

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – SEPTEMBER 25, 2013 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:19 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  
and Victoria Amitai  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Chief of Police, Dennis Kaine

The following persons were absent:

Councilman Arthur Dolson  
Borough Administrator, Richard Sheola

3. MAYORAL APPOINTMENTS (NON-SALARIED) TO THE FOLLOWING BOARDS/COMMISSIONS:

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ENVIRONMENTAL COMMISSION			
Alt. No. 2	_____	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 August 28, 2013 and was published in The Record on September 3, 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. 2013:1150, “AN ORDINANCE AMENDING CHAPTER 87 OF THE CODE, BUSINESS AND RESIDENTIAL CERTIFICATES OF OCCUPANCY”

Mayor Heymann declared a public hearing.

In answer to Marie Hartwell, 1 Bradley Place, Borough Attorney explained that the ordinance would provide for a construction and zoning inspection when a property is sold or there is a new tenant in a business establishment. There have been concerns by owners of two-family houses that they had to appear before the Zoning Board to prove that they owned a two family home at a cost of \$5,000 to \$10,000. The State requires that the municipality have a construction inspection to make sure the house is safe and there have been no illegal additions or plumbing and electrical work done by unlicensed contractors. The current ordinance provides for a zoning inspection; and questions have arisen if the Borough has been too stringent on some houses. The proposed ordinance mirrors the State requirement that provides for the Construction Official to inspect the premises; and if a violation is found, it triggers the zoning inspection but same is not necessarily automatic. Mrs. Hartwell expressed opposition to the proposed ordinance noting that it worries her that only one person is making the decisions.

David Baboo, 362 Durie Avenue, explained that upon moving into town he received a two-family Certificate of Occupancy; and after his tenant moved out, he approached the town to obtain a Recertification of Occupancy but was advised that his home was no longer a two-family residence. He appeared before the Zoning Board and learned that if a two-family certificate is issued, it must line up with the Zoning law and he read from a trial court decision. He expressed concern that if the ordinance is passed, a person in the future who has been issued a two-family certificate may not have a two family home under the zoning law. Mayor Heymann said if the ordinance is passed, future owners of two-family houses that meet the requirements would not have to go through what he did.

Mr. Baboo said during his hearing he was given a briefing by the Zoning Board Attorney, Mr. Kates, (dated 6/11/08) which indicated that a two-family home had to exist before the zoning law existed. At this time he provided a copy of the briefing to the Mayor and Council. Borough Attorney noted that his case was based

CLOSTER MAYOR AND COUNCIL  
REGULAR MEETING MINUTES – SEPTEMBER 25, 2013 - 7:30 P.M.

on a tax issue, which tried to grandfather houses that were taxed from 1980 forward, not a zoning issue. That law tried to extend the date from 1955 to 1980, which was not in conformance with the zoning. The proposed ordinance does not change the date of the construction of the house. In order to be found a valid two-family house under this ordinance, the date of the construction of the house does not change. If the house was not built before 1955, you would not get a certificate under the current or proposed ordinance. If the Construction Official notices any type of construction that deviates from the original construction, the matter would go to the Zoning Board unless there is proof submitted that it existed prior to 1955. If the structure is intact from the date of construction prior to 1955 and appears to have no additions, the Construction Official can issue the certificate. Currently the ordinance provides for both Zoning and Construction inspections; and when the zoning inspection is conducted, a position has been taken that we do not know if the structure has been continually used as a two-family home; and, therefore, the burden has been put on the homeowner to provide proof of continual use.

Councilman Glidden noted that he did not have enough information on the ordinance; and he has questions about potential lawsuits. He said he would like to have an opportunity to do more research on the matter and talk with Mr. Kates on same.

Motion to carry the ordinance to the next meeting was made by Councilman Glidden, seconded by Councilwoman Amitai and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner and Amitai. Councilman Barad voted No and Councilman Kashwick abstained.

Borough Attorney advised that the Public Hearing on the ordinance would be carried to the next meeting.

5a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 12, 14 and 16 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 Amitai.

RESOLUTIONS

6. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE REFUND CHECK IN THE AMOUNT OF \$523.40 TO NEVITSKY, AUDREY, FOR PROPERTY KNOWN AS BLOCK 1902, 1901 LOT 10.02, DUE TO REDUCTION IN ASSESSMENT RENDERED BY THE COUNTY TAX BOARD ON 6/28/13 (Received from Tax Collector 9/12/13)
7. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$16,691.14 AND ISSUE A RETURN OF PREMIUM FROM ESCROW IN THE AMOUNT OF \$46,000.00 TO US BANK C/F NJ SUNSHINE ST IV LLLP/BANK UNITED FOR THE REDEMPTION OF TAX SALE CERTIFICATE #13-00004 FOR PROPERTY LOCATED AT 98 PIERMONT ROAD, BLOCK 1806, LOT 29, SOLD AT THE MUNICIPAL TAX SALE HELD ON 4/18/13 FOR 2012 DELINQUENT TAXES (Received from Tax Collector 9/18/13)
8. RESOLUTION ENDORSING 2014 BERGEN COUNTY COMMUNITY DEVELOPMENT GRANT APPLICATION IN THE AMOUNT OF \$25,000.00 FOR SPECTRUM FOR LIVING GROUP HOMES INC. FOR SPECTRUM'S NORTHERN VALLEY RESPITE AND SOCIALIZATION PROGRAM IN THE BOROUGH OF CLOSTER (This Resolution does not obligate the financial resources of the municipality and is intended solely to expedite the expenditure of the CDBG Funds) (7. M.L. 9/12/13)
9. RESOLUTION AUTHORIZING EXECUTION OF CDBG CONTRACT #NV-CLSTR-03-13, BY THE MAYOR, IN THE AMOUNT OF \$10,000.00, FOR HANDICAPPED ACCESSIBLE DOORS BOROUGH HALL PROJECT FROM 7/1/13 to 6/30/14 (9. M.L. 9/12/13) (Received from Administrator 9/13/13)

Councilwoman Amitai noted that since the Historic Preservation Commission is trying to get the building designated and questioned if the design of the doors would be in conjunction with proper design for the building. Mayor Heymann said that the doors do not have to be built until after everything else is done and will blend in.

10. ~~POSSIBLE~~ RESOLUTION AUTHORIZING REVISION AND RE-BIDDING OF CONTRACT FOR THE CELLULAR TOWER AND AUTHORIZING HOLD OVER STATUS FOR CURRENT LESSEE (Received from Borough Attorney 9/17/13)
11. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO RELEASE AND RETURN REMAINING ZONING BOARD OF ADJUSTMENT LEGAL ESCROW FEES IN THE AMOUNT OF \$543.00 TO APPLICANT: CHRISTOPHER CONSTANTINE DUE TO SATISFACTORY COMPLETION OF LEGAL SERVICES RENDERED FOR BLOCK 308 LOT 20, 53 BETHANY CIRCLE (Received from Deputy Treasurer 9/16/13)

CLOSTER MAYOR AND COUNCIL  
 REGULAR MEETING MINUTES – SEPTEMBER 25, 2013 - 7:30 P.M.

- ~~12.~~ RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO RELEASE AND RETURN REMAINING PLANNING BOARD LEGAL/ENGINEERING ESCROW FEES IN THE AMOUNT OF \$3,313.57 TO APPLICANT: CLOSTER MARKET PLACE OPERATING DUE TO SATISFACTORY COMPLETION OF ALL REQUIRED IMPROVEMENTS FOR BLOCK 1607 LOT 1, 19 VERVALEN STREET (Received from Deputy Treasurer 9/18/13)
- 13. RESOLUTION MEMORIALIZING ACTION TAKEN AT THE REGULAR MEETING HELD 9/11/13 AUTHORIZING THE TOWN-WIDE GARAGE SALE ORGANIZED BY THE CLOSTER FOOD & ASSISTANCE BOARD AND WAIVING PERMIT FEES FOR PARTICIPANTS (Received from Borough Attorney 9/19/13)
- ~~14.~~ RESOLUTION AUTHORIZING THE BOROUGH OF CLOSTER TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE BERGEN COUNTY AGGREGATE ENERGY PROCUREMENT COOPERATIVE PRICING SYSTEM (THE “BCPS”) NJDCA (Received from Administrator 9/20/13 @ 9:18 a.m.)

Mayor Heymann explained she doesn't know anything about this item and wanted it to be removed from the Consent Agenda. Councilwoman Amitai said they did hear about it and that it had been received from the Borough Administrator; she hasn't been at a meeting where this has been discussed for a long time and thought possibly Mr. Sheola was working on something. Mr. Glidden said he did not discuss this with Mr. Sheola; he is aware that the Bergen County Cooperative is a successful one and suggested the carrying of this item would be a good idea; the Mayor said she does not know if this is a continuation of what we already have, if it is a different company, why, if so; and she does not know anything about it. Mr. Glidden agreed with the Mayor that this item should be pulled from the Consent Agenda.

- 14a. RESOLUTION APPROVING RENEWAL OF *INACTIVE/POCKET* PLENARY RETAIL CONSUMPTION LIQUOR LICENSE NO. 0207-33-005-003, SUBJECT TO 12.39 SPECIAL RULING FROM THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL FOR THE 2013-2014 LICENSE TERM FOR MODERN BAR LLC (Appropriate fees paid, required approvals received from the Division of Taxation; and Special Ruling dated 9/16/13 to Permit Renewal of Inactive License Pursuant to N.J.S.A. 33:1-12.39 received 9/23/13)

MOTIONS

- 15. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 9/20/13)  
 NO ABSTENTIONS:
  - a. REGULAR MEETING HELD 9/11/13
  - b. WORK SESSION HELD 9/11/13

- ~~16.~~ MOTION APPROVING APPOINTMENTS TO THE FOLLOWING BOARDS/COMMISSIONS:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
BOROUGH HISTORIAN	<u>William Cahill</u> (non-acceptance)	_____	1 Year	12/31/13
IMPROVEMENT COMMISSION				
Member/HP Liaison	<u>Irene Stella</u> (resigned)	_____	2 years unexp. (Stella) to	12/31/13
Member	<u>Tina Stratton</u> (non-acceptance)	_____	2 Years	12/31/14
Member	<u>(Cherylin Clarke)</u> (resigned)	_____	2 Years unexp. (Clarke) to	12/31/13
Alt. No. 1	<u>Shiran Slutzky</u> (resigned)	_____	2 Years unexp. (Slutzky) to	12/31/13
Alt. No. 2	<u>Wilson Reimers</u> (non-acceptance)	_____	2 Years	12/31/14

- 17. MOTION APPROVING RAFFLES APPLICATION NO. 596 FOR TEMPLE BETH EL OF NORTHERN VALLEY TO CONDUCT ON-PREMISE CASINO NIGHT AT 221 SCHRAALENBURGH ROAD ON SATURDAY, 11/23/13, FROM 7:00 P.M. TO 11:30 P.M. (Completed Application filed and appropriate fees paid 9/17/13)

CLOSTER MAYOR AND COUNCIL  
REGULAR MEETING MINUTES – SEPTEMBER 25, 2013 - 7:30 P.M.

18. 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 THE CLOSTER ELKS, 148 RAILROAD AVENUE, CLOSTER, NJ 07624, TO DISPENSE WINE, DISTILLED SPIRITS AND MALT ALCOHOLIC BEVERAGES ON SATURDAY, 10/12/13, FROM 1:00 P.M. TO 11:00 P.M. (Completed application received 9/19/13)
19. MOTION APPROVING RAFFLES APPLICATION NO. 597 FOR CLOSTER ELKS LODGE #2304 TO CONDUCT ON-PREMISE 50/50 CASH RAFFLE ON SATURDAY, 1/25/14, AT 148 RAILROAD AVENUE, FROM 7:30 P.M. TO 11:00 P.M.; DRAWING TO BE HELD AT 10:45 P.M. (Completed Application filed and appropriate fees paid 9/19/13)

20. REPORTS

- a. CHIEF OF POLICE – AUGUST 2013 (Received 9/10/13)

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

21. 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)

Marie Hartwell, 1 Bradley Place, questioned the scope of paving of Hickory Lane. Mayor Heymann said there are rules governing public utilities paving of roads and they are not allowed to pave a public road in total. She also questioned the status of Closter Plaza and Mayor Heymann said that the expert was not available to testify at the last meeting and the next meeting is scheduled for the second Thursday in October. Relative to Ondine's and TD Bank, Borough Engineer said that TD Bank pulled their application and Borough Attorney noted that the old Korea Palace is for sale.

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

23. ADJOURNMENT

Motion to adjourn the Regular Meeting at 8:48 p.m. was made by Councilwoman Amitai, seconded by Councilman Kashwick and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on  
October 4, 2013 for approval at the  
Regular Meeting to be held  
October 9, 2013.

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held October 9, 2013  
Consent Agenda Item No. 16a.

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION NOTES – SEPTEMBER 25, 2013 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session Meeting on Wednesday, September 25, 2013. Mayor Heymann called the meeting to order at 7:32 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 on 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, Alissa Latner, John Kashwick, David Barad (7:58 p.m.),  
and Victoria Amitai  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Chief of Police, Dennis Kaine

The following persons were absent:

Councilman Arthur Dolson  
Borough Administrator, Richard Sheola

Also present: Brenda Cummings, Environmental Commission Member

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF SEPTEMBER 12, 2013 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 9 was removed by Councilwoman Amitai.

Item No. 9: Received 09/12/13, dated 09/10/13 from Michele Popkin, Executive Assistant, Bergen County Community Development, to Mayor Heymann re Follow-up letter re 2013-2014 CDBG Grant for Handicapped Accessible Doors Borough Hall Project (Contract #NV-CLSTR-03-13, Term of Contract 7/1/13 – 6/30/14, Amount \$10,000) letter only! (Complete original to Mayor 9/12/13)

Councilwoman Amitai questioned if this grant covered only one door to be placed in the Lewis Street side entrance and Mayor Heymann affirmed same.

b. MAIL LIST OF SEPTEMBER 19, 2013 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. No one wished to remove any items for discussion.

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – SEPTEMBER 25, 2013 - 7:30 P.M.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of September 25, 2013)

Mayor Heymann asked if anyone wished to remove any item for discussion. Councilwoman Amitai referred to Item Nos. 8 and 10; the Borough Engineer referred to Item No. 12; and the Borough Clerk referred to Item Nos. 6 and 14a.

6. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE REFUND CHECK IN THE AMOUNT OF \$523.40 TO NEVITSKY, AUDREY, FOR PROPERTY KNOWN AS BLOCK ~~1902~~, LOT 10.02, DUE TO REDUCTION IN ASSESSMENT RENDERED BY THE COUNTY TAX BOARD ON 6/28/13 (Received from Tax Collector 9/12/13)

Borough Clerk noted that a corrected resolution has been received from the Tax Collector indicating that the property Block No. should be 1901.

8. RESOLUTION ENDORSING 2014 BERGEN COUNTY COMMUNITY DEVELOPMENT GRANT APPLICATION IN THE AMOUNT OF \$25,000.00 FOR SPECTRUM FOR LIVING GROUP HOMES INC. FOR SPECTRUM'S NORTHERN VALLEY RESPITE AND SOCIALIZATION PROGRAM IN THE BOROUGH OF CLOSTER (This Resolution does not obligate the financial resources of the municipality and is intended solely to expedite the expenditure of the CDBG Funds) (7. M.L. 9/12/13)

Mayor Heymann noted that this resolution is necessary for any non-profit organization to submit a grant application and does not have anything to do with Borough funds.

10. *POSSIBLE* RESOLUTION AUTHORIZING REVISION AND RE-BIDDING OF CONTRACT FOR THE CELLULAR TOWER AND AUTHORIZING HOLD OVER STATUS FOR CURRENT LESSEE (Received from Borough Attorney 9/17/13)

In answer to Councilwoman Amitai, Borough Attorney advised that there were no interested bidders on two occasions; and under the law, the Borough can now discuss the matter with potential vendors. He said a telephone conference was held with Crown Castle, who indicated a number of problems they had with the bid specifications the first being the request for carport specifications the construction of which they were not comfortable with; therefore, they wished to have that item removed from the specifications. Additionally, there was a request for 500 additional square feet that was not necessary in addition to a request by Crown Castle to increase the height of the tower by 10 feet. Crown Castle indicated the loss of a tenant and the original height could be restored to the specifications. It was also felt that the minimum monthly rent was too high and consideration should be given to lowering same. They indicated that some companies including themselves would consider some type of signing bonus of up to \$10,000; and, finally, they are looking to bid on towers with a longer lease of 30 years. The contract is up in October and the resolution is twofold: one to prepare revised bid specifications possibly incorporating some of these suggestions for review by the Mayor and Council; and secondly to authorize the Borough to go into a hold over status to keep the current contract on a month-to-month basis so we do not lose the current income from the tower.

In answer to Councilman Kashwick, the Borough Attorney advised that under the contract, the pole is ours at this point; He added that we need the pole for now as we would have difficulty servicing our emergency responders

12. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO RELEASE AND RETURN REMAINING PLANNING BOARD LEGAL/ENGINEERING ESCROW FEES IN THE AMOUNT OF \$3,313.57 TO APPLICANT: CLOSTER MARKET PLACE OPERATING DUE TO SATISFACTORY COMPLETION OF ALL REQUIRED IMPROVEMENTS FOR BLOCK 1607 LOT 1, 19 VERVALEN STREET (Received from Deputy Treasurer 9/18/13)

Borough Engineer questioned the resolution for Closter Market Place; and it was decided to obtain additional information before any action is taken.

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – SEPTEMBER 25, 2013 - 7:30 P.M.

- 14a. RESOLUTION APPROVING RENEWAL OF *INACTIVE/POCKET* PLENARY RETAIL CONSUMPTION LIQUOR LICENSE NO. 0207-33-005-003, SUBJECT TO 12.39 SPECIAL RULING FROM THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL FOR THE 2013-2014 LICENSE TERM FOR MODERN BAR LLC (Appropriate fees paid, required approvals received from the Division of Taxation; and Special Ruling dated 9/16/13 to Permit Renewal of Inactive License Pursuant to N.J.S.A. 33:1-12.39 received 9/23/13)

The Borough Clerk noted that the Special Ruling was received; and this resolution renews the last of the 13 liquor licenses for the year 2013-2014.

6. COMMITTEE REPORTS

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

- 1) STATUS REPORT RE CLOSTER WEBSITE
- 2) REPORT – In the absence of Councilman Dolson, no report was provided.

B. PUBLIC SAFETY - GLIDDEN (LATNER/BARAD)

1) REPORT – Councilman Glidden reported everything is quiet in Closter. He informed he had no report and invited the Chief to speak.

Chief Kaine reported the new recruits are finishing up at the Academy and should be graduating in the middle of December. In answer to Mayor Heymann, the Chief affirmed the Department has been busy with details for road construction recently.

C. PUBLIC WORKS - LATNER (DOLSON/GLIDDEN)

1) REPORT – Councilwoman Latner wished to mention the ability to start going out for solid waste collection (bids) especially if they want to pursue it in January so they can be ahead of the game. She noted the Administrator was not present this evening; but wanted to put it out there that they could start having discussions regarding scheduling.

Councilwoman Latner reported the Library summer programs were very successful with a lot of sign-ups. She reminded that all Council members should have received an invitation to the Belskie Museum's 20<sup>th</sup> Anniversary Celebration this Friday night from 7-9 p.m. in the outside garden for wine and cheese. Mrs. Latner voiced her understanding that there will be a slide show presentation on the history of the Museum.

Councilwoman Latner reported there was a Board of Education meeting on Monday night; and at the present time, they decided that the Board would not be voting on any RDT (Random Drug Testing) policy until 2014 so nothing will be instituted for this (school) year. They voted against a motion that would have rescinded the current policy-writing committee's instructions and would have charged them with writing a more comprehensive policy including education to combat substance abuse. Mrs. Latner said perhaps it was a subject that could be brought up at the next meeting as Mayor Heymann was serving on the committee.

At this time, Mayor Heymann informed there was an error in the DPW/Recycling calendar under December. She said there seems to be a 5<sup>th</sup> week with a 5<sup>th</sup> collection in December and it shouldn't be there so to delete it.

The Borough Attorney informed the (Solid Waste) Transfer Station (contract) expires at the end of this year. He reminded that we have one additional one-year option left; and if we choose to exercise that option, it will reduce the fee from \$74 to \$70 per ton. If we choose not to do that, we will have to go out to bid and publish it. Mr. Rogan advised that there should be some discussion on the matter by the next meeting because if we need to go out to bid, then we need to have a 60 day window. He explained we had two one-year options, one of which we renewed last year. Further, it is the Mayor and Council's option to renew, not the provider's.

6. COMMITTEE REPORTS (Continued)  
C. PUBLIC WORKS - LATNER (DOLSON/GLIDDEN) (Continued)

Councilwoman Amitai spoke with Bill (Dahle) who recalled a conversation with Mr. Miele regarding picking up recyclables in blue barrels; and questioned how we would get the barrels to the residents. Mrs. Latner explained she had spoken to Bill probably before Mrs. Amitai had that conversation with him; and she is unaware if he and Mr. Miele had spoken on the matter to that extent. Mayor Heymann explained that papers do not do well in a round container; and the recommendation is to put the paper into boxes or be tied up in individual bundles. If that's not possible, she suggested another container that is not a regular garbage container and is clearly labeled so as to not slow down the workers to make them have to read every container. If it looks like trash, especially on the East Side, where the confusion is, then it won't get collected. Mrs. Latner agreed the DPW Committee would be discussing the matter further because they would like to avoid having to make a purchase but to find a reasonable solution for the residents.

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad was not present at this time, and Mayor Heymann invited the Borough Attorney to make any comments regarding ordinances.

The Borough Attorney reported the Ordinance Committee met earlier this week and there is an ordinance on the Agenda this evening regarding CCO's. He explained the ordinance was recommended in an attempt to address the two-family house issue in large part. The good thing about the ordinance is that it would provide a more streamlined inspection and approval process for a CCO for someone who is selling their house. The down side is to put more control in the Construction Code Official's hands as opposed to having the Zoning Code Official there as well. Mr. Rogan explained that concerns in the past that gave rise to this ordinance was that the Zoning Official was being too cautious on these approvals causing a lot of cases to go before the Zoning Board and costing residents monies to get the approvals. Under this proposed ordinance it would be envisioned that the Construction Code Official would do the inspection and if he felt there were any improper modifications to the house or any other zoning violation then he in turn would trigger a zoning inspection. He explained this is another attempt by the Ordinance Committee to try to correct that concern that has been going on since the adoption of the original CCO ordinance. The Borough Attorney explained this ordinance mirrors the language of the State statute for Continued Certificate of Occupancy.

Dr. Barad entered the meeting at 7:58 p.m. and Mayor Heymann invited him to make his report if he had any items to discuss. Dr. Barad reported that he attended the Ambulance Corps meeting and they expressed their appreciation for the new vehicle. Dr. Barad noted the Ordinance Committee met yesterday and they are making their way through much of their Agenda with the sign ordinance being the only outstanding item. He said they hope to meet with Mr. Rogan on the next call to discuss same.

E. HUMAN RESOURCES - KASHWICK (DOLSON/LATNER)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick reported the Human Resources Committee met earlier today to discuss a few personnel issues. He said they are nearly completed with the evaluations for senior management in the Borough and they will be meeting with those employees shortly.

2) REPORT – Councilman Kashwick reported on the following:  
a. Environmental Commission is planning the 6<sup>th</sup> Annual Harvest Festival to be held on 10/26/13 at 3 p.m. at the MacBain Farm; and the rain date would be 10/27/13. He commended Steve Isaacson for a job well done on the postcards advertising the event.  
b. Shade Tree Commission – Trees should start to be planted and removed and pruned over the next few months between now and the end of the year; including tree planting at Ruckman Park. He affirmed that the old pear trees are coming down in preparation for the new plantings of Zelkova, Cherry

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – SEPTEMBER 25, 2013 - 7:30 P.M.

6. COMMITTEE REPORTS (Continued)

E. HUMAN RESOURCES - KASHWICK (DOLSON/LATNER) (Continued)

and two other varieties the names of which he could not presently recall.

c. Historic Preservation Commission had a meeting on Monday which he was unable to attend as he was at a class.

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

1) REPORT – Councilwoman Amitai reported the bathrooms at Mollicone and Schauble (Parks) are nearly complete with only some trimmings, fixtures and accessories needing to be finished. She said the sewer connection was completed; and within the next two weeks, there should be a final punch-list meeting and then the Building Department gives its final approval.

Councilwoman Amitai reported the Parking Authority Committee continues to meet to better organize the North and South parking lots to make spaces more accessible to shoppers that are closer to the stores.

Councilwoman Amitai reminded the Improvement Commission's 4-day music festival starts in eight days; most of the shows are free; and she invited everyone to attend some of the shows.

At this time, Mayor Heymann made the following announcements:

On Sunday, 9/29/13, the Lions Club is having their car show and sponsoring a blood drive. She said donating blood is really painless and is a good way to give back to the community. Both events will take place at Tenakill School.

The band shell at Memorial Park is being repaired by a roofer who gave a good estimate. It should be starting any time now. She recalled there is a Lions Club emblem for the band shell that was mentioned when there was talk about dismantling it; and noted it was designed by the Belskie Museum. The Lions Club would like it to be replaced so it will be refurbished and placed back on the band shell.

At this time, Mayor Heymann invited the Borough Engineer to report on some work to be done for the Senior Center. Mr. DeNicola explained that they will be completing the sidewalks from an ADA standpoint as part of the road program. Last year sidewalks were installed from the Southwest side of the building up to the building and it is too steep for ADA purposes. They will continue the sidewalk along the Easterly curb line so they can connect the sidewalks for ADA accessibility.

The Borough Engineer reported he, Bill Dahle and Jim Oettinger met with the contractor to discuss the path at Ruckman Field. Upon further inspection, it was decided to patch certain areas instead of redoing the entire path because that would create chaos as it is not an easy project. Instead, they will use the money to resurface Caroline Court off Ruckman Road and Wilson Drive off of Piermont Road.

Mayor Heymann congratulated the following merchants for being listed in New Jersey magazine as being the high selectees in their particular fields: The Closter Farmer's Market was tied for second place and under Pizza Parlors, Rudy's Pizza tied for third place.

7. OLD BUSINESS

a. DISCUSSION WITH BOROUGH ATTORNEY RE REVISION AND RE-BIDDING OF CONTRACT FOR THE CELLULAR TOWER AND AUTHORIZING HOLD OVER STATUS FOR CURRENT LEASE  
(Requested by Borough Attorney 9/17/13)

8. NEW BUSINESS

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – SEPTEMBER 25, 2013 - 7:30 P.M.

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

Jaewook Jun said he is currently a member since 2010 of the Closter Green Team and an Associate Member of the Environmental Commission. He advocated the installation of more recycling bins in libraries, schools, municipal buildings and especially the downtown business areas to remind people of the importance of recycling. There are not enough recycling bins and there is a need to change the behavior of people so that cans and bottles can be immediately recycled. He said we have started a petition, which has been signed by 95% of high school students. Mayor Heymann extended congratulations to him and the team and noted that there is recycling in all of the schools but there are not even enough solid waste bins in the business area. Councilwoman Latner said she would discuss the matter with the Department of Public Works at their next meeting.

Veer Shah, Sophomore at the Northern Valley High School related his experiences in walking through the town observing the recyclables that have not been thrown away due to the lack of recycling bins. The team would like to take the initiative to install the bins to provide the people with the means to make the town more environmentally friendly.

Fang Wu, Senior at Northern Valley High School reiterated his experiences walking downtown and having no place to dispose of recyclables; and said he was honored to be part of the petition.

Pedro Rodriguez, member of Closter Green Team, expressed support for recycling education among the shoppers downtown and to take the first step in making Closter more sustainable.

Anthony Argenzio, Sophomore at Northern Valley High School stressed the importance of recycling to all of us and hoped that something good could result from the petition.

Mayor Heymann thanked the students for attending the meeting; and Councilman Glidden said that tonight you have gotten our attention.

Steve Isaacson, 97 Columbus Avenue, expressed concern about the rush to get private garbage collection out to bid and that there had been talk about experiments with schedules. He felt that since the truck payoff is in three years, we should take that time in order to make a wise decision. He said it has been said if the transfer fees are extended, the tipping fee would be reduced to \$70 and we have indicated that other towns that are collected by Miele Sanitation have been paying \$70 all along indicating that we have been overcharged per ton for many years. The Borough should be getting consideration for being used as a transfer station. Councilwoman Latner said that things that were done on a handshake should not be incorporated into a contract. Mr. Isaacson referred to the use of COAH money for the Village School, Borough Attorney said that we are talking about over and above the number of units required by the Zoning Board. Mayor Heymann said that they have the responsibility as a private residential facility to provide a percentage of COAH housing that is contained in the original agreement with the Zoning Board, which remains in effect. Mr. Isaacson supported the condominium concept; and Borough Attorney said that this is the concept being discussed in which the Borough would take over the units and administer same.

Marie Hartwell, 1 Bradley Place, questioned the availability of the DPW report; and Mayor Heymann said that same was part of the minutes of the meeting at which the report was given. Borough Clerk asked Mrs. Hartwell to contact her office and she would provide the date of the meeting at which the report was given. Mrs. Hartwell questioned why the trees were cut down at Ruckman Field and Councilman Kashwick advised that same were pear trees that last 20 years at most and were at the end of their life span. The trees will be replaced with 2½ "caliper trees this Fall, which will provide for a better crop of trees in the future. The trees will be made up of Zelkova and Cherry trees by the parking lot and two other types. Mayor

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – SEPTEMBER 25, 2013 - 7:30 P.M.

Heymann said the pear trees are fragile with yearly problems and it is better to replace same with trouble free trees.

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

Motion to adjourn the Work Session at 8:19 p.m. was made by Councilman Glidden, seconded by Councilman Kashwick and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council  
on October 4, 2013 for approval  
at the Regular Meeting to be held  
October 9, 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 October 9, 2013  
Consent Agenda Item No. 16b.