turned out. It is getting to the point where the grates will probably need to be enlarged again. Dr. Barad explained that the grates were designed so they could be cut out in sections to allow the trees to grow there. Mr. Kashwick clarified that if they did that, there would be large holes there; and if the tree needed to be replaced, it would no longer be functional; so they are looking for more cost effective ways to deal with that.

b. Environmental Commission – They used a great deal of volunteer labor to remove the fence at the MacBain Farm. The plan is to replace the fence before the major growing season, which they received Open Space monies for last year. There will be a sub-committee meeting to discuss the conservation zone, which the Planning Board has requested of the Environmental Commission. There has been discussion of the Green Acres Plan and some discussion of a tentative plan for an Earth Day Clean-up on 4/17/10 following the Shade Tree planting. He was unable to attend last week's meeting so it was not further discussed; but they are trying to organize everything through e-mail. Two landmark trees will likely be designated during the month of April from the Commission.

c. Historic Preservation Commission – They are in the process of sending letters to the homeowners. There had been some discussion previously about that, and the Commission has decided to do it themselves. There are a number of events planned for the 300<sup>th</sup> Anniversary. On Saturday, 4/3/10 at 1:00 p.m. is the dedication of the new sign at the Auryansen Cemetery and he invited the Mayor, Council and public to attend. Mayor Heymann wanted to emphasize

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that she hopes the Sheriff's inmates will be coming at the beginning of the week to clean up the cemetery, among other places, and make it as pretty as it can be because the County is sending quite a contingent of people. It is an important occasion when a landmark like a cemetery is listed as a historic preservation issue; so if anyone can make it at that time, she welcomes everyone. Hopefully by that time the community will know all about it. She passed out a mini-version of the flyer that is going to be available and will be distributed to everyone who participates in the pancake breakfast this Sunday, for a start, with more throughout the schools. It will get very large coverage; and, hopefully, we will get a nice audience at all of these events.

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

1) REPORT – Councilwoman Amitai reported on the following:

a. Planning Board Sub-Committee - They met; and environmentally sensitive land will be reviewed by the Environmental Commission and then sent back to the Board for recommendations. Nick (DeNicola) is going to speak to Adrienne (Isacoff) and send that information to her. They will be sending off quite a few things to the Ordinance Committee. They went over the Green Element – certified Silver, Gold and Platinum LEED certification suggestions for changes to the ordinance so people can comply. The Board would also like to amend the Soil Movement ordinance to include different elements that might help people on the Planning Board to assess the applications that come before us easier by requesting floor plans and elevations. They will also request that no demolition permits be issued prior to the soil movement permit being issued. Regarding tree removal permits - they want to make sure that the land is not clear cut before it comes to the Board, so they will put that on the checklist for the Building Department, or discuss an ordinance, and confer with the Borough Attorney on the proper way to do that. Another topic discussed was the restrictions within 1,000 feet – businesses as it relates to the Green Element – Land Use. Dry Cleaners or nail salons that would use solvents that would be potentially dangerous or create a problem either odor-wise or by leaching into the ground or something of that nature.

b. Improvement Commission – They met and discussed the (pine) tree that fell down in front of Borough Hall. They were hoping it would not be replaced until after the architect's plan to restore the municipal building, because if we can keep it as true to its roots as possible, we would do much better in terms of acquiring monies from grants. They are hoping the tree will not be replaced; and if it is stood up, it will live; but if it dies, they ask that it not be replaced right away until they get the plans from the architectural planner. Mr. (Christiano) Pereiro is nice enough to walk through the municipal building as per the Joint Meeting request for walking through the municipal building as well as other buildings to give us some kind of goal oriented plan for becoming a little bit more green; and she knows we are working towards that each day. At this time, Mrs. Amitai brought up Mr. Pereiro's lack of US Citizenship and his Oaths of Office. Mayor Heymann clarified that's why he is only an Associate Member – so he doesn't have to sign the Oath of Office. She explained that he is a young architect that has been training in the United States since he was 15 years old and wants to be an American citizen, but these days it takes an apparently long time to get a green card, which he has, and he hopes to be a citizen next year. He volunteered to work for the Borough and is a certified LEED architect, so he is a valuable adjunct to the Borough, but she could not appoint him to any official capacity

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because he is not yet a US citizen. Mrs. Amitai asked if anyone was aware if we had a charter for our Chamber of Commerce; did anyone file one with the State. Mr. Rogan advised that had not happened during his administration; and Mrs. Amitai suggested she hoped Loretta (Castano, Borough Clerk) would know. The State cannot seem to find it. Mayor Heymann expressed that we should have been when it was an official Chamber of Commerce. Mr. Rogan agreed that it was years ago but believes it should still be on record and he will consult with Loretta when she gets back.

Mrs. Amitai noted that Mr. (James) Whitney issued a violation to the Wiggers today; and she believes it is supposed to come to Court soon, when Mr. Wiggers, Sr. is in town and, hopefully, he will show up this time. Mr. Whitney has been taking photographs and monitoring that particular piece of property; and yes, Mr. Armaniaco did remove some of the containers, but not all of them. She questioned why we could not fence the Borough property. Mayor Heymann explained that on Westminster, because of all of the debris that has been there, they were unable to locate the markers to delineate the street. Jim found one marker; and if we clean up the street, we can find the others, in which case we can do that if that is the will of the Council. Mr. Rogan expressed he felt that something along that line would be the only way to monitor this with the naked eye, because they just creep on, and if they can't see the markers in the snow, that makes it very difficult to debate it. Mrs. Amitai expressed she felt it was unfair to the people who do obey the law.

Mrs. Amitai continued reporting that to her understanding, the church has withdrawn its application on Railroad Avenue and that there may be some remediation issues on that piece of property. Mayor Heymann explained that there are toxic issues on that property which is the reason; and informed that for anyone who was not aware, an Indian church was going to make a very large establishment there. The property was assessed at \$7,000,000 and as a house of worship, we would have lost all of that; but it turns out that the church found out to remediate the toxic situations on that property would be much more expensive than anticipated; and, therefore, withdrew their purchase.

Mrs. Amitai reported an enforcement issue regarding cars that use a street for their business - the car wash on Closter Dock Road and Madison Avenue. She asked whether it is the will of the Council that the Police Department enforce by giving tickets when they see cars on that street noting that if we do it for one then we have to do it for the others. Mayor Heymann asked if they wanted to express that as a general consensus of the Council and they affirmed same.

Mayor Heymann wanted to redirect to the beginning of Mrs. Amitai's report regarding the sub-committee of the Planning Board. They reacted to the recommendations that were made at the Joint Boards semi-annual meeting which made some very cogent and reasonable suggestions, one of which was to delineate the conservation zone on the Borough properties and the other one was to pursue green buildings through LEED applications. The Planning Board went right to it and made some recommendations that will be coming to the Council very soon. One of those specifically was the suggestion to check the Borough Hall because if we were going to enforce that on other people, we should be the first example ourselves.

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4. OLD BUSINESS

No one wished to be heard.

5. NEW BUSINESS

No one wished to be heard.

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

No one wished to be heard.

7. OPEN MEETING TO THE PUBLIC

No one wished to be heard.

8. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

No one wishing to be heard, Mayor Heymann asked for a motion to adjourn the Work Session.

9. ADJOURNMENT

Motion to adjourn the Work Session was made by Councilman John Glidden, seconded by Councilman Barad and declared unanimously carried by Mayor Heymann at 9:12 p.m.

Provided to the Mayor and  
Council on April 1, 2010  
for approval at the Regular Meeting  
to be held April 14, 2010

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Loretta Castano, RMC  
Borough Clerk

Prepared by Arlene Corvelli  
utilizing recording and Court  
Administrator's notes

Approved at the Regular Meeting held April 14, 2010  
Consent Agenda Item No. 20b.