

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – SEPTEMBER 12, 2012 - 7:30 P.M.

Mayor Heymann called the meeting to order at 9:39 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, David Barad,
Arthur Dolson and Victoria Amitai
Borough Administrator, Richard Sheola
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine

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 8/22/12 and was published in The Record on 8/28/12 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.

ORDINANCE NO. 2012:1132, "AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$65,000.00 FROM THE CLOSTER OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS"

Borough Administrator advised that the money is coming from the Open Space Fund and would be moved to the Capital Open Space Fund. Councilman Glidden wished to clarify that we did not know how much of this money would be needed for the bathrooms if at all; and questioned the current allocation. Borough Administrator explained that the original budget was \$145,000 out of which \$8,000 has been spent on engineering fees; leaving a balance of approximately \$138,000. In answer to Councilman Glidden, he recommended if the additional \$65,000 is not spent by the end of 2012 or when the project is finished, the balance can be canceled and returned to the Open Space Fund.

Councilman Barad noted that if the ordinance was canceled at this point, it would slow down the funding of the project. He explained that if we cancel it and need the funds, we have to start all over again; therefore it is wiser to pass the funding and cancel it later if it is not needed. Borough Administrator noted that the money cannot be spent without Council authorization.

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

Motion approving adoption of Ordinance No. 2012:1132 was made by Councilman Glidden, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson. Councilwoman Amitai voted no.

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)

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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):

| <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

Motion to approve the Consent Agenda minus Item Nos. 16 and 17 was made by Councilman Barad, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

RESOLUTIONS

7. BILL RESOLUTION – SEPTEMBER 15, 2012 (Received from Deputy Treasurer 9/6/12)
8. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$14,421.65 and \$27,500.00 FOR PREMIUM PAID AT TAX SALE TO ROSEHILL FUND I, LLC FOR REDEMPTION OF TAX SALE CERTIFICATE #12-00001 FOR BLOCK 1005, LOT 8, ALSO KNOWN AS 32 TENAKILL STREET, SOLD AT THE MUNICIPAL TAX SALE HELD 6/28/12 FOR 2011 DELINQUENT TAXES (Received from Finance Office 8/30/12)
9. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$45,888.13 and \$23,400.00 FOR PREMIUM PAID AT TAX SALE TO HAVID DEVELOPMENT FOR REDEMPTION OF TAX SALE CERTIFICATE #10-00005 FOR BLOCK 1906, LOT 1, ALSO KNOWN AS 7 WILSON PLACE, SOLD AT THE MUNICIPAL TAX SALE HELD 6/29/10 FOR 2009 DELINQUENT TAXES (Received from Finance Office 8/28/12)
10. RESOLUTION GRANTING APPROVAL FOR RELEASE AND RETURN OF PERFORMANCE BOND IN THE AMOUNT OF \$18,144.00 TO APPLICANT: B AND H DESIGN AND CONSTRUCTION DUE TO SATISFACTORY COMPLETION OF THE REQUIRED IMPROVEMENTS IN ACCORDANCE WITH APPROVALS GRANTED FOR PARKING LOT IMPROVEMENT OF BLOCK 1305, LOT 7.01 (Received from Deputy Treasurer 8/30/12)
11. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE REFUND CHECK IN THE AMOUNT OF \$3,433.93 TO CORE LOGIC FOR 3RD QUARTER 2012 REAL ESTATE TAX OVERPAYMENT FOR BLOCK 308 LOT 6, 3 DURIE AVENUE, DUE TO A DUPLICATE PAYMENT (Received from Finance Office 8/24/12)
12. RESOLUTION GRANTING APPROVAL TO SUBMIT GRANT APPLICATION AND EXECUTE GRANT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE VARIOUS ROADS WITHIN THE BOROUGH OF CLOSTER (Received from Administrator 9/7/12 @1:35 p.m.)
13. RESOLUTION APPROVING ISSUANCE OF 2012 CERTIFICATE OF COMPLIANCE FOR JOHN PETERS PROFESSIONAL LIMOUSINES FOR THE FOLLOWING LIMOUSINE: 2013 LINCOLN TOWN CAR, VIN#2LMHJ5NK1DBL52547 (completed application filed, appropriate fees paid and approvals received from Risk Management Consultant and Borough Attorney by 9/5/12)
14. RESOLUTION APPROVING CORRECTIVE ACTION PLAN FOR 2011 ANNUAL AUDIT (Received from Administrator 9/7/12 @1:35 p.m.)

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15. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a through 3/31/13 for Commodity/Service: Public Safety Equipment and Supplies (Portable & Mobile Radios); Vendor: Regional Communications, East 64 Midland Avenue, Paramus, NJ 07653; State Contract # A53804; Max. Amt.: \$73,000.00; and Commodity/Service: Public Works Equipment; Vendor: Cliffside Body Corporation, 130 Railroad Avenue, Fairview, NJ 07022; State Contract # A76452 & A73499; Max. Amt.: \$43,213.00 (Received from Administrator 9/7/12 @ 1:35 p.m.)
- 15a. RESOLUTION RESCINDING CHANGE ORDER NO.1 IN THE AMOUNT OF \$19,000 FOR HERBERT AVENUE, SECTION 5 & MEMORIAL FIELD BASKETBALL COURT IMPROVEMENTS, ADOPTED BY THE MAYOR AND COUNCIL AT THE REGULAR MEETING HELD JULY 11, 2012 AS AGENDA NO. 12 (Received 9/10/12 from Administrator)

MOTIONS

16. 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):

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

17. 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)

18. MOTION GRANTING APPROVAL FOR THE ANNUAL BLOCK PARTY TO BE HELD ON WHITNEY STREET ON SUNDAY, 9/23/12, FROM 1 P.M. TO 7 P.M.; RAIN DATE: SUNDAY, 9/30/12; AND FOR BLOCKADES BE PLACED AT BOTH ENDS OF WHITNEY STREET (BETWEEN HIGH STREET AND DEMAREST AVENUE) 11. M.L. 8/23/12

19. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES: (Distributed via e-mail on 8/31/12) NO ABSTENTIONS

- a. REGULAR MEETING HELD 8/22/12
- b. WORK SESSION HELD 8/22/12

20. MOTION GRANTING APPROVAL FOR VOLUNTEER CENTER OF BERGEN COUNTY INC. TO CONDUCT THE 14TH ANNUAL BERGEN BIKE TOUR PARTIALLY THROUGH THE BOROUGH ON SUNDAY, 9/30/12, FROM 7:30 A.M. TO 1:00 P.M. (10. M.L. 7/19/12/ Approval received from Risk Management Consultant 9/7/12)

- 20a. MOTION GRANTING APPROVAL FOR BOROUGH CLERK TO SIGN STATE OF NEW JERSEY, OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF ALCOHOLIC BEVERAGE CONTROL, APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR FOR BPO ELKS LODGE #2304, 148 RAILROAD AVENUE, CLOSTER, NJ 07624 TO DISPENSE MALT ALCOHOLIC BEVERAGES IN BLOCKED OFF PARKING LOT ON 10/20/12 FROM 12:00 P.M. TO 9:00 P.M. (Completed application received 9/11/12)

21. REPORTS

- a. CONSTRUCTION OFFICIAL – AUGUST 2012 (Received 9/4/12)
- b. CHIEF OF POLICE – AUGUST 2012 (Received 9/11/12)

- 6b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

22. 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)

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23. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY
ADDED:

- 23a. Motion authorizing the Borough Administrator and Borough Engineer to prepare new bathroom bid specifications for the design and building of one unit at Mollicone Park and two units at Schauble Park as soon as possible with a memorializing resolution to be prepared for the next meeting was made by Councilman Glidden, seconded by Councilman Barad

BEFORE ROLL CALL VOTE, the Borough Engineer advised that bid specifications cannot be prepared to build the bathrooms only the site plan for the building. Someone must design the building. Performance specifications must be prepared from design specifications because Boswell is not qualified to do same; therefore, he recommended the hiring of an architect.

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

- 23b. Motion to contribute \$220.00 to support the Appeal of Hopewell v. Verizon Tax Court Case (5. M.L. 9/13/12) was made by Councilman Barad, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

Borough Attorney noted that recommendations had been received from the Planning Board Attorney relative to the 2,000 square foot ordinance indicating that the three items that are listed are diminimus. He asked for a voice vote from the Council accepting the Planning Board's recommendation for the Ordinance (No. 2012:1130 which was introduced 8/22/12 and is scheduled for public hearing and adoption on Monday, 9/24/12), which can then be approved as revised.

- 23c. Motion approving the diminimus changes to Ordinance No. 2012:1130, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 173 OF THE CODE OF THE BOROUGH OF CLOSTER SPECIFICALLY SECTION 173-27D) as outlined by the Borough Attorney was made by Councilman Barad, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

24. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:55 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 September 21, 2012 for
approval at the Regular Meeting
to be held September 24, 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 September 24, 2012
Consent Agenda Item No. 17a.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – SEPTEMBER 12, 2012 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session at Borough Hall on Wednesday, September 12, 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

Those present were:

Mayor Sophie Heymann
Councilpersons John C. Glidden, Jr., Alissa Latner, John Kashwick,
David Barad (8:02 p.m.), Arthur Dolson and Victoria Amitai (8:03 p.m.)
Borough Administrator, Richard Sheola
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine

Also present: Jim Oettinger, Recreation Director

PRESENTATION

Mayor Heymann welcomed members and coaches of the Northeast Bergen All Star Teams who are the champions of the 14 and under baseball league and the 12 and under league. Mayor Heymann explained that the 14 and under season was won by the participation of each member of the team during each game and she provided a play-by-play description of the regular season and playoff games. Councilwoman Latner, whose son is a member of the team, assisted Mayor Heymann in presenting the award certificates to the team members.

Mayor Heymann acknowledged the 12 and under Baseball Team members all of who made a contribution to the team in their individual position. The schedule was difficult but ultimately Closter became a number one seed in the playoffs and winning the championship. Councilman Glidden presented the award certificates to the team members.

Mayor Heymann recognized the team who won the Mayor's Trophy and expressed thanks to all the players as the leaders and future of the Borough. She welcomed them and their parents to all of the Council meetings.

Mayor Heymann opened the meeting to the public.

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Mary Ann Denner, member of the Recreation Commission, referred to the bathrooms at Schauble and Mollicone Parks and cited the need for these facilities rather than unattractive portable units.

Mayor Heymann called for a Recess at 8:00 p.m.

The meeting resumed at 8:02 p.m.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF AUGUST 23, 2012 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. No one wished to remove any items for discussion.

b. MAIL LIST OF AUGUST 30, 2012 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. No one wished to remove any items for discussion.

c. MAIL LIST OF SEPTEMBER 6, 2012 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. No one wished to remove any items for discussion.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of September 12, 2012)

Mayor Heymann referred to the Consent Agenda Items and asked whether any member of the Council wished to discuss any item: Item No. 11 was removed by Councilman Dolson.

11. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE REFUND CHECK IN THE AMOUNT OF \$3,433.93 TO CORE LOGIC FOR 3RD QUARTER 2012 REAL ESTATE TAX OVERPAYMENT FOR BLOCK 308 LOT 6, 3 DURIE AVENUE, DUE TO A DUPLICATE PAYMENT (Received from Finance Office 8/24/12)

Councilman Dolson noted the frequency of CORE Logic duplicate payments to the Tax Department and felt the company should investigate their bookkeeping department to correct that problem. Mayor Heymann felt it was not an error on the part of Core Logic but on the part of the payer. Councilman Kashwick said that Core Logic is the one making the mistake and Mayor Heymann said the matter would be reviewed.

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

1) REPORT – The Borough Attorney reported that since the last meeting his office received a letter from the Planning Board Attorney regarding the 2,000 square foot ordinance (No. 2012:1130) introduced at the last meeting. He distributed a copy of same this evening and informed his review found it to be acceptable from a legal standpoint. If the Council is agreeable with it, he considers the changes to be diminimus in nature. Mr. Rogan explained they already discussed the first change where they reference the Uniform Construction Code to add “International Building Code” and the other is elimination of the term “material”. The affidavit issue is more of an administrative matter as previously discussed. The Planning Board Attorney attached a copy of the affidavit that was discussed but he reminded it will not be included as part of the ordinance so it can be subject to change for the needs of the Zoning Office for additional information. He voiced his opinion that if there is agreement the diminimus changes can be made, we can go forward and the Ordinance can be adopted with the changes.

6. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER

1) STATUS REPORT RE DREDGING AND RESTORATION OF RUCKMAN POND, BLOCK 1901, LOT 1 (RM 6/8/11) - The Borough Engineer reported the County has completed the dredging; and the pond is in the process of refilling. A ceremony is scheduled to be held this Friday at 6 p.m. with the County Executive reopening the pond.

2) STATUS REPORT RE HERBERT AVENUE SECTION 5 & BLANCH AVENUE IMPROVEMENTS, 2012 ROAD IMPROVEMENTS, & SCHAUBLE FIELD WALKING PATH - Awarded to AJM Contractors, Inc./\$445,911 RM 6/27/12
Mr. DeNicola reported this project has been completed with the exception of punch list items which should be completed in 2-3 weeks. The project was completed under bid and ahead of schedule.

3) REPORT - The Borough Engineer reported next year's Local Aid Grant Application will include the section of Ruckman Road by the pond that is not done and a portion of Oakland Street and Perry Street from Main Street and High Street. The application will go in the beginning of October and the Resolution is on the Agenda tonight for the Mayor's endorsement.

At this time, Councilman Glidden requested discussion regarding the bathrooms and the "John Committee". Councilman Kashwick requested the opportunity to address an issue with the Borough Engineer before proceeding with that discussion.

Councilman Kashwick referred to the County ADA Ramp project and asked if they were doing the entire town. Mr. DeNicola informed that at this time they are only doing the section from Piermont Road to Harrington Avenue in preparation for the paving. Mr. Kashwick asked if the crosswalks by Durie Avenue could be completed during the paving. Mr. DeNicola explained they are trying to work out a deal with the County where Closter would pay for the materials to be trucked away; and the County's contractors will excavate it out and put the asphalt and stone in to build the road back up. In answer to Mr. Kashwick, he affirmed the paver blocks will not be replaced; it will just be re-striped. He said the County's contract only includes conventional striping so he recommends going with the single white striping for the time being until permission can be obtained to do something different because it is a County roadway. Generally they shy away from the big brick paver and thermal plastic material because Oradell and Haworth have had problems with it. He said he did a project in Demarest about 18 months ago and the track record with those materials is not good at all.

Councilman Glidden informed the John Committee consists of himself, Councilman Kashwick, the Administrator and Engineer. He said they held their first meeting a week and a half ago at the two fields. At that time there was discussion of relocating both bathrooms in order to accomplish a couple of things like to cut down the length of the sewer to cut costs. The Borough Engineer explained the original bid came in at \$185k, and after modifications like moving the buildings lowered the cost to about \$169-\$170k. Mr. Glidden said the Committee met with former Councilman, Zoning Board Member and owner of his own construction company, Tom Hennessey, who was in charge of the bathroom at Ruckman Park. He said that Mr. Hennessey recommended instead of using a prefab building, it could be done cheaper if it is re-bid with a building designed instead of a prefab and gave a figure of \$30,000 - \$40,000.

Mr. Glidden said they met with Ed, Rich Sheola, Tom Hennessey and the Mayor this afternoon to discuss that issue again; and of major concern to him is what are the ramifications of having a rebid. He requested the Administrator speak to the Engineer so they could have an answer this evening concerning process and timing. Mr. Sheola informed he spoke to Nick after the meeting; and it would be a push to get things done. The indication he was given was that it would take about a month to get the bid out even allowing the 10-day bid threshold. The earliest the bids could be accepted would be the middle of October with an award at the end of October at the latest. If not, we will run into problems with frost and potentially bad weather. To get an architect just to do the drawings is going to take a while in and of itself. The other option is to do a design/build. Mr. DeNicola explained that because it is a public building, you will still need the plans signed and sealed for liability purposes. He said the design/build concept still works to the

6. PROFESSIONAL REPORTS (Continued)
B. BOROUGH ENGINEER (Continued)

State level but you still have engineers and architects involved in that process certifying, signing and sealing. He explained that in order to do this, it is no longer a local contractor; you have to get someone of a higher caliber which costs more money. Mr. Sheola said it could still be a local contractor but they would have to hire out for that and they could incorporate that into their costs. Mr. Glidden questioned if, at this point in the year, all of this could still be done before the end of the year and have it ready for the next athletic season. The Borough Engineer advised it was dependent on the cold weather and if it would be a mild winter or not. In answer to Mr. Glidden, he explained there would be no issue if they moved forward with the current bid because the contractor is already on board and their bid could be accepted at the next meeting. He said you really don't know if a month makes a difference because winter is literally starting two months from now and there's no way to predict the weather. Although there is no right answer, they would be safer with this bid albeit costing more for timing purposes. If they want to save more money they could re-bid it out. In answer to Mrs. Amitai, he explained the idea was to have it up and operational by March 15, 2013.

Jim Oettinger, 25 Carlson Court, Director of Recreation, voiced his agreement with what Mary Ann Denner expressed earlier and thanked the Mayor and Council for their support. He voiced his opinion that if we are going to save money, it is an issue where everybody has to be on board and happy with the situation; and he said he is all in. His opinion at this point is to wait until the Spring and start in March or April; the objective is to have bathrooms in the parks that everyone will be proud of. He would gladly spread the word that collectively they decided to put it off until next year to save some money; and he wants everybody to be happy with the decision to have the bathrooms in the park because they are really necessary. He voiced his opinion that he wouldn't want this to turn into a filibuster where they delay and delay; the important thing is that in the Spring the details are worked out and they are ready to break ground. Mr. Oettinger reminded that the Ruckman Park project was a tremendous effort and there was a great amount of volunteers. He emphasized that we really need to focus on the fact that we will not likely get as many true volunteers for these projects. He voiced his opinion that if the projects are started and sit untouched over the winter it would not be the end of the world because they are not actively used that time of the year. He agrees that if we could move forward, we should go ahead and try; but if we get delayed, it's not the end of the world.

Mayor Heymann wanted to enunciate the fact that one of the ways they intend to save money is to have only a single facility at Mollicone Park. They plan to accommodate the Recreation Commission by having a storage area at Schauble Park. Mr. Oettinger agreed that would suffice; and said if we can save money for the residents and have bathrooms for the children, it would be great; and the Commission would be grateful. Mr. Sheola explained he spoke to the Borough Engineer about lobbying off a bathroom there and said it would still take some time for the contractor to come back with a price. He hopes by the next meeting to have that information; and the funding would be available for it, so they could decide how to proceed. He explained a situation he had run into years ago trying to accomplish a project before winter and they cut it really close; and Mr. Oettinger voiced his opinion that it is not necessary to set ourselves up for failure. He said the next season doesn't start until April 29, so he questioned what a potential Spring start date could be. The Borough Engineer said it was again a weather dependent issue but potentially March 1 should not be a problem because it is a small building and there will be two months to build it.

Councilwoman Latner voiced her understanding that everyone is in agreement that there is no question the bathrooms need to be there. She reiterated that the shock originally came from the cost of square footage because it's really hard to justify. Mr. Oettinger agreed and said they aren't looking for a Taj Mahal – just bathrooms. Councilman Barad reminded that at the last meeting, one of the fixed costs they discussed was providing utility costs, which still exist no matter what kind of building it is. Mr. Sheola explained that moving the locations of each building substantially cuts down on the amount of pipe and water that would flow which comes to about 10% or \$18,000 of the job. Mrs. Amitai voiced her opinion that we should purchase lumber from local vendors to show support. Mr. Sheola informed they did speak about that earlier in the day but the problem is that the bid threshold is \$36,000. If we wanted to buy the lumber

6. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER (Continued)

we could buy from a State contract and exceed that threshold; but if we bid the labor separately, we would be in violation of the Local Public Contracts Law by trying to piece it together. He advised the Mayor and Councilman Glidden that if it were to be done that way, he as the CMFO and Qualified Purchasing Agent will not sign off on it because that is a clear violation of the law.

Councilman Dolson questioned the need to hire additional professionals to sign and seal documents; and asked how the firm in Oregon that would provide the kit building would be able to sign and seal. The Borough Engineer informed they happen to be licensed in all 50 states so they would be able to sign and seal their own drawings. He clarified that they don't need someone with a license to sign and seal the documents; they need someone who is licensed to design the building because Boswell does not have such licensure; and the Oregon firm holds that license in New Jersey as well. He reminded that when this process started in 2009, they were working with Romtec to avoid having the Borough have to hire a professional architect. Mr. Dolson voiced his frustration that currently the project is estimating \$200,000 where at first it was \$140k and now it is \$165k, which is appropriating \$205,000. The Borough Engineer explained that \$205k includes the expense of an architect; and he understands Mr. Dolson's point; but at the time, it seemed like the path of least resistance; and in hindsight, it was probably not the best way to go. In answer to Mrs. Amitai, the Mayor and Borough Engineer agreed an architect could charge more than a few thousand dollars for 8 x 10 bathrooms. Mr. DeNicola estimates it could cost \$3,000 to \$5,000 for a package. Mrs. Amitai questioned why they couldn't get a volunteer to offer architectural services; and the Mayor said she has been working on that; but their businesses aren't doing well right now, and they really need the business rather than to volunteer their services.

Councilman Glidden asked that a consensus be reached about what to do with the current outstanding bid and then offer direction to re-bid the project. The Borough Attorney advised a motion would be needed to be made during the Regular Meeting to authorize same. The Borough Engineer informed they would also need to go out to bid for professional services for an architect. Boswell can provide the site plan but an architect needs to provide the building and specifications. Mr. Dolson requested the opportunity to come up with a schematic and see what the costs could be before they publish all of these additional items; and the Borough Engineer informed Tom Hennessey already did that. Mr. Dolson said he was aware that was already done but voiced his opinion that it is just not getting across what the costs will be. Mr. Sheola noted that Mr. Hennessey today had given a price of \$140,000 and \$145,000 for the project. In answer to Mr. Dolson he explained that very possibly looking at it from a different vantage point that estimate possibly wasn't enough because there would be charges to Boswell for services. Mayor Heymann noted that Mr. Hennessey's original estimate did not include any groundwork for utilities, which is a major cost factor; and she affirmed the original specs included prevailing wage. Mr. Dolson said that without prevailing wage the estimate was only \$26,000. Mayor Heymann invited Councilman Glidden to introduce his motion in the Regular Session.

At this time, the Borough Administrator cautioned that introducing a motion to reject the bids should rather be a motion to prepare another bid specification. He said it should be specific to include whether or not it would be a kit but just to define the structure.

7. REPORTS

A. BOROUGH ADMINISTRATOR - Mr. Sheola informed he would speak to two issues. He noted that everyone has probably seen by now that Verizon Corporation no longer wants to pay the tangible personal property tax used in business for 51 towns for 2013; and we unfortunately are in that 51. Using this year's return from Verizon when they estimated \$5.7 million in net value at this year's tax rate, we will lose \$27,100 in tax revenue right off the bat for 2013. If you've been following the litigation for Hopewell v. Verizon where the League of Municipalities has joined as Amicus curae, they want to expand the participation and are looking for contributions of \$220 from each municipality to fund the litigation which comes ringing true now that we find out we are on the list ourselves.

7. REPORTS (Continued)
A. BOROUGH ADMINISTRATOR (Continued)

The Borough Administrator noted that the second page of his report that was provided to all is not the page he thought it was as it is not updated. He announced it should have read that he would like to have a Bond Anticipation Note sale in September and that the notice went to the bond buyer today. He said we have \$1.5-\$1.6 million in BAN's for sale as a one year note. They will be accepting bids next Wednesday (9/19/12) with a closing at the end of the month. He noted the Mayor asked him yesterday what he thought the rates would be and estimated 1 ½ % - 2%; and Bill Mayer's comment back to him was that we did 1.6% last year for \$840,000 and the market hasn't changed; so it should be between 1 ½ % - 2%. Councilman Glidden voiced his opinion that it should be around 1% for a one year note; and Mr. Sheola said he would take 1% any day. He wanted the Governing Body to be aware that we are running short on capital cash and with the fire truck due in 5-6 months he didn't want to be in the basement printing any money.

1) STATUS REPORT RE BOROUGH WEB SITE – The Borough Administrator reported we haven't moved as fast as he would have liked to on the Borough web site. He said it's a matter of conflicting priorities and how much we can do. Mr. Sheola informed that Kevin Whitney did set the Borough up on Twitter; and he encouraged everyone to join in on that.

2) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S):

a. Report re follow up of insurance requirements for use of Senior Center (WS 10/26/11)

3) STATUS REPORT RE PREPARATION OF SPECIFICATIONS FOR ADVERTISEMENT OF BIDS FOR SANITATION/TRASH COLLECTION (RM 1/26/11) – Mr. Sheola reported the bids are out with a response date of 11/6/12 and they are all inclusive. Every type of service is separate so a vendor could bid on one service but not necessarily the others. He is looking forward to the responses.

4) STATUS REPORT RE REQUEST FROM RECREATION COMMISSION (4. M.L. 11/17/11) TO REMOVE "DANGEROUS TREES" IN THE PARKS

5) STATUS REPORT RE: NEW ROOF AND CHIMNEY/MASONRY WORK/MAC BAIN FARM HOUSE (WS 12/14/11) - The Borough Administrator reported the major repairs are complete but they are waiting for a price on the additional roof repairs for which the tenant has made them aware.

6) STATUS REPORT RE MEETING HELD WITH SWIM CLUB REPRESENTATIVES RE POSSIBLE ACQUISITION (W.S. 6/27/12)

Committee members: Borough Attorney/Administrator/Dr. Barad

7) STATUS REPORT RE BID OPENING HELD 7/31/12 @ 11:30 A.M. FOR THE PROJECT KNOWN AS RESTROOM FACILITIES FOR MOLLICONE FIELD AND SCHAUBLE FIELD

8) REPORT RE CORRECTIVE ACTION PLAN – 2011 MUNICIPAL AUDIT (Deadline 9/27/12) – The Borough Administrator explained that each year on the last two pages of the Audit Report are the Findings and Recommendations. Statutorily, the Chief Financial Officer must develop a Corrective Action Plan to address those findings and issues the remedial action providing an approximate date when they will be corrected. In the Agenda packets they have his cover memo and the Corrective Action Plan. He said they have all been addressed with the appropriate staff; and two items have already been addressed which he considers closed. None of the findings were substantive in nature; some are merely a matter of practice that has long been accepted and were only brought to the attention of the Auditor this year. Others are a reflection of the cycling of staff which are not insurmountable to correct. Finding Nos. 2, 6a. and 6b. were corrected by 7/1/12; and he hopes to finalize the remainder by the end of this year especially the Grants Receivable balances. He explained that it is quite possible that some trust accounts were created over time which were never sent to the Division of Local Government Services for their obligatory approval; and we are going to go back to try to track them and resubmit or submit for the first time for DLGS approval. The Corrective Action Plan must be approved by Resolution of the Governing Body and sent to the Director of the Division of Local Government Services and kept on file.

9) REPORT RE CY2012 BEST PRACTICES CHECKLIST (Deadline 9/28/12) – Mr. Sheola explained that in the past few years it was approved by the Governor to develop a Best Practices Inventory

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

of functions of local government. Every year it changes slightly; and based on the answers to the 50 questions, you get credit for “yes” answers. You get credit for the “non-applicable” answers also; you do not get credit for the “no” answers. They are starting to give credit for answers that are prospective for future compliance because they realize things are being sprung in the last minute. Our score was 47 or 94%; and the good thing is there’s a sliding scale depending on how you answer the questions and your percentage rate determines the amount of State Aid you will receive. As our percentage is 94%, we will still receive 100% State Aid. We have a little bit of work to do ahead of us; he is certain we will be asked these questions again; and he doesn’t want to answer no to any prospective questions going forward. For example, question no. 7 asks “*Does your municipality require its elected officials to attend on an annual basis at least one course offered by the Rutgers University Center for Government Services (or a similar education provider such as the NJ League of Municipalities) covering the responsibilities and obligations of elected officials (for example: ethics, municipal finance, labor relations, capital planning, shared services)?*” Our answer is no; it is not required but new members are required to attend; and his question back to the State is will the State pay for mandatory attendance? Another question asked if our municipality had an accounting policy manual documenting all internal controls and the answer is no, it has been by practice. He says we should go back with the Auditor’s assistance to write an accounting policy manual as he is sure many towns will have to do so. Mr. Dolson informed there is a partial one containing accounts receivable procedures. Mr. Sheola noted we have quite a few “yes” answers; and he feels overall the Borough has been managed well over the last few years with some policies in place.

Mr. Sheola informed that this Report has to be discussed publicly before he can sign it and send it because his certification is on it; and the Borough Clerk sends a certification that it was discussed publicly. Dr. Barad asked if it had to be discussed during the Regular Meeting; and the Borough Attorney advised it did not, as long as it was discussed by the Governing Body at a public meeting. Mr. Glidden voiced satisfaction hearing the 94%. The Borough Clerk asked if the members of the Governing Body were in agreement that the Checklist had been discussed and no objections were voiced.

10) REPORT RE APPRAISAL OF LADDER TRUCK (Discussed at WS 8/22/12)

11) REPORT - The Borough Administrator reported the first round of personnel evaluation forms are due back this Friday. He explained this is merely a trial run and another set will be done in January. He has received only one “Rate the Boss” form back to date (deadline 9/17/12) and he expects the others to be returned shortly.

Mr. Sheola reported we have been accepted into the Pascack Valley Shared Services Pricing Council and he knows there will be a few future items they will be able to utilize this system for to bid. The Administrator said they determined they would not be able to do the data dump they wanted to into our finance system for fixed assets so we will be establishing the criteria for that. He has some ideas how some staff could take care of that. He announced that the auction was pretty successful with everything sold except three patrol cars and one confiscated vehicle. There is one vehicle left in the lot; and the gentleman called today and said he will be by next week to tow it out. We made just shy of \$20,000; and he thinks for all intents and purposes the Borough did very well.

The Borough Administrator reported there were discussions regarding the request for a mid-block crosswalk. The Engineer and Police Chief do not feel it is necessary for the reasons outlined in the memos provided to the Council.

At this time, Mrs. Amitai noted she loved the idea of a master open items list. Her question regarding same is would it be possible with that kind of software if we say yes we want to take out a bond to pay for a million dollar garbage truck, will it be able to show us how it will affect future monies and budgets over the years? Mr. Sheola explained that was not the intent of his list; and said it was more for items that people are aware are hanging fire that for whatever reason have not moved forward; it can be moved forward to be worked on collaboratively. He said what Mrs. Amitai is looking for is a report that is required from the CFO after the sale of Bond Anticipation Notes showing the bidders the rates and debt schedule. Part of what he will have for the 2013 Budget package will be the debt schedule until the last payment we have to make on our existing debt – what we are obligated to pay each year for the next 14 years. Mrs. Amitai voiced her opinion that when they vote on bond ordinances, it is kind of blind to her because she doesn’t know what kind of damage we’re doing going forward. The Borough Administrator

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

explained as a rule of thumb, unless you have a very large project where you're going to take it immediately to the long term debt market, it's going to be a Bond Anticipation Note which 9 times out of 10 will be a one year instrument. The ones we are selling now will mature 9/23/13. Ideally, you would pay down 10% on that note. So of the \$1.5 million, he would like to pay \$150,000 off next year. You're only allowed to roll that over for 10 years. You don't know specifically what you are going to be borrowing at at the time you approve a funding ordinance; but we can provide that information the next time we provide a funding ordinance by either checking with some banks or the bond attorney or the bond buyer to get an idea of what other communities our size with our rating have paid within the last 30 days; but that will only tell you what your interest rate will be for 1 year. We can extrapolate it out to some degree with some certainty that won't be completely accurate but will give you a better picture.

At this time, the Borough Engineer noted last year's Local Aid project reimbursement from the D.O.T. went in about 6 weeks ago and he was curious if it had been received. Mr. Sheola said he believes it might be an electronic transfer and he will check into it.

The Borough Administrator noted all 2013 Budget Request Packages were sent out to Departments last week and they are due back on 11/24, the day before Thanksgiving. He noted he provided a copy of his cover memo in their packets and said if anyone wants to see the worksheets he distributed, they are nothing spectacular just columns asking for information. The Finance Committee will get a complete set of returns after he receives them; and he offered at any time if anyone wants to ask questions or provide input on the Budget to please feel free to do so. Mr. Sheola voiced his opinion that the budget process is a great time for the Governing Body to establish policies and procedures for projects and funding and things of that nature not only for the next year but for years to come.

At this time, Mayor Heymann questioned the Resolution in Mr. Sheola's packet for the Pascack Valley Cooperative Pricing System and noted it is not on the Agenda. He explained it was already done (RM 8/8/12) and was sent to Westwood, who forwarded it to State. The State approved and sent it back accepting us as a member. In regards to the fee, he explained there has never been a fee before and it was discussed at the last meeting because as the lead agency, Westwood undertakes all of the financial responsibilities. Another member municipality suggested contributing \$500 towards Westwood to underwrite the costs of the program. He said he does not feel it is an unreasonable fee, although it may be higher than some other co-ops, such as Morris County. He thinks it is a token gesture to recognize all of the work that goes into being the lead agency. Mayor Heymann noted we are also members of Northern Valley and Riverside Cooperative groups and questioned what we pay for those. Neither he nor the Mayor has seen a charge for Riverside so they do not think they pay anything. He said he will look into that further and report back. Mayor Heymann explained her concern is that we belong to more than one co-op and are we going to be paying double for that privilege. In answer to the Borough Clerk he said they both have their advantages and disadvantages; but he feels Pascack Valley is a little more aggressive and Riverside seemed more stuck on procedural issues than moving forward with projects. Mr. Sheola noted he would look into pricing for their road programs because he believes the Pascack Valley System had a price of about \$20 per ton less than the pricing the Borough Engineer got for this year's program; and that could add to significant savings. The Borough Engineer said that is what they looked at in the past but they really need to look at the bid package as a whole because buying one item cheaper is like pulling it out of a hat. Borough Administrator noted if there was to be a contribution it wouldn't start until 2013. Mayor Heymann said the advantage at Riverside is that they negotiate a lot with the County for shared services; and they currently have an infrared machine for paving that is being passed from town to town. The County just bought their own machine for filling potholes, which they will lend to towns with the operator which makes a huge difference compared to what Riverside does, at no cost except for the materials; and we just have to be on the list. Mrs. Amitai said it probably keeps the apparatus working better since the operator knows what he is doing and the Mayor agreed.

At this time, the Borough Clerk asked if the Administrator wished to have all of his memorandum scanned and emailed to the Governing Body as we are trying to reduce the amount of paper; and it is easier to access. Mrs. Amitai voiced her opinion that she likes having the packet in front of her to read. Mr.

CLOSTER MAYOR AND COUNCIL
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7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

Kashwick noted that at this time it is kind of difficult without the laptops to have some items on paper and some emailed. The Borough Administrator noted the IT Director is aware the equipment he needed has been sitting in his office for the past two weeks. Until the laptops are ready to be utilized, it was decided to revert to sending paper packets.

B. BOROUGH CLERK

- 1) STATUS REPORT RE 2012 APPOINTMENTS – The Borough Clerk reported appointments are current as we are maintaining outstanding appointments on the Agenda.
- 2) STATUS REPORT RE 2012 OATHS OF OFFICE – Ms. Castano reported Oaths of Office are current.
- 3) STATUS REPORT RE 2012 LICENSES – The Borough Clerk reported on the following:
 - a. Local Licenses – current for calendar year 2012
 - b. Liquor Licenses
 - 1) Renewals are almost complete with 12 of 13 having been renewed. One (Moo Kung Wha) requires a special ruling which is in progress
 - 2) Transfer – person to person/place to place for Modern Bar (inactive/pocket) is in slow progress at this time. We are awaiting a corrected Application; and approval has been received from the Detective Bureau regarding background and financials. Hopefully by the end of the year it will be transferred.
- 4) STATUS REPORT RE 2012 MEETING DATES – Ms. Castano reported Meeting Dates are current. She said she is looking forward to the 2013 calendar; and will be providing dates to the Administrator for his review.
- 5) STATUS REPORT RE FINANCIAL DISCLOSURE STATEMENTS – The Borough Clerk had nothing further to report on this item.
- 6) STATUS REPORT RE PAPERLESS PACKETS – Ms. Castano reported Chris Pesce of PeshE-lectric installed the electrical power to the dais for the laptops and we are waiting for further word to proceed.
- 7) STATUS REPORT RE ELECTIONS - The Borough Clerk reported the following:
 - a. Presidential Election (11/6/12 from 6 a.m. to 8 p.m.) The combined Board Workers class has been set by the Bergen County Board of Elections to take place on 9/17/12 @ 6 p.m. at the J.F. McGuire Senior Citizens Center in Northvale. Board workers from Closter, Norwood and Northvale will be in attendance for review of the election procedure for the Presidential Election. The Board of Elections chose one central location this year because it was easier for them to accomplish by grouping towns.
 - b. Last day to register to vote in the Presidential Election is Tuesday, 10/16/12 – The Borough Clerk’s office will be open to the public from 9 a.m. to 9 p.m. and will hand deliver any registrations to the Superintendent of Elections no later than 11 a.m. on 10/17/12.
- 8) REPORT – The Borough Clerk reported on the following:
 - a. Codification – The Clerk’s office e-mailed Ordinance Nos. 2012:1113 to 2012:1127 (15 ordinances) minus Ordinance Nos. 2012:1122 and 2012:1123 (never adopted) and 2012:1128 (vetoed by the Mayor) to General Code for posting on the Borough website as “Legislation not yet codified”; and they were posted within two days of receipt.
 - b. 97th Annual League Conference – Ms. Castano reported she will be submitting pre-registrations and hotel registrations for the Conference. A memo was sent to all attendees; and responses have been received.
 - c. Best Practices Inventory – Ms. Castano noted the Best Practices Inventory asks as Item No. 8 “*Are ordinances codified on an annual basis, with both the code and any uncodified ordinances made available online?*” She reported there is currently no line item for Codification in the Municipal Clerk’s Budget because it was lost over time. She asked if she should prepare to have the ordinances not yet codified into a Supplement (19) at the end of 2012 or wait until 2013 to do same. The Administrator asked if we still had a credit with General Code, to which she replied she was not aware. He agreed there should be a line item in the Municipal Clerk’s Budget for same which they could discuss in the future.

7. REPORTS (Continued)

B. CHIEF OF POLICE

1) REPORT – Chief Kaine reported the Police Department participated in the “Drive Sober or Get Pulled Over” Campaign. Although they did not receive the \$4,000 grant that was available, they used their Drunk Driving Enforcement Fund money so it didn’t come out of the Budget. They issued 60 tickets; had 3 DWI arrests; 4 drug arrests; and 2 open container arrests involving juveniles. On Saturday, 9/29/12 from 10 a.m. to 2 p.m. they will be participating in the national prescription drug take-back program to collect unused prescription drugs for safe disposal. The program has been very successful as a few months ago they received 4 garbage cans full of medicine to turn in.

Chief Kaine reported there were no issues for the Labor Day festivities other than the sudden downpour. He informed the movie featuring Leonardo DiCaprio that had been filming in town will be returning tomorrow to film additional scenes. They will be filming a car scene on Homans Avenue on Monday. The Police Department has arranged for the K-9 units to sweep the Temples for the upcoming high holy days on Sunday and Monday. School is open now and he e-mailed a copy of the letter to the Governing Body which he had sent to the schools for the parents regarding motor vehicle laws and enforcement.

At this time, Councilman Dolson noted it was a challenge to get to this year’s 9/11 Memorial Service passing the school with all of the parents dodging in and out at drop-off.

Councilman Kashwick questioned if there would have been a way to cancel or postpone the fireworks because of the weather. Jim Oettinger, Recreation Director, voiced his opinion the storm came from out of nowhere; and the fireworks were already set up, so we either had to have them or let them get wet. The Mayor mentioned to him they thought they were supposed to start later and they actually stopped the band playing and had them start earlier. At this time, he thanked the Chief and the Police Department for standing through the rain. Mr. Oettinger said he received a text message that a storm was coming; and since the rides were still going, they shut them down and stopped the band. He said the only thing that happened was the lights didn’t go on quickly enough.

At this time, Councilman Glidden noted they have been receiving a lot of questions about the lightning strike at Northern Valley Regional High School; and a question was posed whether it made sense to invest in the warning system. Mr. Oettinger mentioned the Recreation Commission discussed same at their meeting Monday night; and they were going to send a note to the Mayor and Council about it, but he and the Administrator spoke about it previously; and they are very expensive running from \$11,000-\$30,000. He voiced his opinion that conceptually, the Mayors of the communities involved need to get together collectively. He noted they have strict rules with the umpires that if there is a clap of lightning the fields must be cleared; and you have to wait 30 minutes before you can get back on the field. He explained that Ridgewood and Park Ridge have them and they do work; and they’re almost a nuisance because they’re so safe, but people have to realize safety comes first. He voiced his opinion that this event brought home these facts; and perhaps, if there was a Northern Valley Warning System, it could have made a difference. He thinks there should be lightning detectors in the area but for each town to put them in would be burdensome. The Borough Administrator voiced his agreement with Mr. Oettinger and pointed out that the double-edged sword is that you want them at the fields so people are notified; how many of the fields are near houses because the horns are loud. Then they are toned down a bit for those reasons and set for specific time frames. Placement of the detectors needs some logistical research; and he thinks it is something worth looking into for the 2013 Budget.

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS: Mayor Heymann informed she had nothing to report on any of the grants.

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7. REPORTS (Continued)

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED

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

b. AWARDED

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

c. TO BE FILED - To be announced by Mayor.

- 2) REPORT – Mayor Heymann announced she had a few items she wished to report on.

Mayor Heymann referred to the Borough Administrator's report regarding the Verizon tax issue and noted there were some 68 towns in the first round; and 49 towns in the second round. The 49 towns which the entire Northern Valley is caught in are in the position because Verizon lost the dial tone service due to their own very aggressive campaign to put Fios service in place. For every Fios phone they installed, they lost a dial tone phone; and they created themselves the lack of phones for which we are now being penalized to the tune of \$27,000. She voiced her opinion the original Court decision does not seem fair or reasonable. The Town of Hopewell which originated the suit is going to continue with it and ask for a higher court judgment; in which case Verizon will continue to fight it and it will be a long drawn out process. She voiced her opinion that she personally thinks it is worth doing. After reading the entire packet, it seems only fair that Closter spend the \$220 as the original 68 municipalities did to help continue the fight. For that, she asked for a motion to draft a Resolution in the Regular Meeting this evening if there is agreement.

Mayor Heymann passed around a letter from former Police Chief David Berrian just letting everyone know what he is up to these days and offered it for anyone who is interested.

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7. REPORTS (Continued)
D. MAYOR

The Mayor proudly voiced her opinion that we had a very well done, dignified 9/11 Memorial Service which was written up in The Record. She said she would leave it out for anyone interested to see.

Mayor Heymann announced Closter won one of the 2012 Ann Klein Advocate Awards and it is the first time a municipality has received same. She explained usually they are awarded to individuals. This is the 25th anniversary of the awards and the ceremony will be held on 10/18/12 at the Wilshire Grand in West Orange. The tickets are \$150 each and the fundraising will include raffles for Ann Klein housing for the disabled. Mayor Heymann passed around the raffle tickets and invited all to attend. In answer to Mrs. Amitai, she explained that she herself wrote how the Borough has supported the Vantage housing project and that is why the Borough was chosen.

The Mayor informed that St. Paul's Evangelical Church has a full-time Christian layperson to do proper help to Closter; and she suggested to him to resuscitate the coffee hour that was run years ago by the churches. He is willing to listen to any other social service that the Borough would like that the church could provide. He is being installed at St. Paul's on 9/23/12 at 5:00 p.m. and they should have all received an invitation to that.

Mayor Heymann announced it is the Meals on Wheels 40th anniversary and she will pass around the invitation because she feels it is a very lovely occasion to celebrate. The Reformed Church is having their 150th Anniversary and she will pass this invitation around as well. The invitation is to the entire Council and Borough officials and their families for a concert on 10/7/12 at 4:30 p.m.

Mayor Heymann announced that free flu shots for all Borough employees, Police, Fire and DPW will be available through the Board of Health on 9/29/12 from 10 a.m. to 2 p.m. at the Senior Center. Councilman Dolson noted other types of health screening will be available at no cost as well.

The Mayor announced the Demarest Volunteer Fire Department Association will be holding the annual Chief's Parade on 10/6/12 in Demarest. The Council is invited to attend and the reviewing stand will start at 1 p.m.

At this time, the Mayor referred back to the Best Practices Inventory and said that if any of the Council wished to attend any education classes for Council members at the League Conference in Atlantic City, many of the courses given there are free; Rutgers courses have a fee. The Borough Administrator noted the new method of tracking classes by badge scanning is helpful in that they can get a report of what was attended and it assists for insurance rates down the road as well.

The Mayor reminded that every year there is an open invitation for League Conference Resolutions; and asked if anyone had anything on their mind they wished to discuss. She noted the deadline would be the next Council meeting. Councilman Dolson voiced his opinion that instead of small groups of towns trying to fight things like property tax, the entire State ought to fight Trenton to give back our energy receipts tax. Mayor Heymann voiced her understanding that the League fought very hard on that; and as it seemed we were getting to first base, the State budget was in such poor shape they chose not to do anything. She pointed out that she testified in Trenton on that subject but the budget crunch destroyed it for 2012-2013. Mr. Dolson voiced his displeasure that Trenton balances their budget on the backs of the municipal taxpayers because then we have to raise property taxes; they are not cutting costs merely redistributing it. The Borough Administrator said they should take the State Aid and use that to balance it. Mr. Dolson remarked that the cost of utilities keeps going up every year so they are getting an automatic revenue increase.

At this time, Councilman Dolson wished to comment on the brochure the Mayor passed around from the church. He said last week in the Northern Valley Press they had the section "Going Back in Time"

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7. REPORTS (Continued)

D. MAYOR

and they showed a picture of the church from the days of horse and carriage. He looked at the picture and noted even then the roads were not paved – but there were curbs and sidewalks. On that subject, Mrs. Amitai noted Ruckman Road from Piermont Road to Homans Avenue does not have any curbs or sidewalks except in front of C.O.R.E. and one other building. The Mayor informed she and the Borough Engineer had spoken regarding same in the past and because it is wetlands it is very difficult. She noted that when she moved to Closter, Ruckman Road was a dirt road and not completed yet. The Borough Engineer explained when curbing is put in, it is also collecting drainage and runoff because they have to have point discharges. Mrs. Amitai expressed her support for some type of walking path mechanism which would be helpful. Mayor Heymann explained it is the topography and the high water table there; and the Borough Engineer said it has more to do with environmental regulations near wetlands areas as it was found out on Hickory Lane. In answer to Mrs. Amitai, he said the Borough owns 50 feet and the road is roughly 30 feet. Mr. DeNicola emphasized that the problem is not the property but the environmental restrictions.

8. OLD BUSINESS

9. NEW BUSINESS

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

Steve Isaacson, 97 Columbus Avenue, voiced his opinion that there should be more coordination on September 29 given the dispensing of flu shots, the land use meeting and prescription drugs. He expressed support for the installation of lightning detectors. He read an e-mail from Tom Hennessey relative to the bids received on the bathroom facilities at Mollicone and Schauble and giving his recommendations to make the project more cost effective.

Mr. Isaacson said that the Planning Board has recognized his idea for the bus routes (84 & 20 lines) and he provided a map to the Mayor. He cited the traffic that may be coming into the Borough in the future. Relative to his question on paving, Mayor Heymann noted that Ver Valen Street would be paved after the development at Closter Plaza; and the Borough Engineer said that Ruckman Road would be paved next year. Mr. Isaacson suggested that the pedestrian crosswalks be made more noticeable thereby slowing down traffic for pedestrian safety. He noted that the crosswalks in Demarest are bright red brick.

11. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

12. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY

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13. ADJOURNMENT

Motion to adjourn the Work Session at 9:37 p.m. was made by Councilman Glidden, seconded by Councilman Barad and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
via e-mail on September 21, 2012 for
approval at the Regular Meeting
to be held Monday, September 24, 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 September 24, 2012
Consent Agenda Item No. 17b.