

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MAY 26, 2010 - 7:30 P.M.

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

Those present were the following:

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

The following persons were absent:

Councilwoman Victoria Amitai

4. PROCLAMATIONS, PRESENTATIONS, MOMENTS OF SILENCE

At this time, Mayor Heymann extended congratulations to new grandfathers Chief David Berrian and Councilman John Glidden.

Mayor Heymann announced that the High School Art Show is presently at the Belskie Museum until May 31<sup>st</sup>.

Mayor Heymann commended the Scouts for their improvement of Nelson Park in the rear of the Library.

Mayor Heymann reminded the audience that the Memorial Day Parade and Service would be held on Monday, May 31<sup>st</sup> and would start at 12 Noon at St. Mary's parking lot and end at Memorial Field where the services would take place.

5. 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 4/28/10 and was published in the Press Journal on 5/6/10 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. 2010:1067, "BOROUGH OF CLOSTER CALENDAR YEAR 2010 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)"

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

Motion approving adoption of Ordinance No. 2010:1067 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 and Dolson.

6a. VOTE ON CONSENT AGENDA ITEMS

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Motion approving the Consent Agenda minus Item Nos. 9, 10, 18 and 19, which were previously removed by Mayor Heymann, was made by Councilman Barad, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

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

INTRODUCTION OF ORDINANCES (WITH PUBLIC HEARING DATE SPECIFIED)

7. INTRODUCTION OF ORDINANCE NO. 2010:1069, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 169, ARTICLE II, TRANSFER STATION, OF THE CODE OF THE BOROUGH OF CLOSTER” – PUBLIC HEARING 6/23/10 @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received from Borough Attorney 5/17/10)

RESOLUTIONS

8. BILL RESOLUTION – MAY 31, 2010 TO BE PREPARED BY DEPUTY TREASURER
9. 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) - 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
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)  
 No appointments were made

10. RESOLUTION APPOINTING \_\_\_\_\_ AS ALTERNATE PROSECUTOR FOR A 1-YEAR TERM TO 12/31/10 (Resumes received 3/3/10) (Removed from RM Agenda 3/10/10; 3/24/10; 4/14/10; 4/28/10; 5/12/10) - TO BE PREPARED BY ADMINISTRATOR  
 No appointment was made

11. POSSIBLE RESOLUTION AUTHORIZING MAYOR TO EXECUTE ENTRY AND TESTING AGREEMENT WITH METRO PCS (Requested by Borough Attorney 5/17/10) TO BE PREPARED BY BOROUGH ATTORNEY

12. RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT APPLICATION FOR NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES GRANT 2011 FOR APPROXIMATELY \$10,000 TO CARRY OUT A PROJECT TO ENHANCE PROGRAMS OF THE CLOSTER RECREATION COMMISSION CHALLENGER PROGRAMS (Received from Mayor 5/17/10)

13. RESOLUTION ESTABLISHING THE GOVERNING BODY’S APPOINTMENT OF ITS MEMBER REPRESENTATIVES TO THE BELSKIE BOARD FOR 3 YEAR TERMS, COMMENCING 1/1/2011 (Received from Borough Attorney 5/18/10)

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14. ~~POSSIBLE~~ RESOLUTION AWARDING CONTRACT FOR PLANNER – HISTORIC PRESERVATION (Opening to be held 5/21/10 @4:00 p.m. by Administrator) (Requested by Administrator 5/19/10)
15. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$9,855.00 TO HUBSCHMAN & ROMAN AND EUSEBIO CORP. NY FOR 2009 REAL ESTATE TAX OVERPAYMENT FOR BLOCK 1205 LOT 9 (Received from Tax Collector 5/14/10)
16. ~~POSSIBLE~~ RESOLUTION GRANTING APPROVAL FOR MAYOR TO SIGN 2010-2012 SNOW PLOWING AGREEMENT (3. M.L. 5/20/10) TO BE PREPARED BY ADMINISTRATOR
- 16a. RESOLUTION APPROVING ISSUANCE OF 2010 CERTIFICATE OF COMPLIANCE TO JOHN PETERS PROFESSIONAL LIMOUSINES, 231 HERBERT AVENUE, CLOSTER, NJ, FOR THE FOLLOWING LIMOUSINE: 2010 LINCOLN NAVIGATOR (NAV); VIN# 5LMJJ3J57AEJO6858; PURSUANT TO N.J.S.A. 48:16-17; EXPIRATION: 12/31/2010 (Appropriate fees paid and approvals received from Risk Management Consultant and Borough Attorney 5/25/10)

MOTIONS

17. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed 5/24/10) ABSTENTION: LATNER
  - a. REGULAR MEETING OF MAY 12, 2010
  - b. WORK SESSION OF MAY 12, 2010
18. 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:

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION Member	_____	2 Year	12/31/11
*SHADE TREE COMMISSION Member (Ryan) (3. M.L. 3/11/10)	_____	5 Year un- expired to	12/31/11
* <i>Mayoral Appointment</i> No appointments were made			

19. 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 (Strepparava)	_____	2 Year un- expired to	12/31/10
*SHADE TREE COMMISSION Alternate No. 2 (Greer)	_____	4 Year un- expired to	12/31/11
* <i>Mayoral Appointment</i> No appointments were made			

20. MOTION GRANTING APPROVAL FOR CLOSTER CHAMBER OF COMMERCE TO CONDUCT 2010 SIDEWALK SALE ON THURSDAY, 7/29/10, FRIDAY, 7/30/10, AND SATURDAY, 7/31/10, FROM 9 A.M. TO 9 P.M. (2. M.L. 5/6/10) (Approval received from Risk Management Consultant 5/13/10)
21. MOTION GRANTING APPROVAL FOR RECREATION COMMISSION TO SERVE BEER TO COACHES AT ANNUAL COACHES PICNICS AT MEMORIAL FIELD BEGINNING AT 7 P.M. ON THE FOLLOWING DATES: FRIDAY, 5/28/10, FRIDAY, 7/2/10, FRIDAY, 9/3/10; RAIN DATES: SUNDAY, 5/30/10 @ 4 P.M.; SATURDAY, 7/3/10, @ 7 P.M.; SATURDAY, 9/4/10, @ 4 P.M. (6. M.L. 5/20/10)

REPORTS

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22. ACCEPTANCE OF THE FOLLOWING REPORTS:

a. CHIEF OF POLICE – APRIL 2010 (Received 5/12/10)

6b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

No items were removed for discussion

23. 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)

Linda Albelli, 353 High Street, questioned the status of the review of the tree ordinance noting that she would have to come before the Council for a waiver. Mayor Heymann explained that the revision to the ordinance pertains only to street trees. Councilman Barad explained that we are also reviewing the environmental aspect but not at this time. He suggested that Ms. Albelli move forward with the waiver request.

Ms. Albelli referred to Interborough Radio and expressed concern about going to the County for dispatching; and urged a serious review of any proposal. She referred to the meeting held last evening at the Library on the Open Space Plan and questioned the need for a planner. Mayor Heymann said that the Green Acres Program is more favorable to communities that have an ongoing Master Plan for Open Space and same must be updated. This would allow the community to apply for a blanket grant to cover any number of proposed properties and provides flexibility in negotiating with the property owners.

Jesse Rosenblum, 65 Knickerbocker Road, referred to the meeting held at the Library last evening and questioned the status of the Flamm property purchase. Mayor Heymann said that the purchase is on hold and that the results of the test borings have not been received as yet.

Louis Giannuzzi, 465 Closter Dock Road, questioned how a property owner would remove a property from the Open Space List. Mayor Heymann explained that the property would not be put on the list if the owner objected; and she felt sure that the Council and the Planner would not be adverse to removing same.

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

a. Motion to reconsider the requirement for the installation of sidewalks at 551 Closter Dock Road was made by Councilman Glidden, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Barad and Dolson. Councilman Kashwick abstained.

b. Motion was made by Councilman Barad seconded by Councilman Kashwick authorizing the Borough Attorney to prepare a resolution waiving the requirement for installation of sidewalks at 551 Closter Dock Road, the curb to be installed, contribution to the Sidewalk Fund to be calculated by the Borough Engineer.

BEFORE ROLL CALL VOTE, Councilman Dolson noted that this would eliminate the potential of the cost of the retaining wall.

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

In response to Councilman Barad's question regarding follow up, Borough Attorney advised he would contact the homeowner tomorrow morning to so inform him prior to preparing the resolution.

At this time, Mayor Heymann welcomed discussion regarding Sewer Connection Fee for Alpine Residents. Borough Administrator explained that the original fee was set by ordinance and would have to be revised. Borough Attorney advised that the Agreement could be changed but the terms must be defensible. Borough Administrator said that he and the Chief Financial Officer would draft a proposal for submission to the Ordinance Committee for review. Councilman Dolson voiced his understanding that the connection fee has been the same for 20 years and should be addressed; and the Borough Administrator recommended that the

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Maintenance Fee be addressed at the same time.

Jesse Rosenblum, 65 Knickerbocker Road, noted that the Boy Scout Camp in Alpine comes down to Anderson Avenue; and if that property were to be connected and later development would mean additional lateral connections. Mayor Heymann explained that if the Boy Scout cabin is approved for connection, the contract would contain conditions for the connection; and at present, there are separate contracts with each Alpine homeowner. Mr. Rosenblum referred to the Ruckman Road extension; and Borough Engineer said that the Borough's system does not have to be extended; and the listing provides the Lot and Block of each property that could connect. Borough Attorney said that Ruckman Road Extension and the Boy Scout Camp are not mentioned on the listing of properties.

At this time, Borough Administrator said that this is his last public meeting in his first year as Administrator. He expressed his gratitude to the Council, the staff and the public noting that it has been a great year.

- 24c. Motion approving the following Resolution at 9:04 p.m. was made by Councilman Kashwick, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad and Dolson.

OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(8), "A matter involving public employees; and that the item under discussion in the closed meeting would be disclosed to the public at the conclusion of the matter which should be within 6 weeks."

Mayor Heymann resumed the Regular Meeting at 9:20 p.m. and asked for a motion to adjourn.

25. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:20 p.m. was made by Councilman Kashwick, seconded by Councilwoman Latner and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on  
June 3, 2010 for approval at the  
Regular Meeting to be held  
June 9, 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 June 9, 2010  
Consent Agenda Item No. 16a.

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WORK SESSION NOTES – MAY 26, 2010 - 7:30 P.M.

Mayor Heymann called the meeting to order at 7:35 p.m.

1. PLEDGE OF ALLEGIANCE

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

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

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

3. ROLL CALL

The following persons were present:

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

The following persons were absent:

Councilwoman Victoria Amitai

Mayor Heymann reminded that, as announced, the meeting is now starting with the Work Session as they are still experimenting with the format. She advised they will begin immediately with the Work Session, however, if any issue comes up in front of the Mayor and Council that is represented in the audience and they have something to add to the discussion, they will be able to participate.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF MAY 13, 2010 - Mayor Heymann asked if any member of the Council or Public wished to address any matter or provide any comments.

Item No. 3 – Received 05/07/10, dated 05/06/10 from Rose Mitchell, Planning Board Coordinator to Borough Clerk re Copies of Resolutions adopted by the Closter Planning Board at the 5/5/10 Work Session Meeting:

- a. "Recommendation to Governing Body Concerning Amendment to Chapter 200 of the Code of the Borough of Closter"
- b. "Recommendation to Governing Body Concerning Amendment to Chapter 167 of the Code of the Borough of Closter"
- c. "Concerning Amendment to Chapter 200 of the Closter Code in Order to Include Elements of the Sustainable Closter Initiative, Which Was Incorporated by Reference into the 2008 Master Plan Reexamination Report of the Borough of Closter"

Dr. Barad pointed out that these are the beginnings of being able to implement some of the Green initiatives in the Master Plan. He voiced his opinion that people should keep an eye on these things as there

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will be opportunities for input going forward. The issues will be discussed again perhaps by the Council, and by the Ordinance Committee to try to move some of this forward. Mayor Heymann explained that there are three proposed Ordinances that Dr. Barad is referring to as recommendations to the Council which may be taken up tonight, in which case if they were, they would be returned to the Planning Board for full documentation and then brought back to the Council for adoption.

Item No. 7 – Hand del'd 05/12/10, dated 05/12/10 from John H. Mazanec, Camp Ranger, Boy Scouts of America, Camp Alpine re Requesting permission to hook up to Closter's sanitary sewer line for one (1) flush toilet at the Ranger's cabin at Camp Alpine; and for exemption for flow charge (Distributed 5/12/10).

Mayor Heymann noted this item had been discussed two weeks ago in reference to providing a sewer connection to the Boy Scout cabin in Alpine; and they will be asking the Ranger to come speak to them about it.

b. MAIL LIST OF MAY 20, 2010 - Mayor Heymann asked if any member of the Council or Public wished to address any matter or provide any comments.

Item No. 8 – Received 05/19/10, dated 05/19/10 from Dr. Beth Ravit, Chairperson, Environmental Commission re Resolution adopted by the Closter Environmental Commission Recommending Designation of Conservation Zone Lands (Copy to Planning Board, Environmental Commission)

Councilman Kashwick questioned what the process would be. The Borough Attorney asked the Council to have a discussion regarding same and then advised that all property owners should be notified and given an opportunity to respond. Mayor Heymann clarified there is no private property involved – only public lands. Mr. Rogan explained that it would be a discussion of the Council and then be a policy decision of the Mayor and Council agreeing or not with the recommendations of the Environmental Commission. Mr. Kashwick voiced his opinion that this is a comprehensive list that that they had reviewed a few years ago. The list was reviewed all over again; and last Tuesday, they voted to make these recommendations. He explained this is to add another layer of protection to our Open Space properties and to set a precedent that there is a Conservation Zone in the municipality, which goes along with our Master Plan for at least the past 20 years or so. Mayor Heymann added that it is not only adding another layer, it is adding a layer. She explained that in the case of the Nature Center, which is in the commercial zone where it should not be, by rezoning the Nature Center and some of the other Green areas the Borough owns is the wisest thing to do to make sure they stay Green. Mr. Rogan asked for a consensus at this time before moving forward, even if it is informal. Mayor Heymann asked for the Council's opinions on the recommendation of the Environmental Commission and no member of the Council voiced any concerns or objections to same.

At this time, Michael Kafer, 261 Parsells Lane wished to revisit Item No. 7 on the May 13, 2010 Mail List.

Item No. 7 – Hand del'd 05/12/10, dated 05/12/10 from John H. Mazanec, Camp Ranger, Boy Scouts of America, Camp Alpine re Requesting permission to hook up to Closter's sanitary sewer line for one (1) flush toilet at the Ranger's cabin at Camp Alpine; and for exemption for flow charge (Distributed 5/12/10).

Mr. Kafer reiterated that the Alpine Scout Camp wants permission to connect to Closter's sewers. He pointed out that there is an added revenue line in this year's budget for Alpine Sewer Hook-Ups. What interests him is that there are approximately 12 to 24 tax exempt properties in the town that don't pay sewer charges; be they synagogues, churches, swim clubs – things of that nature. He feels the Scouts would probably fit into that category, except we don't pick up utility costs for not-for-profits. We don't pick up

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their electric fees, their heating bills, or their water bills; but for some reason, sewer, which is a utility just like all those others, we give to the tax exempts for free. We do not charge them. Some of the tax exempts are pretty large users of the water; and if they are large users of the water, then they are also large users of the sewer. The other way of looking at the Scout Camp is to say it's only the Ranger who lives there, therefore, how much could he possibly be flushing? The same is also true of a Senior (Citizen) who lives in a \$1,500,000 house. He doesn't use that much; yet he is charged three times as much as a family of seven that lives in a \$500,000 house. He voiced his opinion that he is not against the Scouts getting a free hook-up, or whatever it is going to be; he is sure they will have to pay for the cost of running the line, however, he feels they are asking for a waiver of the flow charges. He noted the Mayor and Council are shaking their heads which leads him to believe they do not intend to waive the fee. On the other hand, it is not nice to ask people to start paying a fee they have never had to pay in the past, such as the synagogues, churches and the swim club; but he feels it is something they should consider because some are heavy users and it makes it disproportionate.

Mayor Heymann noted he has made an opening for a discussion they were already going to have on sewers; and she expressed they may as well have it now as they are in the Work Session. She reiterated that he brought up a number of times in the past the issue of equitable charges for Alpine residents hooking up into Closter sewers. She explained that in the past we had a flat charge that was raised incrementally, but not nearly as much as our own people in Closter were getting increases in taxes; and Quentin (Wiest) is proposing a new way to charge the Alpine residents for the sewer charges we pay to the BCUA. We should be in direct proportion to their real estate taxes and the percentage of the real estate taxes that we pay to the BCUA. Mayor Heymann invited Mr. Wiest to further explain his proposal. Mr. Wiest voiced his opinion that the Mayor introduced the topic well and explained that about a month ago, she had asked him to come up with the fee for this year for residents to hook into the Closter sewer system. Our BCUA bill is substantial – over three-quarters of a million dollars – and the money to pay that bill flows through our budget. Our residents actually pay in proportion to the assessed value of their property as they pay their property taxes against what we put into the budget for the town. When he reviewed what had been done in the past, and he is not sure how the flat fee was derived for Alpine residents in the past, but there seemed to be a disconnect between the way Alpine residents and Closter residents were charged. He investigated further and after some dry runs, his suggestion is to come up with a fee mechanism for Alpine that is consistent with how Closter residents are charged. Currently in Closter if you have a more valuable property, you tend to pay a higher share; and if you have a less valuable property, you tend to pay a lesser share; and that is how property taxes work. There are less than 20 Alpine properties that hook into our system, but they have a wide range of property values; and it just doesn't seem consistent with how Closter residents pay to have Alpine pay a flat fee. It is his suggestion to introduce a charge mechanism that makes the two communities consistent for their property owners. In response to Mr. Glidden, Mr. Wiest explained that Assessed Valuations are public information and they could be obtained off the County Tax Board's website, but we would go either to the Bergen County Tax Board or the Assessor in Alpine to get the latest figures. Dr. Barad mentioned the potential assessed value of the Boy Scout camp; and Mr. Wiest informed that before this evening, he never had to take the Boy Scout camp into consideration; and it would be something that needs to have a policy decision made.

Mr. Kafer reminded that there are two issues at hand: one is the Alpine residents that are hooking in; and the other is the equitable charge system for the bulk of users – the Closterites. He feels there is the potential opportunity to give older residents a break; and they do not get that many in this town. He brought up examples of not needing to utilize the schools as they have no children in them, or not needing to pay for police since they don't speed; but reiterated that everyone pays for these; and reminded they are not utilities. When speaking of utilities, he feels they should be able to charge as fair and equitable a measure as they can which will, in turn, give a break to some of the older residents. If some residents have a larger household and use more, they should be charged accordingly. Mayor Heymann added that some residents'

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usage is made up from watering their lawns. Mr. Kafer then mentioned that in itself creates a whole other issue of water run-off. Mayor Heymann clarified that Closter has been trying to equally proportion all of the items on the tax bills. Mr. Kafer pointed out that those are the only two utilities. All of the other items are what would be considered a common expense. Mayor Heymann retorted that a sewer system charge could also be considered a common expense because it is all of the connections, flows and engines that go into the system. She explained that we would take a percentage of our total tax bill in Closter and apply that percentage to whatever it is to the average house; Quentin (Wiest) has calculated that and it comes to approximately \$0.03 per \$100.00 of value. If we assessed the Alpine houses that amount, which means they would be paying at the same rate as the Closter people, as a percentage of the value of their home. The disparity between some of the homes in Closter and the ones in Alpine is considerable. Because the rates would be so different, the Borough Attorney has asked us to check into it and see what is going on elsewhere. Councilman Glidden had helped with that; and he found that in Cresskill, for instance, they do have Alpine hooking into Cresskill. The way they are calculating it is per household – not the value of the home; which means it is a lesser amount and is not related to the value of the house – just the fact that there is a house – and it is more than we are charging Alpine presently. Mr. Glidden reminded that was just one suggestion and then explained the process. Cresskill takes the total bill for the BCUA and divides it by the number of households – then charges the out-of-town households the same amount. He explained that he is not certain he agrees with that method; he feels the more equitable way of doing it is based on the value of the house because that is the way we do our tax charges and everything else. He agreed with the way Mr. Wiest described it should be done. Mr. Dolson also agreed with the assessed value method. He reminded that this subject had come up many years ago and had suggested at that time the hook-up charges for Alpine residents should be equivalent to what Closter residents pay. The homeowners have been paying for 20 years or better and have paid thousands of dollars for the sewer system; and the latecomers should be playing catch up so to speak. Mr. Glidden agreed and said they should consider that as well, but suggested that perhaps an annual hook-up fee is appropriate. Mr. Kafer reminded that historically we did charge an initial installation hook-up fee that covered the construction costs only. Mayor Heymann explained that fee was \$625.00, 25 years ago and it has remained the same since. Mr. DeNicola clarified that there are currently 20 Alpine residents hooked up, but there is room for more under the Agreement.

Joe Bianco, 7 MacArthur Avenue, asked for clarification that Mr. Kafer was requesting a sewer charge to be imposed on houses of worship. Mayor Heymann affirmed and he expressed his complete opposition to same saying it is a slap in the face to religious communities and named the houses of worship in town. He voiced his opinion that it is about more than money and these facilities are a treasure in our community – a place where families move to raise their children. Most of these facilities have religious schools or places of learning for young children to prepare them for regular school. He reminded that St. Mary's Church allows everyone to use their parking lot for the Library and this weekend will allow everyone to use it for the parade. He feels that the least the town could do is let the religious organizations have some relief for what they do for our town – you can't measure what they do for our community, especially our children and our Seniors. Some of the facilities also have Senior Citizen clubs. Before we start taxing houses – the last house we should start taxing is a house of God. Mayor Heymann expressed this conversation was taking us somewhat astray and asked whether there is interest in pursuing the idea of taxing Alpine households according to their tax base; and if so we will bring this up in Open Session for consideration of an Ordinance or Resolution. No member of the Council expressed objection to same.

Item No. 9 – (5/20/10 Mail List) Received 05/19/10, dated 05/19/10 from Robert Schroeder, Assemblyman, Legislative District 39 re Resolution in Support of the Immediate Repeal of Kyleigh's Law.

Dr. Barad explained that this law says that young drivers need to have a red tag on their license (plate). He voiced his opinion that he is not in favor of repealing it but did not want it to come across as though the Mayor and Council were ignoring the request for consideration of a Resolution supporting

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same. Dr. Barad has young kids who have been young drivers and he expressed his appreciation that law enforcement has a way of recognizing who is a young person and who is not. He expressed that the Chief may be more authoritative on this, but feels it has some utility and reiterated he is opposed to repealing the law.

Lewis “Pete” Giannuzzi, 465 Closter Dock Road, voiced his opinion that he is totally against it for a few reasons. He has many friends with children his age – particularly females, people see that sticker on at night and know it is a young girl in the car. There are nuts on the road and you are making them a target. He shares a car with his daughter after 11 p.m. and questioned what will happen when he uses the car. Mayor Heymann clarified that the tags are removable and can be moved from car to car. Mrs. Latner added that there are people stealing the tags from the cars and explained she understands the principle, but is surprised at how many people are in an uproar about it. She agrees it is primarily the issue that they are pinpointing specific persons as young drivers; and mothers and fathers who are friends of hers share the same consensus. Everyone feels it is unfairly put upon and it just doesn’t sit right with them. She explained there is a whole thing about it on Facebook and just a lot of talk about it right now. It also seems like they are changing the rules every year, and though she understands the theory, she questions the practice. Chief Berrian added that he has heard both sides to the argument, but it is a current law; and until it is repealed, they will abide by it. Mayor Heymann suggested that everyone read all of the information on the subject; and if any member of the Council on either side wants to bring it up again, there is time to do so. Mr. Dolson explained that youthful drivers have a driver’s license issued in a portrait orientation as opposed to the horizontal license older drivers receive; but it has a purpose of identification directly for the police, and they have already gotten half way without a sticker on the car just by making this visual presentation. He doesn’t feel it should be a road stop or need for some kind of identification. Mr. Kashwick expressed he is a believer in the point but voiced his opinion that it is a violation of civil liberties by identifying a group of people in that fashion; and expressed agreement with Mrs. Latner.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of May 26, 2010)

6. COMMITTEE REPORTS

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

- 1) STATUS REPORT RE CLOSTER WEBSITE – Councilman Dolson had nothing to report regarding the website.
- 2) REPORT – On behalf of the Ambulance Corps, Councilman Dolson thanked the Borough Engineer and Boswell Engineering for providing a Closter street map.
  - a. Councilman Dolson had nothing to report on the Board of Health.
  - b. Copy of the Municipal Budget has been received. He reported that the budget is very tight, that every State guideline has been met and the budget should serve the Borough well. He felt that the integrity of the employer/employee relationship has been preserved. He noted that he visited the website and found that the Budget came out in a programming language.

B. PUBLIC SAFETY - GLIDDEN (DOLSON/LATNER)

- 1) REPORT - Councilman Glidden reported on a Harrington Park Proclamation for dispatchers Maria Deegan and Kathleen Goldrick for their response during an emergency on March 25<sup>th</sup>. Councilman Glidden reported on a meeting at the County Public Safety Complex tomorrow evening on the Interborough Radio proposal to be attended by himself and Mayor Heymann in addition to

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representatives from the Police Department, Fire Department and Ambulance Corps. An initial proposal had been received; and the costs were impressive, but there were concerns on the part of the emergency services.

C. PUBLIC WORKS - LATNER (AMITAI/GLIDDEN)

1) REPORT - Councilwoman Latner reported on the change in the DPW collection schedule. Cost effective measures are being worked on.

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad said the Committee would be meeting next Tuesday to discuss a resolution memorializing the given distance that the Borough would be responsible for shade trees on West Street. He referred to a suggested ordinance from the Planning Board creating incentives for residents to incorporate green elements in their building projects. One incentive is a give back on impervious surface.

2) REPORT – Councilman Barad had no further report.

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick had nothing to report regarding Personnel Committee Meetings.

2) REPORT – Councilman Kashwick reported on the following:

a. Environmental Commission meeting during which the Conservation Zone was discussed as well as providing information for the Open Space meeting at the Library. Senior Service students are working on the trails by installing blazes on sections from Durie Avenue to the Library and reconfiguring other blazes. There are several issues going on with the MacBain Farm. A sub-committee met several weeks ago on the contract; and after another meeting, there would be a meeting with the Mayor, Borough Attorney and Borough Administrator to review same.

b. The Environmental Commission was awarded funds several years ago to do the ground work for a structure on the Farm to store material; and the Commission is going forward on same. The manure pile has been relocated.

c. The Historic Preservation Commission has met this week for discussion on the planner and some additional buildings to be designated in addition to the location of street signs, maintenance of the cemetery as well as replacing a portion of the fence.

d. The tree planting at Pollack Square by the Shade Tree Commission should take place within the next week. During the month of April, the Commission planted 72 trees in districts 2 and 4 and at other residences where replacement trees had been requested. The Commission is working on the Jason Woods/Flamm Brook area where a number of trees were lost in the recent storms.

e. Human Resources has not met this month; but a meeting is planned in two weeks and an invite will be sent out.

Councilman Barad said that the tree planting was well done this year. Mayor Heymann said that we are learning from problems with tree planting in the past.

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

1) REPORT – In the absence of Councilwoman Amitai, no report was given.

7. OLD BUSINESS

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Councilman Dolson asked the origin of the request for the Boy Scout sewer connection. Mayor Heymann said that it was a request of the State Council; and the Ranger came on his own behalf.

Councilman Kashwick referred to the sidewalk on Closter Dock Road noting that a rather steep slope exists; and he felt there should be further discussion on the matter. The area is on a busy road and there are not many sidewalks in the area and a retaining wall would be necessary. Borough Attorney said that the homeowner would still have to pay for the sidewalk but if not installed the retaining wall would not be necessary. Borough Engineer noted that there are adverse topographic conditions that could be a reason for the waiver. The cost of grading, the sidewalk, curbing and retaining wall could cost approximately \$20,000. Mayor Heymann said that the Council previously voted not to give the homeowner a waiver; therefore, a Council member on the prevailing side would have to make a recommendation to reconsider the matter upon return to the Regular Meeting. Borough Attorney said that the condition of the waiver would be to contribute to the sidewalk fund in an amount indicated by the Borough Engineer. Borough Engineer said that the installation of the curbing could still be required. Borough Attorney said that the proposed resolution would provide for specific conditions for the waiver.

8. NEW BUSINESS
9. OPEN MEETING TO THE PUBLIC FOR ANY MATTR 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
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 8:33 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 June 3, 2010 for approval at the  
Regular Meeting to be held  
June 9, 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 June 9, 2010  
Consent Agenda Item No. 16b.