

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – JULY 10, 2013 - 7:30 P.M.

Mayor Heymann called the meeting to order at 9:32 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 published in The Record and the Star Ledger issues of January 8, 2013, 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. MAYORAL APPOINTMENTS (NON-SALARIED) TO THE FOLLOWING BOARDS/COMMISSIONS (Made at the Reorganization Meeting held 1/2/13 – Oath not received at the time of preparation of this Agenda):

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ENVIRONMENTAL COMMISSION			
Alt. No. 2	<u>No Appointment</u>	2 Years	12/31/14

4. 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 June 12, 2013 and was published in The Record on June 18, 2013 as stated in the Borough Clerk's 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. 2013:1147, "A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$55,600 FOR THE MAKING OF VARIOUS IMPROVEMENTS AND THE ACQUISITION OF VARIOUS EQUIPMENT BY THE BOROUGH OF CLOSTER AND TO APPROPRIATE \$55,600 FROM THE CAPITAL IMPROVEMENT FUND"

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

Motion approving adoption of Ordinance No. 2013:1147 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.

5a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 9, 10 and 13 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.

RESOLUTIONS

6. BILL RESOLUTION – JULY 15, 2013 (Received from Deputy Treasurer 7/3/13)

7. RESOLUTION APPOINTING JANE DE SIMONE TO THE POSITION OF TEMPORARY PART TIME CLERK IN THE FINANCE OFFICE, EFFECTIVE RETROACTIVE TO 7/1/13, AT THE RATE OF \$18 PER HOUR FOR AN AVERAGE 15 HOUR WORK WEEK; APPOINTMENT TO TERMINATE UPON THE RETURN OF THE FULL TIME EMPLOYEE FROM MATERNITY LEAVE (Received from Administrator 7/2/13)

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8. RESOLUTION APPROVING PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE NO. 0207-33-011-012 (INACTIVE/POCKET) FROM MOO KUNG WHA RESTAURANT, LLC TO RETAIL HOLDINGS (DG), LLC
9. RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS OF CLARKE CATON HINTZ ARCHITECTS FOR THE BOROUGH HALL EXTERIOR (Received from Administrator 7/2/13)
10. RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO BID THE EXTERIOR RENOVATION OF BOROUGH HALL (Received from Administrator 7/2/13)
11. RESOLUTION ACCEPTING LOW BID FOR THE CONSTRUCTION OF RUCKMAN ROAD & OAKLAND AVENUE IMPROVEMENTS AND THE 2013 ROAD PROGRAM RECEIVED FROM CIFELLI & SON GENERAL CONSTRUCTION INCORPORATED, 4 COPPOLA STREET, NUTLEY, NJ 07110, AT THE BID OPENING HELD 7/2/13 @ 11 A.M., IN THE AMOUNT OF \$612,191 FOR THE BASE BID PLUS THE ALTERNATE (Received from Administrator 7/2/13) Breakdown as follows:

Project	Portion of Award Price	Funded by
Ruckman & Oakland	\$170,460.50	\$150,000 (NJ); \$20,460.50 (Closter)
2013 Road Improvement Program	\$441,730.50	\$462,191.00 (Closter)
Total	\$612,191.00	

- 11a. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$12,755.54 **AND** ISSUE A RETURN OF PREMIUM FROM ESCROW IN THE AMOUNT OF \$11,000.00 TO US BANK C/F NJ BOARDWALK FOR THE REDEMPTION OF TAX SALE CERTIFICATE #13-00003 FOR PROPERTY LOCATED AT 14 JANE STREET, BLOCK 1712; LOT 4 SOLD AT THE MUNICIPAL TAX SALE HELD ON 4/18/13 FOR 2012 DELINQUENT TAXES (Received from Tax Collector 7/3/13@3:34 p.m.)
12. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 7/3/13) NO ABSTENTIONS:
- a. REGULAR MEETING HELD 6/24/13
  - b. WORK SESSION HELD 6/24/13

13. MOTION APPOINTING \_\_\_\_\_ TO SERVE AS ZONING BOARD OF ADJUSTMENT ALTERNATE NO. 1 FOR AN UNEXPIRED 2-YEAR TERM (SHYONG) TO 12/31/14 (4. M.L. 5/30/13/Adjourned from RM 6/12/13)

14. MOTION GRANTING APPROVAL FOR SADHU VASWANI CENTER TO POST SIGN OPPOSITE PNC BANK ANNOUNCING ANNUAL CARNIVAL TO BE HELD SUNDAY, 9/8/13 (2. M.L. 6/27/13/Certificate of Insurance and Hold Harmless Agreement approvals received from Risk Management Consultant 6/26/13)

15. MOTION APPROVING APPOINTMENTS TO THE FOLLOWING BOARDS/COMMISSIONS (Made at the Reorganization Meeting held 1/2/13 – Oaths not received at the time of preparation of this Agenda):

The Mayor informed that Oaths had been received from Brian Beddoe and Wendy Nigro. Mayor Heymann made the following Historic Preservation Commission appointment:

OFFICE	INCUMBENT	APPOINTEE	TERM	EXPIRATION
BOARD OF HEALTH				
Alt. No. 1	<u>Dr. Jeanne Baer</u>	_____	2 Years	12/31/14
BOROUGH HISTORIAN	<u>William Cahill</u>	_____	1 Year	12/31/13
HISTORIC PRESERVATION COMMISSION				
Member	<u>Stuart Tray (Class A)</u>	<u>Joel Zelnik (Class C)</u>	4 Years	12/31/16
IMPROVEMENT COMMISSION				
Member	<u>Fred Pitofsky</u>	_____	2 Years	12/31/14
Member	<u>Tina Stratton</u>	_____	2 Years	12/31/14
RM 1/23/13:				
Alt. No. 2	<u>Wilson Reimers</u>	_____	2 Years	12/31/14
RM 4/2/13:				
Member	<u>Michele Bhagat</u>	_____	2 Years	12/31/14
Member	<u>Shiran Slutzky</u>	_____	2 Years	12/31/14
Alt. No. 1	<u>Tina Stratton</u>	_____	2 Years	12/31/14
RECREATION COMMISSION				
Asst. Director	<u>Brian Beddoe*</u>	_____	1 Year	12/31/13
P/T Clerical/Recreation	<u>Gina Ferraro*</u>	_____	1 Year	12/31/13
Associate Member	<u>Wendy Nigro</u>	_____	1 Year	12/31/13

\* Salaried Appointment

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16. MOTION GRANTING APPROVAL FOR THE 61<sup>st</sup> ANNUAL PEARLE ROAD BLOCK PARTY TO BE HELD ON 9/7/13 FROM 2:00 P.M. TO 10:00 P.M. AND TO SERVE BEER TO THOSE INDIVIDUALS OVER THE AGE OF 21; RAIN DATE: 9/8/13 (9. M.L. 6/27/13)

16a. MOTION GRANTING APPROVAL FOR ST. PAUL’S EVANGELICAL LUTHERAN CHURCH TO HOLD “OPEN MIKE” NIGHT AT THE MEMORIAL FIELD BANDSTAND AREA ON 7/20/13 FROM 5 P.M. TO 11 P.M. (11. M.L. 6/27/13/Approval received from Risk Management Consultant 7/9/13)

17. REPORTS

- a. CONSTRUCTION OFFICIAL - JUNE 2013 (Received 6/28/13)
- b. FIRE CHIEF - JUNE 2013 (Received 7/8/13)

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

9. RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS OF CLARKE CATON HINTZ ARCHITECTS FOR THE BOROUGH HALL EXTERIOR (Received from Administrator 7/2/13)

Councilman Glidden voiced his desire to delay a vote on this item until the next Regular Meeting so that all of the information can be reviewed. Councilwoman Amitai voiced support for delaying a vote for another two weeks because it is important to have all the information prior to deciding an issue such as this.

Motion to Adjourn Item No. 9 to the Regular Meeting of July 24, 2013 was made by Councilman Glidden and seconded by Councilwoman Amitai.

BEFORE ROLL CALL VOTE, Councilman Barad voiced his opinion that there have already been a significant number of professionals who have reviewed this; and delaying it now may significantly delay it more than 2 weeks. He reminded that Chief Kaine reported today that there was additional water damage due to the state of the external walls. He does not feel that there will be any significant changes from further discussion because nobody will come in and say not to repair the external walls. Dr. Barad said this should go out to bid and we will accept the lowest bid but that any changes would more than likely be diminimus.

Councilman Dolson reiterated that he has seen the plans and feels this is a remediation repair with no cosmetic changes to the building. He is deeply concerned about the continued destruction of the building because of the weather; and the longer we delay, the more damage could be done thereby costing us even more to repair. He voiced his understanding that this is an effort to waterproof the exterior of the building. Just looking at the exterior of the building, you can see that the mortar is being squeezed out from between the bricks; and there is nothing left of it because it is dry and rotted. He feels this is an issue that needs to be addressed and has nothing to do with historic, decorative or cosmetic look; this needs to be done to preserve the integrity of the building before we lose it.

Councilwoman Amitai said the building has been in its terrible demise; and she is requesting an additional two weeks to allow representatives from the Historic Preservation Commission and professionals to take another look at it.

Councilwoman Latner suggested merging both putting the bid out and having the requested individuals review the building at the same time so that we do not lose any more time; and Mayor Heymann agreed.

Borough Engineer noted that the project can be put out to bid but not awarded if there is an error; and Borough Administrator advised that if the change was not substantive, an addendum could be issued thereby extending the bidding deadline. Councilwoman Amitai noted that the estimated cost of the project is \$500,000 before all of the necessary testing and fees are incorporated. Mr. Sheola noted that the estimated cost for the current phase is \$180,000, which includes the architectural fees of \$13,000; and that the project can go out to bid with an addenda issued to address technical issues. A second or third bid would have to be issued for the remaining phases of the project. Mayor Heymann said the original evaluation was made under the aegis of the Historic Preservation Commission who recommended the original architect and charged much more than the second architect who was just as qualified. Councilwoman Amitai felt that the professionals should review the information and finalize same before specifications are drafted.

ON THE MOTION,	Mr. Glidden – Yes	Dr. Barad - No
ROLL CALL VOTE:	Ms. Latner - No	Mr. Dolson - No
DENIED: 2-4	Mr. Kashwick – No	Ms. Amitai – Yes

9. RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS OF CLARKE CATON HINTZ ARCHITECTS FOR THE BOROUGH HALL EXTERIOR (Received from Administrator 7/2/13)

Motion approving the original Resolution 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 and Dolson. Councilwoman Amitai voted no.

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10. RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO BID THE EXTERIOR ~~RENOVATION~~ RESTORATION OF BOROUGH HALL (Received from Administrator 7/2/13)

Motion of approval was made by Councilwoman Latner, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson. Councilwoman Amitai voted no.

13. MOTION APPOINTING Jay Pontrelli TO SERVE AS ZONING BOARD OF ADJUSTMENT ALTERNATE NO. 1 FOR AN UNEXPIRED 2-YEAR TERM (SHYONG) TO 12/31/14 (4. M.L. 5/30/13/Adjourned from RM 6/12/13)

Motion of approval was made by Councilman Dolson, seconded by Councilman Glidden.  
ROLL CALL VOTE: Mr. Glidden - Yes Dr. Barad – No  
Mrs. Latner - No Mr. Dolson – Yes  
TIE VOTE: 3-3 Mr. Kashwick – No Ms. Amitai - Yes  
Mayor Heymann voted No  
DENIED: 3-4

13. MOTION APPOINTING Michael Kafer TO SERVE AS ZONING BOARD OF ADJUSTMENT ALTERNATE NO. 1 FOR AN UNEXPIRED 2-YEAR TERM (SHYONG) TO 12/31/14 (4. M.L. 5/30/13/Adjourned from RM 6/12/13)

In answer to Councilwoman Amitai, the Borough Attorney advised that the Mayor has 30 days to provide the nomination; and if no nomination is forthcoming, the Council can nominate an appointee to the position. The Mayor can vote on the motion in the case of a tie vote.

Motion of approval was made by Councilman Barad seconded by Councilman Kashwick.  
ROLL CALL VOTE: Mr. Glidden – No Dr. Barad – Yes  
Mrs. Latner - Yes Mr. Dolson – No  
TIE VOTE: 3-3 Mr. Kashwick – Yes Mrs. Amitai – No  
Mayor Heymann voted Yes  
CARRIED: 4-3

At this time, Councilman Kashwick thanked the members of the public for their views as well as the members of the Historic Preservation Commission who came to the meeting this evening. He noted that there have been quite a few designations since he has been on the Council. He said we seem to have no problem designating Victorian era homes, of which there are dozens in Closter, Dutch colonials of which we have eight or nine; but there is only one Lustron house in Closter and another Lustron house in Bergen County. In the State of New Jersey there were approximately 16 at one time; and only a handful are left at this time which shows how special this building is.

Mr. Kashwick expressed his support for the Historic Designation of the Lustron House. Both the Historic Preservation Commission and the Planning Board have agreed that this house is of historic value; and the State of New Jersey Department of Environmental Protection Historic Preservation Office and National Park Service of the U.S. Department of the Interior all find this house to be of such historic value that it has been placed on the National and State Registers of Historic Places which has strict eligibility criteria. Lustrons are significant under National Register criteria A and C for their architectural and engineering contributions.

Mr. Kashwick provided the background noting that Harold Hess purchased one of the last two homes constructed by the franchise before the Lustron Corporation went bankrupt. Harold Hess attempted to obtain permission to build his prefabricated metal home in Fort Lee but was unable to do so because steel houses were prohibited. He eventually was able to build the house in Closter where the building and zoning codes were more relaxed than in the densely suburbanized areas of Bergen County. His was the only one in Bergen County to have an attached breezeway and one car garage.

Councilman Kashwick explained that Lustron houses represent significant contributions to postwar development of the residential landscape funded primarily through government programs. They are characterized by innovations that seem remarkably daring in the context of federal housing programs particularly given the strength of the forestry and conventional homebuilding industry. Lustrons provided practical and affordable housing for the average family and infused modernity throughout everyday life in a postwar environment. They are unique in postwar housing primarily because of the small numbers of these homes that were produced and constructed.

Mr. Kashwick explained that while the owners might not agree, we do have a hidden treasure in Closter. Nine years ago Mayor Heymann, who was a Councilwoman at the time, and Councilman Joel Zelnik were the only ones to vote for the designation. He felt the Council made a serious mistake that evening, which we have a chance to right this evening. Mr. Kashwick is aware that the owners of the property purchased it as an investment; and investors do not always make a profit. Historic Preservation, as held by the Supreme Court, is a valid layer of zoning that can be used by a municipality to protect their heritage. It is now up to us to say that this house reflects a significant piece of our local and national history; and it is worthy of preservation. This home is listed in our Master Plan as an historic resource as worthy of protection. We have a choice this evening to either take a shortsighted approach and ignore the historic significance of the house or vote to protect our history giving future generations the opportunity to enjoy and interpret the vision of Harold Hess and the Lustron Corporation and preserve the story of our

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returning World War II veterans. If the designation proves to be a mistake, it can be reversed; but once the home is destroyed, after a vote this evening, there will be no turning back.

- 16b. The following Motion was made by Councilman Kashwick, seconded by Councilwoman Amitai:

MOTION TO DESIGNATE THE (HAROLD HESS) LUSTRON HOUSE, (421 DURIE AVENUE, BLOCK 1003, LOT 21) AS AN HISTORIC (LANDMARK)

BEFORE ROLL CALL VOTE, Mayor Heymann asked that the matter be postponed for two weeks since this was not listed on the Agenda; and the public has not been given an opportunity to discuss the matter.

Councilman Glidden thanked Councilman Kashwick for the presentation and expressed his support for the Historic Preservation Commission and the work they have done including the Brooks Farm designation, the Railroad Station designation and others. He recognized the history of World War II but looking at the house, he questioned if this type of house should be designated and he has some reservations about doing so.

ROLL CALL VOTE:	Mr. Glidden – No	Dr. Barad - No
	Mrs. Latner - No	Mr. Dolson - No
DENIED: 1-5	Mr. Kashwick – Yes	Ms. Amitai - No

18. 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.

Jennifer Rothschild, 49 Washington Avenue, Nyack, New York, said she would like to have commented on the aforesaid action before a vote was taken. She read from a letter dated October 13, 2000 from the State of New Jersey Department of Environmental Protection, Historic Preservation Office to Mayor Pitofsky informing the Borough of the entering of the Lustron House in the Historic Register. She related this history of the historic designation thereafter in the Borough from that date; and she read a letter addressed to the current owner of the property from her on behalf of the Rothschild Limited Partnership expressing interest in purchasing the property. A reply was not received; and, thereafter, the owner approached the Historic Preservation Commission advising that he would be approaching the Planning Board to subdivide the property, thereby demolishing the Lustron House. The house has been uninhabited since 2003; and since grants for purchasing the properties of this type are only available to governmental entities, she has urged the Council to purchase the property with Open Space monies. Ms. Rothschild said she has inspected the house and it is not in as dire shape as had been indicated and is not being marketed as a home but as a knockdown. She felt it was a disgrace to disregard the fact that the house is on the State and National Registers.

Leslie Ringelstein, 1 County Road, said Ms. Rothschild has many of her facts wrong noting that Mr. Hess asked that the property not be designated, which was honored. The house has been marketed appropriately; and after multiple advertisements, no one has approached them to purchase the property except Jennifer Rothschild who indicated to her that she did not enter the house. The house has been on a moratorium for almost 180 days and she thanked the Council for not designating the house.

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

Motion approving the following Closed Session Resolution at 10:15 p.m. was made by Councilman Glidden, seconded by Councilwoman Latner and declared carried by Mayor Heymann on the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai:

- 19a. OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(7), “Pending or anticipated litigation or contract negotiations ”; and that the items under discussion in the closed meeting would be disclosed to the public at the conclusion of the contract negotiations which should be within 8 to 10 weeks.”

Mayor Heymann resumed the Regular Meeting at 10:38 p.m.

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20. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:38 p.m. was made by Councilman Glidden, seconded by Councilwoman Latner and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council  
on July 18, 2013 for approval at the  
Regular Meeting to be held  
July 24, 2013

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held July 24, 2013  
Consent Agenda Item No. 18a.

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION NOTES – JULY 10, 2013 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, July 10, 2013. Mayor Heymann called the meeting to order at 7:34 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 published in The Record and the Star Ledger issues of January 8, 2013, 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., 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

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF JUNE 27, 2013 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 2 was removed by Councilman Kashwick.

Item No. 2: Received 06/24/13, dated 06/21/13 from Asha C. Jotwani, CEO, Sadhu Vaswani Center, to Mayor re Request for permission to hang banners opposite the PNC Bank and on Sadhu Vaswani premises at 494 Durie Avenue and 399 Demarest Avenue, if permitted, for annual Carnival to be held Sunday, 9/8/13, to be placed 4 weeks prior to event; AND requesting closure of Durie Avenue for duration of same (Copy to Zoning Officer, Glenn Parsells, Chief of Police, Construction Official)

Councilman Kashwick noted the approval for signage is on the Agenda but wished to discuss the request to close Durie Avenue. He voiced his understanding that the emergency vehicles access that route and questioned how much of a delay would it be to have them use alternate streets. Chief Kaine explained the tower ladders have a hard time on the side streets and there are a lot of tight turns. In answer to Councilman Kashwick he said he does not know how much time it could add to emergency response times if there was a detour but the EMS and Fire Chief prefer to have Durie Avenue access. Councilwoman Amitai voiced her opinion that it is more dangerous on that part of the street during the event to not close it. Mayor Heymann explained that we receive this exact same request each year; and every year the Police Department has to deny it because it is too difficult for the rest of the Borough since it is a main through street. In answer to Councilman Barad, Chief Kaine said the closure would only be for 6 hours; from 12 noon to 6 p.m. Mayor Heymann said it is a wonderful event and there is plenty of parking. She voiced her opinion that there is no emergent reason for closing the road to give them more space. Mrs. Amitai requested better signage for attendants directing them to parking locations. Mayor Heymann agreed and suggested telling Ms. Jotwani that we will guide participants to those parking areas.

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b. MAIL LIST OF JULY 2, 2013 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 2 was removed by Councilman Kashwick; Item No. 4 was removed by Councilman Barad.

Item No. 2: Received 06/28/13, dated 06/28/13 from Rose Mitchell, Planning Board Coordinator, to Loretta Castano re Certified copy of Resolution pertaining to historic designation of the Harold Hess Lustron House, Block 1003, Lot 21, 421 Durie Avenue, memorialized at the 6/27/13 Meeting (Copy to Historic Preservation Commission)

Councilman Kashwick asked that a vote be taken on the designation of the Lustron House tonight (during the Regular Meeting).

Item No. 4: Received 06/28/13, dated 06/26/13 from Jeffrey L. Morris, P.E., Boswell McClave Engineering, to Metropolitan Farm, c/o Frank Vastano, c: Mayor and Council, Borough Attorney, Construction Official, David M. Watkins, Esq. re Metropolitan Farm, Zero Increase in Storm Water Runoff Permit, 119 Hickory Lane, Block 2102, Lot 55, Borough of Closter - informing that recent inspection of the referenced property revealed that drainage improvements shown on the plan for referenced application have not been installed and requesting additional information requested during review of the Application dated 9/13/12

In answer to Councilman Barad, the Borough Engineer explained his office was contacted by someone in the Borough because during a rainfall event there appeared to be ponding on the farm property. Boswell went out and performed a quick visual inspection but nothing detailed; and it did not appear from the surface that any of the drainage has been installed, nor have they been contacted to inspect same as indicated in the letter. He explained that nothing has been installed but additionally none of the greenhouses that were to create impervious areas have been installed either. The drainage system must be installed prior to any greenhouses being built. At this time, there are no applications pending and the Borough Engineer said the owner could just let it fall through as there is no time frame. In answer to Councilman Dolson, the Mayor explained that the concrete bunkers installed previously were related to underground storage tanks and not the drainage system.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of July 10, 2013)

Mayor Heymann asked if any member of the Council wished to discuss any of the Consent Agenda Items. Item Nos. 9 and 10 were removed by Councilwoman Amitai; Item No. 15 was removed by the Borough Clerk.

9. RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS OF CLARKE CATON HINTZ ARCHITECTS FOR THE BOROUGH HALL EXTERIOR (Received from Administrator 7/2/13)

10. RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO BID THE EXTERIOR RENOVATION OF BOROUGH HALL (Received from Administrator 7/2/13)

Councilwoman Amitai said she did not wish to see the remediation work to be done on the Borough Hall go for another year and she thanked Mayor Heymann for moving same forward. She felt the Council did not have enough information as a Council to vote on something of this magnitude; and she asked for a two-week delay in order for our professionals to meet and review the plans and reports on the project. Mayor Heymann said she took her concerns seriously; and the project plans were reviewed by Bill Martin, an architect with the Bergen County Historic Preservation Commission and our Commission. He indicated that power washing is one of the worst things than can be done to an historic building; and once a brick is painted, it can only be repainted. She said she was satisfied with his overview of the project and any issue brought up by the Council and others has been brought up. A delay of two weeks could postpone the project until 2014, which could develop potential mold problems in the building. Borough Administrator advised that if the project is approved this evening, the notice to bidders would be published next week with bids to be received in time for the second meeting in August. Weather would be a factor for

the potential contractor and adhesion of the paint and sealants could be affected in colder weather. The contract for the architect was awarded a year ago for the plans and specifications; and items in the bid specifications can be amended as we move forward in order to make the building historically correct. Councilman Glidden said he wished to see the project move forward but could support a two-week delay. Borough Clerk noted that the plans and specifications have not been attached to the pending resolutions. Borough Administrator noted that there are no final specifications for the project. Councilman Barad asked that the interested Councilpersons be given an opportunity to review the specifications and could also be shared with professionals including the Borough Attorney and Borough Clerk. Councilman Dolson said he reviewed the blueprints, which are for repair work not decorative work and Borough Administrator said the first phase is estimated to cost \$180,000; and the entire project would cost \$450,000 for all of the exterior work including the roof. Interior work would be accomplished after the exterior work is completed.

15. MOTION APPROVING APPOINTMENTS TO THE FOLLOWING BOARDS/COMMISSIONS (Made at the Reorganization Meeting held 1/2/13 – Oaths not received at the time of preparation of this Agenda):

Borough Clerk noted that several members of the Closter Improvement Commission do not wish to serve; therefore, Tina Stratton, Wilson Riemers, Michelle Bhagat and Shiran Slutzky will be removed. Ms. Castano recommended that the membership of the Closter Improvement Commission be reduced as the current number is 12 seems to be unmanageable.

Relative to the Recreation Commission, signed Oaths have been received from Brian Beddoe and Wendy Nigro but not from Gina Ferraro.

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

1) REPORT – The Borough Attorney reported the cell tower bids have been prepared, were sent out for advertisement; and responses will be opened on 7/17/13 by the Borough Administrator. Mr. Rogan reported he attended a State Agricultural Development Committee presentation that was made to the Bergen County Agricultural Board two weeks ago. Brian Smith, lead counsel for the Committee gave a presentation regarding proposed rule changes; two of which will affect Closter. The changes concern farm markets and stores and the State’s Right to Farm Protection Act. He said it was not heavily attended but he did receive a copy of the slides from the presentation and is in the process of preparing a memo for distribution regarding same with suggestions for possible changes to ordinances to regulate farm usage as a result.

At this time, the Borough Attorney requested a Closed Session to discuss contract negotiations regarding Affordable Housing.

B. BOROUGH ENGINEER

1) STATUS REPORT RE RUCKMAN ROAD, PERRY STREET, OAKLAND AVENUE, FIRE DEPARTMENT ENTRANCE RAMP AND CURB IMPVTS. HIGH STREET (from Legion Place to Knickerbocker Road), 2013 ROAD IMPROVEMENTS, & RUCKMAN PARK WALKING PATH (RM 5/8/13) – The Borough Engineer reported the bid award is on the Agenda this evening for approval with Cifelli for \$610,000. If the award is approved, there will be a pre-construction meeting tomorrow afternoon at Borough Hall. The Borough Attorney will prepare the contracts in the near future and we hope to have the project completed by the end of September.

2) STATUS REPORT RE ZONING MAP REVISIONS TO INCLUDE PROPERTIES LISTED AS PART OF NEWLY CREATED CONSERVATION ZONE OVERLAY (RM 5/8/13) – The Borough Engineer reported they are in the process of working on the map, however there is a report before the Planning Board from the Planner to possibly alter some of the zoning in the Borough to address some long-standing zoning issues such as John Street and Piermont Road among others. Boswell is working on the Conservation Zone but is holding off on completing a final version until such time as there is final resolution from the Planning Board.

3) REPORT – The Borough Engineer reported the above items concluded his report.

6. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER (Continued)

At this time, Councilman Barad noted in the past the Borough always had plans for road improvements on a regular basis and questioned if same still existed. Mr. DeNicola explained he spoke to the Administrator regarding same as the majority of the roads have been improved over the past 10 years and there are very few roads left at this point. At the present time, they are in the process of preparing the next 5- Year Plan and they only have ideas for the next 2-3 years. In answer to the Mayor, Mr. DeNicola said he is sure that Hickory Lane and Cedar Lane are on the list but other than that he could not speculate.

7. REPORTS

A. BOROUGH ADMINISTRATOR

- 1) REPORT RE FOLLOW UP OF BOROUGH ENGINEER RECOMMENDATIONS RE POTENTIAL USES FOR SWIM CLUB PROPERTY DEEDED TO THE BOROUGH (WS 5/8/13) – Borough Administrator reported just this afternoon he received an overview

on the next steps and how to address issues with the property but he has not had a chance to review same with the Borough Engineer.

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

a) Mail List requests:

1. Recreation Commission Labor Day Festivities 2013 (1b. M.L. 4/25/13)
2. St. Paul's Evangelical Lutheran Church request to hold Open Mike night on 7/20/13 @Memorial Field (11. M.L. 6/27/13/CofI/HH Agt not received)

Borough Administrator reported the Certificate of Insurance and Hold Harmless Agreement have been approved by the Risk Manager; and if the request is approved this evening, they will start advertising the event tomorrow.

3. Sadhu Vaswani Center request to close Durie Avenue for Carnival to be held 9/8/13 (2. M.L. 6/27/13 – Approval required from Chief of Police)

4. Bergen Bike Tour to be held partially through the Borough on 9/29/13 from 7:30 a.m. to 1 p.m. (1. M.L. 6/17/13/CofI/HH Agt not received)

Mr. Sheola reported the Certificate of Insurance and Hold Harmless Agreement have not been received yet; but there is plenty of time as the event is in September.

- 3) REPORT RE BID OPENING HELD 7/2/13 @11 a.m. FOR RUCKMAN ROAD AND OAKLAND AVENUE IMPROVEMENTS & 2013 ROAD PROGRAM  
(Notice Published in The Record 6/21/13) – Borough Administrator reminded the Borough

Engineer reported on same earlier.

- 4) REPORT RE PREPARATION OF AND POSTING OF QUOTE for local business with food handling license to sell food and beverages, not sold by other concessionaires on Labor Day, 9/2/13 - RM 6/26/13: Ins. & HH Agt.; Min donation \$100 payable to Ambulance Corps.; type of food/beverages subject to Recreation Director approval and Board of Health requirements – Mr. Sheola reported the Borough Attorney devised a form

which the Recreation Director is walking around town to all of the food vendors to hopefully solicit responses for the Labor Day Festivities. He voiced his understanding that the only thing left to do would be to approve the fireworks permit which can be done at the next meeting.

5) REPORT – The Borough Administrator reported he is working on the Administrative Code and Organizational Structure and Personnel Policy review and revisions. He informed we have a summer High School Intern who is working on collecting historical financial data for financial planning purposes. Mr. Sheola is working with Departments to prepare for the next surplus property auction; reviewing options for web site upgrade and working with IT Manager regarding email conversions and a roll-out schedule for same and the upcoming technology deployments. The Administrator reported work has already started for the 2014 Budget.

In answer to the Borough Clerk, Mr. Sheola explained the HR Committee discussed the organizational chart and it became apparent the Code needed to be amended to include some departments and clarified when he says “Administrative Code” he is referring to the Borough Code; and he affirmed that the Borough Attorney would be very much involved with the process.

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

At this time, the Borough Engineer questioned if the Administrator required any additional information from the Swim Club report he provided. Mr. Sheola said he would like to review it one more time before he speaks with him about it to make sure he has absorbed all of it. Mayor Heymann commented that she has a lot of questions regarding the report. In answer to the Borough Engineer, the Mayor informed she would hold off on commenting until the next meeting when the Council has had the opportunity to review the report as well. Mr. DeNicola clarified there is no new report, rather a note outlining the next steps for the property.

B. BOROUGH CLERK

1) STATUS REPORT RE 2013 APPOINTMENTS - The Borough Clerk reported that appointments are currently being maintained on the Agenda; and she hopes by the next meeting to have the list affirmed for the Improvement Commission.

2) STATUS REPORT RE 2013 OATHS OF OFFICE – Ms. Castano reported that of the 132 appointments made at the Reorganization Meeting, 125 Oaths have been received to date. She was pleased to report the follow through for the appointments made after the Reorganization Meeting have been accomplished. Ms. Castano reported of the 54 Citizen Leadership Forms sent out, we have received 42 in return. She said she will be reaching out one more time regarding outstanding items for a final report.

3) STATUS REPORT RE 2013 LICENSES – The Borough Clerk reported that the lone outstanding Borough License was the one in discussions regarding the Live Entertainment fee; and same is being followed through by the Ordinance and Legislative Committee regarding an amendment to the fee. Dr. Barad informed that the Committee met yesterday; and they plan to have an ordinance prepared for introduction at the next meeting.

Ms. Castano reported that 10 out of 13 Liquor Licenses have been renewed for the 2013-2014 term. Three licenses require a Special Ruling; and in turn, we are awaiting receipt of approval from the Director of the Division of Alcoholic Beverage Control before being able to take action to renew same.

4) STATUS REPORT RE 2013 MEETING DATES – Borough Clerk reported the Chair of the Board of Ethics contacted her in an attempt to schedule a meeting for this month. He will poll the members of the board and inform her of the date and time to enable her to have the Notice of Special Meeting published in The Record and the Newark Star Ledger.

5) STATUS REPORT RE FINANCIAL DISCLOSURE STATEMENTS – Ms. Castano reported she received a copy of the memo sent by the Chairman of the Board of Ethics on 5/17/13 to individuals and the Chairs of the various Boards and Commissions regarding Financial Disclosure Statement requirements with a deadline of 5/31/13. In accordance with LFN 2013-16, the Borough Clerk's office e-mailed the Roster and certification to the Local Finance Board informing that 39 receipts were filed in her office as of 6/28/13. Ms. Castano voiced her understanding of the multitude of frustrations involved with the new procedures which were voiced to her office.

6) STATUS REPORT RE ELECTIONS – The Borough Clerk reported that due to Governor Christie's decision to hold Special Elections to fill the unexpired term of the late United States Senator Frank Lautenberg, the following elections will be held in addition to the General Election on 11/5/13: Special Primary Election – 8/13/13; Special General Election – 10/16/13. In answer to Councilman Glidden, Ms. Castano explained there have not been any firm answers as to who will bear the costs associated with the Special Elections as of yet; but, she assumes it will be borne by the State as it is a federal election. Borough Clerk informed that due to these extra elections, her office will not be open to the public from 9 a.m. to 9 p.m. on the following last day(s) to register to vote: 7/23/13 and 9/25/13. She added that she will be directing those individuals wishing to register by those deadlines to the Bergen County Clerk's office in Hackensack. Ms. Castano noted that her office will be open to the public from 9 a.m. to 9 p.m. on 10/15/13, which is the last day to register to vote in the General Election to be held 11/5/13.

7) REPORT – Ms. Castano reported that after this evening's meeting, we will have eleven (11) ordinances ready for placement on the Borough website as Legislation Not Yet Codified. Her office is working with the Borough Attorney's office on an OPRA ordinance that would provide for the deputizing of certain individuals to be able to directly handle OPRA requests and be compliant with current laws.

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

Ms. Castano reported that beginning on Monday, 7/15/13, and ending Friday, 8/30/13, the Borough Clerk's office will be closing to the public at 3 p.m. every day to allow time to catch up on the extensive amount of work which has been accumulating. She noted that the Summer tends to be slower in municipalities; however, her office is not. She added that part of this was due to the influx of numerous telephone calls from individuals looking for other people in other departments who have no idea where they should be calling. After listening to the Borough phone directory, her office suggests that upon the automated answer of the call, there should be a directory with the departments and extension numbers.

C. CHIEF OF POLICE

1) REPORT – Chief Kaine reported he e-mailed the June monthly report to everyone this morning. Last Monday we experienced severe weather that caused flash flooding and other issues in town including our building. We had water pouring in to the radio communications room through the wall and air conditioning vents; we had 3 inches of water in our evidence and firearms room in the basement; and the sheetrock ceiling in the police garage collapsed due to water leakage. The Chief reported there was flooding at Old Hook Road and Schraalenburgh Road, Homans Avenue and Lewis Street, and Railroad Avenue by the Elks Lodge. The DPW came out and cleared out some of the catch basins and the water dissipated in about an hour. There was a major issue on Hickory Lane due to ongoing PSE&G work; the road patch came loose and floated down to Piermont Road. The DPW cleared the debris; and PSE&G was notified to come back and rectify the issues.

In answer to Councilman Barad's inquiry, the Borough Engineer explained the issue could have been caused by either sediment in the pipes or the fact that it was such a heavy downpour, which is the more likely occurrence. He noted Monday's storm, though short in duration, was a 10-year storm with high intensity rainfall.

In answer to Councilman Glidden's inquiry, Chief Kaine reported it is a spike in false burglar alarms, not actual break and enter situations. He explained the Police Department had urged residents to use their alarms if they had them; and in bad weather often the alarms go off.

At this time, Councilman Glidden wished to report on a few recreation items. Regarding the restrooms at Mollicone and Schauble Parks, the footings are finally in. He reminded there was an issue with a water main being located where the bathroom was to be installed at Schauble Park and said there have been quite a few individuals over to the location for evaluation. Mr. Glidden reported that Andy Ouzoonian of the Zoning Board of Adjustment has been very helpful inasmuch as he determined the building could be moved over a few feet as opposed to having to relocate the entire building. He voiced his understanding that the contractor was going to finish the footings tomorrow, weather permitting; and he anticipates construction commencing rapidly thereafter.

Councilman Glidden reported at the last Recreation Commission meeting it was brought up by several members that vandalism at the parks is up; and they would like to ask for consideration of installation of security cameras. The Commission will be looking into same and; although they do not have any costs right now, he wanted to bring this to the attention of the Council. Mr. Glidden informed they would also be looking into grants to cover all or part of the cost of the equipment.

Councilman Glidden reported there is another concert tomorrow evening at the band shell and invited all to attend. He noted the concert two weeks ago was cancelled due to rain; and informed that if it rains tomorrow, one can call the main building and follow the prompts for Recreation and there should be a recording advising of the status.

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – JULY 10, 2013 - 7:30 P.M.

7. REPORTS (Continued)

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED

1. 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. 2013 CDBG GRANT APPLICATION IN THE AMOUNT OF \$326,300 TOWARDS POTENTIAL \$435,000 RENOVATION/REHABILITATION PROJECT FOR THE EXTERIOR OF BOROUGH HALL (Authorized RM 9/24/12) – At WS 5/8/13 Mayor Heymann reported receipt of only \$10,000 for automatic doors in Borough Hall.

2. 2013 DWI GRANT (\$4,400) NJ Department of Highway and Traffic Safety – “Drive Sober or Get Pulled Over” – WS 6/12/13

c. TO BE FILED - To be announced by Mayor

Mayor Heymann reported the application was received this week for the 2014 ROID Grant; which is a recreational opportunities grant for people with special needs. She explained the grant requires matching funds from other non-profit organizations. In past years we have applied for \$10,000 and provided matching funds. She reminded that last year the award was cut to \$5,000 and at best this year it will be the same amount. Mayor Heymann explained the reason she brought this up is because the paperwork required to apply for the grant is considerable; and now the award has become restricted in terms of flexibility; but worse yet we do not get notification that we received the grant until mid-year after the money has been spent. At this point, there is some question as to whether it is warranted to continue filing for this grant; once before we had a similar grant that became too costly to maintain because it did not pay for itself. She invited opinions at this time. Mayor Heymann explained the funds can only be used for recreational opportunities for individuals with special needs and that in addition to grants the Recreation Commission finances part of it. She voiced her hopes to be able to continue the program because we get kids from all over. In answer to Councilman Barad she clarified that it costs almost as much to apply for and administer the grant and though she doesn't think it's quite at that point yet, she wished to garner input on same. She agreed to provide the balance sheet to the Council for their review and consideration.

2) REPORT – Mayor Heymann reported that PSE&G came immediately to repair the road that washed away in the storm; and said it is unavoidable what is happening to Hickory Lane. When any digging takes place and you want to resurface, it can't be done right away because the soil has to settle – otherwise the resurfacing will break down. At this time they put a temporary surface over the gas main and they will be back in August to finish it. She noted PSE&G will be doing a lot of improvements to the road; and it may well be they end up doing more improvements than they have damage. Mayor Heymann informed that the current budget (2013 year) already prepared to have money set aside to be applied to 2014 Hickory Lane. She reiterated it is an extremely expensive road to repair and essentially has to be rebuilt. She reminded that the Borough Engineer reported Hickory Lane is the number one item on the replacement list for 2014.

At this time, Mayor Heymann wished to thank all of the highly knowledgeable and experienced volunteers who have given up of their valuable time to assess issues involving the Borough. She said she was grateful to Michael Kafer, Chairman of the Solid Waste Advisory Committee, and the members for their hard efforts which have resulted in the DPW Committee discussing potential changes estimating what is best for the Borough, i.e. the mix of recycling/solid waste/vegetative waste/newspapers. In the interim, a meeting with Joe Miele, who currently does our recycling and solid waste pick up, has been scheduled to take place this Friday morning.

Finally, the Tax Levy for 2013/2014 was released by Bergen County today. The Tax Office will be working on the tax bills over the weekend. It is planned that they will be mailed out Monday and Tuesday. The Municipal tax rate is .48%; the total tax rate including the schools, library, municipal rate and county and county open space totals 2.1%, which is a very reasonable amount, less than the cost of living increase. The Mayor commended the Borough officials for their hard work.

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – JULY 10, 2013 - 7:30 P.M.

7. REPORTS (Continued)

D. MAYOR (Continued)

2) REPORT (Continued)

In response to Councilwoman Amitai, Mayor Heymann informed that the Borough Attorney, Administrator and representatives from the DPW Committee: Councilwoman Latner, Liaison, and Councilman Glidden will be attending the Friday morning meeting; and Councilwoman Latner affirmed to Ms. Amitai that she was very comfortable with it.

8. OLD BUSINESS

A. GOAL SETTING FOLLOW UP REPORT OF MEETING HELD 6/8/13 RECEIVED FROM REAGAN BURKHOLDER, SUMMIT COLLABORATIVE ADVISORS, LLC (6 M.L. 6/20/13 – Received 6/18/13/Adjourned from WS 6/26/13)

Borough Administrator advised that he had provided a draft to the HR Committee; and there should be a meeting to discuss same to keep it moving.

B. FOLLOW UP OF SOLID WASTE COMMITTEE REPORT RECOMMENDATIONS (WS 6/26/13)

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

In answer to Steve Isaacson, 97 Columbus Avenue, Mayor Heymann advised that she would not be taping the meeting with Miele this Friday. He suggested that before Recreation considers cameras, light sensors should be purchased to deter the graffiti. Councilman Barad said the Ordinance Committee has decided to recommend 35 patrons or less would be the cut off for small venues and the fee would be \$50. The first three occasions would be without a fee but a permit would have to be filed. Borough Attorney said the Administrative Code governs tax exempt or tax reduced farms but not farmers markets. Mr. Isaacson noted that the farmers market in town is no longer under the control of the Chamber of Commerce.

Itzhak Pearl, 43 Hickory Lane, shared a presentation with the governing body relative to Hickory Lane. Mayor Heymann noted that for many years the neighbors did not want the road paved and now the road would be paved as she had previously indicated. The damage done to the road would be fixed by PSE&G next month. Mr. Pearl expressed his agreement and noted that the area from 83 Hickory Lane is in horrendous condition and the trench has eroded the sidewalk into the street. He requested that a Council member review his report and come up with an interim solution. Mayor Heymann said that this will be corrected as soon as the soil is stabilized; and the Borough Engineer said the trench would be improved, not the entire road. He said he would refer the sidewalk area to the Superintendent of Public Works for review with PSE&G. Mayor Heymann said she had approached Trenton to repair the sidewalks; and Borough Engineer said that same was not approved by the State.

David Hecht, 51 Hickory Lane, said it was indicated that speed bumps could not be installed, but the condition of the road now is unsafe. He stressed that the road should be fixed as soon as possible and not wait until 2014. He said it is impossible to walk on the street inasmuch as there are holes in the sidewalks, which is a safety problem. He asked that speeding on the road should be resolved; and Mayor Heymann noted that the Chief of Police had indicated that speed bumps are not legal. In answer to Councilman Glidden, members of the audience indicated that they were in favor of the installation of speed bumps.

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Ree Hartwell, 1 Bradley Place, cited a problem 25 years ago with drainage but said now the problem comes from the Metropolitan Plant Exchange that cut down the trees on their property; and they should be held responsible. In answer to a question about the State Agricultural Board, Borough Attorney said it was a presentation made by State representatives to the Bergen County Agricultural Board and not a meeting to discuss a particular farm. The State has made recommendations to change the Administrative Code that governs farming; and these were explained to each County. He said he would prepare a summary from his notes which he would provide to the Council. Ms. Hartwell requested to have minutes taken at the meeting with Miele to share with the town. Borough Attorney said the meeting is contractual negotiation on the Host Community Fee and the Committee members would not be involved.

Adrienne Isacoff, 227 Demarest Avenue, referred to the Lustron House and noted that she voted in favor of the designation on the Planning Board because of the recommendations of the Historic Preservation Commission. The house is significant to historic preservation in the Borough. She said she heard from both owners and was moved by their predicament. The construction of this house is different; and renovations, such as wheel chair accommodation, cannot be done due to the porcelain enamel construction. She hoped that the Council would take into consideration the human needs and equities.

Leslie Ringelstein, 1 County Road, said there are still no offers on the house; and the designation would be against their will. The house was not bought with the intention of restoring same; and the Council has not put in an offer. Designation would be a financial burden to them. Property values are going to go down because of the designation; and re-appraisals would be requested by the surrounding property owners. The house cannot be sold without her approval; and she has been left out of all discussion.

Relative to Hickory Lane, Councilman Glidden said he was there during the storm; and the water is coming off the farm. He asked that the improvement be moved along to prevent an accident. Councilwoman Amitai asked that the road program order be shifted. Mayor Heymann said the road should be settled by next month; and PSE&G would return to do the improvement. Borough Administrator said the Borough Engineer would have to be authorized to prepare specifications for the road improvement for a separate bid; but at this time, the Borough does not have the money without another funding ordinance. \$200,000 has been put aside for the survey and specifications for this road; but additional funding is not available for construction. The Council must decide on the scope of construction and provide same to the Borough Engineer. Mr. DeNicola advised that the drainage work must be included that may require DEP permitting which could take up to 120 days. Councilman Barad asked that the DPW Committee review the matter and provide a solution at the next meeting. He suggested that the Council contact PSE&G on the scope of work to be accomplished next month and coordinate same with the DPW. Borough Engineer said that a 10 to 12 foot swath up Hickory Lane for the distance of the gas line would be repaired; and he said he would write a letter to the Company indicating our understanding of what would be done.

Mindy Rothbaum, 83 Hickory Lane, suggested closing the road, except for residents, until it is repaired; and Borough Engineer advised that opening the road back up could be very difficult. She said the more traffic using the road, the more likely it is that an accident would happen. The potholes are huge and there are no lights on the street. Borough Engineer said the DPW can repair an asphalt sidewalk relatively quickly on a temporary basis; and the ultimate solution would be to install concrete sidewalks. He said the DPW must do the repairs on an ongoing basis when manpower is available. In answer to Councilwoman Amitai, Chief Kaine said that an ordinance would be needed to keep traffic off the street during rush hour times.

Jennifer Rothschild, 49 Washington Avenue, Nyack, New York, suggested that extra curbing in the area of Bradley Place would eliminate some of the drainage problems.

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

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – JULY 10, 2013 - 7:30 P.M.

13. ADJOURNMENT

Motion to adjourn the Work Session at 9:32 p.m. was made by Councilman Glidden, seconded by Councilwoman Latner and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council  
on July 19, 2013 for approval at the  
Regular Meeting to be held  
July 24, 2013

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held July 24, 2013  
Consent Agenda Item No. 18b.