

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – JULY 8, 2015 - 7:30 P.M.

Mayor Glidden called the meeting to order at 8:35 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 published in The Record and The Star Ledger on January 9, 2015, was posted on the Municipal Clerk’s bulletin board and has remained posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

2. ROLL CALL

The following persons were present:

- Mayor John C. Glidden, Jr.
- Councilpersons David Barad, Alissa Latner, Robert Di Dio, Thomas Hennessey,
Arthur Dolson and Victoria Amitai
- Borough Administrator, Jonathan DeJoseph
- Borough Attorney, Edward T. Rogan
- Borough Clerk, Loretta Castano
- Borough Engineer, Nick De Nicola
- Chief of Police, Dennis Kaine

3. APPOINTMENTS - (Not made at the Reorganization Meeting held 1/5/15 - Requiring Council confirmation) – No appointments were made by the Mayor for the following offices;

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Improvement Commission Member/ Historic Preservation Liaison	<u>Susan McTigue</u>	_____	2 Years Unexp (McTigue)	31-Dec-15
Planner to Implement Portions of the 2008 Master Plan	<u>Francis J. Banisch, III</u> <u>Banisch Associates, Inc.</u>	_____	1 Year	31-Dec-15
Treasurer	<u>VACANT</u>	_____	1 Year	31-Dec-15

4a. VOTE ON CONSENT AGENDA ITEMS

Motion to approve the Consent Agenda minus Item No. 6 was made by Councilman Barad, seconded by Councilman Di Dio and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey, Dolson and Amitai.

RESOLUTIONS

5. BILL RESOLUTION – JULY 15, 2015 (Received from Deputy Treasurer 7/1/15)

~~6.~~ POSSIBLE RESOLUTION APPOINTING _____ TO SERVE AS MUNICIPAL COURT JUDGE FOR AN UNEXPIRED 3-YEAR TERM (BETANCOURT) TO 12/31/16 (3. M.L. 7/1/15) - TO BE PREPARED BY ADMINISTRATOR

Mayor Glidden removed this item and Councilman Di Dio reported that Chief Kaine, the Human Resources Committee and Borough Administrator have met to review all the applications that had been submitted. The Committee, with the assistance of the Police Chief, and a conversation with the Prosecutor selected two persons that we are considering. Interviews are being scheduled starting next week and would include the Police Chief and the Prosecutor. References have been requested. The Human Resources Committee is reviewing the handbook provided by the Borough Administrator. Borough Attorney noted that there were modifications made to the handbook that must be addressed. The resolution is to be carried to the next meeting.

7. RESOLUTION EVIDENCING COMPLIANCE BY THE GOVERNING BODY WITH N.J.S.A. 40A:5-4 AND N.J.S.A. 40A:5-6 RE 2014 AUDIT (Audit Report rec’d. - 8. M.L. 6/25/15/distributed 6/24/15) GROUP AFFIDAVIT FORM CERTIFICATION OF GOVERNING BODY RE 2014 AUDIT REPORT (to be signed by each member of the Governing Body certifying they have personally reviewed and are familiar with at least the “Letter of Comments and Recommendations” Section of the Annual Report of Audit)

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – JULY 8, 2015 - 7:30 P.M.

8. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A: 4-87 FOR THE “SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF CLOSTER AND THE BOROUGH OF CRESSKILL AND NORWOOD FOR THE USE OF POLICE FIREARMS TRAINING FACILITY” (Received from Temporary CFO 7/1/15)

MOTIONS

9. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS TO THE FOOD AND ASSISTANCE BOARD (In accordance with Ordinance No. 2015:1185 adopted 5/13/15 changing membership and stipulating initial terms of appointment): Carried from RM 5/27/15/RM 6/10/15

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
MEMBER	New Member	<u>Miriam Lambert</u>	2 Years	12/31/16
MEMBER	<u>New Member</u>	_____	3 Years	12/31/17

10. MOTION GRANTING APPROVAL FOR CLOSTER CHAMBER OF COMMERCE TO HANG BANNER ACROSS MAIN STREET (VERVALEN STREET) IN MID JULY ANNOUNCING THE SIDEWALK SALE TO BE HELD 7/30/15, 7/31/15 AND 8/1/15, SUBJECT TO RECEIPT OF APPROVAL FROM RISK MANAGEMENT CONSULTANT OF REQUIRED INSURANCE (Carried from RM 6/10/15/RM 6/24/15) (Approval received from Risk Management Consultant 7/1/15)

11. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 7/1/15) NO ABSTENTIONS:
a. REGULAR MEETING HELD JUNE 24, 2015
b. WORK SESSION HELD JUNE 24, 2015

12. REPORTS

- a. CONSTRUCTION OFFICIAL – JUNE 2015
b. CHIEF OF POLICE – JUNE 2015
c. FIRE CHIEF – JUNE 2015

- 4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

13. 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 Glidden opened the meeting to the public. No one wishing to be heard, Mayor Glidden closed the meeting to the public.

- 13a. Motion approving the following Closed Session Resolution at 8:45 p.m. was made by Councilman Di Dio, seconded by Councilman Barad and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey, Dolson and Amitai.

OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(4), “A collective bargaining agreement”; and 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 matters which should be within 12 weeks.

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

Mayor Glidden resumed the Regular Meeting at 9:18 p.m.

5. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:18 p.m. was made by Councilman Barad, seconded by Councilman DiDio and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on
July 16, 2015 for approval at the
Regular Meeting to be held
July 22, 2015

Loretta Castano, RMC, Borough Clerk

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

Approved at the Regular Meeting held July 22, 2015
Consent Agenda Item No. 22a.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – JULY 8, 2015 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, July 8, 2015. Mayor Glidden called the meeting to order at 7:30 p.m.

1. PLEDGE OF ALLEGIANCE

Mayor Glidden 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 Annual Notice of Meetings which was published in The Record and the Star Ledger on January 9, 2015, 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 John C. Glidden, Jr.
Councilpersons David Barad, Alissa Latner, Robert Di Dio, Thomas Hennessey, Arthur Dolson
and Victoria Amitai (7:40 p.m.)
Borough Administrator, Jonathan De Joseph
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick De Nicola
Chief of Police, Dennis Kaine

At this time Mayor Glidden presented Allison Sutter with a Gold Girl Scout award for her project Athletic Injury Awareness and Prevention. She presented her educational program to several Middle Schools and created an educational website teaching proper stretching routines. The project required over 80 hours of preparation and execution. He also presented a Certificate of Recognition from the Closter Police Department.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF JUNE 25, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 2c was removed by Councilman Barad; Item Nos. 2a2, 8 and 9 were removed by Borough Clerk.

Item No. 2c: Received 06/25/15, dated 06/18/15 from Lisa Sciancalepore, (lsciancalepore@co.bergen.nj.us) Clerk to the Bergen County Board of Chosen Freeholders, to Director of Department of Community Affairs, Division of Local Government Services; c: Borough of Closter, County Executive, County Administration, County Counsel, Sheriff/Bureau of Police Services, Public Works/Engineering re Certified copy of Ordinance No. 15-13 adopted 6/17/15; Purpose: To Legally Revise the Existing Speed Limit on County Route 102 – High Street – Closter (30 mph both ways between Closter Dock Road and Piermont Road) Copy to Chief Kaine

Councilman Barad explained the County passed the ordinance changing the speed limit on High Street between Closter Dock Road and Piermont Road and wanted all to be aware as the subject was discussed many times. Mayor Glidden voiced his opinion this was a very important way to do it by

requesting the County perform the traffic study to have a change made. Councilwoman Latner noted she informed Ms. Bickici of same and said it didn't take that long for the process to be completed. In answer to Councilman Hennessey, Borough Administrator affirmed the County will handle replacing the signs.

Item No. 2a2: Received 06/18/15, dated 06/18/15 from Lisa Sciancalepore, (lsciancalepore@co.bergen.nj.us) Clerk to the Bergen County Board of Chosen Freeholders, to Municipal Clerks re Certified copies of following Ordinances Adopted 6/17/15 (Introduced 5/27/15 – see also 1a & 1b M.L. 6/4/15): 1) **15-12:** An Ordinance Establishing the Speed Limits Along Wyckoff Avenue in the Borough of Waldwick; 2). **15-13:** An Ordinance Establishing the Revision to the Speed Limit Along **County Route No. 102 known as High Street in the Borough of Closter, Between Closter Dock Road and Piermont Road** (Copy to Chief Kaine)

Borough Clerk wished to note this is the original notification of the change in speed limit from the County.

Item No. 8: Received 06/24/15, dated 06/23/15 from Gary J. Vinci, RMA, Lerch, Vinci & Higgins, LLP re Letter re Report of Audit for the year ended December 31, 2014 including 2014 Municipal Court Report and 2014 Dog Report (Audit Reports distributed to Mayor and Council, Administrator and Temporary CFO on 6/24/15)

Borough Clerk reported this item was distributed at the last meeting and the Resolution affirms that the Governing Body has read the Comments and Recommendations. Mayor Glidden voiced his hope that everyone has read them and said we are signing our lives away that we have done so.

Item No. 9: Received 06/25/15, dated 06/25/15 from Jim Oettinger, Director, Recreation Commission; c: Chief Dennis Kaine re Request for permission to conduct the following 2015 Labor Day Festivities: Fri. 9/4, 7 p.m. - Coaches Association Picnic (already approved); Sat. 9/5, 11 a.m. - 17th Annual 4 Person Volleyball Tournament; 7 p.m. - Waldwick Band; Sun. 9/6, 9 a.m.- 34th Annual Dom Mircovich Memorial 5K Run; 8:30 a.m. - Kids Fun Run; 12:30 p.m. – 55th Annual Labor Day field day events featuring the following: Kids rides, Pony Rides, Food and Drinks concession, Elks Beer Truck, two concerts, annual Recreation awards; fireworks beginning approximately at 8:45 p.m. - 9:00 p.m. depending upon darkness; Rain Date Sat. 9/12 beginning at 1 p.m. for Labor Day Activities (Copy to Glenn Parsells, William Dahle III, Chief Kaine, Kevin Whitney, Board of Health)

Borough Clerk noted this is the customary request for Labor Day activities and explained the date was not included on the Mail List sheet and it should be Monday, 9/7/15. Borough Administrator pointed out the rain date is 9/12/15.

Councilman Barad questioned if the Work Session was the appropriate time to discuss the findings in the Audit Report and Mayor Glidden affirmed same. Ms. Castano explained the Resolution regarding the Corrective Action Plan will be placed on the 7/22/15 Agenda and voiced her understanding the Temporary CFO is preparing same.

Councilwoman Amitai entered the meeting at 7:40 p.m.

b. MAIL LIST OF JULY 1, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 3 was removed by Mayor Glidden.

Item No. 3: Received 06/30/15 Hand del'd, dated 06/25/15 from Thomas R. Betancourt, Attorney at Law, to Mayor John C. Glidden, Jr.; c: Jonathan DeJoseph re Informing of New Jersey Senate confirmation as Administrative Law Judge and resignation as Municipal Court Judge effective 6/30/15 (3 year term to 12/31/16) Copy to Bonnie Switzer

Mayor Glidden reported the HR Committee is interviewing candidates for Municipal Court Judge.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
 (Refer to Regular Meeting Agenda of July 8, 2015)

Mayor Glidden asked if any member of the Council wished to remove any item for discussion. Item Nos. 9 and 12 were referred to by the Borough Clerk. Item No. 7 was removed by Mayor Glidden for discussion.

7. RESOLUTION EVIDENCING COMPLIANCE BY THE GOVERNING BODY WITH N.J.S.A. 40A:5-4 AND N.J.S.A. 40A:5-6 RE 2014 AUDIT (Audit Report rec'd. - 8. M.L. 6/25/15/distributed 6/24/15) GROUP AFFIDAVIT FORM CERTIFICATION OF GOVERNING BODY RE 2014 AUDIT REPORT (to be signed by each member of the Governing Body certifying they have personally reviewed and are familiar with at least the "Letter of Comments and Recommendations" Section of the Annual Report of Audit)

Councilwoman Amitai said she believes she would need more time to review the 2014 Audit. Councilman Barad noted that a number of the recommendations contained in the Audit have been listed for a while and felt these should be addressed. Borough Administrator said he only started in January but some of the items are already coming off the list and that same are being reviewed at this time. Mr. DeJoseph said he is working with all departments, boards and commissions regarding the procurement policies. Councilman Barad asked that same be addressed on an ongoing basis under the Borough Administrator's report. Mayor Glidden suggested removal of this item from the Consent Agenda.

9. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS TO THE FOOD AND ASSISTANCE BOARD (In accordance with Ordinance No. 2015:1185 adopted 5/13/15 changing membership and stipulating initial terms of appointment): Carried from RM 5/27/15/RM 6/10/15

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
MEMBER	<u>New Member</u>	<u>Miriam Lambert</u>	2 Years	12/31/16
MEMBER	<u>New Member</u>	_____	3 Years	12/31/17

Borough Clerk said a Citizen Leadership Form has been received from Miriam Lambert.

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

Borough Clerk reported that the following three reports were received today and asked for approval that they be added to the Consent Agenda:

- a. CONSTRUCTION OFFICIAL – JUNE 2015
- b. CHIEF OF POLICE – JUNE 2015
- c. FIRE CHIEF – JUNE 2015

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

- 1) STATUS REPORT RE NEGOTIATIONS WITH PBA LOCAL 233 (8. M.L. 8/21/14/ 8. M.L. 9/25/14) – The Borough Attorney reported that new date of 7/17/15 has been selected for the PBA Committee to meet with the PBA Representatives at 8 a.m. which was confirmed today with Mr. Loccke. In answer to Councilman Barad, he affirmed there are still ongoing negotiations and that he filed an objection to the impasse filed by the PBA indicating there were still ongoing discussions. The State agreed the parties should sit down and talk again prior to going for mediation.
- 2) STATUS REPORT RE CONTRACT FOR THE PURCHASE OF MULTIPLE CONDOMINIUM UNITS AT VILLAGE SCHOOL SITE (RM 11/24/14) – Mr. Rogan informed he wished to discuss this item in Closed Session.
- 3) REPORT – The Borough Attorney reported the COAH Declaratory Action Complaint was filed yesterday along with the Motion the Borough is making requesting immunity for 5 months, the

6. PROFESSIONAL REPORTS (Continued)

A. BOROUGH ATTORNEY (Continued)

maximum amount of time allowed under the Supreme Court ruling. As of Monday, only 17 towns had filed but he assumes more will be filing today, the deadline for same. After multiple discussions with the Judge's Chambers this week, Mr. Rogan anticipates a return date on that in early September for Closter. Members of the public and the service list of approximately 60 people had to be notified of this filing via certified letter and they will have the opportunity to object to our Complaint and Motion within 30 days of filing of same. According to the Supreme Court ruling if objections are not filed within those 30 days, they are not supposed to be heard. If we do receive any objections we will have to reply in turn. Councilman Barad asked if the Borough was immune to Builder's Remedy suits during the time period we wait for our case to be heard; and Mr. Rogan affirmed same since we filed on or before today's deadline. The Complaint sought protection during the pendency of the Declaratory Judgment Action.

The Borough Attorney reported the bid opening for the cell tower was held and Verizon was the sole bidder. Although they responded with exceptions, we are trying to work it out prior to the next meeting. He explained those exceptions are relative to standard JIF regulations for insurance which we cannot negotiate; Verizon will have to provide that for the JIF. He reported there are no other major issues.

At this time, Councilman Barad questioned if there was any point to be working on COAH solutions right now while this matter is ongoing. Borough Attorney emphatically agreed saying it was his understanding the Mayor was contemplating the creation of a committee and its members. He said it is important that over the next 5 months the Borough comes up with a definitive position as to whether we are required or should be required to construct any more COAH units or assist construction through a zoning change or other donations of land if we need to comply or take the position that we do not need more because we have enough units; and if we are required to have more units, where will they be. We can either allow the units to come up in little pockets throughout town or form a committee and come up with a plan to decide better areas for that housing. For those reasons he strongly recommended same. Mr. Rogan said that once the filings get started, one or more of the cases may go up to a different level; and at that time, all of the towns will be given some kind of direction, as we found out when interviewing COAH Planners that there is no criteria at this time. In the past, COAH provided guidance and there was a specific goal, whereas now there is none. Once a decision on a case has been issued, then we will have some idea of what we need to be doing. We know that we have to do a new Housing Element and Spending Plan. Michael Hakim had been in the process of providing something to COAH for our revised spending plan that included the Village School condos around the same time as this ruling came out; and it was never acted upon, but once the decision came down on 3/10/15, COAH no longer had the power to act upon and approve or reject it. Mr. Rogan said we can decide at this point whether we want to further revise it but there are other issues that need to be discussed. In answer to Dr. Barad the Borough Attorney explained the earliest date is the 24th of this month, which is unrealistic since when he spoke to the Judge's Chambers that is the date they gave him but it did not provide enough time for public comment; and they ultimately agreed after he called them and was advised not to use that date. Because of the time requirement, Mr. Rogan assumes most cases will be heard on 8/21/15 and 9/4/15. Closter picked 9/4 to allow us more time. He explained that an appeal can only come once our case is heard and a Judge makes a decision; and he does not expect same to happen for several months. Mr. Rogan said there is one judge in each County hearing these cases and there is a massive amount of paperwork. He spoke to the one in Bergen County, Judge Toskos, who said he thinks that once one judge starts to make a decision, it will start to set the precedent for the others. Councilwoman Amitai said the judges should have a committee among themselves to have some discussions on this; and the Borough Attorney informed that during previous litigation, they did have special counsel called "Masters" – a Planner that used to work for COAH or someone heavily involved in the COAH process to assist the Judges with these cases. He said he would think they will need to do this again to be able to hear all of the cases. Mr. Rogan said this is a dramatic change in New Jersey law.

6. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER

1) STATUS REPORT RE DPW REMEDIATION (Authorized /RM 4/23/14) – Borough Engineer reported the DPW now has a clean bill of health. The NJDEP went back in history and found there was a tank around 1997 that was not done in accordance with the criteria such as filed reports and missing paperwork. This is still being discussed but he is aware the Administrator has filed an OPRA request with the State. Mr. DeNicola informed there have been offline discussions with the DEP; and they have no files so it is unclear if the Borough is going to have to do its own tests. He feels it is going to be a problem because the DEP has no information on it. We have to reestablish that the well is clean; and to do that, you have to make new borings in the ground which is dangerous because you never know what you're going to find.

2) STATUS REPORT RE SWIM CLUB PHASE II CONTAMINATION INVESTIGATION (Authorized/RM 7/9/14) - Mr. DeNicola reported that Boswell is going to perform the last round of coring for the soil samples to be sent to the lab tomorrow. Results should be back in a 3-4 week period. They think they have it encompassed as to where the contamination is which is further east and west than originally thought, but they will find out from the results of tomorrow's test. In answer to Councilman Barad, he informed it is about 10 feet south of the parking lot into the edge of the woods. In response to Councilwoman Amitai he said the contamination is limited to the front yard of the Swim Club.

3) STATUS REPORT RE CONTRACT AWARDED TO ROCKBORN TRUCKING AND EXCAVATION, INC. @RM 3/11/15 FOR HICKORY LANE IMPROVEMENTS AND 2014 MUNICIPAL ROAD PROGRAM IN THE BASE BID AMOUNT OF \$484,253.50 – Borough Engineer reported this project is almost complete with the exception of a few punch list items such as fix some curbing by the inlets and install some grates. Councilwoman Amitai voiced her opinion that it (Hickory Lane) is beautiful and Mr. DeNicola agreed and said he was up there today checking it and the drainage is working well. He reported the remainder of the project includes crack sealing which still has to be done; and they plan to address same in this order: Ruckman Road, Alpine Drive, and maybe Herbert Avenue or West Street depending on the quantities we actually put down. We have about \$25,000-\$30,000 to spend on crack sealing; and when that is expended, we will stop. Mr. DeNicola reported the project should be coming in under budget because Hickory Lane was in very poor condition and there were a lot of remove and replace areas of the street; and when they milled the top layer, it wasn't actually that bad. He said there will be some money left over to hopefully capture the extras like St. Mary's parking lot, the Police Firing Range and Birch Street and Brook Street drainage repairs and still come in under budget.

4) REPORT RE DEVELOPER'S AGREEMENT FOR BLOCK 1607, LOT 1 & BLOCK 1310, LOT 2 (CLOSTER MARKETPLACE (EBA) LLC AND CENTENNIAL AME ZION CHURCH) Approved RM 5/21/15 – Mr. DeNicola reported the fence has been installed and the building (old Stop and Shop) is down and it is proceeding very quickly. The developer is looking to have Whole Foods open by the end of next year which means there are two things the Borough has to worry about. Under the Agreement, the Borough has acquired funds from the developer to resurface Vervalen Street; but at that juncture, it is going to change from a 4-lane roadway to a 3-lane roadway with a westbound lane, an eastbound lane and an eastbound turn lane for entry into the Plaza and the Commons. When that happens, the Borough has to be prepared to mill and resurface the rest of the roadway so we can have a uniform roadway. In speaking with the Administrator, they determined they will either submit a Discretionary Aid or Local Aid grant for Vervalen Street next year. The cost will be \$120,000 approximately from the Borough in addition to the \$100,000 the developer put up.

Mr. DeNicola reported there has not been any word back yet on the Discretionary Aid application for Cedar Lane and it can take a long time because that is a political game.

5) REPORT – Borough Engineer reported he submitted a proposal for a road program at the end of this year and the streets were reviewed with Superintendent of Public Works and the Administrator. The work would include a quick mill and resurface of Columbus Avenue, Grove Street from Columbus Ave. to Knickerbocker Road, Demarest Avenue from Knickerbocker Rd. to Durie Avenue and Van Sciver Street from West Street to the railroad crossing by Capital Hardware. He noted the project does not include the grade crossing because that is privately owned even though it is in deplorable condition. Mr. DeNicola

6. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER (Continued)

spoke to the Administrator about trying to get that rectified or at least putting pressure on the owner of the crossing perhaps through property maintenance but we are working to get Capital Hardware to rectify that situation. He informed the foregoing concluded his report and invited any questions or comments on same.

At this time, Councilwoman Amitai asked for a clarification of Item No. 4 as to what section is Closter's responsibility (to repave). Mr. DeNicola explained Closter Marketplace is responsible for milling, paving and restriping the section from the property line from the movie theater to the bank (on the corner of Lewis Street); and the Borough has to do the section from the light to the bank and the part from the movie theater to Piermont Road. Mrs. Amitai noted the Borough's obligation and he explained it is roughly 50/50 but we are estimating high to not be over budget. He informed that he only attends the meetings between the Building Department and the developer when there are inspections or engineering issues involved. Mr. DeJoseph said at the last meeting the emergency services officials were present; and he believes all of the issues and concerns were worked out. The Police obtained emergency contacts in case they need to access the building after hours when nobody is there for the contractor and Edens. He said the Fire Department is also getting a Knox Box or key set for access. In answer to the Borough Clerk, the Mayor affirmed it is a substantial walk to the Dollar Tree with parking access blocked off.

7. REPORTS

A. BOROUGH ADMINISTRATOR

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

a) Mail List requests re Insurance:

1. 9. M.L. 5/21/15 – Volunteer Center of Bergen County 20th Annual Bergen Bike Tour on Sun. 10/4/15 – The Administrator reported he is

waiting on insurance for this event.

2) STATUS REPORT RE EXTERIOR REPAIRS AND ROOF REPLACEMENT

AT BOROUGH HALL (Contract Awarded /RM 5/28/14 to 3 Sons Restoration, LLC, Union, NJ - \$499,000.00) – Borough Administrator reported they are waiting for the entry door for the Chief's Main Street entrance to the office. He noted there was a problem with the installation of the Lewis Street entrance; and the contractor is meeting with a different vendor on Friday to address the doors. The roofer was here today working on the gutters. The Administrator said they hope to have a punch list together in the next week but he is not optimistic about same. Mayor Glidden asked if the odor was still coming down the stairs (from the roof) and the Borough Clerk informed she asked Councilman Hennessey because the last time he was here he did not smell anything but this time he still does. Ms. Castano noted she has not smelled anything. Mr. DeJoseph reported the two permanently mounted attic exhaust fans were installed and he believes the installation will be very beneficial to the Borough. He voiced his opinion that over the past several weeks it has been much better.

3) STATUS REPORT RE RE-BID FOR ACQUISITION & INSTALLATION OF EMERGENCY GENERATOR AT CLOSTER PUBLIC LIBRARY – Bid opening held

8/5/14 @ 11:30 a.m./All Bids rejected RM 8/13/14 – To be rebid – Mr. DeJoseph reminded the Borough received a \$90,000 grant for the generator; and the issue now is designing bid specs and technical specs or deciding whether to purchase through a co-op for the generator and the contractor. He said he will prepare several different proposals and informed the Borough Engineer is going to prepare a proposal as a possible sub-consultant to prepare the technical specifications. The Administrator said there were two capital ordinances recently adopted appropriating money for the generator from separate accounts so we now have \$70,000 to replace the DPW generator which is about 40 years old. Councilman Hennessey asked how it would work; and the Administrator informed it would be time and materials for the vendor plus the cost of the equipment; and he affirmed he would prepare a not-to-exceed budget. The Borough Engineer said this is a good way to go. Mr. DeJoseph said after discussing with the Borough Engineer going out to bid for the project may incur additional unforeseen costs in addition to a technical consultant. In answer to Mr. Hennessey he said there are several contracts including the Bergen County Co-

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

op and the Middlesex Educational Regional Co-op which have prevailing wage plus markups; and while the County may have 0%, Middlesex may have 25% markup. He said the generator alone is about \$35,000-\$40,000; and Mr. Hennessey said it could cost several thousand dollars to draft specs. Mr. DeNicola affirmed that is the reason a co-op may be the best way to go. Councilman Dolson wished to remind that last fall there was some confusion as to the placement of the generator for the Library. The original proposed location was over by the woods on one side of the parking lot but the specs indicated it was to be over by St. Mary's. Mr. DeJoseph said he visited the site with Lt. Winters and it will be going near the woods, but some trees will have to come down. He said they may trench the power underground to the switch on the building. He hopes that by the next meeting either he or he and the Engineer will have specifications for the Council to evaluate.

4) STATUS REPORT RE FOLLOWING CONTRACTS:

a. POLICE FIRING RANGE PHASE I – CONTRACT AWARDED TO ACTION TARGET/RM 8/13/14 (\$108,220.51) – Borough Administrator reported the range is coming along well and almost completed. He said the Chief will be preparing something so they can finish the target to add two lanes. They will also require an engineer or an architect to place the cover material over the backstop.

c. INTERIOR RENOVATIONS OF CLOSTER POLICE DEPARTMENT – Contracts awarded RM 11/24/14 to: A. WOODS CONSTRUCTION, INC. IN THE AMOUNT OF \$16,500.00; PESH-E-LECTRIC, INC. FOR ELECTRICAL SERVICES IN THE AMOUNT OF \$8340.00; BUSINESS INTERIORS BY STAPLES IN THE AMOUNT OF \$23,631.01 PURSUANT TO STATE CONTRACT #A81641 – Mr. DeJoseph reported the renovations are progressing and is about 95-99% complete with the exception of some flooring.

At this time, Councilman Hennessey requested the Administrator set up another meeting with Sgt. Brueck, Chief Kaine, Administrator and himself to review the canopy at the firing range to refresh what needs to be done over there. Chief Kaine offered Mr. Hennessey to visit the range as he will be there practicing tomorrow.

5) REPORT RE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE (Authorized RM 5/13/15) – Borough Administrator reported the Notice will be published in the paper (Record) this Saturday with a starting date of July 18.

6) REPORT RE LEASE OF REAL PROPERTY AND TOWER SPACE FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A WIRELESS COMMUNICATION FACILITY (Published in The Record 6/5/15 – Bid Opening held 6/30/15 @ 11 a.m.) – Borough Administrator reminded the Borough Attorney addressed this item earlier and hopefully by the next meeting we can have a Resolution to award.

7) REPORT – Mr. DeJoseph reported the HR Committee is making progress with the handbook (personnel manual) and the changes that were carried over from last year and will probably be corrected as well.

At this time, Councilman Barad asked for a clarification of “surplus personal property” and Mr. DeJoseph said it was unneeded or unwanted. Mr. Rogan voiced his understanding it was a description for items that are not “real property” such as real estate.

The Administrator reported he has been working on the salary ordinance and he hopes to have that for the next meeting as well.

At this time, Borough Engineer asked if the Borough has been paid (reimbursed) yet for the ADA Ramps project and Mr. DeJoseph informed we have not received anything and we are potentially owed for funds from 2012 for which he cannot find a record and from 2014. He will follow up on this again and Mr. DeNicola advised he would also.

7. REPORTS (Continued)

B. BOROUGH CLERK

1) STATUS REPORT RE 2015 APPOINTMENTS – Ms. Castano reported that open appointments are being maintained on the Agenda. She explained that a Citizen Leadership Form had been received from Miriam Lambert which she distributed to the Mayor and Council. She asked that the appointment be made this evening as a member of the Food and Assistance Board (for a 2 year term) since it is her understanding that Ms. Lambert has been volunteering to assist the Board all this time.

2) STATUS REPORT RE 2015 OATHS OF OFFICE – At present there are 5 outstanding Oaths and we are pursuing obtaining same. Some have not been returned due to the fact that they have not attended a meeting since their appointment.

3) STATUS REPORT RE 2015 LICENSES – Ms. Castano informed that the Borough licenses for 2015 are current.

Regarding Liquor License renewals for 2015-2016, Borough Clerk reported that 10 of the 13 licensees have paid their renewal fee to date. She added that the new procedure referred to as POSSE ABC has been working out very well. Due to the fact that this is a newly instituted procedure, the licensees have been instructed by the Division of Alcoholic Beverage Control to pay the municipal fee to the respective Municipal Clerks prior to 6/30/15; and they have extended the approval date to September 18, 2015. Once the Clerk's office has confirmed via the web site that a Tax Clearance Certificate has been issued by the Division of Taxation, the license can be renewed. On 6/23/15 she sent a memo to the Borough Officials requesting inspections and reports by 7/1/15. Reports were received; and as of today, we can place a Resolution approving renewal of 9 licenses for the Regular Meeting to be held 7/22/15.

We currently have five inactive/pocket licenses in the Borough; three of which are required to comply with special rulings – having been inactive for a two year period of time: one is in progress; the other two have been referred to the clients attorneys by our office via certified mail and to date we have not received any word although we are aware that they have received Tax Clearance.

We are having a major problem with one license which is being held up for quite some time; JBS Mack, LLC (formerly Cask 171). It is the only one which has not received tax clearance; and although a transfer application was commenced sometime ago, it cannot proceed without tax clearance. The procedure involved in this matter has become so complicated that our office, with the approval of our Borough Attorney, sent the transfer application to the Division of Alcoholic Beverage Control for review. We were contacted by a Deputy Attorney General who thoroughly reviewed the file and advised us that the transfer could not take place until such time as a tax clearance certificate was obtained. Borough Attorney concurred that there were three different parties involved in the transfer - which he agreed with the Borough Clerk is a real "mess". Mayor Glidden stated that the establishment which he explained to Mrs. Amitai is on Schraalenburgh Road, is empty and deteriorating.

4) STATUS REPORT RE 2015 MEETING DATES - current

5) STATUS REPORT RE PREPARATION FOR CODIFICATION OF 2014 ORDINANCE NOS. 2014:1153 to 2014:1183 AS CODE SUPPLEMENT NO. 21 – A purchase order was processed and we are reaching out to those individuals who still have hard copies to provide them with the update: we have three in our office: one for the Clerk's counter, one for the Borough Clerk, one spare; one to the Borough Attorney; one to the Mayor; and a copy to forward to our former Mayor. Today we e-mailed 10 adopted ordinances - Ordinance Nos. 2015:1184, 1185, 1186, 1187, 1188, 1189, 1190, 1192 and 1193 to General Code to be placed free of charge on our web site as "NEW LAWS".

6) REPORT RE ELECTIONS

a. PREPARATIONS FOR GENERAL ELECTION TO BE HELD 11/3/15 – We recently sent to the Board of Elections the form regarding open offices for General Election. We have two Council seats for 3 year term and one Council seat for an unexpired term.

7) REPORT RE PREPARATIONS FOR LEAGUE OF MUNICIPALITIES CONFERENCE TO BE HELD FROM 11/17/15 TO 11/19/15 – On Friday, Borough Clerk will be sending a memo to the Mayor and Council, Chief of Police, OEM Coordinator, Supt. of Public Works and Administrator for response by 7/22/15 regarding intent to attend and choice of accommodations to enable her to begin the process in sufficient time since this is the 100th year celebration. Our recent League

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

Magazine June 2015 issue contained some information regarding the upcoming Conference.

Ms. Castano asked that since our own Borough Attorney received the Michael Pane Award in 2014 and had his article published in The League Magazine in the April 2015 issue titled “Why Stress Ethics”, that prior to the next award being made, we publicize on our website about his accomplishment. She apologized for not having made the necessary arrangement for someone from the League’s Legal Team to attend one of our meetings to give him this prestigious award, as she had promised; noted that the article in the local newspaper misspelled his name and said this would in some way make up for the lack of follow up. No objections were expressed and Ms. Castano was asked to follow through on this request.

8) REPORT – Since Ordinance No. 2015:1190 has been adopted, the outstanding appointment of member to serve on CIC(HPC) requirement for Ch. 29, “Improvement Commission” can be removed from future Agendas.

C. CHIEF OF POLICE

1) REPORT – Chief Kaine reported the monthly report was emailed to everyone this morning and noted it was a busy month for the Department. Mayor Glidden asked if there was anything unusual and the Chief informed it was a few long term cases, sexual assault, drug arrest warrants, heroin overdose. The Chief reported Closter Dock Road will be close eastbound of Anderson Avenue starting tomorrow from 7 a.m. to 5:30 p.m. with anticipated completion by next Wednesday. In answer to Councilman Barad, he said the road is closed up to Rt. 9W so you would have to detour down to Hillside Avenue or the back way up Oak Tree Road (in Orangeburg, NY) to 9W. It is a County project.

Chief Kaine noted the Borough Engineer reported the pistol range was paved and striped by Rockborn and they did an outstanding job. He said the Administrator was up there yesterday looking at it. He said the furniture has been delivered and installed (in the PD) and there is a small punch list for that. He said they hope to start rifle qualifications this week up at the range and offered to meet with Mr. Hennessey whenever he is available.

The Chief reported they took delivery of two new police vehicles and due to some glitch in the contract, they received one (1) 2015 and one (1) 2016 car. It threw them off a little because they changed the design; and they have to modify some of the items so they are working with the dealer on that. In answer to the Mayor, he said they are out getting retrofitted right now and hopes one will be available for next week and the other one to follow a few weeks later.

At this time, Councilman Barad recalled the Chief had said earlier that the Borough Hall parking lot is becoming very full; and he suggested making changes to some ordinances to perhaps reserve some spots. Chief Kaine agreed and said some spots reserved for Borough business would be good because there are Borough employees and commuters plus the contractors taking up an additional 5-6 spaces with vehicles, storage sheds and materials. Dr. Barad asked the Chief to email him some suggestions he can bring to the Ordinance Committee. Councilman Dolson agreed reserved spaces would be good since he’s seen people park and walk completely out of the lot. The Chief agreed and said an ordinance would allow them to enforce the spots in our lot; and thanked the Council for their consideration.

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED

1. NEW JERSEY TRANSIT 5310 GRANT PROGRAM TO INITIATE FUNDING FOR THE TRANSPORTATION ASSISTANCE PROGRAM IN THE BOROUGH OF CLOSTER (Authorized at RM 4/22/15) – Mayor Glidden reported this grant was for a Senior van and said we are expecting a response in September.

2. NEW JERSEY DEPARTMENT OF TRANSPORTATION FY2015 DISCRETIONARY AID APPLICATION FOR CEDAR LANE PROJECT IN THE AMOUNT OF \$180,000 (Authorized at RM 4/22/15) – The Mayor reminded the Borough Engineer already reported on this item.

7. REPORTS (Continued)

D. MAYOR (Continued)

1) STATUS REPORT RE FOLLOWING GRANTS:

b. AWARDED

1. FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) HAZARD MITIGATION GRANT PROGRAM SUB-GRANT AGREEMENT HMGP-DR-4086-NJ-0219-R FOR THE PUBLIC LIBRARY GENERATOR PROJECT AWARDED IN THE AMOUNT OF \$90,000 (Resolution Authorizing Execution of Sub-Grant Agreement at RM 4/22/15) – Mayor Glidden noted the Administrator reported we received these funds.

c. TO BE FILED

1. To be announced by Mayor

2) REPORT – Mayor Glidden was pleased to announce that the Borough has scheduled with the developer a ground breaking ceremony to take place on 7/22/15 at 10 a.m. He believes an email will go out and said that he and Mayor Emeritus Sophie Heymann will be making speeches and the Council will be sporting hard hats while he and Sophie will have silver shovels.

8. OLD BUSINESS

Councilman Barad reported that the Hoe Down was a grand show; and he thanked the CIC and all that worked hard on same. He noted that Jim Oettinger helped setting up the show.

9. NEW BUSINESS

Councilwoman Amitai referred to the signboard in the front of Borough Hall, which she said is never used or updated. It was noted that there is a lack of a number of letters and we have not been able to purchase same. An electronic sign would cost \$25,000.

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

Steve Isaacson, 97 Columbus Avenue, referred to the signboard and suggested making a banner to hang inside the board with messages. He questioned if senior housing is considered COAH housing, and Borough Attorney said in order to be qualified, it must be deed restricted to low and moderate income persons and must be administered by the State. Mr. Isaacson questioned why Van Sciver would be repaved at this time inasmuch as it is being considered to build a mausoleum; and if the businesses could be assessed that are using that entrance for their trucks. Borough Engineer said that the Borough mandated that as a truck route; and Borough Attorney said that the businesses could not be assessed. In answer to repaving at the MacBain Farm, Borough Engineer said that driveway was repaved to the house when Hickory Lane was paved. He questioned if Closter Plaza should be paving a portion of Vervalen Street since they now own the bank; and Borough Engineer said they would have to come before the Planning Board since all they have approval for at this time is the Plaza. Mr. Isaacson said this might be a good time to think about a traffic light at Piermont and Vervalen and switching the bus routes. Borough Engineer said that the Borough tried that with the County who said, based on a study, the light was not warranted and switching the bus route one is predicated on the traffic light.

Mr. Isaacson noted on the Planning Board Agenda that JJ Demarest has hired Basralian to put up another building on that plot of land which would result in five buildings. Borough Engineer said that this is a pending application which cannot be discussed at this meeting. In answer to Mr. Isaacson on the legality of four buildings on this plot of land, Borough Engineer said that this pre-dated the ordinance that allowed only one building per lot; and there are also multiple lots on this property. Mr. Isaacson cited the open alleyway between the Empty Vase and the Hair Salon to the North Parking Lot and he suggested lighting and seating to provide a pocket park.

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

Motion to adjourn the Work Session at 8:35 p.m. was made by Councilman Di Dio, seconded by Councilman Barad and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on
July 16, 2015, for approval at the
Regular Meeting to be held
July 22, 2015

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held July 22, 2015
Consent Agenda Item No. 22b.

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