

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – AUGUST 8, 2012 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:50p.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 6, 2012 and to the Star Ledger and published on January 7, 2012, was 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, David Barad, Arthur Dolson and
Victoria Amitai
Borough Administrator, Richard Sheola
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine

The following persons were absent:

Councilman John Kashwick

3. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCES @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

A. The following Ordinances were introduced at the Regular Meeting held 4/11/12 and were published in The Record on 4/17/12 as stated in the affidavit of publication. Reprint of these Ordinances were posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public.

At the Regular Meeting held 5/9/12, these ordinances were adjourned to the Regular Meeting of 5/23/12.

At the Regular Meeting held 5/23/12, these ordinances were adjourned to the Regular Meeting of 6/13/12.

At the Regular Meeting held 6/13/12, these ordinances were adjourned to the Regular Meeting of 6/27/12.

At the Regular Meeting held 6/27/12, these ordinances were adjourned to the Regular Meeting of 7/11/12.

At the Regular Meeting held 7/11/12, these ordinances were adjourned to the Regular Meeting of 7/25/12.

At the Regular Meeting held 7/25/12, these ordinances were adjourned to this Regular Meeting.

1) ORDINANCE NO. 2012:1122: "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200 OF THE CODE OF THE BOROUGH OF CLOSTER AND AMENDING SCHEDULE A: LIMITING SCHEDULE"

2) ORDINANCE NO. 2012:1123: "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200 OF THE CODE OF THE BOROUGH OF CLOSTER AND AMENDING SCHEDULE A: LIMITING SCHEDULE TO ADD PROVISIONS FOR HISTORIC PRESERVATION AND AMENDING CHAPTER 35, ARTICLE VII, HISTORIC PRESERVATION, TO CROSS REFERENCE THE LIMITING SCHEDULE"

Motion adjourning Ordinance No. 2012:1122 and Ordinance No. 2012:1123 to the Regular Meeting of August 22, 2012 was made by Councilman Barad, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Barad and Amitai. Councilman Dolson voted No.

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B. The following Ordinance was introduced at the Regular Meeting held 7/25/12 and was published in The Record on 7/30/12 as stated in the 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:

BOND ORDINANCE NO. 2012:1129, “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 \$157,800 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$149,915 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME” (Received from Administrator/CFO 7/19/12)

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

Motion approving adoption of Ordinance No. 2012:1129 was made by Councilman Glidden, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Barad, Dolson and Amitai.

4. PUBLIC HEARING RE REQUEST FOR WAIVER OF BOROUGH CODE SECTION 171-29A(2) FOR PROPERTY LOCATED AT 51 WILLOW ROAD, BLOCK 1901, LOT 26 (10. M.L. 7/26/12) - RESOLUTION OF APPROVAL/DENIAL TO BE PREPARED BY BOROUGH ATTORNEY

Evan Schwarz, 51 Willow Road, explained that the street dead ends at his driveway with a sidewalk ending at one side of the driveway; and there is very little remaining frontage making the lot looking like a flag lot. One part of the property is curved and sloped with trees, which is the only place where a sidewalk could be constructed. He asked for a waiver to construct a sidewalk since there is no available property.

Motion waiving the installation of a sidewalk at 51 Willow Street, Block 1901, Lot 26 ,subject to the Borough Engineer’s calculation of the cost of installation of the sidewalk in an approximate amount of \$1,350 was made by Councilman Barad, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Barad, Dolson and Amitai.
 The Borough Attorney advised he would provide a memorializing resolution for the next Regular Meeting to be held 8/22/12.

5. MAYORAL APPOINTMENT OF _____ TO SERVE AS MEMBER OF THE ENVIRONMENTAL COMMISSION FOR A 3-YEAR UNEXPIRED TERM (RAVIT) TO 12/31/14 (3. M.L. 6/21/12 – Resigned effective 6/17/12)

6. MAYORAL APPOINTMENTS (*NON SALARIED*) TO THE FOLLOWING COMMISSIONS (Not made at the Reorganization Meeting held 1/3/12/Adjourned from RM 1/11/12; 1/25/12; 2/8/12; 2/22/12; 3/14/12, 3/28/12; 4/11/12; 4/25/12; 5/9/12; 5/23/12; 6/13/12; 6/27/12; 7/11/12; 7/25/12):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ENVIRONMENTAL COMMISSION Alt. No. 2	(Adam Nock resigned)	_____	2 Year un-expired to	12/31/12
SHADE TREE COMMISSION Alt. No. 2	Kathi Cochran	_____	4 Year	12/31/15

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7a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 8, 14, 20, 21, 22 and 27 was made by Councilman Barad, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Barad, Dolson and Amitai.

ORDINANCES

8. ~~INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING – 9/12/12 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD~~
ORDINANCE NO. 2012:1130 – “AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$_____ FROM THE CLOSTER OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS (Requested by Administrator 8/2/12) TO BE PREPARED BY ADMINISTRATOR

RESOLUTIONS

9. BILL RESOLUTION – AUGUST 15, 2012
TO BE PREPARED BY DEPUTY TREASURER
10. RESOLUTION AUTHORIZING TAX COLLECTOR TO CANCEL THE FOLLOWING AMOUNTS FROM THE TAX RECORDS FOR THE YEAR 2011, 2012 AND 2013 FOR BLOCK 1104, LOT 18 ASSESSED TO VAN SCIVER CORP AT 1 RAILROAD AVENUE (PART OF PILOT PROGRAM) 2011: \$3,930.35; 2012: \$7,879.60 AND PRELIMINARY 2013: \$3,939.80 (Received from Collector 7/16/12) (Adjourned from RM 7/25/12)
11. RESOLUTION GRANTING APPROVAL FOR RELEASE AND RETURN OF REMAINING ZONING BOARD OF ADJUSTMENT ESCROW FUNDS IN THE AMOUNT OF \$708.00 TO APPLICANT: GILAD & SIMAR EVAR FOR DUE TO SATISFACTORY COMPLETION OF THE REQUIRED IMPROVEMENTS FOR BLOCK 2302 LOT 54 LAURENCE COURT, FOR BLOCK 2302 LOT 54 (Received from Deputy Treasurer 7/17/12) (Adjourned from RM 7/25/12)
12. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RETURN REMAINING ESCROWS IN THE AMOUNT OF \$1,853.44 TO APPLICANT MARINI BROTHERS CONSTRUCTION CO., INC., 9 LAFAYETTE STREET, HACKENSACK, NJ 07601; ATTN: MIKE DANIELE IN COMPLIANCE WITH LOCAL FINANCE NOTICE 2000-14, FOR OVERPAYMENT OF POLICE TRAFFIC DIRECTOR SERVICES (Received from Chief of Police 7/20/12)
13. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE REFUND CHECK IN THE AMOUNT OF \$1,087.31 TO CHAN, BRIAN S. & LEE, CECELIA C/O WILLIAM S. WINTERS, ESQ. FOR 2010, 2011 & 2012 REAL ESTATE TAX OVERPAYMENT (TCJ RENDERED 7/20/12) FOR BLOCK 2404 LOT 24 (Received from Collector 7/27/12)
14. ~~RESOLUTION DENYING WAIVER REQUEST FOR SIDEWALK REQUIREMENT UNDER THE CLOSTER CODE FOR PROPERTY AT 24 YALE PLACE (Discussed at WS of 7/11/12 and 7/25/12/Received from Borough Attorney 8/1/12)~~
15. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE REFUND CHECK IN THE AMOUNT OF \$3,795.63 TO AMIR, MEIR & ORLY FOR 3RD QUARTER 2012 REAL ESTATE TAX OVERPAYMENT FOR BLOCK 2106 LOT 3, 8 TAYLOR DRIVE DUE TO A DUPLICATE PAYMENT (Received from Collector 7/31/12)
16. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE REFUND CHECK IN THE AMOUNT OF \$3,145.87 TO BAC TAX SERVICES CORPORATION FOR 3RD QUARTER 2012 REAL ESTATE TAX OVERPAYMENT FOR BLOCK 506 LOT 9, 61 CRESCENT STREET DUE TO A DUPLICATE PAYMENT (Received from Collector 7/31/12)

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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 2011 AUDIT (Audit Report rec'd. (8. M.L. 8/2/12/distributed 8/3/12) GROUP AFFIDAVIT FORM CERTIFICATION OF GOVERNING BODY RE 2011 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) Mayor Heymann noted that the Recreation Commission was not listed in the Audit Report.
18. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$5,232.36 and \$12,100.00 FROM ESCROW FOR PREMIUM PAID AT TAX SALE TO US BANK CUSTODIAN PRO CAPITAL 1 FOR REDEMPTION OF TAX SALE CERTIFICATE #12-00003 FOR BLOCK 1711, LOT 13, ALSO KNOWN AS 19 WESTERVELT AVENUE, SOLD AT THE MUNICIPAL TAX SALE HELD 6/28/12 FOR 2011 DELINQUENT TAXES (Received from Collector 8/2/12)
19. RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO MARINI BROTHERS CONSTRUCTION CO., INC. FOR 2009 SAFE SIDEWALKS TO TENAKILL SCHOOL INFRASTRUCTURE PROJECT (Requested by Administrator)
TO BE PREPARED BY ADMINISTRATOR
- ~~20.~~ POSSIBLE RESOLUTION AWARDING LOW BID RECEIVED AT BID OPENING HELD 7/31/12 @ 11:30 A.M. FROM _____ FOR MOLLICONE AND SHAUBLE FIELD RESTROOMS IN THE TOTAL AMOUNT \$ _____
TO BE PREPARED BY ADMINISTRATOR

MOTIONS

- ~~21.~~ MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS/BOARDS AND COMMISSIONS (Not made at the Reorganization Meeting held 1/3/12/Adjourned from 1/11/12; 1/25/12; 2/8/12; 2/22/12; 3/14/12; 3/28/12; 4/11/12; 4/25/12; 5/9/12; 5/23/12; 6/13/12; 6/27/12; 7/11/12; 7/25/12):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION				
Member	Wilson Reimers	_____	2 Year	12/31/13
Alt. No. 1	Donna Arbietman	_____	2 Year	12/31/13

- ~~22.~~ MOTION APPOINTING _____ AS BOARD OF HEALTH ALT. NO. 2 FOR A 2-YEAR UNEXPIRED TERM (RAVIT) TO 12/31/13 (3. M.L. 6/21/12 – Resigned effective 6/17/12)
23. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES:
 (Distributed via e-mail on 8/3/12) NO ABSTENTIONS
 - a. REGULAR MEETING HELD 7/25/12
 - b. WORK SESSION HELD 7/25/12
24. MOTION GRANTING APPROVAL FOR CLOSTER VOLUNTEER AMBULANCE & RESCUE CORPS, INC. TO ERECT STAND AT MEMORIAL FIELD ON SUNDAY, 9/2/12, FOR THE PURPOSE OF SELLING HAMBURGERS, HOT DOGS, SODA AND WATER DURING THE LABOR DAY ACTIVITIES, SUBJECT TO RECEIPT OF APPROVALS FROM THE BOARD OF HEALTH AND FIRE OFFICIAL (1. M.L. 8/2/12)
25. MOTION GRANTING APPROVAL FOR SADHU VASWANI CENTER, 494 DURIE AVENUE, TO POST SIGN OPPOSITE PNC BANK, ANNOUNCING ANNUAL CARNIVAL TO BE HELD SUNDAY, 9/16/12 (9. M.L. 7/26/12) (Approval received from Risk Management Consultant 7/25/12)

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26. MOTION GRANTING APPROVAL FOR THE RECREATION COMMISSION TO CONDUCT THE ANNUAL LABOR DAY ACTIVITIES, SUBJECT TO RECEIPT OF APPROVALS OF ALL REQUIRED INSURANCES FROM THE RISK MANAGEMENT CONSULTANT AND MEL/JIF (11. M.L. 7/26/12):
- a. FRIDAY, 8/31/12 @ 7 pm - COACHES ASSOCIATION PICNIC, APPROVAL TO ALLOW CONSUMPTION OF BEER FROM 12 NOON TO 10:30 P.M. (BOROUGH CODE CH. 67-10)
 - b. SATURDAY, 9/1/12
 - 11:00 a.m. - 13th ANNUAL 4-PERSON VOLLEYBALL TOURNAMENT
 - 7:00 p.m. - **THE WALDWICK BAND @CLOSTER LIONS CLUB BANDSHELL
 - SUNDAY, 9/2/12
 - 10:00 a.m. – 31ST ANNUAL DOM MIRCOVICH MEMORIAL 5K RUN (KID’S RUN TO START @9:30 A.M.)
 - 12:30 p.m. - ANNUAL LABOR DAY FIELD DAY EVENTS AT MEMORIAL FIELD (RAIN DATE: SATURDAY 9/8/12 @ 1:00 p.m.) TO INCLUDE: **KID’S RIDES, **PONY RIDES/PETTING ZOO, **TWO CONCERTS
 - 8:45 p.m./9:00 p.m. start time - **FIREWORKS
- **Subject to receipt of approval from Risk Management Consultant and MEL/JIF
27. — *POSSIBLE* MOTION GRANTING/DENYING APPROVAL FOR DEDICATED INDIANS OF AMERICA (DIA) TO HOLD BASKETBALL TOURNAMENT AT RUCKMAN PARK ON SUNDAY, 8/12/12 FROM 5 P.M. TO 8 P.M. (15. M.L. 7/26/12), SUBJECT TO RECEIPT OF APPROVAL FROM RISK MANAGEMENT CONSULTANT OF REQUIRED INSURANCE
- 27a. MOTION GRANTING APPROVAL FOR BOROUGH CLERK TO SIGN STATE OF NEW JERSEY, OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF ALCOHOLIC BEVERAGE CONTROL, APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR FOR CLOSTER COACHES ASSOCIATION, P.O. BOX 143, CLOSTER, NJ 07624, TO DISPENSE MALT ALCOHOLIC BEVERAGES AT CLOSTER MEMORIAL FIELD, HARRINGTON AVENUE, ON 9/2/12 FROM 12:00 P.M. TO 9:00 P.M. (Completed application received 8/7/12)
- 27b. MOTION GRANTING WAIVER FOR TEMPLE EMANU-EL TO HOLD TASHLICH SERVICE AT THE DWARSKILL SITE ON MONDAY, 9/17/12, AT 5:00 P.M. (8. M.L. 8/9/12/Approval received from Risk Management Consultant 8/7/12)
- 27c. MOTION GRANTING APPROVAL FOR BOROUGH CLERK TO SIGN STATE OF NEW JERSEY, OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF ALCOHOLIC BEVERAGE CONTROL, APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR FOR BPO ELKS LODGE #2304, 148 RAILROAD AVENUE, CLOSTER, NJ 07624 TO DISPENSE MALT ALCOHOLIC BEVERAGES IN BLOCKED OFF PARKING LOT ON 8/25/12 FROM 12:00 P.M. TO 9:00 P.M. (Completed application received 8/8/12)
28. REPORTS
- a. CONSTRUCTION OFFICIAL – JULY 2012 (Received 8/1/12)
 - b. CHIEF OF POLICE – JULY 2012 (Received 8/7/12)
- 7b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA
14. RESOLUTION DENYING WAIVER REQUEST FOR SIDEWALK REQUIREMENT UNDER THE CLOSTER CODE FOR PROPERTY AT 24 YALE PLACE (Discussed at WS of 7/11/12 and 7/25/12/Received from Borough Attorney 8/1/12)
- Motion of denial was made by Councilman Barad, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Barad, Dolson and Amitai.
- 20a. RESOLUTION AUTHORIZING PARTICIPATION IN THE PASCACK VALLEY COOPERATIVE PRICING SYSTEM (Received from Administrator 8/8/12)
- Motion of approval was made by Councilwoman Amitai, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Barad, Dolson and Amitai.

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27d. Motion to accept gift of picture of the “Lone Horseman” was made by Councilman Glidden, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Barad, Dolson and Amitai.

27. MOTION GRANTING APPROVAL FOR DEDICATED INDIANS OF AMERICA (DIA) TO HOLD BASKETBALL TOURNAMENT AT RUCKMAN PARK ON SUNDAY, 8/12/12 FROM 5 P.M. TO 8 P.M. (15. M.L. 7/26/12), SUBJECT TO RECEIPT OF APPROVAL FROM RISK MANAGEMENT CONSULTANT OF REQUIRED INSURANCE

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

29. 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)

29a. Motion approving the following Closed Session Resolution at 9:15 p.m. was made by Councilman Barad, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Barad, Dolson and Amitai. t

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)(7), “Pending or anticipated litigation or contract negotiations COAH Contract Negotiations and MacBain Farm Issues” and that the item(s) under discussion in the closed meeting would be disclosed to the public at the conclusion of the contract negotiations which should be 4-8 weeks.

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

Mayor Heymann resumed the Regular Meeting at 9:57 p.m.

Motion authorizing payment in the amount of \$2,500 to John McCaffrey was made by Councilman Glidden, seconded by Councilman Barad;

BEFORE ROLL CALL VOTE, the Borough Administrator informed that a letter will be sent with the voucher.

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

31. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:58 p.m. was made by Councilman Glidden, seconded by Councilwoman Latner and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
via e-mail on August 20, 2012 for
approval at the Regular Meeting to
be held August 22, 2012

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 22, 2012
Consent Agenda Item No. 17a.

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MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – AUGUST 8, 2012 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session at Borough Hall on Wednesday, August 8, 2012. Mayor Heymann called the meeting to order at 7:30 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 for publication on January 6, 2012 and The Star Ledger on January 7, 2012, posted on the Municipal Clerk's bulletin board and has remained 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, David Barad,
Arthur Dolson and Victoria Amitai
Borough Administrator, Richard Sheola
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine

The following persons were absent:

Councilman John Kashwick

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF JULY 26, 2012 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item No. 10 was removed by Councilman Dolson and Item Nos. 6, 8, 11, 15 were removed by the Borough Clerk.

Item No. 10: Received 07/25/12 hand del'd, dated 07/23/12 from Tamara & Evan Schwartz, 51 Willow Road re Requesting waiver of (Borough Code) Section 171-29A(2) of the sidewalk ordinance for property located at 51 Willow Road, Block 1901, Lot 26; application and photo attached

In answer to Councilman Dolson, the Borough Clerk informed this item is on the Agenda this evening for Public Hearing. Mayor Heymann explained she will be pulling that item from the Agenda because the residents have a family obligation this evening and requested it be postponed to the next meeting. The Borough Engineer explained they are building a new house and it is a very straightforward project. In answer to the Borough Attorney, he affirmed there are sidewalks

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on that street, but this property is at the dead end of the street. It is not a cul-de-sac, the street just ends into the property. The total frontage on the property is 50 feet and if you take away a driveway of roughly 30 feet, there would be 20 feet of sidewalk left. In his opinion, nobody will be walking on a sidewalk at the dead end of the street; therefore, he feels the Borough would be justified granting a waiver and having the applicant post money for a sidewalk to be built elsewhere. The Borough Engineer said that a curb should be installed. At this time, Mayor Heymann asked that when it comes up on the Agenda they may either pull it or leave it for a vote.

Item No. 6: Received 07/24/12, dated 07/24/12 from Sean Thompson, Acting Executive Director, State of New Jersey Council on Affordable Housing, to Mayor re Municipal Affordable Housing Trust Fund Current Balance and Certification of Housing Trust Fund Status; AND requesting a check for the balance due be remitted by 8/13/12

Ms. Castano reminded everyone this item needs to be addressed because the deadline is 8/13/12.

Item No. 8: Received 07/24/12, dated 07/24/12 from John S. Hogan, Bergen County Clerk, to Municipal Clerks and Borough Administrators re Reminder the deadline to place a public question on the ballot for the November 6, 2012 General Election is 8/17/12 by 10:00 a.m. (81 days prior to election)

The Borough Clerk explained this is a reminder of the deadline to have a public question on the ballot for the November election.

Item No. 11: Received 07/25/12, dated 07/25/12 from Jim Oettinger, Director, Recreation Commission c: Chief Dennis Kaine, Borough Admin Rich Sheola re Request for permission to conduct the following activities on Labor Day weekend: Fri. 8/31/12, 7 p.m. - Coaches Association Picnic; Sat. 9/1/12, 11 a.m. - 13th Annual 4 Person Volleyball Tournament; 7 p.m. - Waldwick Band; Sun. 9/2/12, 10 a.m.- 31st Annual Dom Mircovich Memorial 5K Run; 9:30 a.m. - Kids Fun Run; 12:30 p.m. - 52nd Annual Labor Day field day events featuring the following: Kids rides, Pony Rides, Petting Zoo, Elks Beer Truck, Ambulance Corps Food Truck concession, two concerts, annual recreation awards; fireworks beginning approximately at 8:45 p.m. - 9:00 p.m. depending upon darkness; Rain Date Sat. 9/8/12 beginning at 1 p.m. for Labor Day Activities (Copy to Glenn Parsells, William Dahle III, Chief Kaine

Ms. Castano informed Councilman Glidden had a question and she found information in the Code pertaining to same, so she distributed the materials this evening. She asked if the Borough Administrator or Borough Attorney wished to address same as to the procedure to grant permission to the Closter Coaches Association to serve alcoholic beverages at their event. Councilman Glidden cited Ordinance No. 1977:311 in the Code that authorizes the Borough Administrator to allow the consumption of beer at certain times. He explained the Coaches have three picnics a year and they always serve beer which the Council allows them to do. Councilman Glidden voiced his understanding that this pertained to Addendum No. 27a. allowing the Borough Clerk to sign the Special Permit for Social Affairs and requested further discussion at that time.

The Borough Administrator informed although he agrees he has the authority to grant this permit, he has a slightly different take on it. He cited Code Chapter 67-10b. and noted the Mayor and Council may by Resolution permit the consumption so he sees this as a two part process; and if the Council allows it, the Administrator grants the permit. In answer to the Borough Clerk, the Borough Attorney informed he would memorialize the approval at the next meeting which is still before Labor Day.

Item No. 15: Received 07/25/12 hand del'd, dated 07/25/12 from Priya Navani, Founder & Director, Dedicated Indians of America (DIA) re Requesting permission to hold a basketball tournament at Ruckman Park on Sunday, 8/12/12, from 5 p.m. to 8 p.m. for approximately 30-35 children between the ages of 8-17; calendar and fundraiser program enclosed (Copy to Glenn Parsells, Jim Oettinger, Chief Kaine) Certificate of Insurance rec'd 7/26/12

The Borough Clerk informed this item is on the Agenda as a possible motion and requested that same be removed. She informed a correction is required to the Certificate of Insurance and that she contacted the individual twice with no response; and the same situation occurred last year when they requested to hold a similar event. In response to the Borough Attorney, she informed they received the Hold Harmless agreement, but the insurance does not name the Borough as an additional insured; and this item can't be carried to the next meeting because the event is supposed to take place this weekend. The Borough Clerk voiced her frustration that all of these requests come in at the last minute and everyone is in a rush but they do not provide the required information. The Borough Attorney said it could be approved subject to receipt of the insurance. Mayor Heymann asked for a motion of approval in the Regular Meeting.

b. MAIL LIST OF AUGUST 2, 2012 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item Nos. 3 and 7 were removed by Councilman Barad and Item No. 11 was removed by Steve Isaacson.

Item No. 3: Received 07/30/12, dated 07/27/12 from Dr. John Pagano, The Pagano Organization, 35 Hudson Terrace, Englewood Cliffs, N 07632 re Request for consideration of the Mayor and Council to accept donation to the Borough of his original painting "The Closter Horseman"; and extending invitation to see the original 44" x 56" painting (support material enclosed including picture/Suburbanite article 9/24/09)

Councilman Barad asked if the Mayor had any additional information to share with them or the public. Mayor Heymann explained Dr. Pagano is the original painter of the (Lone) Horseman which we have in several places in the Borough; and knowing how important the issue is to Closter, he wants to give us the original painting of the duplicate placed outside this room. She noted he included a valuation of the painting from 1979 and said she would think it is worth at least triple that amount at the present time. She thinks it is a lovely gift and voiced her opinion that as with all other gifts, they should have a motion accepting same.

Item No. 7: Received 07/31/12, dated 07/27/12 from Vicki Sidrow, MPA, President and CEO, Van Sciver Corporation re Thanking the Borough for its \$212,145.00 contribution from the Borough's COAH fund for the Van Sciver Supportive Housing Project and congratulating the Borough for being chosen as a recipient of the Ann Klein Advocate Award from the Community Health Law Project

Councilman Barad requested additional information on this item. Mayor Heymann explained that in 2008, COAH requested a spending plan; and at that time, this was the amount that was listed for Van Sciver. Not knowing what was going on at this time, they decided to write one check for the full amount; it was actually owed from the past and could have been continued into the future but we wanted to make sure they got it. She affirmed that there is now no balance with Van Sciver after this payment.

Item No. 11: Received 08/01/12, dated 07/24/12 from David Robinson, Senior Associate, NJDEP LSRP #562877, Synergy Environmental Inc., to Loretta Castano, c: Local Health Department re Community Notification Documents Per N.J.A.C. 7:26 C Section 1.7 for Facility Name: Closter Plaza, Address: 6-130 Vervalen Street, with enclosed Public Notification and Outreach Form,

Picture documenting posting of the sign and CD with electronic copy of documents (Copy to Board of Health, Construction Official, Environmental Commission) CD ON FILE IN BOROUGH CLERK'S OFFICE

Steve Isaacson, 97 Columbus Avenue, requested additional information as to what the DEP is doing at Closter Plaza. Mayor Heymann and the Borough Engineer both stated they were not aware of this at all. Mr. DeNicola explained that if they do any work by the rear driveway by the Church, they will require a permit because it is within 300 feet of the top of the bank of the stream across Homans Avenue so that could be the issue, although he does not know exactly what the issue is at this time. In answer to Mr. Isaacson, he explained he believes it is more concerning the open ditches along Homans Avenue and across on the other side.

At this time, Mr. Isaacson questioned if the Borough accepts the painting referred to earlier, will it be appraised and insured. The Borough Administrator affirmed it would be and that it would be added as a Rider to our insurance. The Mayor said she does not believe it would cost anything to insure because of our blanket insurance policy.

c. MAIL LIST OF AUGUST 9, 2012 – The Borough Clerk informed she has one item that will appear as Item No. 8 on the Mail List August 9th that she wished to bring to their attention. Ms. Castano explained it is an updated request from Temple Emanu-El regarding an alternate location for their Tashlich ceremony.

Item No. 8: Received 08/08/12, dated 08/03/12 from Ilene S. Anesini, Executive Director, Temple Emanu-El, to Mayor re Informing (of their understanding) that in accordance with the waiver granted by the town, this year's Tashlich Service will be held at the "Dwar's Kill Site" on Monday, 9/17/12, @ 6:00 p.m. and should the Closter Nature Center become available they will use that site (Copy to Parsells Agency, Nature Center Association)

The Borough Clerk explained this is an alternate location in the event the Closter Nature Center is not completed in time. She questioned the location of the site. The Borough Engineer said this runs across Piermont Road closer to the Norwood border. The Mayor said she asked Ms. Anesini to iron out with some members how to get there because there is a steep pitch from the bank to the stream. The Borough Clerk informed she added this to the Addendum as Item No. 27b. The Borough Engineer and Attorney agreed they need to make sure it is Borough property. The Borough Clerk asked if she should send approvals for both locations and the Mayor agreed she should. The Mayor discussed a piece of land behind the Swim Club as a possibility; and the Borough Engineer informed that is not Borough owned, but there is land to the west and east that are. He explained the land in the east is a very small, short piece of property. Mayor Heymann said she believes the location to the west is Open Space and would be acceptable to the Temple as well.

Steve Isaacson, 97 Columbus Avenue, suggested two additional locations for consideration: the David Scholz Bridge in Hagen Park that crosses the Dwarskill and also the stream at the MacBain Farm. Mayor Heymann informed that she had mentioned these locations but they need to be in walking distance from the Temple. They also expressed that Buzzoni location was too far and uphill.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of August 8, 2012)

Mayor Heymann asked if any member of the Council wished to remove any item for discussion. Item Nos. 14 and 27 were removed by Mayor Heymann; Item No. 17 was removed by the Borough Clerk; Item Nos. 8 and 20 were removed by the Borough Administrator

14. RESOLUTION DENYING WAIVER REQUEST FOR SIDEWALK REQUIREMENT UNDER THE CLOSTER CODE FOR PROPERTY AT 24 YALE PLACE (Discussed at WS of 7/11/12 and 7/25/12/Received from Borough Attorney 8/1/12)

Mayor Heymann said that this item had been discussed at the last meeting but a formal vote was not taken; and she wished to present the point of view of the neighbors. She described the home, which is very close to the road and noted if the front lawn is cut by a sidewalk, there would be virtually no lawn left. The semicircle of the cul de sac has sidewalks, but north of the cul de sac, starting with the house in question, on both sides of the street, there are no sidewalks. She felt sidewalks were needed in other locations rather than the property in question. The Mayor recommended, based on the aesthetics and the value of sidewalks in that location, that the matter be reconsidered. In answer to Councilwoman Amitai, Mayor Heymann noted that there is no urgency for sidewalks to be constructed for the remaining homes to be developed.

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 2011 AUDIT (Audit Report rec'd. (8. M.L. 8/2/12/distributed 8/3/12) GROUP AFFIDAVIT FORM CERTIFICATION OF GOVERNING BODY RE 2011 AUDIT REPORT

Borough Clerk noted that the Group Affidavit form must 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

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

1) REPORT – The Borough Attorney reported the Bergen County Agricultural Board has ruled on the Abram Demaree House application. It is the same decision as the preliminary one issued about two years ago regarding the signage on the property to which we had filed an objection. He explained the Borough's position was that the Farm had put up an excessive number of signs. Mr. Rogan said it is now somewhat more controlled, very specific as to what type of signs there can be, how many, and the sizes of the signs. He informed he circulated the ruling to everyone this week including the Property Maintenance Officials, Zoning Official and Construction Official as well as the Administrator and the Borough Clerk. In response to Dr. Barad, he explained the decision did not say the Farm had to abide by the Borough's sign regulations but they were very specific about how many signs there can be and where they can be placed. He affirmed that after the hearings as to the Borough's objections they were using their own judgment. If another Farm were to do the same thing, we would have to go through the same process. The presumption is that our ordinance does not apply to a farm so we would have to go before a Farm Board and explain to them why we believe it is against the public's health, safety and welfare. Dr. Barad voiced his understanding that our position was that the signs have nothing to do directly with agriculture but it should. The Borough Attorney affirmed same and said it should be somewhat regulated. He cautioned it is not carte blanche and the ordinance does not apply but that does not mean they can be excessive about it.

The Borough Attorney informed he had an item for Closed Session regarding COAH

contract negotiations.

At this time, Dr. Barad wished to answer an earlier question from Steve Isaacson and reported the 2,000 foot matter has moved a little farther. Joann Riccardi is working something up for possible introduction in the near future. The Borough Attorney said they are finalizing language with Lenny Sinowitz on the affidavit portion on the proposed Resolution from the Planning Board. It will be discussed at a Mayor and Council meeting first and then an ordinance will be prepared and sent to the Planning board for comment. Mayor Heymann said there is agreement with all parties on this so it is moving.

B. BOROUGH ENGINEER

1) STATUS REPORT RE DREDGING AND RESTORATION OF RUCKMAN POND, BLOCK 1901, LOT 1 (RM 6/8/11) – The Borough Engineer reported this project is nearing completion with the pond dredged out and only a few small piles of debris to be removed. The pump is still there and a little work is required on the wall adjacent to Ruckman Road. In answer to Mr. Glidden, he said if you go to the top of the spillway on the southwest corner of the pond, it will be about 6 ½ to 7 feet from the middle to the top of the spillway.

2) REPORT RE HERBERT AVENUE SECTION 5 & BLANCH AVENUE IMPROVEMENTS, 2012 ROAD IMPROVEMENTS, & SCHAUBLE FIELD WALKING PATH - Awarded to AJM Contractors, Inc./\$445,911 RM 6/27/12 – The Borough Engineer reported most of the curb work is done and Durie Avenue was done today. Cedar Lane and Herbert Avenue also have the curb work done. Milling and Paving of Herbert Avenue and the Schauble Field Path should take place the second to third week in August. They will be doing Knickerbocker Road curb tomorrow, weather permitting.

At this time, the Borough Engineer said Local Aid Project applications should be coming out in the near future and the Borough should start to consider what work they want to be done on what roads. He reminded Vervalen Street and Homans Avenue by the Plaza were mentioned previously but he does not think it is a good idea because if construction begins there, it will ruin the roads. He suggested considering other roads as alternatives. Mayor Heymann had suggested a few sections of Hickory Lane, but he explained that would be very expensive and a long process. The awards only run approximately \$140,000 from the State and you're talking about not being able to start paving for 3 or 4 years because all of the drainage and curb work needs to be done first. Everything that needs to be done on Hickory Lane will require DEP permits unless it is just a mill and resurface job. Mayor Heymann voiced her opinion that regardless of whatever happens with Metropolitan Farm or anything else, it still needs to be fixed. The Borough Engineer concurred and said there will be a lot of up front engineering involved. The Borough Administrator requested he make a short list of 5 or 6 roads for consideration.

7. REPORTS

A. BOROUGH ADMINISTRATOR

The Borough Administrator announced that in lieu of going through the items on the report, he referred to the report he had prepared that was included in the Council packets and at this time he referred to same.

- 1) STATUS REPORT RE BOROUGH WEB SITE
- 2) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S):
 - a. Report re follow up of insurance requirements for use of Senior Center (WS 10/26/11)
 - b. Report re follow up of following Mail List requests:

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – AUGUST 8, 2012 - 7:30 P.M.

1. Temple Emanu-El request to conduct Tashlich services at Closter Nature Center on 9/17/12 @ 6 p.m. (4. M.L. 6/14/12 – Approved RM 7/25/12 - possible change of location to be ascertained by Mayor due to ongoing dredging and restoration of Ruckman Pond)
2. Closter Recreation Commission request to conduct annual Labor Day Activities (11. M.L. 7/26/12)
3. Dedicated Indians of America (DIA) request to hold basketball tournament at Ruckman Park on Sunday, 8/12/12 from 5 p.m. to 8 p.m. (15. M.L. 7/26/12)
4. 14th Annual Bergen Bike Tour to be held partially through the Borough on 9/30/12 (10. M.L. 7/19/12)
- 3) STATUS REPORT RE PREPARATION OF SPECIFICATIONS FOR ADVERTISEMENT OF BIDS FOR SANITATION/TRASH COLLECTION (RM 1/26/11)
- 4) STATUS REPORT RE REQUEST FROM RECREATION COMMISSION (4. M.L. 11/17/11) TO REMOVE “DANGEROUS TREES” IN THE PARKS
- 5) STATUS REPORT RE: NEW ROOF AND CHIMNEY/MASONRY WORK/ MAC BAIN FARM HOUSE (WS 12/14/11)
- 6) REPORT RE MEETING HELD WITH SWIM CLUB REPRESENTATIVES RE *POSSIBLE* ACQUISITION (W.S. 6/27/12) Committee members: Borough Attorney/Administrator/Dr. Barad
- 7) REPORT RE BID OPENING HELD 7/31/12 @ 11:30 A.M. FOR THE PROJECT KNOWN AS RESTROOM FACILITIES FOR MOLLICONE FIELD AND SCHAUBLE FIELD

8) REPORT - The Borough Administrator reported that he has been working with the IT Coordinator on a procedure to have departments update their own sections and be responsible for keeping their information current. For the next meeting he will have several options for garbage and recycling services which will need to be bid this year as the contracts expire. Repair work at the MacBain Farm has been completed and the tenant indicated that the roof repair should have extended over the open porch; interior repairs were made by the tenant. Last week he had his first tour of the Farm with the Mayor.

The Borough Administrator reported he sent out personnel performance evaluation forms and instructions with a return date of 9/17/12. He noted this is only a trial run as the formal evaluations will be completed in January. As per discussions with the HR Committee, evaluation forms were made for non-union employees and additionally all employees received a separate form called “Rate the Boss”. Those are to be completed and returned anonymously to him, and these start a 360 evaluation of all the employees. They are also working on a master list of open items from all of the departments. Mr. Sheola reported the office renovations have been completed and he moved in last Friday. He wanted to give Marek and Billy Dahle a lot of credit for getting this move expedited; and especially Marek for the work he did. Mr. Sheola said he is very impressed with his craftsmanship. At this point all he needs to do is continue un-boxing and filing to get down to business.

The Borough Administrator reported the architects were here last week to start surveying the exterior of the building. Once a project amount is received, he will be filing a Bergen County Open Space Grant to do the exterior work. In conjunction with the HR Committee, he completed a salary survey for selected positions; and he expects some responses back within two weeks, which he will codify for the HR Committee. Mr. Sheola attended a meeting of the Pascack Valley Shared Services Group, where he knew quite a few of the Administrators. They have asked whether Closter would like to join the group at no cost. He informed he has a Resolution prepared this evening for their consideration to approve the application so the membership application could be

expedited. The Borough Administrator explained the group recently bid electricity and his recollection is that the price is half of what we are currently paying so he feels it is in the Borough's best interests to join the group so we can get exact numbers and start saving hopefully a lot of money.

The Borough Administrator reported he looked into online maintenance tracking software that would be used primarily by Public Works; but all departments could use it. The program generates work orders, keep inventory, track costs and provide a history of any item that we enter into it. He voiced his opinion that it is a very good deal because the first 13 months are free and it costs approximately \$2,500 a year afterwards. Bill Dahle informed him they used this a few years ago for about two years and then the funding wasn't there to keep it moving. Mr. Sheola reported they are also looking into doing a data dump of our recently completely fixed assets inventory right into the program so it can save a lot of keystroke time. If not, he thinks it would be a great project for an intern or a high school Community Service project.

The Borough Administrator reported he started the budget package for next year and anticipates sending it out right after Labor Day. They are evaluating a Bond Anticipation Note Sale in September, which will combine all the ordinances that were issued, but not part of the refunding bond or had been funded. The minimum payment would be interest in 03 but we might be able to if we have some flexibility to start to pay it down in 2013 by 10%.

B. BOROUGH CLERK

1) STATUS REPORT RE 2012 APPOINTMENTS - The Borough Clerk reported Appointments are current.

2) STATUS REPORT RE 2012 OATHS OF OFFICE – Ms Castano reported Oaths are current.

3) STATUS REPORT RE 2012 LICENSES - The Borough Clerk reported the following:

a. Local Licenses are current for calendar year 2012.

b. Liquor License – We still have one license renewal outstanding for the current calendar year which requires a Special Ruling; It was Moo KungWha previously located at the Clock Tower, where there is a new restaurant that does not hold a liquor license.

We have a Transfer that is in slow progress at this time. This license was originally at The Rec on Durie Avenue and it went to a pocket license. It is still a pocket license with the transfer in progress to 540 Young Limited Liability Company. It is taking a great deal of time for all of the paperwork to come in and be processed. There was a question that arose that had been referred to the Borough Attorney. Ms Castano has been getting calls from their attorney's office and they keep asking if she spoke to the Borough Attorney; she is aware he has spoken to them and feels that office is wasting a lot of time. The Borough Attorney affirmed he has spoken to them twice this week and said they are almost there on clearing up the issues.

4) STATUS REPORT RE 2012 MEETING DATES - The Borough Clerk reported Meeting Dates are current.

5) STATUS REPORT RE FINANCIAL DISCLOSURE STATEMENTS – Ms. Castano reported the DCA issued a memo informing that those Municipal Clerks who had filed by the deadline were commended and the municipalities which had not filed had been listed with an extended deadline for compliance to 8/14/12. She thanked the Deputy Borough Clerk and the Borough Administrator for their assistance in having them filed by the deadline in accordance with the new requirements.

6) STATUS REPORT RE PAPERLESS PACKETS – The Borough Clerk reported there is a meeting scheduled for tomorrow. Wanda Worner (Northvale Borough Clerk) has agreed to come in and meet with Councilman Dolson, Mr. Sheola, Arlene, Kevin Whitney and herself to review what was originally presented to review what was previously discussed and approved.

7) STATUS REPORT RE ELECTIONS – Ms. Castano reported she had received information from the Board of Elections that there would be a combined Board Workers Class held in Northvale on 9/17/12 to include the Northvale, Closter and Norwood Board Workers. She completed the preparations of informing the Closter Board Workers of the mandatory class to be held at the J.F. McGuire Memorial Senior Citizens Building, 116 Paris Avenue, in Northvale at 6:00 p.m. Ms. Castano explained we held the classes here for two consecutive years which were well attended and most successful, but this year the Board of Elections is trying to cut costs by combining the classes.

8) REPORT – Codification – The Borough Clerk questioned whether Ordinance Nos. 2012:1122 and 2012:1123 were going to be adopted this evening because she had been waiting same before sending the others to General Code for posting on the web site as “Legislation not yet codified”. As it appears they will not be, she said she will plan to send what we have to General Code, although she was very hopeful they would be adopted. Mayor Heymann concurred. Ms. Castano explained they include Nos. 2012:1113 to 2012:1127 - a total of 15 ordinances adopted since our last codification in February 2012 as Supplement No. 18.

At this time, the Borough Clerk reminded there had been a letter listed as Item No. 6 on the Mail List of 6/28/12 (from Aneeta Sukheja for Deborah Pinto, NJDEP Environmental Management, Economic Regulation & Licensing, to Loretta Castano) which was referred to William Dahle III (and Latner/DPW), (the letter outlined the four (4) parts of solid waste collection as determined by the NJDEP and requested that even if method of collection has not changed since last submission in 2007, to complete the appropriate form and file by 8/31/12). She provided an additional copy on Tuesday to Mr. Dahle when they had their DPW meeting. Since a response is required by the end of the month, she questioned the status of same. Councilwoman Latner noted she mentioned same to Bill at their meeting this week. Mr. Sheola requested a copy of the item and Ms. Castano agreed to provide same.

C. CHIEF OF POLICE

1) REPORT – Chief Kaine reported last week there was an emergency services Department Head meeting (PD/Fire Dept./First Aid/OEM/Borough Administrator) to discuss Labor Day and 9/11 so everything is in place and ready to go. He reported the Sadhu Vaswani Center contacted him regarding closing Durie Avenue on 9/16/12 and the Fire Chief was in agreement with the Police Department that closing the road would be a public safety issue for emergency responders. The Chief informed a letter will go out tomorrow to the Center informing of their decision. Regarding their request to place a banner, Chief Kaine noted there are no poles or anywhere to place the banner so they will be informing her of that as well.

Chief Kaine reported a public service announcement had been made through the Northern Valley Press and the Suburbanite because last week they had 6 residents with a phone scam via Western Union. People are calling Senior Citizens saying their grandchild/nephew/niece etc. had been in an accident overseas and requesting bail money. In answer to the Mayor, Chief Kaine affirmed that these things really happen and in fact, one resident fell for it three times. He spoke to both the A&P and Kmart, which are Western Union recipients and they agreed to contact the Police immediately if a Senior Citizen comes in and tries to wire money overseas. The press release has been sent and should appear in both papers tomorrow. The Police Department will also be speaking about this at the next Senior Citizens meeting. The Borough Administrator informed there is an additional scam going on right now and they got a call just yesterday that small businesses are being targeted. It targets small business credit card holders and tells them their account has been compromised and a new card is being sent and that they should call to activate it when received. When it is activated, what it does is goes into their account and wipes it out clean. Reportedly it looks just like the real deal.

At this time, Councilman Glidden informed he passed around a flyer for the 52nd Annual Labor Day activities. He wanted all to be aware of some of the activities including the Coaches Softball Game on Friday night; then a Volleyball Tournament on Saturday and a concert from the Warwick Band at 7:30 p.m. On Sunday there is the annual memorial 5K Run and from 1 p.m. until dark, Memorial Field will be filled with rides, show, another rock band and fireworks at dark. As they did last year, the festivities are being held on Sunday because of school starting the day after Labor Day. Councilman Glidden urged the Council to attend. Councilwoman Amitai announced there will be twice as many vendors at the event this year. Mayor Heymann informed there will be no voter registration this year.

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS: Mayor Heymann informed she has nothing new to report regarding grants.

a. FILED

1. NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM SUPPORTING THE DESIRE OF THE ENVIRONMENTAL COMMISSION TO OBTAIN A GRANT IN A MAXIMUM AMOUNT OF \$25,000 TO FUND THE EXTENSION OF THE CROSS CLOSTER TRAIL PROJECT; SAID GRANT PROGRAM REQUIRES A CASH MATCH OF 20% OF THE AMOUNT AWARDED OR A MAXIMUM AMOUNT OF \$6,250.00 (Authorized RM 2/8/12)
2. DEPARTMENT OF ENVIRONMENTAL PROTECTION IN AN AMOUNT NOT TO EXCEED \$3,000.00 TO FUND THE FOLLOWING PROJECT: COMMUNITY FORESTRY MANAGEMENT PLAN, GREEN COMMUNITIES GRANT (50% match of total project amount) (Authorized RM 2/22/12)
3. 2013 ROID GRANT (REC OPPS FOR INDIVIDUALS WITH DISABILITIES DIFFERENTLY ABLED CHALLENGER RECREATION PROGRAM - \$10,000) Authorization for application RM 6/13/12

b. AWARDED

1. CDBG GRANT APPLICATION (\$20,000) TO IMPROVE ACCESSIBILITY TO THE CLOSTER PUBLIC LIBRARY (RM 8/11/10) (Award received 11.M.L. 7/7/11) (Contract authorized for execution/RM 10/12/11)
2. 2012 ROID GRANT (REC OPPS FOR INDIVIDUALS WITH DISABILITIES DIFFERENTLY ABLED CHALLENGER RECREATION PROGRAM - \$10,000) Authorization for application RM 6/8/11/Awarded \$5,000 (8. M.L. 5/31/12) Grant/Loan Agreement No. 2012-05157-0351-00
3. 2011 BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND GRANT – LAND ACQUISITION IN THE AMOUNT OF \$283,000 FOR THE PURCHASE OF BLOCK 1805, LOT 1, COMMONLY KNOWN AS THE CLOSTER SWIM CLUB AT BLANCH AVENUE (RM 8/10/11)/Awarded \$283,000 (7. M.L. 6/14/12)
4. 2011 BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND GRANT – MUNICIPAL PARK IMPROVEMENTS – MATCHING GRANT IN THE AMOUNT OF \$40,000 FOR SCHAUBLE AND MEMORIAL PARK IMPROVEMENTS (RM 8/10/11)/ Awarded \$12,500 for Memorial Park Batting Cage/Bleachers and \$27,500 for Schauble Park Walking Path (7. M.L. 6/14/12) Memorial Park Contract No. 12-00280/Schauble Park Contract No. 12-00281

c. TO BE FILED - To be announced by Mayor

2) REPORT – Mayor Heymann reported the Food and Assistance Board has tripled their clients and have now gone down on their receipts. An email was sent to the Council asking

them to forward to as many people as they can urging them for food and items and monetary donations, even at the supermarkets to help out.

Mayor Heymann announced that The Record 8/4/12 issue had an article in the Home section called Caring for Stone Houses and they talked about Closter's stone houses in a very big way. She wanted to give kudos to the Borough because they mentioned three stone house specialists; two of which are on our Historic Preservation Commission. At this time she passed around an article from The Record printed in 2007 about Irene Stella.

Mayor Heymann announced the Closter Improvement Commission is joining the Closter Korean Parents Organization which is sponsoring a concert at Northern Valley High School which will feature an internationally famous Korean artist. They are having a concert that normally costs \$100 a ticket and they are only charging \$5 per ticket this time. She encouraged all to attend. In answer to Mrs. Latner she said Maria (Passafaro) have the tickets. The Mayor placed a big poster next to the Finance Office on the first floor and it will be on the website as well. The concert will be held Saturday, 9/18/12, and tickets can be bought in advance or at the door.

Mayor Heymann announced there is an organization called The Community Health Law Project that is widespread throughout New Jersey. Their purpose is to provide services, including houses to people with disabilities, and they have had annual awards ceremony for the past 21 years for nominees. This year they focus on housing and she nominated the Borough of Closter; this being the first time a Borough was nominated as opposed to an individual or organization and they accepted that. We are one of four awardees in October and she wanted to bring that to everyone's attention.

8. OLD BUSINESS

a. USE OF LAPTOPS & PAPERLESS OFFICE (Requested by Administrator 8/2/12)

9. NEW BUSINESS

10. 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

Steve Isaacson, 97 Columbus Avenue, referred to the Grant in the amount of \$283,000 awarded for the purchase of the Swim Club. Mayor Heymann noted that the matter was on hold and nothing happened at the meeting with the Swim Club. Mr. Isaacson thanked the Mayor and Council, the Police Department and especially the Superintendent of Public Works for helping with the Chamber of Commerce Sidewalk Sale.

Mr. Isaacson said he was approached by Dr. Kim who noted that the DPW had over the years collected garbage and recycling from her location but that same has been phased out. Recently a tree limb fell and garbage was stopped being picked up. There is no space for a trash receptacle; and she suggested that consideration be given for the Borough to sell her a permit so that she can access the recycling center. Councilwoman Latner said that this matter has been discussed but it would set a precedent. Borough Attorney said the Borough could consider issuing a permit on a limited basis for a professional service person but the ordinance would have to be revised.

Mr. Isaacson said a bathroom with a snack stand was constructed at Ruckman Field for less than \$300 per square foot by volunteers. These volunteer projects should be encouraged such as at Schauble Field/Lions Club Field. Mayor Heymann said the construction figures were reviewed by her, the Borough Administrator and Borough Engineer and it was felt that money would not be saved using a volunteer system. Borough Engineer said that volunteers save on labor costs but when this project was put out to bid, the plans were in place; and halfway through the project volunteer labor was discussed but there was a problem mobilizing the volunteers. Mayor Heymann said that Tom Hennessey had provided a complete breakdown on the cost of construction at Mollicone and he indicated that the cost would be the same if volunteers were used. Mr. Isaacson said that \$145,000 for two small limited use facilities was expensive. Mayor Heymann said that one of the facilities has a storage unit attached; and Borough Engineer noted that the sanitary sewer line has to be extended 120 feet.

Linda Albelli, 353 High Street, thanked everyone for their help for the Sidewalk Sale. She referred to the walkway between the Empty Vase and Celebrity Salons leading to the (north) parking lot where Lupardi Nursery lent trees and shrubs for the area in addition to the placement of tables and chairs. People used the area; and she questioned what steps had to be taken in order to use the walkway in the same manner all year round. Mayor Heymann suggested that in addition to the plants, vendor stalls could be put there. She said that if Lupardi's was agreeable to providing the landscaping, she and the owner of the Empty Vase would take care of the area but that vendor stalls were not discussed. Councilman Barad commended the use of the area noting that in the evening the walkway looked lovely. Borough Administrator suggested that she meet with him next week to discuss the matter and provide more specifics.

Steve Isaacson, 97 Columbus Avenue, suggested that a covering be constructed over the walkway to enable the area to be utilized for all types of venues which would be an asset to the Borough.

Janice Pierro, 168 Herbert Avenue, said she attended the sidewalk sale opening and only a couple of business owners were present but she commended Angelina's for the music and noted that each week there is a different group performing. Mayor Heymann commended the Chamber on the advertisement for the sidewalk sale noting they are building for the future.

Steve Isaacson said this is a work in progress; and the award ceremony was held too early on a Saturday morning. In the future, we would like to close off the street north of the clock tower to set up a stage. Police Chief Kaine said that this matter would be reviewed.

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

13. ADJOURNMENT

Motion to adjourn the Work Session at 8:45 p.m. was made by Councilman Glidden, seconded by Councilman Barad and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
via e-mail on August 20, 2012 for
approval at the Regular Meeting
to be held August 22, 2012

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held August 22, 2012
Consent Agenda Item No. 17b.