

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

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

The Mayor and Council of the Borough of Closter held a Regular Meeting at Borough Hall on Wednesday, February 8, 2012. Mayor Heymann called the meeting to order at 8:45 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 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, John Kashwick,
Arthur Dolson, Victoria Amitai
- Borough Administrator, Quentin Wiest
- Borough Attorney, Edward T. Rogan
- Borough Clerk, Loretta Castano
- Borough Engineer, Nick DeNicola
- Chief of Police, Dennis Kaine

The following persons were absent:

- Councilman David Barad

3. MAYORAL APPOINTMENTS (NON SALARIED) TO THE FOLLOWING COMMISSIONS (Not made at the Reorganization Meeting held 1/3/12/Adjourned from RM 1/11/12; RM 1/25/12):

<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 12/31/15	Kathi Cochran	_____	4 Year	

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

The following Ordinances were introduced at the Regular Meeting held 1/11/12 and

were published in The Record on 1/19/12 as stated in the Borough Clerk’s affidavit of publication. Reprints 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:

- a. ORDINANCE NO. 2012:1113, “AN ORDINANCE TO AMEND CHAPTER 147 “PROPERTY MAINTENANCE” OF THE CODE OF THE BOROUGH OF CLOSTER TO ADD PROVISIONS FOR CHARITABLE DONATION BINS”

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

Motion approving adoption of Ordinance No. 2012:1113 was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor

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Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Dolson and Amitai.

b. ORDINANCE NO. 2012:1114, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 167 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING SOIL MOVEMENT”

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

Motion approving adoption of Ordinance No. 2012:1114 was made by Councilman Kashwick, seconded by Councilman Dolson and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Dolson and Amitai.

c. ORDINANCE NO. 2012:1115, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS, SPECIFICALLY FOR THE POLICE DEPARTMENT’S FEES REGARDING TOWING”

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

Motion approving adoption of Ordinance No. 2012:1115 was made by Councilwoman Amitai, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Dolson and Amitai.

5a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 18, 20 and 21 was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Dolson and Amitai.

ORDINANCES

6. INTRODUCTION OF THE FOLLOWING BOND ORDINANCE – PUBLIC HEARING – 3/14/12 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD

NO. 2012:1117 – “REFUNDING BOND ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL OBLIGATION BONDS OF THE BOROUGH AND APPROPRIATING AN AMOUNT NOT EXCEEDING \$5,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,000,000 REFUNDING BONDS OF THE BOROUGH OF CLOSTER FOR FINANCING THE COST THEREOF (Requested by Bond Counsel 2/2/12) - TO BE PREPARED BY BOND COUNSEL”

7. BILL RESOLUTION – FEBRUARY 15, 2012 TO BE PREPARED BY DEPUTY TREASURER

8. AMENDMENT NO. 1 TO THE TEMPORARY BUDGET FOR 2012 (Requested by Administrator 2/1/12) - TO BE PREPARED BY CFO

9. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$26,108.28 TO JASON LUSTABER, ESQ. FBO 235 CLOSTER DOCK ROAD LLC FOR BLOCK 1302, LOT 14 DUE TO 2010/2011 REAL ESTATE TAX OVERPAYMENT RESULTING FROM REDUCTION IN REAL ESTATE ASSESSMENT

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FROM TAX COURT OF NEW JERSEY RENDERED 1/13/12 (Received from Collector 1/20/12)

Borough Attorney explained that this was not an issue of the property being mis-appraised in terms of the value. During the reassessment several years ago, there was a miscalculation on the measurement of the property and this resolution is a correction of the mathematical error.

10. RESOLUTION WAIVING THE SIDEWALK REQUIREMENT OF CLOSTER CODE FOR PROPERTY AT 30 OAK STREET (Approved at RM 1/25/12 – Received from Borough Attorney 1/31/12)
11. RESOLUTION GRANTING APPROVAL FOR RELEASE AND RETURN OF THE REMAINING ZONING BOARD OF ADJUSTMENT LEGAL ESCROW FEES IN THE AMOUNT OF \$611.40 TO APPLICANT, MARC & NORA VOTTO FOR SUCCESSFUL COMPLETION OF SERVICES RENDERED FOR BLOCK 1709, LOT 12, 551 CLOSTER DOCK ROAD (Received from Deputy Treasurer 2/1/12)
12. RESOLUTION APPOINTING DEBRA DICKENSON TO THE POSITION OF CROSSING GUARD, AT AN HOURLY RATE OF \$14.45, EFFECTIVE 2/13/12 (Received from Lt. Winters 1/23/12)
13. RESOLUTION APPOINTING JOSEPH BALDOMERO III TO THE POSITION OF PATROL OFFICER IN THE CLOSTER POLICE DEPARTMENT AT THE CONTRACTUAL RATE OF \$50,428 ANNUALLY, EFFECTIVE 2/16/12 (Received from Administrator 2/1/12)
14. RESOLUTION APPOINTING VINCENT SARUBBI TO THE POSITION OF PATROL OFFICER IN THE CLOSTER POLICE DEPARTMENT AT THE CONTRACTUAL RATE OF \$50,428 ANNUALLY, EFFECTIVE 2/16/12 (Received from Administrator 2/1/12)
15. RESOLUTION REDUCING CONTRACT PRICE FOR HERBERT AVENUE SECTION 4 & MEMORIAL FIELD BASKETBALL COURT IMPROVEMENTS, CHANGE ORDER #2
Original Contract Price: \$266,191; Change Order No. 1 reduced by \$188.60 to \$266,002.40; Change Order No. 2 reduced by \$673.40; Amended Contract Price: \$265,329 (Received from Administrator 2/1/12)
16. RESOLUTION TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDING CONTRACTS FOR RECREATION FIELD MAINTENANCE AND RECREATION UNIFORMS (Received from Administrator 2/2/12)
17. RESOLUTION OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51 (Requested by Bond Counsel 2/2/12) – TO BE PREPARED BY BOND COUNSEL
- ~~18. RESOLUTION AUTHORIZING A CROWN CASTLE LEASE AMENDMENT (Requested by Administrator 2/3/12 – TO BE PREPARED BY ADMINISTRATOR~~

Borough Administrator asked that this resolution be removed from the Consent Agenda inasmuch as all the information has not been received from Crown Castle.

- 18a. RESOLUTION APPROVING ISSUANCE OF 2012 CERTIFICATES OF COMPLIANCE TO JOHN PETERS PROFESSIONAL LIMOUSINES, 231 HERBERT AVENUE, CLOSTER, NJ, FOR TWELVE (12) NAMED VEHICLES PURSUANT TO N.J.S.A. 48:16-17; EXPIRATION: 12/31/2012 (Appropriate fees paid and approvals received from Risk Management Consultant and Borough Attorney 2/7/12)
- 18b. RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AND SUBMIT COMPLETED APPLICATION (BY THE DEADLINE OF 2/15/12) TO THE 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 (Received from Administrator 2/7/12)

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MOTIONS

19. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES
 (Distributed via e-mail on 2/3/12) ABSTENTION: AMITAI:
- a. REGULAR MEETING OF JANUARY 25, 2012
 - b. WORK SESSION MEETING OF JANUARY 25, 2012

20.—MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS/BOARDS AND COMMISSIONS (Not made at the Reorganization Meeting held 1/3/12/Adjourned from RM 1/11/12; RM 1/25/12):

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

21.—MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS (To fill the unexpired terms left by the passing of Tom Reinecke):

BOARD OF ETHICS Member 12/31/16	_____	5 Year un- expired to
JOINT INSURANCE FUND Safety Committee Member 12/31/12	_____	1 Year un- expired to

- 21a. MOTION GRANTING APPROVAL FOR ST. MARY RC CHURCH TO CONDUCT OFF-PREMISE DRAW RAFFLE AT THE SCHOOL BUILDING, 300 HIGH STREET, ON 4/21/12 FROM 7 P.M. TO 11 P.M. (Completed application received 2/3/12 and appropriate fees paid)

22. REPORTS
 (None received at the time of preparation of this Agenda)

- a. CONSTRUCTION OFFICIAL – JANUARY 2012 (Received 2/3/12)
- b. CHIEF OF POLICE – JANUARY 2012 (Received 2/6/12)

The following Motion was made by Councilman Glidden, seconded by Councilwoman Amitai and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Dolson and Amitai:

- 22c. MOTION APPROVING REQUEST BY HAJEE CHOI AND DONGCHUL MIN FOR WAIVER FOR INSTALLATION OF SIDEWALKS ONLY AT 15 HARING STREET, BLOCK 511, LOT 12; CURBS TO BE INSTALLED; DEPOSIT IN THE AMOUNT OF \$2,700 TO BE MADE IN LIEU OF THE INSTALLATION
BOROUGH ATTORNEY TO PREPARE MEMORIALIZING RESOLUTION FOR APPROVAL AT THE REGULAR MEETING TO BE HELD FEBRUARY 22, 2012

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

23. OPEN MEETING TO PUBLIC FOR ANY MATTER, PER N.J.S.A. 10:4-12 (a)
 (Subject to 5-minute limit per By-Laws General Rule No.11)

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

Mayor Heymann advised that in order to maintain Green Acres status and since we cannot use the money for the Swim Club because of the contaminated property, a letter would be sent to Green Acres including the suggestion of other properties for which the money could be used. Borough Administrator informed that the Borough did hear from the Swim Club

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Environmental Attorney and prices had been received from various consultants were much more than they have available.

- 24a. Motion approving the following Closed Session Resolution at 9:00 p.m. was made by Councilman Glidden, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Dolson and Amitai.

OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(7), “Pending or anticipated litigation or contract negotiations”; and N.J.S.A. 10:4-12(b)(8), “A matter involving public employees”; and that the item(s) under discussion in the closed meeting would be disclosed to the public at the conclusion of the matters which should be within 8 weeks.

Mayor Heymann resumed the Regular Meeting at 9:23 p.m.

25. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:24 p.m. was made by Councilman Glidden, seconded by Councilwoman Amitai and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
via e-mail on February 17, 2012
for approval at the Regular Meeting
to be held February 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 February 22, 2012
Consent Agenda Item No. 21b.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

SPECIAL MEETING MINUTES – FEBRUARY 8, 2012 - 6:30 P.M.

The Mayor and Council of the Borough of Closter held a Special Meeting at Borough Hall on Wednesday, February 8, 2012. Mayor Heymann called the meeting to order at 6:30 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, and was sent to The Record and the Star Ledger for publication as soon as possible, was posted on the Municipal Clerk's bulletin board on February 3, 2012 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,
Arthur Dolson and Victoria Amitai
Borough Administrator, Quentin Wiest
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano

Also present:

Tony Linn, Board of Education President
Peter Iappelli, Business Administrator/Board Secretary
JoAnn Newberry, Superintendent of Schools

The following persons were absent:

Councilman David Barad

3. DISCUSSION WITH THE CLOSTER BOARD OF EDUCATION REGARDING THE NEW STATE LAW (CHAPTER 202 OF THE LAWS OF P.L. 2011; A-4394/S-3148) REGARDING SCHOOL BOARD ELECTIONS AND BUDGET REFERENDUM

Mayor Heymann explained that there would be a discussion involving the pros and cons of moving the School Election to the November General Election date.

Mr. Linn advised that discussion was held with the School Board members; and upon due consideration, it was felt that the election date should remain in April in order to facilitate the voters and to have the election remain as apolitical as possible.

Mr. Iappelli advised that during the past five years the cost of the election has been no more than \$6,200 and the average cost has been \$5,700; and he felt there would be no incremental increase in cost if the election was moved to November. The maximum participation in the election has been approximately 15%.

JoAnn Newberry explained she would not be comfortable if moving the vote to November would not allow the town to have a say on the budget but also we do not want it to become political inasmuch as petitions for school board candidates would have to be filed with the County Clerk instead of the School Board Secretary. A resolution would have to be adopted by February 17th; and after a poll of the Northern Valley towns, it would seem that the majority plan to keep the School Election in April.

Mayor Heymann asked how budget decisions would be managed if the High School does not move but the elementary school does; the election remains in April. Mr. Iappelli said it would not be an issue since the budget would still go from July 1st to June 30th and he cited the rates for health insurance which are known for the first 6 months at present and are projected for the remaining 6 months.

In answer to Councilman Dolson, Councilman Glidden said that if the election is moved to November and the budget is under the 2% CAP a vote is not needed. Councilman Dolson noted that if the election is moved to November, the budget would have to be prepared

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the previous November. Mr. Iappelli explained the budget process would be the same but the budget would be sent to the County office for approval and the vote would not be needed unless the budget exceeded the 2% CAP.

Councilwoman Latner cited the cost of the election as not being exorbitant and said that a larger cross section of the population would turn out in November who may not be aware of the functions of the school organizations and candidates. Mr. Linn said in April the voting is only about the school. Councilman Glidden expressed concern about the low turnout in April whereas in November the turnout would be higher. He said another option is a referendum on changing the election date. Mr. Linn said that the Board felt the expense of a referendum did not have enough merit. Borough Attorney advised that the public or the Council could request a referendum.

Councilwoman Amitai said that half of the states in the country have the School Election in November; and in New Jersey, since the adoption of the legislation, 60 districts have agreed to make the change and 148 Boards had approved resolutions. She felt it was fair to the residents to move the election. JoAnn Newberry noted that the districts that have chosen November have budgets that tend to fail. Closter has a long history of people voting in favor of the budget; and she felt people would be upset if they did not have the opportunity to vote. Councilwoman Amitai felt she would give more attention to the candidates in November. Councilwoman Latner noted that voters know the specifics of the voting in April but in November only a spontaneous decision may be made. Borough Attorney noted that the Council has only until February 17th to make a decision and that this was the last meeting before the resolution deadline.

4. 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 for comments.

Steve Isaacson, 97 Columbus Avenue, cited a recent story in the Morristown Patch about an objection to moving the election; and he was under the impression that automatically the change would be made to November. Borough Attorney explained his understanding that if the change was made to November, the Council would be locked into that decision for 4 years; and if the election is not moved, the Council can review the matter in the future. Mayor Heymann said that the wisest course is to see what happens in other communities after the first year. Mr. Isaacson recommended a non-binding referendum inasmuch as this meeting was publicized only 5 days before the meeting. Borough Clerk explained that notice of this meeting was sent to two newspapers as soon as the word was received and was published in both before this meeting; and Borough Attorney noted that there is no obligation for the two boards to meet. He also noted that a non-binding referendum would have to adhere to this particular statute; and the statute pre-empts any prior law on this issue. Mr. Isaacson noted that in the past, seniors have been discouraged from voting in April; and Mayor Heymann said that she has personally informed seniors about the elections and asked them to advise their friends. The proportion of seniors turning out for all elections is about the same.

Joel Zelnik, 65 Chestnut Avenue, said as a citizen and educator he is unequivocally opposed to politicizing the school board election noting the demonization of schools and teachers.

Judy Parker, 55 Susan Drive supported leaving the election in April for this year and having a referendum on this issue on the ballot in November.

Councilwoman Amitai asked for clarification on the issue of a referendum; and Borough Attorney said he would research the matter. He said the law was written to give voice to the School Board, the Council and the public; and either the Board or the Council has the option to move the election. If the public is not happy with the decision, a petition could be submitted for a binding referendum.

In answer to Steve Isaacson, 97 Columbus Avenue, Borough Attorney advised that the petition of 15% of the voters would only put the issue on the ballot for a vote. Councilwoman Amitai cited an article from the League of Municipalities on the options including a petition filed with the Board of Education; and Mayor Heymann said that the petition would be to put the issue on the ballot in November for a decision to move the election. She said that the Council can continue consideration of the matter and make a decision in the future.

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5. ADJOURN

Motion to adjourn the meeting at 7:13 p.m. was made by Councilman Kashwick, seconded by Councilwoman Latner and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
via e-mail on February 17, 2012
for approval at the Regular Meeting
to be held February 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 February 22, 2012
Consent Agenda Item No. 21a.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

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

The Mayor and Council of the Borough of Closter held a Work Session at Borough Hall on Wednesday, February 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, Alissa Latner, John Kashwick, Arthur Dolson,
and Victoria Amitai
Borough Administrator, Quentin Wiest
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine

The following persons were absent:

Councilman David Barad

At this time, Mayor Heymann asked for a Moment of Silence on the passing of Ruth Endres, who was very active in the community, Joan Farley, a Closter resident for 83 years and active in the scouting program and Frank Prodigio, who was a former councilman and active in senior activities.

Mayor Heymann announced the rededication of Schauble Park on March 3rd at 12 Noon in the name of Kenneth Schauble.

Mayor Heymann announced that the head of the Environmental Commission would be addressing the Sierra Club at the Lewis Bay Public Library located at 345 Lafayette Avenue in Hawthorne on the subject of Rachel Carson who wrote Silent Spring.

Mayor Heymann advised that the 538 New Jersey Mayors met with the Legislature and Lieutenant Governor Kim Guadagno and united in asking for funds to be restored to individual

boroughs.

Mayor Heymann announced that the Closter Historic Preservation Commission wrote a list of their accomplishments for 2011 and goals for 2012; and she encouraged other boards and commissions to do the same.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF JANUARY 26, 2012 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item No. 1 was removed by Borough Clerk; Item No. 9a was removed by Councilwoman Amitai; Item No. 6 was removed by Steve Isaacson.

Item No. 1: Received 01/20/12, dated 01/13/12 from Kim Guadagno, Lt. Governor/Secretary of State, to County Clerks and Municipal Clerks re 2012 Campaign Contribution Notice, indicating that: A No holder of a public office or position shall demand payment or contribution from another holder of a public office or position for the campaign purposes for any candidate or for the use of any political party. @ (Copy to Administrator for distribution to all Borough employees)

The Borough Clerk explained this item encourages reproducing the attached memo regarding campaign contributions and distributing it to Borough employees. She informed that past practice has been to attach the notice to the municipal employees' next paycheck envelope. Ms. Castano asked for approval to do so and no objections were voiced.

Item No. 9a: Received 01/26/12, dated 01/18/12 from Karen Mastriano, Clerk to the Board of Chosen Freeholders to Gov. Chris Christie re Certified copy of Resolution #72-12 adopted 1/18/12 denouncing all forms of anti-Semitism

Councilwoman Amitai voiced her concern about what has happened over the past few weeks and offered Rutherford as an example. She requested that the Borough Council pass a similar Resolution and forward it to the Freeholders. Mayor Heymann invited her to make a motion regarding same in the Regular Meeting.

b. MAIL LIST OF FEBRUARY 2, 2012 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item No. 7 was removed by Councilman Kashwick.

Item No. 7: Received 01/30/12, dated 01/28/12 from Rev. Myung H. Choi, Ph.D. re Appeal against Tree Inspection - 32 Olive Street; requesting mitigation instead of monetary penalty (Copy to James Whitney)

Councilman Kashwick voiced his opinion that the penalty seems to be exorbitant. Mayor Heymann invited the members of the audience present to speak about the letter.

Jae Joon Na, 107 Chestnut Street, Lodi, explained the entire situation occurred due to miscommunication and urgency of the situation and Rev. Choi's lack of knowledge of the law regarding the removal of trees. He explained this occurred during the severe snowstorm in late October. Mr. Na noted Olive Street is filled with very tall trees and is a dead end street which creates a wind tunnel. Rev. Choi's house is situated at the very end of the dead end and is surrounded by many tall, thin trees. He continued to explain when the wind reached the end of the tunnel effect, it caused it to be extra gusty so during the snow storm a lot of branches and limbs were falling. Mr. Na said that one of her cars was parked in the driveway and had its rear windshield shattered by one of the falling branches and two other trees fell in the same area. It was

at this time when Rev. Choi contacted a landscape contractor, who she specifically instructed to remove the fallen trees and two other trees that were leaning and about to fall on her house. She instructed him to do whatever was necessary under the law to make sure no laws were broken. Rev. Choi had left the house while the contractor was there performing the work; and upon her return discovered more trees had been removed – a total of 6 trees, of which 2 had fallen. Rev. Choi said she did not have specific knowledge of the requirements. Mr. Na introduced Mr. Kim, an attorney who knows Rev. Choi and will talk about how he feels about her and how the lack of knowledge is not uncommon for average people.

Eugene Kim, 355 West Pleasantview Avenue, Apt. 309, Hackensack, explained he has known Rev. Choi for over 4 ½ years and his mother is a member of her church. He said at one time he was helping out with the youth group of her church, a group of about 10-12 kids. During that time he got to know her and her family. Mr. Kim said he is not sure if there are any questions to answer but voiced his opinion that he has no problem speaking about her integrity and character. As far as this situation is concerned.

Councilman Glidden asked Mr. Na what the issue was and to explain why they were speaking this evening and voiced his opinion that not everybody understands the issue. Mr. Na reiterated that Rev. Choi received a fine of \$7,500 for cutting down several trees on her property in October. In answer to Mr. Glidden he clarified the trees were on Rev. Choi's property and was the result of the freak snow storm. Mr. Na explained he spoke to Mr. Kim, whose reaction was surprise. Mr. Kim grew up in Closter and clerked for the highest court in New Jersey, and now works for one of the top law firms in the State. When he explained the situation to Mr. Kim, he said he wasn't aware that such permits were even required. Mr. Na voiced his opinion that it may be surprising to the Mayor and Council but many average people are not aware of these things. He explained he personally has lived in America for 17 years and it is not surprising to him that many people are not aware of the requirements for cutting down trees.

Mayor Heymann said that Mr. Kim is an attorney; and lack of familiarity with the law is not an excuse; and Mr. Kim agreed. Councilman Kashwick asked if there was construction going on at the property and Mr. Na informed there was not. Asked if there was anticipated construction in the future, Mr. Na informed there was not.

At this time, Mayor Heymann invited Jim Whitney to speak about additional background information.

Jim Whitney, Property Maintenance Officer, explained as follows: What transpired from our point of view is we had gotten an application for a Certificate of Occupancy changing ownership of the house. When he went over to look at it, it was very obvious that a number of trees had been cut down. Wood was stacked all around the perimeter. At that point he wrote it up and wrote the RCCO inspection report up – we had some other issues to be taken care of. He came back and contacted the office. The gentleman who lives there he thinks was somewhat aware because they filled out a permit to cut down trees. The permit tells you how much it costs and what you can cut down. He does not have the packet with him but he believes that one to two trees were checked off. Mrs. Amitai affirmed that two were checked off. In answer to Mayor Heymann, Mr. Dolson said the permit was dated December 5, 2011. Mr. Whitney said at that point he did not have the expertise to determine if they were healthy so he contacted the Certified Tree Expert, Bill Fuchs and asked him to look. Mr. Fuchs went and looked and determined there were five to seven trees and that there was nothing wrong with them; and Mr. Fuchs issued the penalty. Mr. Whitney

clarified that he does not determine penalties for trees. Mr. Fuchs determined it based on the formula. Mr. Whitney was provided the cost of the penalty, and he then sent the letter out about the RCCO and included the penalties along with some other issues they had inside the home. He informed them there was going to be a penalty for cutting down the trees. Mr. Whitney said about a week later a landscaper came in and asked what the reason was for the penalty. He explained to the gentleman that it was for cutting down all these trees with no permit. The landscaper said in his opinion they were dangerous and Mr. Whitney informed him he could not help him with that issue.

Mayor Heymann asked for clarification of the dates. Mr. Na affirmed that the trees were initially harmed in October on Halloween weekend during the snow storm. Mr. Whitney voiced his understanding that only two were harmed at that time. Mr. Na informed he had pictures and reiterated that all of those trees were very tall and very thin and leaning over the house. He said the work may not have been done right after the storm. Mr. Na said Rev. Choi has the invoice and the contractor's name at home. Mayor Heymann asked if they were cut down immediately after the storm in November. The Borough Administrator reminded the tree permit is dated December 5, 2011 and the Mayor said she believes that was after the fact. Mr. Whitney disagreed and said it was not because when he looked at the trees, the sawdust was very fresh.

Mayor Heymann voiced her understanding that before Mr. Na came here, the case was made that the trees were cut immediately after the damaging storm, all at once, and that would have been a month before the application came in. Mr. Whitney reiterated though he does not know when they were cut, the sawdust appeared to be very fresh.

Mr. Na explained that Rev. Choi is not trying to make any excuses that she did not have time to get the permit. She understands she omitted to do certain things required under the law; and she feels very badly about breaking the law. In response to Mayor Heymann, he said there were no plans to do anything with the land where the trees were clear cut. She just wanted to cut them down because they were dangerous. In response to the Borough Attorney, Mr. Na said he did not have any photos of the trees before they were cut down. Mr. Na reiterated that Rev. Choi feels very bad and will do whatever it takes to make up for it, but the fine is too hefty. He voiced his opinion that the spirit of the law is not to enable the city to go around and fine people and collect a lot of money. Mayor Heymann agreed and explained that we do cherish our trees; and in this particular case, our Tree Expert explained that these were not dangerous trees; and the pictures certainly don't indicate that because trees do lean, that doesn't mean they are dangerous. Mr. Na said he had visited the house during a rain storm and that he didn't feel very secure in the house because of the trees. Part of the reason why Rev. Choi wasn't careful in making sure every law was abided by is because she didn't have the knowledge. He is sure that she is not alone in that issue. Rev. Choi's hope for part of the resolution or mitigation is that instead of reducing the amount of penalty, she is willing to produce brochures in different languages.

Councilman Kashwick asked if they had a receipt for the windshield damage. Mr. Na explained that Rev. Choi only picked up the mail today and received the notice, so he did not have a lot of time to gather all of the paperwork. He said they will get it and provide same. Mr. Kashwick asked for clarification that the tree surgeon was told to only remove a certain number of trees and that he instead went beyond the expectation and removed more trees. Mr. Na said the surgeon was told that four or five trees needed to be removed and he was told. She told him she was not an expert and told him to do whatever he felt was necessary as an expert, but make sure if there are permits required to obtain them.

Mr. Na explained Rev. Choi does not know the name but has it at home. Mr. Whitney said it is a landscaper from Paramus and he does a lot of other work here. Mrs. Amitai voiced her opinion that he knows the rules and they know every town has rules. Mr. Whitney explained the contractor is not a tree surgeon but he has done other work in town.

At this time, Mayor Heymann requested that Rev. Choi provide copies of the bills and informed that they will reserve judgment on this matter until they see some more documentation. No disagreements were voiced. Mr. Na said they would get the bill for the wind shield and the contractor's bill. Mr. Na was informed by the Mayor, Councilman Kashwick and Borough Attorney that the discussion will resume two weeks from tonight.

At this time, Steve Isaacson removed Item No. 6 on the January 26, 2012 Mail List.

Item No. 6: Received 01/23/12, dated 01/13/12 from Layth Taki, Senior Vice President, Controller, Cable Operations, Cablevision, to Office of the Mayor re Certification of gross revenues subject to franchise fees and Cablevision's franchise fee payment for the period January 1, 2011 to December 31, 2011 in the amount of \$63,190.00 (Copy of letter AND original check to Administrator 1/23/12)

Steve Isaacson, 97 Columbus Avenue, wanted to remind everyone that Cablevision is not paying the town out of their pocket. It is money they tax the residents and collect every month and then give it to the Borough.

Referring back to Item No. 7 on the February 2, 2012 Mail List, Mr. Isaacson voiced his opinion this is a very interesting case and it brought up an important point. If the contractor is going to work in the Borough, they should be more responsible for cutting down trees. He agreed when the Mayor said ignorance of the law is no excuse. He suggested the contractor should be banned from working in town for a period of six months for violating our laws. He feels these things should be sent out to every contractor informing them of our laws and notifying them that they will be fined and banned. Mrs. Amitai thanked Mr. Isaacson for his comments and agreed because of the mess that was created.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of February 8, 2012)
 - 5a. VOTE ON CONSENT AGENDA ITEMS
16. RESOLUTION TO PURSUE A "FAIR AND OPEN" PROCESS IN AWARDING CONTRACTS FOR RECREATION FIELD MAINTENANCE AND RECREATION UNIFORMS (Received from Administrator 2/2/12)

In answer to Councilwoman Amitai, Borough Administrator advised that the DPW cuts the grass at the fields. This Resolution is for the application of chemicals such as fertilizer and weed control and the cost is charged to the budget. Mayor Heymann said that applications of chemicals must be done by certified contractors. She said that this year Closter is hosting County softball and baseball teams.

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

1) SUSTAINABLE DEVELOPMENT ORDINANCE (Requested by Borough Attorney 4/6/11) – The Borough Attorney explained this pertains to the LEEDS ordinance; and informed it was discussed extensively during a recent Ordinance Committee Meeting. Certain recommendations were made for sending a back-up proposal or proposed draft ordinance to the Planning Board for review and comment. The Mayor informed she had a copy and offered to pass it around for anyone who wanted to see it. Mr. Rogan explained there is a cover letter outlining the recommendations and a revision to the actual ordinance which is being sent to Arthur Chagaris (Planning Board Attorney). In response to Mrs. Amitai, he informed everyone would be receiving a copy of same. He continued to explain there are a number of changes; primarily that the Ordinance Committee is recommending that it be phased in over time with the first step being residential. The bond was also raised from 1% to 10%. Mrs. Amitai explained the Board would also like to review similar ordinances from other towns. Mr. Rogan reiterated that this is a recommendation coming from the Planning Board; and he is assuming they looked into this; it is not coming from the Mayor and Council. He explained LEEDS is not a big ordinance yet. When this first came up we probably would have been one of the first. He said because all of the back and forth and disputes over percentages it has been over a year since it was first brought up. In answer to Mrs. Amitai, the Borough Attorney informed only a very small percentage of towns have a LEEDS ordinance. In response to Mr. Dolson, he explained the ordinance has to be coupled to zoning because the incentive is tied to the limiting schedule. You're encouraging some kind of environmental building but on the other hand you're saying if you do that, we'll give you the ability to construct a little more than you may otherwise be entitled to; so it's a give-and-take situation. At this stage, the ordinance will go back to the Planning Board who will either accept the recommendations or make further changes and send it back to the Mayor and Council for further consideration. Mr. Rogan voiced his opinion that the back and forth will end at some point but this is a good thing because this was a significant change from what was sent over; so the Planning Board should have input.

2) REPORT – The Borough Attorney reported on the following:

a. Crown Castle – Mr. Rogan explained they had done an environmental Phase I study of the DPW site on Ruckman Road which we just received in late this afternoon. He will forward pertinent information to the Mayor and Council as the complete report is almost a ream of paper thick and contains a lot of photos and maps. The bottom line is the Phase I study of the property is clean; and it appears they would be interested in pursuing that location. Mayor Heymann said this proposal would only kick in when their current contract ends in 2015; but it has nothing to do with their present suggestion. Borough Administrator voiced his understanding that the current contract would be up sooner than that, sometime next year. Mr. Rogan clarified that one suggestion is temporary; and this particular project is projected into the future possibly depending on what the two sides can agree on regarding moving the tower. He further explained his understanding was that they were previously looking at two sites: the DPW and the Buzzoni Farm at the end of Blanch Avenue. The Borough Administrator explained the people who went to the Buzzoni site were from Metro PCS and Verizon; and we have continual interest from these two groups. Although he was not entirely sure, he believed Verizon had looked at the compost area and they thought it was feasible to locate the tower there. Right now this (Crown Castle proposal) is unrelated to this existing site. In response to Mrs. Amitai, the Borough Attorney clarified the only report we have received at this point is for the DPW site; but they may very well

be looking at the other site.

6. PROFESSIONAL REPORTS (Continued)

A. BOROUGH ATTORNEY (Continued)

b. Draft RFP's for Consolidation Study – The draft was sent to the former State Police Officer who is reviewing them and will get back to us with his comments. It is ready to go out for publication with a return date of March 13, 2012 at 10 a.m. to Quentin Wiest for the bid opening. In answer to Mr. Glidden, he affirmed this is for quotes we will be getting for the Consolidation Study. The Borough Clerk informed this is due to be published in The Record next Tuesday (2/14/12).

B. BOROUGH ENGINEER

1) STATUS REPORT RE 2009 SAFE STREETS TO SCHOOL SIDEWALK PROJECT NJDOT \$275,000 - Authorization to proceed rec'd 8/9/11; Awarded to Marini Bros. Construction Co., Inc. at RM 10/12/11 – The Borough Engineer reported this project has not yet commenced and is due to start on 3/15/12, weather permitting.

2) STATUS REPORT RE HERBERT AVENUE IMPVTS., SECTION 4 (2011 NJDOT Municipal Aid - \$145,846; Closter - \$5,000), MEMORIAL FIELD BASKETBALL COURT IMPROVEMENTS (2009 Bergen County Open Space Trust Fund \$37,500/Closter Open Space Trust Fund \$37,500) AND RUCKMAN ROAD IMPROVEMENTS & CRACK SEALING (remaining Funds from 2009 Road Improvement Program - \$51,895) Contract awarded (RM 4/26/11) to AJM Contractors – The Borough Engineer reported this project is in Winter shut down with the basketball courts yet to be completed and punch list items on Ruckman Road including ponding in one corner. It should pick up in the Spring when the weather is conducive.

3) STATUS REPORT RE DREDGING AND RESTORATION OF RUCKMAN POND, BLOCK 1901, LOT 1 (RM 6/8/11) – Mr. DeNicola reported all the permits are in place. The critical path is scheduling the forces of the County Mosquito Commission. He voiced his understanding that the Mayor has been speaking to the County about this to try to have it happen sooner than later. We hope to schedule it for July or August when the weather is drier. Mayor Heymann informed they promised her May or June. He explained the Bergen County Mosquito Control Commission actually dredges the pond and the Borough gets rid of the material. It will be the DPW or whomever will have to find a location to place the materials on a permanent basis. Mayor Heymann said she spoke to Tony Lupardi (Lupardi's Nursery) about using the soil on the farm; and he said he does not think he can because it is clay. He would like to get a bucket of soil now to have it tested to determine its composition is. He also said he will keep it on his property to see if it cracks the way he anticipates it to and test it for whatever qualities it has.

4) REPORT – The Borough Engineer informed the last item on his report is the Sidewalk Waiver for 15 Haring Street; which they have not really discussed because it was a Mail List item. His recommendation is that if you're going to waive the sidewalk always have a curb put in to better maintain the road. Mr. Glidden voiced his agreement 100% that the sidewalk could be waived but that a curb should be installed. Mr. DeNicola said the cost to build that sidewalk should be \$2,700.00 which could be placed into the Sidewalk Fund for construction elsewhere.

At this time, Mayor Heymann informed she has received several comments from residents on Oak Street saying they are happy that a curb is being installed and no sidewalk.

At this time, Mr. Dolson questioned what happens to the soil legally from the dredging project. The Borough Engineer explained any time there is a dredging, the Mosquito Commission

6. forces do it for free as a service to the Borough; however, the Borough is responsible for hauling it
PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER (Continued)

away. He explained it does not have to be tested, but it is a good idea for a landscaper because once they take it, they become responsible. If it was being placed on Borough property, it probably wouldn't have to be tested.

7. REPORTS

A. BOROUGH ADMINISTRATOR

1) STATUS REPORT RE BOROUGH WEB SITE – The Borough Administrator reported the IT Committee should reconvene to discuss some of the options available. He spoke to Mr. Dolson about the possibility of doing something in the near future. A few of them have looked at several webinars to look at options that may be added to the Borough website to provide more interactivity. Mr. Wiest informed there are some other outstanding IT issues he planned to speak to the Committee about.

2) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S): Mr. Wiest reported he has not received any updates on any of these items since the last meeting.

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:

1. American Cancer Society (3. M.L. 11/10/11) request to conduct 25th Annual George Washington Bridge Challenge partially through the Borough on 6/10/12

2. American Diabetes Association (7. M.L. 11/10/11) request to conduct Tour de Cure partially through the Borough on 6/3/12

3. St. Paul's Anniversary Committee (9. M.L. 1/19/12) request to hold a block party on 9/9/12, time TBA

3) STATUS REPORT RE COORDINATION OF ADVERTISEMENT OF BIDS FOR VARIOUS EQUIPMENT AND IMPROVEMENTS (RMA 10/13/10)

4) FOLLOW UP REPORT RE ROLL OFF TRUCK (Contract received 6/23/11) - Borough Administrator reported the DPW Committee saw the roll-off truck which has been delivered to the Borough. We have not received all of the items because there are different bodies that we are going to receive that can be used at different times for different applications but the basic vehicle is here. The lettering still has to be completed.

5) STATUS REPORT RE PREPARATION OF SPECIFICATIONS FOR ADVERTISEMENT OF BIDS FOR SANITATION/TRASH COLLECTION (RM 1/26/11) – Mr. Wiest reported he was doing a final review of the specifications, most of which are a State model form. It turns out there were minor differences between two different sets of model forms from the State depending upon where you got them from. He discussed it with JoAnn (Riccardi) and she has provided to him what they deem to be the authoritative set of specifications; and he is reviewing them prior to going out to bid.

6) STATUS REPORT RE DEMOLITION OF 131 WEST STREET – The Borough Administrator reported the demolition has occurred. They have not yet received the invoice from the contractor but the building is down and the site looks better immediately.

7) REPORT RE STATUS OF STREET SWEEPER (CONTRACT AWARDED/RM 12/14/11) – Mr. Wiest reported the contract has been executed and we should receive delivery soon. The sweeper is available and he believes it may just be a scheduling issue to get the

vehicle up here.

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

8) STATUS REPORT RE REQUEST FROM RECREATION COMMISSION (4. M.L. 11/17/11) TO REMOVE “DANGEROUS TREES” IN THE PARKS – The Borough Administrator reported there has been some progress after a meeting was held at the site where the tree limb came down and destroyed the new swing set. He met with Bill Fuchs, and subsequently Billy Dahle and Todd Bradbury and Councilman Kashwick. A decision was made to remove the silver maple tree that lost its limb; which is not necessarily a recommended shade tree variety. After reading some literature about them, it turns out they are a softer wood and more likely to crack and split. Mr. Dahle is trying to arrange with Rockland Electric to remove that tree. For now the intent is that the other trees will be left in place.

9) STATUS REPORT RE FOLLOW UP OF REQUEST BY CONSTRUCTION OFFICIAL FOR APPOINTMENT OF BACK-UP ELECTRICAL INSPECTOR ON PER DIEM BASIS (1.M.L. 12/1/11/WS 11/21/11) – Mr. Wiest informed he had nothing new to report regarding this item. He knows there are some candidates out there but he has yet to receive any applications.

10) STATUS REPORT RE:

a. REPAIR OF HORN HOUSE (WS 12/14/11) – The Borough Administrator reported the repair of the Horn House is complete. The work was done by Bachmann Home Improvements, who gave us the best price. He was out there the other day; and it has a new roof and siding; and it is apparent that this is the best shape that it has been in for a long time. Mr. Wiest asked Billy Dahle to go over and take a look as well.

b. NEW ROOF AND CHIMNEY/MASONRY WORK/MAC BAIN FARM HOUSE (WS 12/14/11) – The Borough Administrator reported he is still waiting for a third quote. We have two other quotes already; and he hopes the third one will be received in the next week or so; and we can move forward to award this work.

11) REPORT - The Borough Administrator reported he had a couple of items from the last meeting he wanted to report back on.

Mr. Wiest explained there was a gentleman here, perhaps from the business community, who asked who received the Borough Calendar in the mail. After some research he found the calendar was distributed to all of the residences and businesses with postal addresses; with the exception of P.O. Boxes. If they have a P.O. Box, they did not get a calendar; but if they have a regular mailing address, they should have received it.

Mr. Wiest reported he spoke to Kevin Whitney regarding the Paperless Packets and he anticipates the first week of March to have this up and running. The Borough Clerk informed that Mr. Whitney obtained a used computer cart for us to house and charge the laptops. Mayor Heymann extended her thanks to Mr. Whitney for obtaining same at no cost to the Borough.

B. BOROUGH CLERK

1) STATUS REPORT RE 2012 APPOINTMENTS – The Borough Clerk reported we have open items on the Agenda and unfortunately the death of Tom Reinecke left two appointments that need to be made: Joint Insurance Fund Safety Committee and Board of Ethics Member.

2) STATUS REPORT RE 2012 OATHS OF OFFICE – Ms. Castano reported that 112 Oaths of Office have been sent out and 99 have been received; only 13 Oaths remain outstanding. Citizen Leadership Oaths of Office are a little sketchier but we are making better progress than we have in past years. 52 Leadership Oaths and Forms were sent and 41 were received.

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

3) STATUS REPORT RE 2012 LICENSES – The Borough Clerk reported that on the Agenda this evening is one limousine/livery license renewal; we had been waiting for their Certificate of Insurance to be upgraded and finally received it.

4) STATUS REPORT RE 2012 MEETING DATES – Ms. Castano informed that the 2012 Meeting Dates are current. We had a Special Meeting this evening and we had the Notice of Meeting published as soon as we possibly could. One was published in The Record on 2/6/12 and the other in the Star Ledger on 2/8/12.

5) STATUS REPORT RE FINANCIAL DISCLOSURE STATEMENTS – Borough Clerk reported we started the ball rolling a little earlier this year and things have moved along very well. Of the 30 FDS that were due by 2/2, 26 were received with 4 outstanding. She reported the Board of Ethics is scheduled to meet Thursday (2/9/12) and she will have a packet prepared for their review. Ms. Castano said they should follow up because we have still not received Financial Disclosure Forms from the State but we are ahead of them and we believe it is easier to do it this way.

6) STATUS REPORT RE PAPERLESS PACKETS – Borough Clerk again thanked our IT person, for we now have a locking cabinet in which to put our laptops, which are forthcoming.

7) STATUS REPORT RE FOLLOW UP FOR PROFESSIONAL CONTRACT POSITION/ALTERNATE PROSECUTOR (Bid Opening to be held 2/14/12@ 10:30 a.m.) – The Borough Clerk reported the RFQ was posted on our Web Site on 1/27/12. The Bid Opening is scheduled for 2/14/12 at 10:30 a.m. We had three people who requested the criteria, but as of now we have only received one package. Hopefully we will receive the other two shortly.

8) STATUS REPORT RE CODIFICATION – Ms. Castano reported we received some questions from General Code that were answered by our Borough Attorney. Authorization was granted to proceed with Supplement No. 18 (by Administrator). She informed she and Mr. Wiest were discussing whether this should have a purchase order with a \$0.00 balance because we do have a credit with General Code.

9) REPORT – Ms. Castano reported on the following:

a. ELECTIONS – She attended the Annual County Clerk’s meeting in Hackensack on 2/1/12; received all the of the forms which she mailed to the Municipal Chairpersons for the Republican and Democratic Clubs. Ms. Castano noted the following deadlines:

Filing date for Local Partisan Candidates and County Committee Candidates to file petitions for the June Primary Election: Monday, 4/2/12, by 4:00 p.m.

She informed we received individual letters from the County Clerk regarding the election dates and calendar and they were distributed in the Council packets on 2/3/12.

Annual School Election: Tuesday, 4/17/12 – 2 p.m. to 9 p.m.

Ms. Castano voiced her understanding that it was decided this evening not to move the School Election to November with the General Election. She explained that despite all of the paperwork she did receive, there was no information about a Referendum for moving the election. Ms. Castano reported she would look into same and report back.

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

At this time, Mrs. Amitai referred to the paperless packets and questioned whether they would be able to access them and make notes away from the Council laptop. The Borough Engineer asked if it would be posted online the way the Agendas and Mail Lists are currently. Mr. Kashwick asked if the package would be sent as a pdf prior to the meeting. The Borough Clerk informed that she would have Arlene (Corvelli, Assistant to Borough Clerk) respond to their questions as soon as she is able to speak with her. Ms. Castano voiced her thanks for having Arlene, and for the presentation Wanda Worner from Northvale came and provided last year. She said it has been working very well in Northvale and had informed at that time that we would be able to take notes and store them on a flash drive. In answer to Mr. Dolson and Mrs. Amitai, the Borough Clerk explained it is something we would be setting up ourselves. Mr. Dolson questioned if he would be able to review the information at home and bring his notes to the meeting. Ms. Castano voiced her understanding there is no program and ours is a customized method of blending the package to suit our needs. She further explained she is not familiar with the terminology or technique and preferred to have Arlene provide a response to the questions at hand so the matter can be further discussed at a later time. She voiced her understanding that there is no program, it is something that her office would be setting up.

C. CHIEF OF POLICE

1) REPORT – Chief Kaine reported that in December we received a Homeland Security Grant in the amount of \$24,600. They sent in the report and received \$17,500 back already. In response to Mr. Glidden, the Chief said they purchased a portable light tower which runs on a generator and hooks up to the back of the SUV to take to crime scenes. He said it is also good for the DPW at night if they need to perform emergency work; and Fire Prevention will be able to use it as well. Chief Kaine informed they also purchased a handheld thermal imager. They also updated all of their digital cameras and mobile terminals.

At this time, Councilman Kashwick referred to the Police Department Monthly Reports and asked if there was a way he could obtain the figures for how many warnings and tickets were issued for crosswalk violations by motor vehicles. Chief Kaine informed they do keep track of that; he does not have a report readily available but will provide it to them as soon as he can. Mayor Heymann voiced her opinion that this is a good idea because there are increasing numbers of automobile violations; and it would be beneficial to see the numbers for speeding, red light and crosswalk violations.

Chief Kaine reported they filed an application for the Click-It or Ticket Grant.

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS: Mayor Heymann reported the Chief just alluded to one of the grants applied for which is a \$24,000 grant for Click-It or Ticket. That was filed on 2/6/12.

Mayor Heymann informed in their packet there is a Resolution endorsing a 2012 Recreational Trails Program Grant application. She said they have the Resolution; and the application packet will be completed next week. These funds would provide for increasing the Cross Closter Trail. At this time she requested that the Resolution reflect that the program is to fund extending the Cross Closter Trail because it is already there.

7. REPORTS (Continued)

D. MAYOR (Continued)

1) STATUS REPORT RE FOLLOWING GRANTS (Continued)

a. FILED

1. 2012 ROID GRANT (REC OPPS FOR INDIVIDUALS WITH DISABILITIES DIFFERENTLY ABLED CHALLENGER RECREATION PROGRAM - \$10,000) Authorization for application RM 6/8/11
2. 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)
3. 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)

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. 2010 BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND GRANT APPLICATION (Municipal Park Improvement Program/Purchase of Playground Equipment/Memorial Park - \$37,500/match – RM 9/22/10) (Contract authorized for execution/RM 10/12/11)

c. TO BE FILED - To be announced by Mayor

2) REPORT

8. OLD BUSINESS

At this time, Jim Whitney (Property Maintenance Officer) requested a Closed Session to discuss potential litigation regarding trees.

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

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 Kashwick and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
via e-mail on February 17, 2012
for approval at the Regular Meeting
to be held February 22, 2012

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 February 22, 2012
Consent Agenda Item No. 21c.