

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – JULY 27, 2011 – 7:30 P.M.

Mayor Heymann called the meeting to order at 8:35 p.m.

1. 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 Record and published on January 9, 2011 and to the Press Journal and published on January 13, 2011, 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.

2. ROLL CALL

The following persons were present:

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

Also present in the audience: Mayor Emeritus Fred Pitofsky, Harriet Pitofsky and members of the Zoning Board Sub-Committee.

The following item was addressed during the Work Session:

3. RECOGNITION OF SERGEANT WILLIAM MC LOUGHLIN UPON HIS RETIREMENT FROM THE CLOSTER POLICE DEPARTMENT (Requested by Mayor 7/22/11)

4a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the following Consent Agenda Items minus Item Nos. 5b, 7, 22, and 24 was made by Councilwoman Amitai, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

5. INTRODUCTION OF THE FOLLOWING ORDINANCE(S) – PUBLIC HEARING - 8/10/11 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

a. ORDINANCE NO. 2011:1102: “AN ORDINANCE DESIGNATING THE RESOLVERT NAGEL HOUSE AND FARM A HISTORIC LANDMARK” (Received from Borough Attorney 7/19/11)

b. BOND ORDINANCE NO. 2011:1103: “AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$200,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$190,000 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME (Requested by Administrator 7/21/11 – Received from Bond Counsel 7/22/11)

RESOLUTIONS

6. BILL RESOLUTION – JULY 31, 2011 TO BE PREPARED BY DEPUTY TREASURER

7. POSSIBLE RESOLUTION AWARDDING CONTRACT TO _____ FOR

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PROFESSIONAL PLANNER – MASTER PLAN, RECEIVED AT OPENING HELD 3/30/11 @ 1:30 P.M. - TO BE PREPARED BY BOROUGH ATTORNEY (Adjourned from RM 4/26/11; RM 5/11/11; RM 5/25/11 – Borough Attorney advised at this meeting the need for the Planning Board to put in writing a request that further information be provided regarding the RFP's submitted for consideration since the deadline for award is past 30 days; Adjourned from RM 6/8/11; RM 6/22/11; RM 7/13/11)

8. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEAR 2010: WALLACH V. CLOSTER (Received from Borough Attorney 7/14/11)
9. RESOLUTION ENDORSING CDBG GRANT APPLICATION IN THE AMOUNT OF \$25,000.00 FOR SPECTRUM FOR LIVING GROUP HOMES INC FOR SPECTRUM'S NORTHERN VALLEY RESPITE AND SOCIALIZATION PROGRAM IN THE BOROUGH OF CLOSTER (This Resolution does not obligate the financial resources of the municipality and is intended solely to expedite the expenditure of the CDBG Funds) (3. M.L. 7/21/11)
10. RESOLUTION NO. 3 RE AD INTERIM PERMIT
11. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$24,112.11 TO R.ROTHMAN FOR REDEMPTION OF TAX SALE CERTIFICATE #10-00003 FOR BLOCK 1710, LOT 10, ALSO KNOWN AS 12 WESTERVELT AVENUE, SOLD AT THE MUNICIPAL TAX SALE HELD 9/29/10 FOR 2009 DELINQUENT TAXES AND ISSUING A SEPARATE CHECK IN THE AMOUNT OF \$17,600.00 FOR PREMIUM PAID AT TAX SALE (Received from Tax Collector 7/20/11)
12. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$59,247.76 TO ROYAL TAX LIEN SERVICES, LLC FOR REDEMPTION OF TAX SALE CERTIFICATE #09-00002 FOR BLOCK 701, LOT 17, ALSO KNOWN AS 100 KNICKERBOCKER ROAD, SOLD AT THE MUNICIPAL TAX SALE HELD 7/8/09 FOR 2008 DELINQUENT TAXES AND ISSUING A SEPARATE CHECK IN THE AMOUNT OF \$27,100.00 FOR PREMIUM PAID AT TAX SALE (Received from Tax Collector 7/20/11)
13. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$57,281.06 TO M & D ASSOCIATES FOR REDEMPTION OF TAX SALE CERTIFICATE #08-00001 FOR BLOCK 612, LOT 15, ALSO KNOWN AS 95 OAK STREET, SOLD AT THE MUNICIPAL TAX SALE HELD 6/19/08 FOR 2007 DELINQUENT TAXES (Received from Tax Collector 7/20/11)
14. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$601.89 TO DAVID HAHN FOR BLOCK 2008, LOT 8 DUE TO TAX COURT JUDGMENT RENDERED 6/30/11 FOR 2010 REAL ESTATE TAX OVERPAYMENT (Received from Tax Collector 7/20/11)
15. RESOLUTION AUTHORIZING RELEASE OF REMAINING ESCROW FUNDS IN THE AMOUNT OF \$937.80 TO SPECTRUM FOR LIVING, INC. FOR SATISFACTORY COMPLETION OF REQUIREMENTS OF CLOSTER CODE CHAPTER 108, ARTICLE II, ZERO INCREASE IN STORM WATER RUNOFF, AS WELL AS CHAPTER 167, SOIL MOVEMENT FOR BLOCK 1104 LOT 6.01, 50 BLANCH AVENUE (Received from Deputy Treasurer 7/20/11)
16. RESOLUTION GRANTING APPROVAL FOR RELEASE AND RETURN OF THE REMAINING PLANNING/ZONING BOARD ESCROW FUNDS TO APPLICANT SPECTRUM FOR LIVING, INC. IN THE FOLLOWING AMOUNTS: \$200.00 FOR BLOCK 1104, LOT 6.01, 50 BLANCH AVE. AND \$4,658.12 FOR BLOCK 1104, LOT 14, 19 VAN SCIVER ST., DUE TO SATISFACTORY COMPLETION OF THE REQUIRED IMPROVEMENTS UNDER THE GRANTED APPROVALS (Received from Deputy Treasurer 7/20/11)
17. RESOLUTION EVIDENCING COMPLIANCE BY THE GOVERNING BODY WITH N.J.S.A. 40A:5-4 AND N.J.S.A. 40A:5-6 RE 2010 AUDIT (Audit Report rec'd. (10. M.L. 7/21/11/distributed 7/22/11) GROUP AFFIDAVIT FORM CERTIFICATION OF GOVERNING BODY RE 2010 AUDIT REPORT (to be signed by each member of the Governing Body certifying they have personally reviewed and are familiar with at least the "Letter of Comments and Recommendations" Section of the Annual Report of Audit)
18. RESOLUTION AUTHORIZING THE ABATEMENT OF NUISANCES AND CHARGES TO

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BE ASSESSED AND LEVIED UPON THE AFFECTED PROPERTIES: 614 CLOSTER DOCK ROAD AND 45 FIRST STREET (Received from Borough Attorney 7/21/11)

19. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEARS 2010 & 2011: MC GUIRE V. CLOSTER (Received from Borough Attorney 7/21/11)

MOTIONS

20. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed via e-mail on 7/22/11) NO ABSTENTIONS
- a. REGULAR MEETING OF JULY 13, 2011
 - b. WORK SESSION OF JULY 13, 2011
21. MOTION GRANTING APPROVAL FOR BLOCK PARTY TO BE HELD ON ROBINHOOD ROAD ON 9/3/11 FROM 1:00 P.M. TO 10:00 P.M.; RAIN DATES 9/4/11, OR IF NEED BE 9/5/11 (4. M.L. 7/21/11)
- ~~22.~~ MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO FILL THE FOLLOWING *NON-SALARIED* APPOINTMENTS MADE AT THE FOLLOWING MEETINGS (Which have not been accepted as of the time of preparation of this Agenda)

<u>OFFICE</u>	<u>MEETING</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION				
Member			2 Years	12/31/12
Member	RM 2/23/11	<u>Tina Stratton</u>	2 Years	12/31/12

23. MOTION GRANTING APPROVAL FOR THE 59TH ANNUAL PEARLE ROAD BLOCK PARTY TO BE HELD ON 9/17/11 FROM 2:00 P.M. TO 10:00 P.M.; RAIN DATE: 9/18/11 (7. M.L. 7/21/11)

- ~~24.~~ *POSSIBLE* MOTION GRANTING SPECIAL APPROVAL FOR SADHU VASWANI TO PLACE A LARGE BANNER ACROSS DURIE AVENUE TO ANNOUNCE CARNIVAL TO BE HELD 9/18/11, SUBJECT TO COMPLIANCE WITH BOROUGH CODE CH. 173, "SUBDIVISION OF LAND AND SITE PLAN REVIEW", ARTICLE XVII, "SIGNS"; §83, "Sign permit required", E. "Temporary signs" (1) Borough owned property; (2) "Special temporary signs" (Discussed at WS 7/13/11/9. M.L. 6/23/11)

25. REPORTS

- a. CHIEF OF POLICE – JUNE 2011 (Received 7/13/11)

4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

No items were removed from the Consent Agenda during the Regular Meeting for discussion, therefore, no vote was necessary.

26. 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.11)

Mayor Heymann opened the meeting to the public.

At this time, Councilman Glidden asked if any action was taken on the signs for Labor Day; and Mayor Heymann said if a motion was needed, it would be addressed at the next meeting.

Borough Engineer referred to the 2010 Community Development Block Grant for handicap ramps and reported that construction would be commencing on Monday. Due to changes in FHA construction regulations, only 40 ramps would be installed. The two intersections impacted were Knickerbocker and Durie and Durie and Demarest; and the County would be responsible for those when the road is resurfaced.

Joe Bonino, Demarest, New Jersey, said he was a friend of Mr. Natoli who operates

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Sunshine Auto. He said he has a hot dog trailer, which Mr. Natoli wishes to have relocated in the back of his property to service his workers and customers. He said there would be no signs; and he questioned the procedure that must be followed. He said that he has received approvals from Teaneck and Demarest and that he has a \$2 million dollar insurance policy. Mayor Heymann said that clearance would be needed from the Police Department and from the Board of Health. Borough Attorney advised that he should address this matter with the Zoning Officer.

Jesse Rosenblum, 65 Knickerbocker Road, referred to Closter Plaza and the use of the old or new drawings by the developer. Mayor Heymann said that this matter would be discussed at the informal meeting on August 3rd; and it has been expressed by the developer that they wished to make as few changes to the plans as possible.

- 26a. Motion approving the following Closed Session Resolution at 8:50 p.m. 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(b)(7), "Pending or anticipated litigation or contract negotiations"; N.J.S.A. 10:4-012(b)(8), "A matter involving public employees" and that the items under discussion in the closed meeting would be disclosed to the public at the conclusion of the discussion which should be within 12 to 15 weeks.

Mayor Heymann resumed the Regular Meeting at 9:55 p.m.

27. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY
28. ADJOURNMENT

Motion to adjourn the meeting at 9:55 p.m. was made by Councilwoman Latner, seconded by Councilman Kashwick and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on
August 5, 2011 for approval at the
Regular Meeting to be held
August 10, 2011

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held August 10, 2011
Consent Agenda Item No. 23a.

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BOROUGH OF CLOSTER

WORK SESSION NOTES – JULY 27, 2011 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session at Borough Hall on Wednesday, July 27, 2011. Mayor Heymann called the meeting to order at 7:32 p.m.

1. PLEDGE OF ALLEGIANCE

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

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was sent to The Record and published on January 9, 2011 and to the Press Journal and published on January 13, 2011, 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 (7:50 p.m.), Arthur Dolson and Victoria Amitai
Borough Administrator, Quentin Wiest
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola

At this time, Mayor Heymann presented a plaque to John (Jack) Murphy for his volunteer efforts on behalf of the Lions Club, the Library, the Belskie Museum and other organizations. She wished him well and a complete recovery. The Mayor and Council extended their congratulations; and the public offered a round of applause. Mr. Murphy expressed his thanks and appreciation.

At this time, Mayor Heymann presented a plaque to Sergeant William McLaughlin on his retirement from the Closter Police Department after 23 years of dedicated service to the Borough. The Mayor and Council extended their congratulations and the public offered a round of applause.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF JULY 14, 2011 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item Nos. 5 and 7 were removed by Borough Clerk.

Item No. 5: Received 07/14/11, dated 07/12/11 from Ilene S. Anesini, Executive Director, Temple Emanu-El, to Mayor re Requesting permission for Tashlich Service to be held at the Closter

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Nature Center on Thursday, 9/29/11 (Copy to Glenn Parsells, Nature Center Association)

Borough Clerk explained this is a customary request from Temple Emanu-El and we are awaiting the Certificate of Insurance and Hold Harmless Agreement. In response to Mayor Heymann, she informed she was going to place this item on the Borough Administrator's Work Session Agenda for follow through.

Item No. 7: Received 07/14/11, dated 07/13/11 from Richard D. Loccke, Loccke, Correia Linsky & Bukosky, c: PBA re Closter PBA Local 233 and Borough of Closter (2012 Contract Negotiations)

Borough Clerk explained this is the customary request for contract negotiations for the PBA. Mayor Heymann informed the Borough Attorney was already on top of this; and Borough Clerk noted same.

b. MAIL LIST OF JULY 21, 2011 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item Nos. 3, 4, 9 and 10 were removed by Borough Clerk.

Item No. 3: Received 07/15/11, dated 07/13/11 from Kathleen M. Hennessey, Director of Support Services, Spectrum for Living to Quentin Wiest, Borough Administrator, c: Mayor Sophie Heymann re Letter requesting placement of Resolution on RM Agenda to endorse Community Development Project in order to complete the 2012 Community Development grant application process; Deadline: 10/7/11!

Borough Clerk explained this is a customary request which has been placed on this evening's Regular Meeting Agenda and her office will follow through on same. In response to Mayor Heymann, she informed this was a different request from the one recently received and followed through.

Item No. 4: Received 07/15/11, dated 07/14/11 from Pam Scaglione, 82 Robinhood Road, Barbra Shanahan, 81 Robinhood Road, Victoria Thomas, 75 Robinhood Road, Block Party Committee to Mayor and Closter Council re Request for permission to hold Block Party on Robinhood Road on Saturday, 9/3/11, from 1 p.m. to 10 p.m.; Rain dates: 9/4/11, if necessary 9/5/11; request for 4 barricades to close off street and section off party (Copy to Deputy Chief Kaine, Glenn Parsells, William Dahle III)

Item No. 9: Received 07/20/11 hand del'd, dated 07/20/11 from Raymond G. Zebro, 11 Pearle Road, Pearle Road Block Party Committee re Request for permission to hold 59th Annual Pearle Road Block Party on 9/17/11 from 2 p.m. to 10 p.m.; Rain Date: 9/18/11, from 2 p.m. to 10 p.m. (Copy to Deputy Chief Kaine, Glenn Parsells, William Dahle III)

Borough Clerk explained these are customary requests that will be followed up on. She informed in the past the Chief of Police would provide a letter to people conducting Block Parties that they will be using their own personal insurance as coverage. She asked that Deputy Chief Kaine be reminded to follow through on same.

Item No. 10: Received 07/20/11, dated 07/19/11 from Gary J. Vinci, RMA, Lerch, Vinci & Higgins, LLP re Letter re Report of Audit for the year ended December 31, 2010 (Audit Reports

distributed to Mayor and Council, Administrator, CFO on 7/22/11)
Borough Clerk informed the Audit Report is on this evening's Agenda.

Mayor Heymann wished to confirm they need to reach out to the persons regarding Item Nos. 3, 4 and 9; and Borough Clerk affirmed same.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of July 27, 2011)

Mayor Heymann asked whether any member of the Council or public wished to remove for discussion any of the following Consent Agenda Items: Councilman Kashwick removed Item Nos. 5a, 7 and 24; Councilman Dolson removed Item No. 18; Borough Administrator removed Item No. 5b.

5. INTRODUCTION OF THE FOLLOWING ORDINANCE(S) – PUBLIC HEARING - 8/24/11 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

- a. ORDINANCE NO. 2011:1102: “AN ORDINANCE DESIGNATING THE RESOLVERT NAGEL HOUSE AND FARM A HISTORIC LANDMARK” (Received from Borough Attorney 7/19/11)

Councilman Kashwick noted that the Historic Preservation Commission has discussed this proposed ordinance for over one year and the homestead is an important piece of the Borough's history. He said that two members of the Commission are present to answer any questions. Borough Administrator advised that in the normal course of the ordinance a public hearing would be scheduled for August 24th and he suggested that consideration be given to scheduling same for September 14th because at the present time this may be the only item on the Agenda for August 24th. Consideration may be given to not having the meeting of August 24th. Councilman Kashwick advised that the property is for sale at this time with a closing scheduled for August; and he expressed opposition to canceling the meeting of August 24th so that the property could be designated. Borough Clerk said that she could send the Ordinance to the Record for publication as soon as possible for a public hearing on August 10th but depending on the actual publication day it may not provide the required 10 days as provided by law.

- b. BOND ORDINANCE NO. 2011:1103: “AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$200,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$190,000 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME (Requested by Administrator 7/21/11 – Received from Bond Counsel 7/22/11)

Borough Administrator asked that this ordinance be held until the next meeting because introduction of a Capital Ordinance needs preparation and execution of a Supplemental Debt Statement and same cannot be finalized because of the absence of the Chief Financial Officer. Ordinance No. 2011:1103 was removed from the Consent Agenda and adjourned to the next meeting.

7. POSSIBLE RESOLUTION AWARDDING CONTRACT TO _____ FOR PROFESSIONAL PLANNER – MASTER PLAN, RECEIVED AT OPENING HELD

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3/30/11 @1:30 P.M. - TO BE PREPARED BY BOROUGH ATTORNEY (Adjourned from RM 4/26/11; RM 5/11/11; RM 5/25/11 – Borough Attorney advised at this meeting the need for the Planning Board to put in writing a request that further information be provided regarding the RFP's submitted for consideration since the deadline for award is past 30 days; Adjourned from RM 6/8/11; RM 6/22/11; RM 7/13/11)

Borough Attorney advised that the Planning Board has not met but he had discussed the matter with the Planning Board Attorney. There must be a determination as to the body to award the contract in addition to a clarification of the intent of the contract. If it is just to interpret the Master Plan, the contract should be awarded by the Planning Board. The resolution was removed from the Consent Agenda and adjourned to the next meeting.

18. RESOLUTION AUTHORIZING THE ABATEMENT OF NUISANCES AND CHARGES TO BE ASSESSED AND LEVIED UPON THE AFFECTED PROPERTIES: 614 CLOSTER DOCK ROAD AND 45 FIRST STREET (Received from Borough Attorney 7/21/11)

Councilman Dolson said that 614 Closter Dock Road has processed a demolition permit and survey marks have been placed in the street. He noted that 579 Closter Dock Road is located behind a forest and that a notice has been placed on the door that utilities have been shut off. He said that this house also needs attention. He said it might be advisable for the Department of Public Works not to do any work on the property in question. Borough Attorney suggested that the item be left on the agenda and voted on with a side note that the abatement of the nuisances be coordinated with the Building Department. Borough Engineer said he would contact the Department of Public Works regarding 579 Closter Dock Road.

24. *POSSIBLE MOTION GRANTING SPECIAL APPROVAL FOR SADHU VASWANI TO PLACE A LARGE BANNER ACROSS DURIE AVENUE TO ANNOUNCE CARNIVAL TO BE HELD 9/18/11, SUBJECT TO COMPLIANCE WITH BOROUGH CODE CH. 173, "SUBDIVISION OF LAND AND SITE PLAN REVIEW", ARTICLE XVII, "SIGNS"; §83, "Sign permit required", E. "Temporary signs" (1) Borough owned property; (2) "Special temporary signs" (Discussed at WS 7/13/11/9. M.L. 6/23/11)*

In answer to Councilman Kashwick, Mayor Heymann said that she had forwarded a letter to Sadhu Vaswani indicating the Council's questions and she has not received an answer as yet. The motion was removed from the Consent Agenda and adjourned to the next meeting.

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

6. COMMITTEE REPORTS

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

1) STATUS REPORT RE CLOSTER WEBSITE – Councilman Dolson had nothing to report regarding the web site.

2) REPORT – Councilman Dolson reported on the following:

a. Ambulance Corps. had their monthly meeting and they reported they responded to

6. COMMITTEE REPORTS (Continued)

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

80 emergencies in the month of June. He voiced his opinion that it is an incredible amount of work and man hours involved. He wished to remind all that the fundraiser is still ongoing and donations are graciously accepted.

b. Zoning Board of Adjustment – Mr. Dolson informed he was not able to attend the meeting this month due to a previously scheduled family affair to celebrate a 70th birthday.

c. Board of Health – Mr. Dolson reminded that they do not meet during the summer months.

d. Finance Committee – They are planning a half year intense meeting to discuss a number of items they have discussed here (the Council) or received notification about in the last month and a half; and they feel it is appropriate to review the 6 month operations of the Borough. Mr. Dolson voiced his opinion that there are not as many repeat offenses (in the 2010 Audit Report) as there have been in previous years and he was pleased to report same. He noted some new ones have cropped up and he feels they need to address those to clear them up for the rest of the year so they may be able to have a pass on those items for the 2011 Audit.

At this time, Mr. Dolson reminded that some time ago there had been discussion regarding the demolition of a house on West Street; and he was unanimously appointed the Hearing Officer for same. He reported the Hearing was held this past Monday at 7:30 p.m. at Borough Hall. Mr. Dolson informed he delayed the start of the Hearing for 10 minutes to allow any opponents to the certification of the property a chance to appear; and no one appeared. Notification was made by paper, certified mail and regular mail. He reported he entered into the record the purpose and nature of the meeting and referred to Chapter 85 saying the house was uninhabitable as certified by the Building Inspector. Seeing no opposition, he decreed that it shall be demolished by the Borough and the assessment and so on, as the Borough Code requires, shall be carried out. There were two attendees who were somewhat interested: Mrs. Mary Morgan, the daughter of an adjacent property owner with concern that this would be taken care of; the other member of the audience was Donald Schmidt.

At this time, Councilman Glidden asked Mr. Dolson if he found a lot of repeats on the recommendations from the Auditor. In response, Mr. Dolson explained there were four or five at the most but there were no serious type exceptions. In previous years there were things like timely bank reconciliations; accounting is more contemporaneous and they're supposed to do it as it occurs; and apparently in previous years, that didn't happen as quickly as it should have. He noted there are a couple of new items that have cropped up that we talked about here at the table and in public; and he feels strongly they need to be addressed. Mr. Dolson voiced his opinion that by and large he was pleased to see we achieved a much lower exception report than they had in previous years. The repeats decreased from somewhere around 11 to approximately 5. Councilwoman Amitai voiced her understanding that most of these items seem to be timing issues and silly things that could have been done that weren't. Mr. Dolson agreed and said that law and finance requires certain things to occur within a specific timeframe; and the Auditor brought up that it didn't happen; so they are going to investigate it and strive for better compliance. Mrs. Amitai then questioned the recommendation about "internal controls regarding the preparation of general ledgers and financial reports" which says "to be reviewed"; but it didn't say by whom. In response to Mrs. Amitai, Mr. Dolson affirmed the Treasurer would review it. The Borough Administrator corrected noting it was the CFO who would review; who happens to also be the Treasurer; and

6. COMMITTEE REPORTS (Continued)

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

Mr. Dolson added the Finance Committee does as well. Mrs. Amitai questioned if these items were in a sort of tickler file to get rid of some of these. Mr. Dolson affirmed same and clarified that was why they were calling a formal meeting to discuss these items. Mr. Wiest informed there would be a Corrective Action Plan on the Agenda for the next meeting and said some of the items have already been corrected. Since the Audit was for 2010, they still come up as comments from 2010. Mr. Dolson agreed there was some overflow of items from year to year along with change of personnel. Mr. Wiest then informed there were some items not fully corrected which are being worked on currently; some items are bigger than others. There are a number of items that are easy to resolve and some of the ones that are harder will continue to be worked on through the rest of the year. He expects they are moving in the right direction. Mr. Dolson wished to correct himself that it was six stars.

B. PUBLIC SAFETY - GLIDDEN (DOLSON/LATNER)

1) REPORT – Councilman Glidden informed he has two items for Closed Session; one involving contract issues and the other regarding personnel issues. He informed he had nothing further to report on Public Safety.

Mr. Glidden reported the Recreation Commission is meeting this evening to discuss plans for Labor Day and they will come back to us with requests for some approvals. He informed the activities will be totally redone and are being moved from Monday to Sunday. Mayor Heymann informed the Recreation Commission plans to put up signs throughout the Borough to remind people of the date change. It will be publicized as much as it can especially for our neighboring towns who participate in the run and the fireworks. Mr. Glidden suggested sending letters to other towns; and Mayor Heymann said there is still time since it is only July.

C. PUBLIC WORKS - LATNER (AMITAI/GLIDDEN)

1) REPORT – Councilwoman Latner reported the Library does not meet over the Summer but she was made aware that they did receive two proposals for new library doors. The Library was opened on Friday as a cooling center, which she heard was received very well and quickly.

Mrs. Latner reported the Fire Department is glad the roof is all done. They had some concerns while the work was being done; but by the time of completion, everything was cleaned up.

Mrs. Latner informed she had nothing to report regarding the DPW.

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported the Ordinance and Legislative Committee met about 2 weeks ago. He informed the next meeting will be held 8/16/11 because JoAnn (Riccardi, Borough Attorney) will be just getting back from vacation the day before our meeting would have normally been scheduled for.

Dr. Barad referred to the e-mail sent to him by John Lignos last week regarding the recommendations from the Planning Board regarding LEEDS and various zoning areas as discussed at the last meeting. After the meeting they asked Mr. Chagaris to convey to the Planning Board their concerns about that so they had asked for a subcommittee meeting to include John

6. COMMITTEE REPORTS (Continued)

D. ORDINANCES - BARAD (KASHWICK/AMITAI) (Continued)

Lignos. Unfortunately, Mr. Lignos had to go away on vacation so he did not participate in that meeting. There does appear to be some strong feeling on Mr. Lignos' part that taking these changes would be a strong statement in terms of "going green". Dr. Barad voiced his understanding that there also appeared to be strong feelings on the part of the Council that turning a number of places in town to non-conforming all of a sudden would be a dangerous thing. Dr. Barad thinks it would be helpful for all to look at the proposed ordinances as contained in the packet they received a few weeks ago and start to try to formulate our own ideas about it. As a Council we would be able to communicate back to the subcommittee what our feelings are so that they have the information when they try to reassess it. He asked everyone to take a look at the draft ordinances; and maybe at the next meeting have discussions about it more or maybe e-mail exchanges, but a conversation should be started. Mrs. Amitai informed she would forward to all the memorandum that the Planning Board Attorney did on the subject so there is more understanding from a legal perspective. Mr. Glidden voiced his opinion he understands the LEEDS proposal, where it gives some credit back to homeowners by taking down the impervious coverage from 30 to 27 and building it back up through LEEDS, and asked for clarification of the statement that it would all of a sudden make properties non-conforming. Dr. Barad explained properties were built to the max and they are not conforming to LEEDS now; and if the ordinance is passed, will they become non-conforming – they will. Mr. Glidden thanked Dr. Barad for his clarification.

2) REPORT

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick reported that the Human Resources Committee needs to meet soon. He does not want to interfere with the Finance Committee next week so he suggested the following week.

2) REPORT – Councilman Kashwick reported on the following:

a. Shade Tree Commission – They finalized their planting and pruning schedule for the Fall. The work should be completed by the end of October. The Commission devoted a considerable amount of time discussing the pear tree and root conflicts in the downtown area without resolution; but they are discussing the issue.

b. Historic Preservation Commission – Mr. Kashwick reported that in addition to the homestead they will be voting on this evening, they have discussed the additional locations for the street signs ordered earlier in the year. The fence project at the cemetery was completed by Eagle Scout Max Beucler; and he informed there will be a dedication forthcoming.

c. Environmental Commission – They met with John McCaffrey regarding the farm plantings this year as part of his annual report to the Commission. Mr. Kashwick informed the dedication of the bridge will take place on Sunday, 7/31/11, at 9 a.m. at the United Water Property. He explained the entrance for that is at Closter Dock Road by the stream crossing and invited anyone interested to attend. Mayor Heymann added that according to United Water, the meeting place will be right near Spectrum for Living on Blanch Avenue and West Street; and we will all go into the Water Company property at that time. She explained that they have had access from this location for some time to accommodate the disabled residents at Spectrum. They have been using the dock there for their activities – just in that particular location. The Water Company has an entrance for vehicles to service the property off Cedar Lane and Harrington Avenue. At that point, they have now put a pedestrian entrance that can be opened by a key. She explained that

6. COMMITTEE REPORTS (Continued)

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON) (Continued)

any Closter or other residents who want to use the trail will have access through that gate by obtaining a permit from the Water Company, which will allow access to all of their property. The permit costs \$25.00 which has been a sticky wicket for all of us trying to open access. The Water Company is working on another way to make it possible for us get in there under controlled circumstances, because there is a great deal of security concerns. She informed that on Sunday they will be using the pedestrian entrance on West Street and Blanch Avenue.

F. LAND USE AND CONSTRUCTION – AMITAI (BARAD/DOLSON)

1) REPORT – Councilwoman Amitai reported the Building Department is humming along with several new houses being built. She informed that does not include the two subdivisions up on Homans (Avenue) and Parsells (Lane). Mrs. Amitai said they need to meet in the near future. She reported most of the complaints coming in for Code Enforcement relate to grass not being cut in a timely fashion.

Mrs. Amitai reported that the Improvement Commission met yesterday; and one of their members requested they seek out Eagle Scouts to repair the gazebo on Herbert Avenue; it hasn't been cared for carefully over the past number of years and wondered if that could be a potential project. In response to Mayor Heymann she clarified it was Veteran's Memorial Park. Mayor Heymann informed that gazebo is being fixed and everything is already in place for it. She explained it is quite an extensive plan with donated labor; and asked Mrs. Amitai to relay same back to the Improvement Commission.

Mrs. Amitai voiced her understanding that the Girl Scouts have received some violation notices and are unable to use the cabin because of that. She asked if the Mayor was aware of same and what could be done about it. Mayor Heymann informed they are not using the building right now and the path to the building has been difficult to maintain; but it is on the agenda to be taken care of. She voiced her opinion they have the right to complain because it is a nice building that is not being handled. Apparently there was leakage in the winter that caused some damage, but she reassured that it will be taken care of because it is not in good shape right now. Mayor Heymann explained the access from Taillon Terrace is very difficult and from Knickerbocker Road is difficult because there is a stream to cross. Mrs. Amitai suggested maybe an Eagle Scout would like to build some boards like the ones at the Nature Center. Mayor Heymann reminded it can be accessed from Mollicone Park in the mean time.

At this time, Mrs. Amitai voiced her concern that the bushes in the triangle are too high. She explained that she can't see past them. Mayor Heymann responded that the shrubbery at Alice Barkley Square is supposed to be three feet; and Mrs. Amitai said they are over three feet. Mayor Heymann informed they were cut recently and perhaps they grew again so they need to be reminded. She said that Susan Boudet was taking care of it and she will remind her of same.

Mrs. Amitai reported the Improvement Commission also spoke about the Lustron House. They questioned if there was a way to have the house repaired or taken apart. She knows it is owned by a gentleman but it is a property that is not currently lived in; and it is an important part of history; and it is in disrepair and continuing to rust. She wanted to talk about it and see where we stand with that because maybe the owner would be more receptive at this point. In response to Mayor Heymann, Mrs. Amitai reminded that the application to create a subdivision was denied at

6. COMMITTEE REPORTS (Continued)

F. LAND USE AND CONSTRUCTION – AMITAI (BARAD/DOLSON) (Continued)

the Planning Board because it's not an acre. She asked for clarification why we would need a subdivision; and Mayor Heymann informed it was to save the house.

Mrs. Amitai reported Tina Stratton has been working hard with the Recreation Commission for Labor Day festivities. We have a lot of new vendors coming forward for Labor Day that we've never had before. She encouraged everyone to come out with their families and have fun.

7. OLD BUSINESS

- a. STATUS REPORT RE REQUEST FOR NAME CHANGE AT VETERAN'S MEMORIAL PARK AND A NEW SIGN (3. M.L. 2/17/11; referred to O&L Committee for W.S. 3/23/11; Placed on WSA 5/11/11 per request of Dr. Barad 4/26/11)

Mayor Heymann said that this matter would be discussed by the Ordinance Committee at their meeting of August 16th.

8. NEW BUSINESS

9. OPEN MEETING TO THE PUBLIC FOR ANY MATTER PER NJSA 10:4-12(A) (SUBJECT TO A 5-MINUTE LIMIT PER GENERAL RULE NUMBER 11) EXCEPT FOR ITEMS SCHEDULED FOR PUBLIC HEARING AT THE REGULAR MEETING

Tim Adriance, member of Historic Preservation Commission, referred to the proposed ordinance for the designation of the Resolvert Nagel House, which is the oldest continually used farm and farmhouse in the State of New Jersey. He said that Ellen Brooks came before the County Trust Fund to ask that the development rights of her farm be purchased by the County in order that the farm continue as a farm. There is a deed easement that is contingent on the National Register. The Borough has the opportunity to designate the structure for future generations. He said that people have moved to Closter due to the culture and its sense of history. He cited the number of historic structures in the Borough and expressed support for the proposed ordinance. Councilman Glidden thanked him for the description of the property that was circulated to the Council. Mayor Heymann thanked Mr. Adriance for his comments and noted that 201 magazine did have an article on Closter which was not exactly complete or accurate.

Irene Stella said that the Borough Website should be updated with the true origin of the name of the Borough. Mayor Heymann said that she has a volunteer to update the website. She said that the press has been good to the Borough. She said that the Building Department is making use of the article in the Record issue of July 10, 2011 relative to building permits. She referred to the news article on Closter Plaza, which was fairly correct. She said that the person who bought the tax lien is only interested in same as an investment and the Irani family has been approached by 25 different groups interested in rebuilding the Plaza. One company, Edens and Avant, who has shopping center experience, has been chosen. The next court date on the bankruptcy proceeding is August 11th. An informal presentation by Edens and Avant on the development would be given to the Planning Board on August 3rd. The meeting will be open to the public.

Kurt Haiman questioned how this would connect with the person who bought the tax lien

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certificate. Mayor Heymann explained that there is no connection since tax liens can be bought as an investment or to eventually foreclose on a property. The company wishing to develop the property would subsequently redeem the certificate.

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 8:28 p.m. was made by Councilman Kashwick, seconded by Councilman Glidden and declared unanimously carried by Mayor Heymann.

Provided via e-mail to the Mayor and Council on August 5, 2011 for approval at the Regular Meeting to be held August 10, 2011

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 August 10, 2011
Consent Agenda Item No. 23b.