

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – MONDAY, NOVEMBER 19, 2012 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session at Borough Hall on Monday, November 19, 2012. Mayor Heymann called the meeting to order at 7:33 p.m.

1. PLEDGE OF ALLEGIANCE

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

2. 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.

3. ROLL CALL

The following persons were present:

Mayor Sophie Heymann
Councilpersons John C. Glidden, Jr., John Kashwick, David Barad,
Arthur Dolson and Victoria Amitai
Borough Administrator, Richard Sheola
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Chief of Police, Dennis Kaine
Superintendent of Public Works, William Dahle, III

The following persons were absent:

Councilwoman Alissa Latner
Borough Engineer, Nick DeNicola

4. REVIEW AND DISCUSSION OF COMMUNICATION

a. MAIL LIST OF OCTOBER 25, 2012 (WS Agenda 11/7/12) - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item Nos. 2, 4, 6 and 8 were removed by the Borough Clerk.

Item No. 2: Received 10/22/12, dated 10/22/12 from Cindy W. Randazzo, Director, Office of Local Government Assistance, NJDEP, to Mayor and Municipal Clerk re NJDEP PRESS RELEASE: Christie Administration Awards \$13.1 Million in Grants to Bolster Local Recycling Efforts (Copy to Carole Dacey)

The Borough Clerk noted the Borough was awarded \$14,755.20 and questioned if the Superintendent of Public Works knew if it was for 2010 or 2011; and he advised he would look

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MONDAY, NOVEMBER 19, 2012 - 7:30 P.M.

into same. The Borough Administrator explained it is for the 2010 grant year but the funds are only being awarded now.

Item No. 4: Received 10/22/12, dated 10/19/12 from PERMA Risk Management Services re Notification of issuance of 2012 Dividend to the Borough in the amount of \$9,822.95; Deadline for notification of choice either to receive the dividend in the form of a check or a credit towards next year's first assessment installment: No later than 11/30/12; if no notification is received, the entire amount will be refunded in the form of a check (Original to Richard Sheola for response)(copy to Glenn Parsells, Fred Pitofsky)

The Borough Clerk noted the Administrator will follow through informing JIF if the Borough wants the dividend in check or credit form.

Item No. 6: Received 10/23/12, dated October 2012 from New Jersey Government Records Council re The OPRA Alert, Volume 4, Issue 1 (October 2012)

The Borough Clerk noted this was additional guidance from the GRC regarding OPRA and offered the suggestion made by the Borough Administrator in requesting that the Borough Attorney meet with Department Heads to inform them of the recent changes in OPRA.

Item No. 8: Received 10/23/12, dated 10/19/12 from JIF Underwriting Manager, Conner Strong & Buckelew, cc: Executive Director, Risk Management Consultant re Memorandum re POL/EPL 2013 Proposals, Options to Reduce Deductibles/Co Pays; informing the POL/EPL coverage with XL Insurance expires 1/1/13 and requesting to sign and return the form electronically to your Executive Director with a copy to your Risk Management Consultant and Joseph Hrubash of Conner Strong & Buckelew via e-mail (Copy to Glenn Parsells, Fred Pitofsky)

The Borough Clerk wanted to call this item to attention noting the different options available for 2013.

b. MAIL LIST OF NOVEMBER 1, 2012 (WS Agenda 11/7/12) - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item No. 3 was removed by the Borough Clerk.

Item No. 6: Received 10/26/12, dated 10/26/12 from Becky Wright, Assistant to Wm. Dressel, Jr., to Municipalities Supporting the Appeal of the Tax Court Decision on Verizon v. Hopewell re IMPORTANT VERIZON V. HOPEWELL UPDATE: S-2324 Introduced – Companion to A-3393 Would Clarify Telecommunications Tax Law

The Borough Clerk explained this is a companion bill to A-3393, which the Council supported at the last meeting via Resolution. Ms. Castano questioned if the Mayor would like to have this as a Resolution for the next meeting; and no objections were voiced.

c. MAIL LIST OF NOVEMBER 8, 2012 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item No. 3 was removed by the Borough Clerk.

Item No. 3: Received 11/06/12, dated No Date from Nick D’Amico, Jr., Friends of the Crèche re Request for permission to place Nativity Crèche in front of Borough Hall during the week of December 9, 2012; to be removed during the week of January 6, 2013 (Copy to Glenn Parsells, Chief Kaine)

The Borough Clerk informed she had received approval from the Risk Management Consultant of the Hold Harmless Agreement which she had been advised was the only requirement since an individual is requesting same. Therefore, she asked the Governing Body to consider granting approval this evening during the Regular Meeting because the next meeting would be after the start date. The Borough Attorney clarified that a Certificate of Insurance is required and the Administrator concurred and advised he would follow through on same.

Steve Isaacson, 97 Columbus Avenue questioned if any religious items should only be up for two weeks. Mayor Heymann informed there was no time limit; and the Borough Attorney affirmed same.

d. MAIL LIST OF NOVEMBER 15, 2012 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item No. 11 was removed by Christian Holl; Item No. 6 was removed by Mayor Heymann; and Item No. 13 was removed by the Borough Clerk.

Item No. 11: Received 11/09/12 hand del’d, dated 11/09/12 from Christian and Bonnie Holl and family, 275 Durie Avenue, to Whom it May Concern re Request for removal of dangerously precarious Landmarked Tulip Tree; Attached pictures, survey, application for tree removal and copy of Borough Ord #181-10 (Copy to Paul Demarest for Bill Fuchs 11/13/12)

Christian and Bonnie Holl, 275 Durie Avenue, explained his property is on the corner of Durie Avenue and Knickerbocker Road and explained how the tree became damaged after 150 years. He said the trajectory of the remaining tree is towards his house and they are concerned they could lose their house should any of the remaining tree limbs fall. Mrs. Holl noted they believe the tree may be diseased as the branches are hollow and have brownish-black lining. Mr. Holl explained his request included photos and the findings of their arborist, Joe London, from Professional Tree Works, saying the tree is not what it used to be. They have the opinions of several tree experts who suggest giving the tree its respectful demise. Mr. Holl expressed his hopes that the Mayor and Council would grant approval for the safe removal of the tree. If any wood can be donated to the town to construct a bench, they would be happy to do that. In answer to Dr. Barad, Mr. Holl explained the portion of the tree that appeared in a photo in the Suburbanite was a three-prong piece of tree that broke off.

At this time, Councilman Kashwick noted he has spoken to the Borough’s Tree Expert, Bill Fuchs, regarding the matter and he is in agreement with the necessity to remove the tree. Mr. Holl noted they just finished renovating the interior of their home and they fear all of their efforts would be lost should the tree fall down. He explained, based on the reports they received, had the storm not damaged the tree, they would have had to do excessive trimming of the tree anyway because the top is dying; and it would have been trimmed down to nothing. Councilman Kashwick questioned if they would like to keep any of the other trees the Borough planted; and Mr. Holl said he hopes to keep the evergreen and that it will gain strength. They will be planting some new trees but will be working with a landscaper after the tree is removed to redesign the front yard. Mayor Heymann explained the procedure for granting this type of approval in the Regular Meeting. Mr.

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MONDAY, NOVEMBER 19, 2012 - 7:30 P.M.

Holl asked how they would be notified about moving forward because he believes the road will require a police blockade when the work is being performed.

The Borough Attorney explained that based on Bill Fuchs' determination, the Mayor and Council under Code Chapter 181-13C have the right to deem the tree the one that needs to be removed. He explained this relieves the homeowner of the permit fee and any type of mitigation normally required; healthy trees usually require some type of mitigation and the Borough imposes fines. In this case, since this is of no fault of the Holl family, the Council in the Regular Session can move that those two requirements be waived. Mr. Rogan advised a permit should still be obtained but explained the fee would be waived if granted by the Council; and that would start the process going. Mr. Holl noted he included his application for tree removal with his request to the Mayor and Council. He expressed appreciation for any follow through to be provided to them on how to move forward with the procedures as outlined. Mr. Holl thanked the Governing Body for their time.

Item No. 6: Received 11/13/12, dated 11/06/12 from Rabbi Mordechai Shain, Executive Director, Lubavitch on the Palisades re Request for permission to erect Menorah on the front lawn of Borough Hall for the duration of Chanukah (12/6/12 to 12/18/12) with lighting ceremony @ 7:00 p.m. on 12/11/12 in front of the Senior Citizens Center (Copy to Glenn Parsells, Bill Brewster, Chief Kaine)

Mayor Heymann explained there were so many things in this request that concerned her that she called the Lubavitch. Rabbi Shain was not there but she provided the information to his secretary, who never got back to her. The Mayor told her as follows: 1. Even though Lubavitch on the Palisades had publicized last August that they were planning to do a Menorah lighting in Closter on 12/13/11, they didn't choose to speak to us until a few days before the event; 2. Last year we had discouraged them from going to the front of the Senior Citizen Center for the lighting ceremony and they transferred it to Ruckman Park and Rabbi Shain seemed to be perfectly in accord with that, nevertheless they requested the Senior Center again; and 3. They didn't have any of the insurance documents they require to approve a request like this. Mayor Heymann said in order for a request like this to be approved, they will be required to have the Certificate of Insurance and Hold Harmless Agreement; and she informed the secretary if they did not have that by 7:30 p.m. this evening, it would be after the fact the date they asked for; and she said if she couldn't get it to us tonight she would change the request to 12/13/12, which is after our next meeting scheduled for December 12th.

The Borough Administrator said he was not aware of that timeline and explained somebody did come in this evening after hours with the paperwork; so he informed he would go to his office and get it. In answer to Councilman Glidden, the Mayor explained as far as the Menorah in front of Borough Hall is concerned, they wanted to have it up for 8 days, which do correspond with the request for the Crèche. She noted she received a comment from someone who said the Menorah is only up for one week and the Crèche is up for a month. She said she does not see any problem with that and referred to Item No. 3c. in the same Mail List regarding Holiday Displays from the League of Municipalities. She feels if they assure themselves of having all of the appropriate displays, they should be okay even if the Menorah is only up for one week.

Dr. Barad mentioned there was one case where they had a Menorah and a Crèche that they deemed illegal until there was a Kwanzaa display; so he doesn't feel a Santa Claus and a reindeer will suffice. The Borough Attorney voiced his understanding it is more of a general "holiday" display like a snowman and a reindeer. Mayor Heymann asked that if the Council finds it

appropriate and the Lubavitch did in fact deliver all of the paperwork that they approve same. The Borough Attorney noted they have the paperwork but that it should still be subject to the approval of the Risk Manager; and the Council may approve the request with that stipulation because the paperwork looks to be in order.

Item No. 13: Received 11/14/12, dated No Date, from Michael Kafer, 261 Parsells Lane re Proposal for Mayor and Council to form committee to review Hurricane Sandy to study the past to educate future governing bodies in storm preparation, communication, response, mitigation and recovery (Copy to Chief Kaine, OEM Coordinator Lt. Winters, DPW Supt. William Dahle, III)

The Council noted there already is a committee in the form of the OEM Committee; and Mayor Heymann informed they met right before this evening's meeting. She informed they reviewed everything that was done appropriately and those that were not so well in this particular emergency compared to the previous ones. She voiced her understanding Lt. Winters and the Administrator have notes on all of the things that need to be done and they welcome comments from everyone regarding same. The Mayor explained the committee is mandated by law and they did take up the very suggestions Mr. Kafer pointed out and said she would respond to him personally. In answer to Dr. Barad, the Mayor explained that Leslie Weatherly took notes at the meeting; the Administrator had an outline of questions he wanted to place and Lt. Winters had an agenda and all of that was discussed. She offered to provide those notes if he desired and the Administrator said he would have that all typed up with minutes for the next agenda packet.

Councilman Barad voiced his understanding that OEM is independent of municipal government to some extent. The Mayor clarified that it is in fact part of municipal government and during emergencies that are under the jurisdiction of the OEM, they give the orders instead of the Mayor and Council. She explained this it to have one voice to the Borough.

Steve Isaacson, 97 Columbus Avenue, referred to Item No. 11 from the Holl family and noted that for months the Holls have appeared before the Mayor and Council asking for a part of that tree that was there removed. He explained nobody would go near it – the utilities or the town – and now all of a sudden it falls due to a catastrophe and everyone is jumping. He voiced his opinion they need to be more proactive in the future on these issues. The Borough Clerk questioned when the Holls last appeared before the Governing Body; and Mr. Holl informed it was about a year ago after Hurricane Irene; and affirmed they also appeared in regards to discussions about the bus shelter and curb. Mr. Isaacson recalled there was a large limb just hanging there and nobody could get to it, not even the utilities.

Mr. Isaacson referred to Item No. 13 from Michael Kafer, and informed he received a call from Mr. Kafer today who said he wouldn't be able to be here. Mr. Isaacson voiced his personal opinion that most people are on VoIP phones; and when the power goes out, there is no way to communicate with anybody. Mayor Heymann said they discussed that and wished to report on same since he brought it up. She informed the Borough has been going through some major drives to get more cell phone numbers and the possibilities of using social media to get information out, loudspeaker systems through the Borough via police car and the possibility of the Borough's own AM radio station. They did cover the gamut of possible ways to communicate; and the first thing they are trying to do is get the cell phone lists from the schools; and they have been encouraging everyone to sign up for SwiftReach on the web site. Mayor Heymann noted because of the last storm they have received 400 new registrations.

Mr. Isaacson explained he personally was here almost every day charging his cell phone and voiced his opinion that if the Borough can run their web site off of a generator, they should make their web site the central spot, otherwise they won't be able to reach everybody. Mayor Heymann voiced her understanding that this community is so neighborly and cooperative that as neighbors received information they passed it on to one another. Councilwoman Amitai voiced her agreement with Mr. Isaacson and noted that Hoboken had daily reports on their web site of what was happening so that if a person had the opportunity they could get the information. Mayor Heymann said that is one of our goals to have updates on the web site.

Christian Holl, 275 Durie Avenue, noted his sister lives in Fort Lee; and while they were out, they were able to communicate and field concerns through their Twitter account; and she was also able to communicate with her family through Twitter; so they felt social media was incredibly helpful for numerous reasons.

At this time, Mayor Heymann informed that tomorrow, 11/20/12, between 9 a.m. and 5 p.m., the Christie Administration will host mobile offices in Ocean and Bergen Counties to address any questions from the general public regarding help from FEMA for damage and other problems that turned up from the storm. The Bergen County location is St. Margaret of Cartona Church, 31 Chamberlain Avenue, in Little Ferry. She urged residents to address their concerns in person at that location.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of November 19, 2012)

Mayor Heymann asked if any member of the Council or public wished to address the items on the Consent Agenda. Item No. 9 was removed by Councilman Dolson.

9. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$17,017.90 TO MRS. KUBITIS REALTY LLC & LAW OFFICE OF NATHAN P. WOLF FOR BLOCK 1303 LOT 1 DUE TO TAX 2010 REAL ESTATE TAX OVERPAYMENT – TCJ RENDERED 10/26/12 (Received from Collector 11/14/12)

Councilman Dolson noted that he had spoken to the Borough Assessor about the numerous times that commercial properties are receiving assessment and tax relief. He asked if it would be prudent to review the assessments versus the market values rather than re-evaluating specific properties. The Assessor had said it was a good suggestion and should be discussed early next year. Mayor Heymann said that this would be referred to the Finance Committee.

6. COMMITTEE REPORTS

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

- 1) STATUS REPORT RE CLOSTER WEBSITE
- 2) REPORT - Councilman Dolson informed he had nothing to report this evening.

B. PUBLIC SAFETY - GLIDDEN (DOLSON/LATNER)

- 1) REPORT - Councilman Glidden requested a Closed Session regarding a matter of personnel.

6. COMMITTEE REPORTS (Continued)

C. PUBLIC WORKS - LATNER (AMITAI/GLIDDEN)

1) REPORT – Councilwoman Latner was not present this evening; therefore, Mayor Heymann reported on her behalf that there is a Public Works Committee meeting scheduled for 12/4/12 at 8:00 a.m.

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported there was an Ordinance Committee meeting last week. He said they are still discussing and investigating two-family houses on their Agenda and hope to bring a resolution in the near future. Dr. Barad wished to bring to everyone’s attention that there is an ordinance on the books concerning how many buildings may be on a particular property which Mr. Rogan brought up to them. The Committee is considering changing that because it is out of sync with other municipalities and seems to affect the creativity and potential for developing some properties. It was mentioned to some extent because of the application for Closter Plaza, which is already in front of the Planning Board at this time. The Committee thought the point of decision is beyond that but they hope to make changes for the future. They hope to tie up the Conservation Zone relatively soon and possibly by the end of the year.

2) REPORT – Councilman Barad informed he had no further report.

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick reported the Human Resources Committee met one evening last week regarding an issue they referred to the Finance Committee. He reported he worked on some verbiage regarding volunteer positions to put up on the web site and asked if Councilpersons Dolson and Amitai could come up with something for the openings on their Boards. Councilman Dolson noted he sometimes has a problem with e-mails; and Mayor Heymann informed she wished to add an introductory paragraph to entice people. She hopes to be able to release that information to the media to encourage participation.

2) REPORT - Councilman Kashwick reported on the following:

a. Shade Tree Commission met last week and they are in the process of working on the Tree City USA application with the National Arbor Day Foundation and it would be our 12th or 13th year in a row obtaining that designation. He reported they received a \$3,000 grant from the NJDEP Community Forestry Program for their 5-Year Forestry Management Program so they will begin working on that in time for the June/July 2013 deadline. The Commission is marking their list for fall plantings and they hope to have that done shortly.

b. The Environmental Commission does not meet until tomorrow evening; therefore, he had no report.

c. The Historic Preservation Commission does not meet until next week; therefore, he had no report.

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

1) REPORT – Councilwoman Amitai informed she had nothing to report this evening.

7. OLD BUSINESS

Councilman Barad questioned when would be an appropriate time to discuss the sanitation issue. The Borough Administrator voiced his opinion that with respect to service levels it would be a Work Session or Regular Meeting item; but when the discussion refers to personnel, they will need to go into Executive Session. The Borough Attorney advised that the discussion should take place in the Work Session which would be more appropriate.

Mayor Heymann explained for the audience that the Borough requested bids to privatize sanitation services and three (3) were received with quite a number of options in the proposals. The Council needs to decide whether they want to move forward based on the proposals they received and most importantly they need to decide the level of service they would provide to the Borough. She noted the proposals all contained various levels based on the options. At the present time, the Borough collects garbage twice a week and recyclables twice a month; and newspapers and cardboard once a month. This is what is currently provided and we may change the level of service according to the costs that they have been given in the bids.

Councilman Barad referred to the spreadsheet they received at the last meeting and said it was very complete and in a very small font. He voiced his understanding that they all recognize that things cost money but that they want services. His reaction to seeing no vegetation pickup was that he does not have a landscaper so what would he do with his grass cuttings and such. He said it's a mixed blessing but projections are that if left the way it is, we have the ability to save considerable funds. Mayor Heymann noted that request was not included in the specs because it was pointed out that there were very few residents in Closter requiring garden waste pickup; and noted she would be happy to show him how to use a mulching mower to take care of the clippings. Dr. Barad noted that even when he did put out the grass it was never picked up, so he no longer puts it out. Dr. Barad agreed with the Mayor that mulched clippings are good for the yard but said that was a different discussion because there are other types of yard waste to consider.

Mayor Heymann explained that based on what the Administrator provided at the last meeting, she sent a suggestion to them to incorporate the bid proposals in the most advantageous way for Closter. Her suggestion was that solid waste, currently collected twice a week at a rate of about two barrels each time, and trash once a week as much as 5 pieces or more when necessary; change it to once a week for solid waste with a 3 barrel allowance and continue to allow up to 5 pieces of trash. In addition, the recycling and newspaper/cardboard (cardboard and newspapers are separated from all the other materials) would take place each week at the same time as garbage collection, so the recycling would be doubled and the newspapers and cardboard would be done 4 times as frequently. Her opinion is if they collect more frequently, they will have less garbage and less tipping fees and greater recycling returns.

In answer to Dr. Barad, the Mayor clarified that this would be an option under privatized sanitation. Councilman Barad noted our DPW does a lot of things and when you start cutting out this one piecem are we missing some other pieces. Mayor Heymann agreed with Dr. Barad and explained there is another department within the DPW called the (Streets and) Roads Department and they do a lot of other things than just roads; and the Solid Waste Department does only solid waste collection. If we cut out garbage collection, those men also do work in the Road Department and some of the equipment for garbage collection is also used for snow plowing and all of those things need to be factored into our cost calculations. Dr. Barad voiced his opinion that he is not

sure we have done that yet.

In answer to Dr. Barad, the Administrator explained that to a certain degree we have done that because you can't pull out with any reasonable certainty the number of hours the sanitation employees would be plowing roads or doing things other than sanitation. He voiced his understanding that after the route is complete, the men go back and they will work in streets and roads for the rest of the day. Dr. Barad questioned if we no longer have men using garbage trucks which are also used for snow plowing, if we no longer maintain those what happens. Bill Dahle explained that currently we have 4 trucks; 2 of which are used for plowing. When trucks are plowing, the garbage collection trucks are still out at the same time. The sanitation men only plow the roads after their routes are done which is after hours; so the sanitation men actually do very little to help out the Roads Department presently because they are busy on their routes and maintaining parks.

Dr. Barad asked what would happen if we are not maintaining that equipment. Mr. Dahle said what he is proposing is that since one of the trucks has a blown transmission that needs between \$10,000-\$15,000 to fix and another one has a bad body; to auction both off and keep one garbage truck as a collection truck for other uses, and convert the other to a roll-off truck by taking the 88 off of one of the Internationals they have and then get rid of that.

In answer to Dr. Barad, Mr. Dahle explained this move would help the DPW a lot more because whenever somebody calls in sick or gets injured or has vacation, he has to take men off the Roads Department and put them on sanitation. He continued to say that the sewer system has not been cleaned in three years and in the past it was done yearly. They have laid off two gentlemen off of sanitation so two guys from roads are helping out and the department is getting smaller every year. He agreed with Dr. Barad that if sanitation was taken off their plate, that the more high level services the DPW performs could be addressed; but said it would create more work for himself and Carole Dacey in keeping an eye on the contractors and monitoring tipping fees and such for accuracy. Mr. Dahle said that it would be a help to not have to come in every morning and wonder who he'll put on sanitation to cover someone else. The DPW would be able to take care of the parks, catch basins, storm water issues and brook maintenance. He added that during leaf season there are two trucks on the road so there are two men that need to be put on sanitation to cover them. Mr. Dahle voiced his support for the move saying that for the 26 years he has been with the Borough, it has been discussed but has never happened.

Mayor Heymann voiced her opinion that privatizing garbage and recycling collections is less costly if done through a private organization. Mr. Dahle informed that he has been getting a lot of calls that the DPW does not do enough recycling and there just aren't enough men to do it; and the Mayor agreed saying we are doing a minimum because we do not have enough help. She believes that there is nothing more important than the services of the DPW in terms of the quality of life in this town; the appearance has a lot to do with the real estate in this town; and marking roads is an important safety provision. Her hope is the money that is saved by going private will allow us to enhance the DPW.

Dr. Barad asked for clarification if when someone else collects the recycling will we still receive the benefit; and Mayor Heymann said that is the case now with Miele doing the recycling. She said the recycling was bid separately so potentially two different vendors could do the work but it would not likely happen because the low bid came in all the way down. The Mayor

explained that we receive a breakdown of the recycling, and Carole Dacey sends in the paperwork for reimbursement. If we recycled every week, we would increase the recycling to make it easier for residents; and not only would we get more recycling bonus, we would have less garbage; therefore, less tipping fees.

Mr. Sheola explained that potentially if we increased recycling we could see a 10% reduction in tipping fees which would amount to \$25,000 per year; but we won't know that until we get into a new contract 6 months into the year. We will still have to budget a higher number and anticipate that at some point we will be saving. Mr. Dahle explained that we have a record of the tipping fees for the past 5 years so we have an idea of what is being picked up; therefore, when they see numbers getting high, they can investigate any issues. The Mayor said we wouldn't save in the aspect that Billy and Carole will still be on the payroll for their purposes; and Mr. Sheola said the mechanic would also still be on the payroll; but possibly not devoting as much time to repairing trucks. There will still be fixed costs that have to be maintained going forward.

Councilman Dolson reiterated Dr. Barad's earlier question as to how the logistics would break down. Mr. Dahle explained there would be three trucks: one for cardboard and paper, one for comingled and one for solid waste. Councilwoman Amitai asked how many more men would be needed to run sanitation if we were to keep it and run the town the way they feel it should be run. Mr. Dahle said at least 3-4 men would be necessary and likely mid-year 2013 he will be asking for a new garbage truck to replace two that are outdated and have a lot of mechanical issues.

In answer to Mrs. Amitai, the Administrator explained he worked out the numbers but not with additional personnel; and he preferred to save that conversation for Closed Session because it does involve personnel. He also did not figure in for new equipment in his analysis, but he did account for the debt on existing equipment. He was not anticipating making any capital purchases for the DPW, but once he gets Mr. Dahle's budget request this week, he anticipates seeing the items he has mentioned this evening.

The Borough Clerk questioned if the recycling center would still be open on Saturdays to encourage people to recycle and Mr. Dahle answered in the affirmative. In answer to Dr. Barad, the Administrator explained this is just the discussion that needs to happen so they can prepare the appropriate Resolution for the next meeting. Mr. Dolson said he isn't sure what the difference is between brush and yard debris because either way they don't seem to be getting picked up. Mayor Heymann asked everyone for patience as we are behind with all of the emergencies that have come up. She asked the Council to relay that sentiment to their constituents.

Christian Holl, 275 Durie Avenue, asked for clarification that one of the bids says there would be once a week pickup with the allowance of 3 cans. Mayor Heymann explained that the big proposals they received do not mention the number of cans, so they estimated three would be enough for most people. She said the Friday collections are much smaller than the Monday/Tuesday collections. Mrs. Holl asked about the summer time when it's hot and the garbage starts to smell and could potentially attract animals. The trash will be sitting stagnant for days before it is picked up. The Mayor said that if they are using plastic trash bags and seal it up well, they should not encounter any problems; but it is a very good point.

Mrs. Amitai questioned if they had discussed twice a week pickup in the summer and the

Administrator explained one of the options was once a week from January to Memorial Day; and Labor Day through December; with a second collection from Memorial Day to Labor Day; therefore, that is an option on the table. Mrs. Amitai voiced her opinion that it would be difficult to have once a week collection in the summer time. She said she has spoken to other communities about the issue and most have twice a week collection in the summer. In answer to Dr. Barad, he said the difference from the low bid to the next one up is \$31,000; and Mayor Heymann said that is a large difference. In answer to Mrs. Amitai she said there are 2,500 households and the Administrator said it comes to about \$71 per household.

Councilman Glidden noted there have been discussions in the past about having a truck at the DPW for people to drop off their garbage. Mr. Dahle explained that in order to do that, the truck has to be sitting there running; and the DEP says you need someone there to man it; so that's an extra person required to enforce the DEP rules that only residents can dump waste. Mr. Glidden asked that if the pickups were reduced, would there be a mechanism in place that if people had buildup and needed to get rid of the trash before the next pickup they could do so. Mr. Dahle said they could do something on a weekday for maybe a 2- hour period but the bottom line is that proper signage is required and it needs to be manned. Mr. Dolson asked if they could just have a roll-off and deliver it to the transfer station every afternoon. Mr. Dahle explained they are trying to not make more work for sanitation but to put the men to where they are needed most and if they were to do something like that, he would suggest solid waste (household garbage) only – not trash. He said that once a week could be possible but to do it more frequently would defeat the purpose.

Christian Holl, 275 Durie Avenue, voiced his opinion that he misses the truck at the DPW on Saturdays because it was very helpful for when people are cleaning up. He said if it was once a month perhaps then people would feel like they had the ability to bring those items in. Mayor Heymann asked if he was aware that they can now put more items in front of their house once a week than they can bring down to the DPW. Mrs. Amitai said the issue is that you have to wait for later in the week from the Saturday or Sunday that you are doing the cleanup; and it has to sit there. She voiced her opinion that not many people want to have those items sitting out there for 4 or 5 days for it to be picked up. Mr. Kashwick said that if you were cleaning last Saturday or Sunday, you wouldn't be able to bring it down anyway; and Mrs. Amitai said she didn't realize they weren't doing that anymore.

Jesse Rosenblum, 65 Knickerbocker Road questioned the procedure for processing or checking tipping fees. Mr. Dahle explained they keep an eye on the tonnage that they see from bills and invoices. In answer to Mr. Rosenblum, he explained that the trucks are not fully loaded when they deliver the items to Miele because they dump them every day for health reasons. Mr. Rosenblum recalled that in the past, it cost more if the truck wasn't fully loaded; and Mr. Dahle explained that was in the past when they used to go to Lyndhurst. He said it takes between 5-8 hours to fill a truck and they dump locally. He affirmed that they pay by the pound not by the trip; and the yearly tonnage stays about the same.

Mr. Rosenblum asked how a cut in the service by making it once a week pickup relates to the savings because there are not comparable services. Mayor Heymann explained they did come in comparable and they have quite a few. It became clear if they wanted to have sizeable savings and improve the Road Department services that they would need to make the reduction in order to gain the savings we need to balance the budget. Mr. Rosenblum asked if there would be a savings if our own DPW cut down the services; and Mayor Heymann explained not necessarily because we

don't have the flexible staff that is needed to do that. Mr. Dahle explained that the past couple of weeks because of the emergency they have been doing once a week pickup and he said it has been beating his department up because he had 7 guys on sanitation. The Mayor explained that the way the bids came through from the carters, they weren't calculating whether they had to pick up more or not because they didn't limit us on the bids. If our DPW had to pick up more at any time, he would need to use twice as many men and it wouldn't be worth it. Mr. Rosenblum asked why going out this year seems to bid advantageously whereas in prior years the savings were so small. The Mayor said it is never possible to estimate ahead of time exactly to get really hard figures; and in the past the estimated figures were handled to get a certain result. Mr. Rosenblum said he assumes the low bidder was Miele and the Mayor affirmed same. He then asked if Mr. Miele could explain why the figures seem so good this time; and the Mayor said she thinks it's our calculation of our own costs that made the difference because Miele's numbers are the same.

The Borough Administrator said they need to keep in mind that a private hauler has the ability to move his equipment from town to town during a 5-6 days schedule and our own crew is locked into town; once they complete their route at the transfer station, they are assigned to other tasks on the Road Department. We do not have the luxury of going to other towns to pick up garbage; and that is why haulers can charge less than what it costs us. Mr. Rosenblum pointed out that haulers spend more time on the road and Mr. Sheola said he discovered during this process that even if you pick up in Closter, you can deliver the waste to any transfer station in Bergen County or even out of the county. Bergen County is more of a free market business. Mr. Rosenblum asked if the DPW could save by having the trucks go to a station in Hillsdale rather than Miele's facility; and Mr. Sheola explained it would depend on a couple of factors including tipping fees and distance. In answer to Mr. Rosenblum, Mr. Dahle said the tipping fees are not the same all over the county and he does not know how much Hillsdale costs. Mayor Heymann said she would look into the matter. The Borough Administrator explained the tipping fees are fixed fees and are non-negotiable because they are registered with the DEP.

8. NEW BUSINESS
9. OPEN MEETING TO THE PUBLIC FOR ANY MATTER PER NJSA 10:4-12(A) (SUBJECT TO A 5-MINUTE LIMIT PER GENERAL RULE NUMBER 11) EXCEPT FOR ITEMS SCHEDULED FOR PUBLIC HEARING AT THE REGULAR MEETING
10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
11. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY

12. ADJOURNMENT

Motion to adjourn the Work Session at 8:52 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 web portal on November 29, 2012
for approval at the Regular Meeting
to be held December 12, 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 December 12, 2012
Consent Agenda Item No. 21b.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MONDAY, NOVEMBER 19, 2012 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:53 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., John Kashwick, David Barad,
Arthur Dolson and Victoria Amitai
Borough Administrator, Richard Sheola
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Chief of Police, Dennis Kaine
Superintendent of Public Works, William Dahle, III

The following persons were absent:

Councilwoman Alissa Latner
Borough Engineer, Nick DeNicola

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

The following Ordinance was introduced at the Regular Meeting held 10/24/12 and was published in The Record on 10/30/12 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.

a. ORDINANCE NO. 2012:1134 "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 141 OF THE BOROUGH'S CODE CONCERNING OUTDOOR CAFES"

Mayor Heymann declared a Public Hearing. No one wished to be heard.

At this time, the Borough Attorney noted that this Ordinance was referred to the Planning Board for comment on October 26th and to date no response has been received. Since the statutory 30 days has not elapsed, action on this ordinance must be deferred to the next meeting.

Motion to adjourn the Public Hearing and Adoption of Ordinance No. 2012:1134 to the next Council meeting was made by Councilman Kashwick, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad, Dolson and Amitai.

4. 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)

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING MINUTES – MONDAY, NOVEMBER 19, 2012 - 7:30 P.M.

5. 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; 8/8/12; 8/22/12; 9/12/12; 9/24/12; 10/10/12; 10/24/12; 11/7/12):

| <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 |

6a. VOTE ON CONSENT AGENDA ITEMS

Mayor Heymann read the list of the Consent Agenda items and asked if anyone wished to remove any item for discussion and separate vote:

Councilman Glidden asked that Item Nos. 7a and 7b be removed from the Consent Agenda. Councilman Barad asked that Item Nos. 7 and 11 be held to the next meeting in order for Mr. Lignos to discuss these items at the next meeting and answer any questions the Council may have before introduction of the ordinances. Councilman Glidden noted that he would like to vote on the introduction at this time and Councilman Dolson agreed.

Motion approving the following Consent Agenda Items minus Item Nos. 7a, 7b, 11 and 12 was made by Councilman Kashwick, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad, Dolson and Amitai.

ORDINANCES

7. INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING - 12/12/12 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

a. ——— ORDINANCE NO. 2012:1135, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200 OF THE CODE OF THE BOROUGH OF CLOSTER AND AMENDING SCHEDULE A: LIMITING SCHEDULE” (Received from Borough Attorney 11/8/12)

b. ——— ORDINANCE NO. 2012:1136, “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” (Received from Borough Attorney 11/8/12)

RESOLUTIONS

8. BILL RESOLUTION – NOVEMBER 20, 2012 (Received from Deputy Treasurer 11/15/12)
9. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$17,017.90 TO MRS. KUBITIS REALTY LLC & LAW OFFICE OF NATHAN P. WOLF FOR BLOCK 1303 LOT 1 DUE TO TAX 2010 REAL ESTATE TAX OVERPAYMENT – TCJ RENDERED 10/26/12 (Received from Collector 11/14/12)
10. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$2,557.50 TO 294 CLOSTER CORP. AND THE IRWIN LAW FIRM PA FOR BLOCK 1312 LOT 4 DUE TO 2011 REAL ESTATE TAX OVERPAYMENT – TCJ RENDERED 10/26/12 (Received from Collector 11/14/12)

MOTIONS

11. ——— 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)

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING MINUTES – MONDAY, NOVEMBER 19, 2012 - 7:30 P.M.

12. 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; 8/8/12; 8/22/12; 9/12/12; 9/24/12; 10/10/12; 10/24/12; 11/7/12):

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

13. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES:
 (Distributed via email on 11/02/12) ABSTENTIONS: BARAD, AMITAI
 a. REGULAR MEETING HELD 11/7/12
 b. WORK SESSION HELD 11/7/12

14. REPORTS

a. CHIEF OF POLICE – OCTOBER 2012 (Received 11/9/12)

6b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

7. INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING - 12/12/12 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

a. ORDINANCE NO. 2012:1135, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200 OF THE CODE OF THE BOROUGH OF CLOSTER AND AMENDING SCHEDULE A: LIMITING SCHEDULE” (Received from Borough Attorney 11/8/12)

Motion to not introduce Ordinance No. 2012:1135 was made by Councilman Glidden, seconded by Councilman Dolson. Councilman Glidden said he is opposed to what the LEEDS Ordinance says in the summary relative to an increased amount in impervious coverage if application is made for LEEDS certification. Councilman Barad said that the summary does not indicated an increase in impervious coverage and explained that if a home is built and an application is made for LEEDS certification; after certification is received you may have the benefit of some increase in impervious coverage. Councilman Glidden said he is opposed to anything that allows building beyond 30% because of density in the Borough. Mayor Heymann said that those people who have the time and money to appeal to the Zoning Board for these increases are almost always granted. There is very little difference between granting the increases by the Zoning Board or through a LEEDS Ordinance. Councilman Dolson said that applications can be made to the Zoning Board for variances but he did not agree that this necessarily means that they should automatically get a variance for LEEDS construction. He did not believe that LEEDS and zoning are compatible. He said if you look at the Master Plan, the recommendation for LEEDS compliance is accelerating the permitting process and/or reducing the fees. The Limiting Schedule has been changed approximately 15 or 18 times since 1971 and should be left alone. Mayor Heymann said that the intent of the ordinances is to make them compatible with the needs of the Borough at the time the ordinances are passed. Councilman Dolson said all the times the Limiting Schedule has been changed were to reduce the lot coverage; and this ordinance is to increase it; which is a direct violation of our open green space issues.

Motion to table Ordinance No. 2012:1135 was made by Councilman Kashwick, seconded by Councilman Barad.

BEFORE ROLL CALL VOTE, The Borough Attorney explained that this Motion tables the discussion on this Ordinance until the next meeting; and if this Motion fails, Councilman Glidden’s motion can be heard.

ROLL CALL VOTE: Mr. Glidden - No Dr. Barad - Yes
 Mrs. Latner - Absent Mr. Dolson - No
 Mr. Kashwick- Yes Mrs. Amitai – No

DENIED: 2-3

CLOSTER MAYOR AND COUNCIL

REGULAR MEETING MINUTES – MONDAY, NOVEMBER 19, 2012 - 7:30 P.M.

Motion to not introduce Ordinance No. 2012:1135 was made by Councilman Glidden, seconded by Councilman Dolson and was declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Dolson and Amitai. Councilman Barad voted no.

- b. ORDINANCE NO. 2012:1136, “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” (Received from Borough Attorney 11/8/12)

Motion to introduce Ordinance No. 2012:1136 was made by Councilman Kashwick, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad and Dolson. Councilwoman Amitai voted no.

At this time, Mayor Heymann asked for approval of the following items:

- 10a. RESOLUTION WAIVING OBLIGATION FOR POTENTIAL MITIGATION IN DEEMING A LANDMARK TREE LOCATED AT 275 DURIE AVENUE PURSUANT TO SECTION 181-13C TO BE DEEMED REMOVED THEREBY WAIVING ANY OBLIGATION FOR MITIGATION FEES TO THE HOMEOWNER

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, Kashwick, Barad, Dolson and Amitai.

- 10b. MOTION GRANTING APPROVAL SUBJECT TO RECEIPT OF APPROVAL FROM THE RISK MANAGEMENT CONSULTANT OF THE CERTIFICATE OF INSURANCE AND HOLD HARMLESS AGREEMENT FOR THE REQUEST FROM LUBAVITCH ON THE PALISADES TO PLACE A MENORAH IN FRONT OF BOROUGH HALL FROM DECEMBER 6, 2012 TO DECEMBER 18, 2012; AND CONDUCT A MENORAH LIGHTING CEREMONY TO BE HELD AT RUCKMAN PARK ON DECEMBER 13, 2012

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

- 10c. MOTION GRANTING APPROVAL FOR THE PLACEMENT OF THE NATIVITY CRECHE IN FRONT OF THE BOROUGH HALL DURING THE WEEK OF DECEMBER 9, 2012 TO BE REMOVED DURING THE WEEK OF JANUARY 6, 2013 SUBJECT TO RECEIPT OF THE CERTIFICATE OF INSURANCE AND APPROVAL FROM THE RISK MANAGEMENT CONSULTANT OF THE HOLD HARMLESS AGREEMENT AND CERTIFICATE OF INSURANCE

BEFORE ROLL CALL VOTE, the Borough Attorney clarified that both the Menorah and Crèche will be accompanied by a holiday display in order to conform with the Constitutional requirements of holiday displays.

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

15. 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. No one wishing to be heard Mayor Heymann closed the meeting to the public.

- 15a. Motion approving the following Resolution at 9:20 p.m. was made by Councilman Glidden seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad, Dolson and Amitai.

CLOSTER MAYOR AND COUNCIL

REGULAR MEETING MINUTES – MONDAY, NOVEMBER 19, 2012 - 7:30 P.M.

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)(4), “A collective bargaining agreement”; 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 items under discussion in the closed meeting would be disclosed to the public at the conclusion of the matters which should be within 12 weeks.

Mayor Heymann resumed the Regular Meeting at 11:03 p.m.

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

17. ADJOURNMENT

Motion to adjourn the Regular Meeting at 11:03 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 web portal on November 29, 2012
for approval at the Regular Meeting
to be held December 12, 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 December 12, 2012
Consent Agenda Item No. 21a.