

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – APRIL 13, 2016 - 7:30 P.M.

Mayor Glidden called the meeting to order at 9:15 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 Annual Notice of Meetings which was published in The Record and the Star Ledger on January 7, 2016, 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 John C. Glidden, Jr.
Councilpersons David Barad, Alissa Latner, Robert Di Dio, Brian Stabile, Jannie Chung and
Victoria Amitai
Temporary Borough Administrator, John C. Fry
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine

Also present: Former Councilman Arthur B. Dolson

3. MAYORAL APPOINTMENTS* TO THE FOLLOWING BOARDS AND COMMISSIONS NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/16:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
*Environmental Commission				
Member/Shade Tree Liaison	<u>Brian Stabile</u> (Elected to Council)	_____	3 Years (Unexp. Stabile)	31-Dec-17
*Shade Tree Commission				
Member/Environmental Commission Liaison	<u>Brian Stabile</u> (Elected to Council)	_____	5 Years (Unexp. Stabile)	31-Dec-16

No appointment was made by Mayor Glidden for the above noted Commissions.

4a. VOTE ON CONSENT AGENDA ITEMS

Prior to the approval for the items on the Consent Agenda, Mayor Glidden confirmed with Council President Victoria Amitai that both candidates for probationary patrolman (Item Nos. 20 and 21) had graduated from the Academy.

Motion approving the Consent Agenda minus Item No. 9 was made by Councilman Di Dio, seconded by Councilman Barad and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, DiDio, Stabile, Chung and Amitai.

ORDINANCES

5. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING AND ADOPTION TO BE HELD 5/11/16 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2016:1205, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 134 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING NOISE” (Received from Borough Attorney 3/29/16)

RESOLUTIONS

6. BILL RESOLUTION – APRIL 13, 2016
(Received from Deputy Treasurer 4/8/16)

7. MEMORIALIZING RESOLUTION AUTHORIZING PAYMENT TO THE BUILDING SUB CODE OFFICIALS WHO HAVE WORKED ADDITIONAL HOURS AS APPROVED BY THEIR DEPARTMENT HEAD AND SUBMITTED TO THE FINANCE DEPARTMENT FROM DECEMBER 2015 UNTIL FEBRUARY 2016 AT THEIR NORMAL HOURLY RATE (Received from Borough Attorney 3/31/16)

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8. *MEMORIALIZING* RESOLUTION GIVING CONSTRUCTION OFFICIAL THE AUTHORITY TO GRANT UP TO 10 HOURS PER WEEK TO THE SUB CODE OFFICIALS FOR A TEMPORARY PERIOD OF TIME SUBJECT TO PROPER DOCUMENTATION AS REQUIRED BY THE BOROUGH CODE UNTIL DECEMBER 31, 2016 (Received from Borough Attorney 3/31/16)
9. ~~MEMORIALIZING~~ RESOLUTION INCREASING CONSTRUCTION CODE OFFICIAL GARY MONTROY'S HOURLY RATE TO \$55.00 AN HOUR AND INCREASING THE NUMBER OF HOURS A WEEK TO 16 HOURS, SUBJECT TO STATE APPROVAL, UNTIL DECEMBER 31, 2016 (Received from Borough Attorney 3/31/16)
10. *MEMORIALIZING* RESOLUTION TO EXTEND THE TIME LIMIT FOR WHICH THE EMPLOYEES CAN USE THEIR VACATION DAYS FOR THE YEAR 2015 UNTIL AUGUST 31, 2016 (Received from Borough Attorney 4/7/16)
11. RESOLUTION AMENDING RESOLUTION ADOPTED 9/21/2015 AND 12/21/15 - RESOLUTION AUTHORIZING REPAIR OF EXISTING TRAILS NJDEP 2013 Recreational Trails Program Grant: ID 13-0207-1 Expanded Scope of Work (Received from Administrator's Office 3/24/16)
12. RESOLUTION GRANTING APPROVAL TO EXECUTE GRANT WITH THE ASSOCIATION OF NEW JERSEY ENVIRONMENTAL COMMISSION (ANJEC) THE 2016 OPEN SPACE STEWARDSHIP GRANT FOR THE ENVIRONMENTAL COMMISSION (Received from Mayor's Office 3/24/16)
13. RESOLUTION ENDORSING SUBMISSION OF THE 2015 MUNICIPAL RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND DESIGNATING CAROLE DACEY TO ENSURE PROPER FILING OF SAID APPLICATION (Requested by Carole Dacey 3/29/16)
14. TAX REIMBURSEMENT CERTIFICATION OF SUBMISSION OF EXPENDITURE FOR TAXES PAID PURSUANT TO THE RECYCLING ENHANCEMENT ACT, P.L. 2007, c. 311, IN 2015 IN THE AMOUNT OF \$8,630.76 (Requested by Carole Dacey 3/29/16)
15. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN REMAINING ZONING BOARD OF ADJUSTMENT LEGAL ESCROW FEES IN THE AMOUNT OF \$2,850.00 TO NICHOLAS & MARISOL COSTANTINO DUE TO WITHDRAWAL OF APPLICATION WITH THE ZONING BOARD OF ADJUSTMENT FOR BLOCK 1301 LOT 8, 158 CLOSTER DOCK ROAD (Received from Deputy Treasurer 3/30/16)
16. RESOLUTION AWARDED CONTRACT TO LUPARDI'S NURSERY, INC. FOR 2016 FIELD MAINTENANCE-FERTILIZER SERVICES (Received from Borough Attorney 3/30/16)
17. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A CHECK IN THE AMOUNT OF \$19,437.42 **AND** ISSUE A RETURN OF PREMIUM FROM ESCROW IN THE AMOUNT OF \$42,500.00 TO SLS 1, LLC FOR THE REDEMPTION OF TAX SALE CERTIFICATE #15-00001 FOR PROPERTY LOCATED AT 11 LOCKWOOD LANE, BLOCK 604, LOT 5, SOLD AT THE MUNICIPAL TAX SALE HELD ON 6/16/15 FOR 2014 DELINQUENT TAXES (Received from Tax Collector 3/31/16)
18. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN \$4,254.23 TO APPLICANT: MILLER PIPELINE, 378 WHITEHEAD AVENUE, SOUTH RIVER, NJ 08882, ATTN: JOANNE CEJNER FOR SUCCESSFUL COMPLETION OF POLICE TRAFFIC DIRECTOR SERVICES IN COMPLIANCE WITH LOCAL FINANCE NOTICE 2000-14 (Received from Chief of Police 4/1/16)
19. RESOLUTION WAIVING THE SIDEWALK AND CURBING REQUIREMENT OF CLOSTER CODE SECTION 171-29A(2) FOR PROPERTY AT 47 RUTGERS STREET SUBJECT TO A CONTRIBUTION IN THE AMOUNT OF \$4,700 TO THE BOROUGH'S SIDEWALK FUND PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY (Received from Borough Attorney 4/4/16)
20. RESOLUTION FOR THE HIRING OF JOSEPH SANFILIPPO AS PROBATIONARY PATROLMAN EFFECTIVE MAY 1, 2016 AT A CONTRACTUAL FIRST YEAR AFTER ACADEMY RATE OF \$44,917 PER ANNUM (Received from Borough Attorney 4/6/16)
21. RESOLUTION FOR THE HIRING OF RYAN P. WALSH AS PROBATIONARY PATROLMAN EFFECTIVE MAY 1, 2016 AT A CONTRACTUAL FIRST YEAR AFTER ACADEMY RATE OF \$44,917 PER ANNUM (Received from Borough Attorney 4/6/16)
22. RESOLUTION TO PURSUE A "FAIR AND OPEN" PROCESS IN AWARDED CONTRACT FOR A CARETAKER FOR LUSTRON HOUSE (Received from Borough Attorney 4/7/16)

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- 23. RESOLUTION AWARDING CLEANING SERVICES CONTRACT TO NATIONAL MAINTENANCE SERVICE (Received from Administrator’s Office 4/7/16)
- 24. RESOLUTION SUPPORTING POTENTIAL BROWNFIELD REMEDIATION AT THE CLOSTER SWIM CLUB, BOROUGH OF CLOSTER (Received from Borough Engineer 4/6/16)

MOTIONS

- 25. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 04/7/16) NO ABSTENTIONS:
 - a. REGULAR MEETING HELD MARCH 23, 2016
 - b. WORK SESSION HELD MARCH 23, 2016
- 26. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/16:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Treasurer	<u>No Appointment in 2015</u>	_____	1 Year	31-Dec-16
Board of Health				
Alternate No. 2	<u>(Jeanne Baer)</u>	_____	2 Years	31-Dec-17

No appointment was made by Mayor Glidden for the above noted offices.

- 27. MOTION APPROVING THE FOLLOWING *SALARIED* APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/16:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Municipal Court				
Deputy Court Administrator	<u>No Appointment in 2015</u>	_____	1 Year	31-Dec-16

No appointment was made by Mayor Glidden for the above noted office.

- 28. MOTION APPROVING THE FOLLOWING APPLICATION AS NEW MEMBER OF THE KNICKERBOCKER HOOK AND LADDER COMPANY: CHRISTOPHER R. ROTA (Received from Fire Official 4/8/16)
- 28-1. MOTION GRANTING APPROVAL FOR BENEVOLENT PROTECTIVE ORDER OF ELKS, CLOSTER LODGE #2304 AND LEROY S. MEAD POST 111, AMERICAN LEGION, TO CONDUCT THE ANNUAL MEMORIAL DAY PARADE ON MONDAY, 5/30/15, COMMENCING @ 10:00 A.M. (STAGING AREA AT ST. MARY’S PARKING LOT) PARADE ROUTE AS IN THE PAST (8. M.L. 4/7/16)

29. REPORTS

- a. CONSTRUCTION OFFICIAL – MARCH 2016 (Received 4/4/16)
- b. CHIEF OF POLICE – MARCH 2016 (Received 4/6/16)
- c. FIRE CHIEF – MARCH 2016 (Received 4/7/16)

4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

The following Motion was made by Councilman Barad, seconded by Council President Amitai:

- 9. *MEMORIALIZING* RESOLUTION INCREASING CONSTRUCTION CODE OFFICIAL GARY MONTROY’S HOURLY RATE TO \$55.00 AN HOUR AND INCREASING THE NUMBER OF HOURS A WEEK TO 16 HOURS, SUBJECT TO STATE APPROVAL, UNTIL DECEMBER 31, 2016 (Received from Borough Attorney 3/31/16)

Said Motion was declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Stabile and Amitai; Councilpersons Di Dio and Chung voted No.

At this time, the following are actions which were discussed during the Work Session:

- 29-1. The following Motion was made by Councilwoman Chung, seconded by Councilman Di Dio:

RESOLUTION CONDEMNING RECKLESS AND DANGEROUS ACT OF NORTH KOREA (Received from Councilwoman Chung 4/11/16) as read into the record during the Work Session.

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Said motion was declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Chung and Amitai.

In response to Council President Amitai's request, Borough Clerk said she would send the Resolution to neighboring municipalities as well as the United Nations.

- 29-2. In response to Mayor Glidden's request, the following Motion was made by Councilman Di Dio seconded by Councilman Barad and declared carried by the Mayor upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Chung and Amitai.

RESOLUTION ALLOWING SIGNS FOR THE EARTH FAIR AS PROPOSED BY SIVERT HAGEN, MEMBER OF THE ENVIRONMENTAL COMMISSION

Borough Attorney added that THEY SHOULD CONFORM WITH ZONING REGULATIONS.

- 29-3. In response to Mayor Glidden's request, the following Motion was made by Councilwoman Latner, seconded by Councilman Di Dio and declared carried by the Mayor upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Chung and Amitai:

ALLOWING THE FIRE DEPARTMENT TO PUT UP RECRUITMENT SIGNS ALONG VERVALEN STREET ON THE RIGHT HAND SIDE

In response to Councilman Stabile's request as confirmed by the Borough Attorney, the following wording was added: WHICH SHOULD BE SUBJECT TO SIZE REGULATIONS PER THE ZONING CODE.

- 29-4. In response to Councilwoman Amitai's request, the following motion was made by Councilman DiDio and seconded by Councilwoman Amitai:

RESERVE THE DATES FOR THE CLOSTER IMPROVEMENT COMMISSION HOE DOWN TO BE HELD (FRIDAY), 6/10/16; RAIN DATE: (SUNDAY) 6/12/16; Borough Attorney added the following: ADDITIONAL RESOLUTION TO FOLLOW UPON RECEIPT OF INDEMNIFICATIONS AND INSURANCE POLICIES AND HOLD HARMLESS AGREEMENTS

Said motion was declared carried upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Chung and Amitai.

- 29-5. Borough Attorney asked for approval for the following:

ALLOCATION OF ADDITIONAL \$2,000 TOWARD THE AFFORDABLE HOUSING CONSORTIUM

Motion of approval was made by Council President Amitai, seconded by Councilman Stabile which was declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Chung and Amitai.

30. 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.

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

Mayor Glidden asked for a Motion to approve the following Closed Session Resolution at 9:29 p.m.

- 31a. The following motion was made by Councilwoman Latner, seconded by Councilman Di Dio and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Chung 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)(7), "Pending or anticipated litigation or contract negotiations" and N.J. S.A. 10:4-12(b)(8), "A matter involving public employees"; and that the items under discussion in the closed meeting would be disclosed to the public at the conclusion of the matters which should be within 8-10 weeks.

Mayor Glidden resumed the Regular Meeting at 9:43 p.m.

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32. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:45 p.m. was made by Councilman Barad, seconded by Councilwoman Latner and declared unanimously carried by Mayor Glidden.

Provided to Mayor and Council
on April 21, 2016 for approval
at the Regular Meeting to be held
April 27, 2016

Loretta Castano, RMC
Borough Clerk

Prepared by Borough Clerk utilizing
notes and recording of meeting

Approved at the Regular Meeting held April 27, 2016
Consent Agenda No. 21a

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BOROUGH OF CLOSTER

WORK SESSION NOTES – APRIL 13, 2016 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, April 13, 2016. 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 7, 2016, 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, Brian Stabile, Jannie Chung
and Victoria Amitai
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola (7:50 p.m.)
Chief of Police, Dennis Kaine

The following persons were also present:

Lieutenant James Winters
Former Councilman Arthur B. Dolson

At this time, Mayor Glidden announced the loss of a member of the community, Mike Weber, and said he was a very valuable member of the community and the Coaches Association and a great asset to Closter and requested a moment of silence be observed.

Mayor Glidden was pleased to announce the swearing in of two new police officers this evening and explained he took his hat off to the Police Department and the process by which officers are selected. He said he thoroughly believes we have the best Department in the area; and thanked Chief Kaine and Lt. Winters for all of their hard work.

Police Commissioner Alissa Latner invited Joseph Sanfilippo to join her and said she was incredibly pleased to welcome him to the Department and read his bio as follows: Mr. Sanfilippo grew up in Cliffside Park and is a graduate of Ryder University with a Bachelor of Arts in Psychology. Joseph attended the Cape May County Police Academy where he graduated 3rd out of 107 recruits and went on to serve in Hackensack and North Bergen in addition to serving as a Special Police Officer in numerous towns. He attended the Bergen County Police Academy as a waiver sponsored by the River Edge Police Department in July 2015. Councilwoman Latner welcomed Mr. Sanfilippo to the Department and the audience offered a round of applause.

At this time, Mayor Glidden administered the Oath of Office to Patrolman Joseph Sanfilippo.

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Human Resources Committee Chairman Robert Di Dio invited Ryan Walsh to join him and said it gives him great pleasure to introduce Ryan as a member of the Police Department. He read his bio as follows: Mr. Walsh grew up in Bergenfield and graduated Arizona State University with a Bachelor of Science in Criminal Justice. While in college he completed an internship with the Phoenix Prosecutor's Office. He attended Monmouth County Police Academy and joined the Glen Ridge Police Department full time in July 2014 until the present time. Councilman Di Dio said he comes with great commendations and welcomed Mr. Walsh to the Department and the audience offered a round of applause.

At this time, Mayor Glidden administered the Oath of Office to Patrolman Ryan Walsh.

Mayor Glidden thanked the Police Officers in attendance for showing their support for the newest members of the force.

At this time, the Mayor said Sivert Hagen, Environmental Commission Member would like to speak with the Council off agenda briefly; and invited him to speak because he has another obligation to attend.

Sivert Hagen, 72 Eckerson Avenue, Environmental Commission Member, informed that the Commission will again be sponsoring the Northern Valley Earth Fair this year. He noted that a fellow Member was informed by the Building Department that they need to request permission to put up signs on private property and public rights of way. Mr. Hagen informed they would like to place approximately 40 signs around town to inform residents of the Earth Fair which will be held on Saturday, April 23, 2016, from 11 a.m. to 4 p.m. It will be held at the Cresskill Community Center, 100 Third Street. In answer to Councilwoman Amitai, he said it is a rotating affair as far as hosting communities. The Borough Attorney affirmed for the Mayor that a request for sign placement must be made and subject to a limited amount of dates. He said he believes the dates are fine if there are no objections. Councilman Barad informed there are regulations in the Code stipulating how far back from the street the signs need to be; and asked him to check with the Building Department. At this time, Mayor Glidden informed he would bring up a request for approval during the Regular Meeting.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF MARCH 24, 2016 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 3 was removed by the Borough Clerk; Item Nos. 6 and 8.III. were removed by Councilman Stabile; Item No. 16a. was removed by the Borough Attorney

Item No. 3: Received 03/17/16, dated 03/17/16 from Lisa Yakomin, Director, Keep NJ Safe, c/o Parkstone Media, to All Elected Officials in Bergen County re Request for Resolution to Oppose the Parole of Rapist/Murderer Christopher Righetti with sample Resolution attached (Copy to Chief Kaine)

Borough Clerk noted Councilman Barad indicated he wanted to discuss this item as well and she deferred to him for comments. Dr. Barad explained the reason for Mr. Righetti's incarceration and asked that a Resolution opposing parole be approved and no objections were voiced.

Item No. 6: Received 03/19/16 Hand del'd, dated No Date from Jaymie Kerr, Jewish Family Service re Request for permission to conduct the annual "JFS Wheels for Meals – A Ride to Fight Hunger" bike event on Sunday, 6/19/16, partially through the Borough from 6:30 a.m. to 12:30 p.m. and requesting return of Acknowledgement Form upon approval; copy of form attached – NO ROUTE, NO CERTIFICATE OF INSURANCE OR HOLD HARMLESS AGREEMENT INCLUDED (Copy to Chief Kaine, Risk Management Consultant, Chief Pierro, Capt. Terri DeLyon)

Councilman Stabile wanted to bring this item to attention as it was almost 3 weeks old and asked how to follow through as required documentation is missing. Borough Clerk informed it has been placed on the Administrator's Report under Insurance and voiced her understanding that Leslie Weatherly is tracking

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these items. Mayor Glidden noted there is still time and asked Councilman Stabile to follow up on same with Leslie. Ms. Castano explained they usually move slowly and eventually we do receive the required paperwork.

Item No. 8.III.: Received 03/18/16, dated 03/18/16 from Michael J. Darcy, CAE, Executive Director, NJS League of Municipalities re Weekly Round-Up: Weekly Policy Update, NJDEP Recreational Trails Grant – **May 15 Deadline**

Councilman Stabile informed we have a few trail grants pending that we have yet to hear back on and one that is currently on the books. He noted this one has no particular monetary value associated with it; and asked if the Council wished to pursue same. He said he feels it may be egregious as we can barely spend the \$24,000 we currently have; and it may not be worth getting another grant. The Mayor said he will look into the grants and get back to Councilman Stabile.

Item No. 16a.: Received 03/23/16, dated 03/23/16 from Laura Borchers, RMC/CMR, Borough Clerk, Borough of Ho-Ho-Kus, to Municipal Clerks re Certified copy of Resolutions adopted 3/22/16

a. 16-54 - Opposing Senate Bills S-781 and S-782 That Are Attempting to Further Revise Our Current OPRA and OPMA Laws

Borough Attorney said he wanted to bring this to everyone's attention and explained that the existing laws are already onerous and these proposed revisions to the Open Public Records Act will make it more difficult and expensive for municipalities to comply with requests. He urged the Council to consider taking the same position as the League in opposing the proposed revisions and informed his office would prepare a Resolution for the 4/27/16 Regular Meeting Agenda.

b. MAIL LIST OF MARCH 31, 2016 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 2.b.II. was removed by Councilman Stabile; Item No. 3 was removed by Councilman Barad; Item Nos. 7, 8 and 12 were removed by Borough Clerk.

Item No. 2.b.II.: Received 03/28/16, dated 03/28/16 from Michael J. Darcy, CAE, Executive Director, NJS League of Municipalities re Daily Update: 2016 Federal Update; Community Development Block Grants

Councilman Stabile informed he attended a meeting last Thursday and reminded that the Borough applied for \$6,000 for a senior van and \$6,000 for senior activities. We received \$2,500 for senior van services and \$3,211 for senior citizen activities which is just under half of what was requested; although in 2015, we only received \$2,000 total. Mr. Stabile voiced his understanding that we should be receiving a letter by July 1st authorizing the use of the money; and he believes we need to use it within one year. He said we should be thinking about senior activities to use this one; and noted we do not have a senior van in town and would have to do a shared services agreement. Mayor Glidden informed we are in discussions with Harrington Park for van usage.

Item No. 3: Received 03/28/16, dated Undated from Dan Lambe, President, Arbor Day Foundation, to Mayor John Glidden; c: David Barad re Congratulations on Closter's earning recognition as a 2015 Tree City USA – Immediate Release – Arbor Day Foundation Names Closter Tree City USA (Copy to Shade Tree Commission)

Councilman Barad noted Closter has received Tree City designation again for 2015; and informed they received a plate to add to the plaque; but he does not know where the plaque went. On 4/26/16 there will be tree plantings at Tenakill School at 9 a.m. and Hillside School at 10 a.m. Mayor Glidden informed he would be in attendance and invited the Council to join him.

Item No. 7: Received 03/29/16, dated 03/28/16 from Alfred Butti, Commander, Leroy S. Mead Post III, American Legion re Invitation to attend Memorial Day ceremony @ Veterans Monument Park, Herbert Avenue, on Monday, 5/30/16, at 9:00 a.m. and to request that Herbert Avenue be closed to vehicular traffic between Closter Dock Road and Homans Avenue during the short ceremony (Copy to Chief Kaine, William Dahle, III)

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Borough Clerk wished to call attention to this item due to the request for a temporary road closure.

Item No. 8: Received 03/30/16, dated 03/24/16 from Richard T. Hammer, Acting Commissioner, State of New Jersey Department of Transportation, to The Honorable John C. Glidden, Jr.; c: Municipal Clerk, Municipal Engineer re Information that Closter has been selected to receive funding from the NJDOT Fiscal Year 2016 Municipal Aid Program for Ver Valen Street (Section 2) in the amount of \$155,500

Borough Clerk proudly announced that the Borough received a grant which would be added to the Mayor's Report. Mayor Glidden said he was pleased to receive this; and in response to the Mayor's request, Borough Engineer explained we requested \$320,000 but the cap in Bergen County is \$155,000.

Item No. 12: Received 04/01/16 Hand del'd, dated 03/31/16 from Jason Lee, Eagle Scout, Closter Boy Scout Troop 63, to Mayor Glidden re Informing of achievement of rank of Eagle Scout and requesting permission to rededicate the projects at Mollicone Park in memory Donald A. Mollicone on 5/29/16 at 12 or 1 p.m. (Copy to Recreation Commission Director)

Jason Lee, 14 Locust Street, explained his Eagle Scout Project was to refurbish the monuments in memory of Donald Mollicone. He asked for permission to rededicate the monument over the Memorial Day Weekend on 5/29/16 at 12 p.m. or 1 p.m. He said he spoke to Jim Oettinger (Recreation Director) and that it would be about 30 minutes long. Mayor Glidden congratulated Master Lee on his Eagle Scout accomplishment and said he would attend the rededication ceremony. Mr. Lee said he has been working on the Eagle Scout rank since 2010 and another Jason in the troop joins him at this rank; but there are many in his troop aspiring to be Eagle Scouts. Councilwoman Latner thanked Jason's father who was present in the audience for his support; and the public offered a round of applause. Councilman Stabile noted this will take place along Knickerbocker Road and requested the appropriate safety protocols be in place, which Chief Kaine affirmed.

c. MAIL LIST OF APRIL 7, 2016 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item Nos. 6 and 11 were removed by Councilwoman Amitai; Item No. 4c and 11 was removed by Councilman Stabile; Item No. 5 was removed by Borough Clerk.

Item No. 4c: Received 04/07/16, dated 04/07/16 from Cindy Randazzo, Director, Office of Local Government Assistance, NJDEP, to Mayor, Administrator and Clerk re New Jersey Forest Fire Service Warns of Danger in Using Drones Near Wildfires as State Enters Peak Firefighting Season (Copy to Environmental Commission, Fire Chief)

Councilman Stabile noted drones have been an increasing problem and said there are FAA guidelines; and this is a reminder to drone fliers about the potential dangers during wildfire season. Councilwoman Latner reminded the Recreation Director had spoken at a previous meeting about the dangers to children; and Mayor Glidden inquired whether the issue had reached the Ordinance Committee. Councilman Barad informed the Committee is still discussing same. Borough Engineer requested a link to the FAA guidelines on the Borough website.

Item No. 5: Received 04/04/16, dated No Date from Senator Gerald Cardinale, Assemblywoman Holly Schepisi, Assemblyman Robert Auth, District 39 Legislators re Urging the Council to call for NJ State Parole Board to deny parole for Christopher Righetti with enclosed memo and sample Resolution from Keep NJ Safe – *All support letters and Resolutions are to be received no later than mid-May*

Borough Clerk wished to note our Legislators are also requesting passage of a Resolution denying parole to Christopher Righetti.

Item No. 6: Received 04/04/16, dated 03/30/16 from John C. Hernandez, Senior Project Manager, LSRP, Brennan Environmental, Inc., to NJDEP Site Remediation Program, Bureau of Case Assignment & Initial Notice; c: Borough Clerk, Board of Health re Public Notice for Property Located at: 120 Railroad Avenue, Block 1202, Lot 5.01, (Roy's Auto Body/Russell & Jeanne Gurnee) NJDEP PI# 232411, BEI Job # 080036

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – APRIL 13, 2016 - 7:30 P.M.

– Remedial Investigation Report/Remedial Action Report (Copy to Board of Health – first page only; Complete copy to Construction Official, Environmental Commission)

Councilwoman Amitai said there were several houses on William Street that were noted as having been affected by the contamination at 120 Railroad Avenue; and she questioned how the contamination reached across the street because 15 William Street was not on the list. Borough Engineer explained it is a groundwater issue and it flows in a unique pattern usually in one direction. In response to Mrs. Amitai, he affirmed it is possible the water moved from Railroad Avenue and bypassed the east side of the street and went to the west side of the street. He informed that monitoring wells were installed to monitor the contamination and test at specific areas because we cannot presume it hasn't affected other properties; the test results show that it is not thus far; and it indicates the direction of flow. He said it is unlikely but possible and informed he would look into the matter and get back to her.

Item No. 11: Received 04/07/16, dated 04/07/16 from Rose Mitchell, Planning Board Coordinator, to Law Offices of Elliot Urdang; c: Zoning Officer, Board Engineer, Borough Clerk re Certified copy of Resolution memorialized 4/6/16 “Agreeing to and Accepting the Order of the Court Dated January 6, 2016 Which Reversed the Prior Denial of the Board, Subject to the Imposition By the Board of Reasonable Conditions Regarding the Minor Subdivision Site Plan Application for Lot 49 in Block 2401 on the Borough of Closter Tax Map and Commonly Known as 679 Closter Dock Road, Closter, New Jersey”

Councilwoman Amitai requested clarification of this item from the Borough Engineer as it is confusing. Councilman Stabile informed he was not sure how seepage pits on the subdivision affected the Resolution. Borough Engineer explained it is not directly correlated; and the courts remanded the case back to the Planning Board saying the decision was improper in their eyes; and the matter should be reconsidered and determine what could be imposed to make it more palatable to the town. The Board did not want to create a new roadway that the Borough would have to maintain in addition to there being more runoff from the street widening. To offset the addition of another property being developed would be to impose seepage pits on the property being developed but also on the subdivided property. Mr. DeNicola said this is really the only reason it made it worthwhile; and affirmed it is to create a new residential lot on a private driveway. Mrs. Amitai voiced her understanding it is a flag lot which is against our ordinance and that was the basis for denial. She noted one of the court's comments to the Borough was that we didn't have an expert witness and the applicant did, which is one of the reasons she made her decision. Mr. DeNicola affirmed and said there is another application for subdivision where the Board is hiring a Planner on its behalf.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of April 13, 2016)

Mayor Glidden asked if anyone wished to discuss any item on the Consent Agenda. Item No. 9 was removed by Borough Attorney and Item No. 12 was removed by Councilman Stabile.

9. MEMORIALIZING RESOLUTION INCREASING CONSTRUCTION CODE OFFICIAL GARY MONTROY'S HOURLY RATE TO \$55.00 AN HOUR AND INCREASING THE NUMBER OF HOURS A WEEK TO 16 HOURS, SUBJECT TO STATE APPROVAL, UNTIL DECEMBER 31, 2016 (Received from Borough Attorney 3/31/16)

Borough Attorney explained this is a Resolution memorializing an action previously taken by the Mayor and Council increasing the Construction Code Official's hours. We had voted on that verbally at the last meeting; and because of that, some discussions took place inasmuch as Mr. Montroy is a salaried employee – not an hourly employee because that position is tenured. He said the original Resolution was prepared inferring it was an hourly position and the Resolution he just circulated clarifies that it is a salaried position and only temporary at this point in light of the additional work generated by the redevelopment of the Closter Plaza. The Council will review this salary at the end of the year and determine whether it will continue. He reiterated it only changed the wording but the numbers still add up

the same if you do the math.

Councilman Barad questioned whether the part-time official position created was still a position eligible for tenure. Borough Attorney explained it was and said there is a lot of Case Law showing it is a tenured position even if it is part time. He noted we have several positions such as this and the courts have upheld Case Law that they are tenured positions. Mr. Rogan said these are extraordinary circumstances and he wanted the Resolution to be clear this is only temporary due to those circumstances; and will be reviewed at the end of the year as this is not necessarily a permanent change. In response to Councilman Di Dio, he explained that tenure laws were already in effect last year; and the hours would revert back to the original hours; and the salary would be prorated but the hourly wage would remain in effect. This Resolution allows the Mayor and Council to keep their options open and the latitude at the end of the year when it is reviewed.

Councilman Di Dio requested this item be removed from the Consent Agenda and voted on separately in the Regular Meeting.

12. RESOLUTION GRANTING APPROVAL TO EXECUTE GRANT WITH THE ASSOCIATION OF NEW JERSEY ENVIRONMENTAL COMMISSION (ANJEC) THE 2016 OPEN SPACE STEWARDSHIP GRANT FOR THE ENVIRONMENTAL COMMISSION (Received from Mayor's Office 3/24/16)

Councilman Stabile informed this is a \$1,500 grant which will be used for signage and pamphlets for the trail programs. This is a no cash match grant where we receive 2/3 of the money up front and the remaining 1/3 upon completion. The intent is to improve the pamphlets to let residents and visitors know where our trails are and update the maps showing how to gain access to them. The trail program is trying to link up with Demarest and Norwood overall to ultimately create an inter borough trail system.

The Mayor thanked Councilman Stabile and asked that he speak to the Commission regarding a potential celebration when then trails are completed. Borough Attorney noted there is a Trails Day at the Nature Center to be held 6/4/16 for their consideration.

At this time, Mayor Glidden reminded that the Annual Soup Supper at the Nature Center will be held this Sunday; and he will be providing some of his chili.

At this time, Councilwoman Amitai referred to the following report:

29. REPORTS

- a. CONSTRUCTION OFFICIAL – MARCH 2016 (Received 4/4/16)

Ms. Amitai informed that the overall numbers for the Building Department showed they brought in over \$300,000 from January through March; most of which is permit fees for Closter Plaza. They anticipate the remainder of the year to see similar collections.

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

- 1) STATUS REPORT RE CONTRACT FOR THE PURCHASE OF MULTIPLE CONDOMINIUM UNITS AT VILLAGE SCHOOL SITE (RM 11/24/14)
- 2) REPORT – Borough Attorney reported we received an email from the attorney representing the COAH Consortium requesting an additional \$2,000 to continue because there has been a lot of litigation in other counties; and in turn the Consortium has had to hire E-Consult, which has been in place for some time. Additionally, they are trying to access the previous Planner's figures and calculations. At this point, it is a little frustrating because it is almost financially impossible for the Borough to continue with this on its own; therefore, he recommends remaining with the Consortium. Mr. Rogan met with all of the other Bergen County Borough Attorneys at the DeCotiis offices to discuss how other towns are approaching this. He voiced his concerns about some of the strategies of the other towns; and suggested we do our own depositions of their experts because he doesn't think a lot of the opinions outlined in their

6. PROFESSIONAL REPORTS (Continued)

A. BOROUGH ATTORNEY (Continued)

reports are credible; and we shouldn't rely on one singular deposition or set of questions for the entire State to protect Closter's interests. In answer to Councilwoman Amitai, he said there are about 400 municipalities in the Consortium and each is requested to contribute an additional \$2,000. Councilwoman Chung voiced her understanding there is a Bergen County Consortium; and Mr. Rogan explained the meeting he referred to earlier was the first step in starting same but that nothing formal has been agreed upon and no fees have been paid. At this point it is just sharing of ideas and trial strategies. He voiced his frustration that anyone could think that any one Planner could do one report that outlines what every town in New Jersey's obligation will be. Municipalities are arguing that the gap period where COAH was not in control or taking action should not be included, but the Fair Share Housing Group is saying it should be. Closter's case is still pending but we were granted protection by Judge Toskos against builder's remedy suits until July 31, 2016. Very recently there have been inquiries by property owners within the Borough possibly looking to take advantage of the situation; and he and the Mayor will meet with a lawyer and one of those property owners in the near future. Once he has a date, he will let everyone know; and the matter will be updated in Closed Session. Presently, there are no formal objections to our plans; and he reminded that he previously reported the Special Master appointed to review the plan was very complimentary and Closter is on its way to compliance in his opinion. The Borough Attorney explained that a builder's remedy is where a contractor can come in and only build 10 units; but under the builder's remedy suit, he may be able to build 50 units because part of them need to be allocated towards affordable housing. It almost negates our zoning code for purposes of high density residential units; so it is important that we hold this off as long as possible so that we can then decide how Closter develops as opposed to being forced upon us. Closter has been in compliance since the 1980's and we have never had to give in to that type of threat but it is still out there and we need to keep that at bay. That would keep the decisions inside these four walls by the Planning Board or Mayor and Council as opposed to a Judge and a builder.

Mayor Glidden voiced his understanding that several properties have changed hands and he is curious why the properties are being purchased under the current zoning; and although he is concerned the owners may try to use that towards builder's remedy suits, he said he does not intend to allow them to do so which is why we are focusing on COAH. Councilman Stabile questioned if the properties are still subject to DEP regulations and the Borough Attorney affirmed same. He noted that there have been several cases such as with C-1 streams and the 300 foot limitation not being waived in favor to bend for affordable housing because there are two public policies competing with each other at this time; being environmental and affordable housing. The DEP in our area has not granted any waivers that have been requested thus far.

Mr. Rogan reported there was a Summary Motion before Judge Meehan on Mr. Rosenblum's lawsuit against the Borough for the one building/one lot ordinance. Mr. Rosenblum filed a Motion that his position was correct and the Judge should strike the ordinance; and that Motion was denied. He is in the process of preparing a Summary Judgment Motion for dismissal.

Borough Attorney reported since the departure of the former Administrator, he has been involved in a dispute between the general contractor and the subcontractor for the building renovation; and monies have been withheld until it has been resolved. At this point there are one or two small items the Building Department needs to be satisfied before we release that money from the trust account. He did receive a release from the subcontractor indicating he's not going to file any claims against the Borough and he will continue to work with the contractor to resolve the issue overall.

Mr. Rogan informed he has a revised PBA Grievance Resolution for the Mayor and Clerk to sign tonight which dealt with chiropractic treatment. He wanted it tighter and specifying that the Borough will no longer pay for chiropractic care past January 1, 2016 other than through what the State plan provides. Irrespective of what other benefits there may have been in the past, from 1/1/16 forward they will only be eligible for what the plan provides; and we will not go over that plan.

Borough Attorney reported he has been dealing with the Closter Improvement Commission and Recreation Director Jim Oettinger regarding the Hoedown and trying to work out the possibility of alcohol being served at that event. There is a vendor who holds a liquor license in Cresskill who will seemingly be

6. PROFESSIONAL REPORTS (Continued)

A. BOROUGH ATTORNEY (Continued)

able to obtain an event permit from ABC to conduct it. As long as he provides that along with the hold harmless and indemnification agreement, that can be done; but until we receive all of the final paperwork, we cannot do a Resolution. In answer to Councilman Di Dio, he informed the Resolution requested this evening was only to reserve the dates for the event.

At this time, Mr. Rogan voiced his understanding that there will be a Closed Session discussion regarding the appointment of a Financial Advisor.

B. BOROUGH ENGINEER

1) STATUS REPORT RE DPW REMEDIATION (Authorized /RM 4/23/14) – Borough Engineer reported the wells were sealed this past Monday at the DPW and Borough Hall; therefore, this project is complete and can be removed from future reports.

2) STATUS REPORT RE SWIM CLUB PHASE II CONTAMINATION INVESTIGATION (Authorized/RM 7/9/14) – Mr. DeNicola referred to the presentation at the last meeting; and informed the Borough will pursue an HDSRF grant from the State for up to 75% of the funding to clean up the property. This is assuming the Borough will retain the property and develop it as a recreation facility. Around August of 2015 Boswell submitted a proposal from Foster Wheeler for risk assessment to clean up the property. If it is a relatively low level of contamination, we can leave it in place and fence it off. A very rough savings estimate of about 50% of the clean-up costs is about \$12,000 - \$16,000. Boswell recommends this to further reduce the costs of the project.

3) STATUS REPORT RE FOLLOWING DEVELOPER’S AGREEMENTS: Borough Engineer reported on the following:

- a. BLOCK 1607/LOT 1 & BLOCK 1310/LOT 2 (CLOSTER MARKETPLACE (EBA) LLC AND CENTENNIAL AME ZION CHURCH) (Approved RM 4/22/15) – Kidville is opening up next week; his site inspection today found minor issues that can be fixed in one day.
- b. 50 RAILROAD AVENUE, LLC FOR BLOCK 1205/LOT 9, 50 RAILROAD AVENUE (Approved RM 9/9/15) – The site work has not yet commenced on this project, but they anticipate starting in the Spring. The interior building work commenced last Fall.
- c. 309 CLOSTER DOCK ROAD, LLC FOR BLOCK 1701/LOT 1, 309 CLOSTER DOCK ROAD (Approved RM 9/9/15 - ZBA) – This project is moving along with the last piece of curb completed today; and paving of the lot should be starting Saturday or early next week. He anticipates opening either at the end of this month or the beginning of May.

4) REPORT – Mr. DeNicola reported the Mayor talked to the County regarding the possibility of a signal at the Piermont Road and Vervalen Street intersection. The County forwarded a sample agreement which outlines the responsibility of both parties. The last one we did was the intersection of Piermont Road and Homans Avenue in 2006. The Borough pays for the property acquisitions, easements and engineering and the County pays for construction and inspections. He wanted to clarify this does not mean it is a go-ahead for the project as the County still needs to do a signal analysis to see if it is warranted at this intersection. Should it be warranted, the problem is that there are signals at Closter Dock Road and Homans Avenue in close proximity; and everything needs to be evaluated. The County Traffic Division will do their study and report back whether it is warranted or not.

Borough Engineer reminded the Mayor previously reported the award of \$155,500 from the NJDOT for Vervalen Street Improvements. In addition, the Borough collected \$100,000 in escrow from Edens for these improvements. The Borough does not have that \$100,000, the amount will be prorated; and whatever the cost is, the Borough will give back the remainder of the \$100,000; if it costs \$80k, the Borough will return \$20k to Edens. As he previously reported the estimated total for this project is \$300,000 - \$320,000 and we have approximately \$250,000 put aside for this between the grant and Edens. He voiced his understanding that the Administrator will be preparing something for the next Agenda to prepare specifications. This should be completed by October for Whole Foods opening and we need to start

6. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER (Continued)

sooner rather than later. In answer to Councilman Stabile, he explained the Edens portion of the project is prorated for only their frontage and not the rest of the street. He clarified that the County would pay for 100% of the construction of the signalization at the intersection if it is warranted; and the engineering the Borough is responsible for is actually the drawings; but we would have no say in the kind of light as it is a County Road. In response to Councilwoman Amitai, he informed the County does not pay any permit fees to the Borough. He also explained that Kidville is not complete and ready to open yet; and there are minor items such as uneven asphalt and sidewalk that have to be fixed before the CO is issued. Rudy's is slated to be the third establishment to be issued a CO.

Mr. DeNicola reported the Columbus Avenue paving project started today and includes Demarest Avenue, Van Sciver Street and Grove Street; and he anticipates it taking about a month.

7. REPORTS

A. BOROUGH ADMINISTRATOR

At this time, Mayor Glidden invited John Fry to provide his first report and complimented him saying that Mr. Fry is a quick study and is a very capable individual. He is able to dump stuff from his desk to Mr. Fry's desk very easily. Mr. Fry joked that when he gets the Mayor's stuff, he calls Ed, Nick, Loretta and Leslie for assistance. He thanked the Mayor for all of the time he spent with him educating him on Closter; and said it has been very helpful any time he felt quite overwhelmed.

Mr. Fry informed he wouldn't be reporting much because most of what he does is coordinate with other people. He thanked the staff, who has been generally very welcoming and helpful to him; and he said it has been a pleasant experience since he has been here. He is sure times will go in opposite direction in order to be resolved. He has seen some things that need to be addressed. The one big thing on his list that he has spoken to the Borough Attorney and the Mayor about is that his role is interim in nature, and the fact that the Council is looking for a permanent solution, it is important to stabilize that role and codify the administrative procedures and guidelines because they do not seem to be in our Code. He said he has had to knock on a lot of doors and ask a lot of questions regarding pretty simple things and he thinks this is critical as to what he can do for the Borough while he is here in addition to the other little things like getting the Resolutions on the Agenda to make sure that the work is coordinated and in place. Councilman Barad thanked Mr. Fry for introducing himself and emphasizing the importance of his learning from the staff because, as he stated, it is something we have lacked from previous folks.

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

a. Mail List requests re Insurance:

1. Closter Recreation Commission 2016 Event Requests (7. M.L. 1/14/16)
 - a. Summer Concert Series: Friday nights @ Closter Lions Band shell/Memorial Park at 7:30 p.m.: 6/17 and 6/24; 7/8, 7/15, 7/22
2. Improvement Commission Hoedown: Fri., 6/10/16 @ Memorial Field; Rain Date Sun. 6/11/16 (24. M.L. 3/4/16)
3. International Academy of Arts and Sciences: IAS Field Day on Sun. 5/22/16 @ Memorial Field from 8:30 a.m. to 12 noon; Rain Date 6/4/16 (7. M.L. 3/10/16)
4. Sadhu Vaswani Center: One-hour long parade Sun. 6/5/16 – No route provided (11. M.L. 3/17/16)
5. Jewish Family Service: JFS Wheels for Meals bike event on Sun. 6/19/16 partially through the Borough from 6:30 a.m. to 12:30 p.m. (6. M.L. 3/24/16)

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

- 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)
- 3) STATUS REPORT RE FOLLOWING CONTRACTS AWARDED RM 8/12/15 (Bond Ordinance No. 2015:1188 adopted 6/24/15):
 - a. PHASE TWO RENOVATION OF POLICE DEPARTMENT FIRING RANGE TO ACTION TARGET IN THE AMOUNT OF \$26,897.18
 - b. UPGRADE of the RECORDS MANAGEMENT SYSTEM POLICE DEPT. TO ENFORSYS POLICE SYSTEMS, INC. IN THE AMOUNT OF \$20,750.00
 - c. RESOLUTION AUTHORIZING UPGRADES TO SENIOR CENTER UNDER THE NEW JERSEY DIRECT INSTALL PROGRAM TO LIME ENERGY IN THE TOTAL AMOUNT OF \$7,389.44 (Amended RM 8/26/15 TO INCREASE THE TOTAL PRICE BY \$40.90 FOR A REVISED TOTAL OF \$7,430.34)
- 4) ONGOING REPORT RE OUTSTANDING ITEMS ON CORRECTIVE ACTION PLAN APPROVED AT RM 7/22/15 (Requested by Councilman Barad @WS 7/8/15)
- 5) STATUS REPORT RE PREPARATION OF REQUEST FOR PROPOSALS FOR BANKING SERVICES (Authorized RM 8/12/15)
- 6) STATUS REPORT RE CONTRACT FOR EMERGENCY MEDICAL VEHICLE FOR THE CLOSTER VOLUNTEER AMBULANCE & RESCUE CORPS AWARDED TO BAY HEAD INVESTMENTS, INC. D/B/A VCI EMERGENCY VEHICLE SPECIALISTS, BERLIN, NJ IN THE AMOUNT OF \$249,936.00 (Authorized RM 10/14/15)
- 7) STATUS REPORT RE CONTRACT FOR SKAE POWER SOLUTIONS FOR AN AMOUNT NOT TO EXCEED \$5,700 FOR CLOSTER POLICE FIRING RANGE CANOPY SYSTEM (Authorized RM 10/28/15)
- 8) STATUS REPORT RE MITCHELL HUMPHREY & CO. FOR CONSTRUCTION DEPT. SOFTWARE PRODUCT LICENSE AND MAINTENANCE SUPPORT AGREEMENT IN THE AMOUNT NOT TO EXCEED \$24,750.00 FOR SOFTWARE PLUS \$10,500.00 FOR SOFTWARE MIGRATION SERVICES (Ordinance 2015:1188; Capital Account C-04-15-188-005-001 & 002) (Authorized RM 11/9/15)
- 9) STATUS REPORT RE FOLLOWING CONTRACTS FOR ELECTRICIAN JOB ORDER CONTRACTING INSTALLATION OF EMERGENCY STANDBY GENERATORS THROUGH MIDDLESEX REGIONAL EDUCATIONAL COOPERATIVE #65MCESCCPS, RFP# MRSEC-15/16-14 PURSUANT TO N.J.S.A. 40A:11-1 ET. SEQ. AWARDED RM 11/23/15:
 - a. CLOSTER DPW (Ordinance 2014:1164; Capital Account C-04-14-164-029-010)
 - b. CLOSTER PUBLIC LIBRARY (Ordinance 2015:1188; Capital Account C-04-15-188-013-001)
- 10) REPORT RE FOLLOW-UP OF RESOLUTION APPROVED AT REORGANIZATION MEETING HELD 1/4/16 RE REAFFIRMATION OF BOROUGH'S CIVIL RIGHTS POLICY
- 11) STATUS REPORT RE 2016 BUDGET PREPARATIONS
- 12) REPORT

B. BOROUGH CLERK

- 1) STATUS REPORT RE 2016 APPOINTMENTS - Borough Clerk reported all outstanding appointments are being maintained on the Agenda.
- 2) STATUS REPORT RE 2016 OATHS OF OFFICE – Ms. Castano reported there is no change from last report.

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

3) STATUS REPORT RE 2016 LICENSES – The Borough Clerk reported on the following:

A. BOROUGH LICENSES – Current.

B. LIQUOR LICENSES:

I. NORMLIN, INC. D/B/A RUDY’S RESTAURANT is in progress for a place-to-place transfer to new location at 55 Vervalen Street and is currently pending publication of transfer notice and placement on Regular Meeting Agenda for 4/27/16. She voiced her understanding the opening will be at the beginning of May.

II. INACTIVE/POCKET LICENSES:

1. 540 YOUNG, LLC – pending investigatory.

2. TOPSIDE, INC. – pending investigatory.

3. RETAIL HOLDINGS (DG), LLC – pending architectural drawings and investigatory in order to proceed. In response to the Mayor, Ms. Castano explained this is the license intended for the Plaza; the attorney for the applicant stopped in and said he would be getting us the architectural drawings which has been holding up the application as well as the investigatory.

4. THE GREAT ATLANTIC & PACIFIC TEA COMPANY INC. – The bankruptcy is in progress for this company and it is unknown how the distribution license will play into that.

III. 2016-2017 RENEWALS – The process is the same as last year. ABC directly mails renewal information to the licensee and the Clerk’s office checks daily for tax clearance and available renewals in ABC POSSE system which seems to be working very well. The applicant completes payment and renewal online and delivers Borough’s payment with proof of payment of State fee. The Clerk’s office circulates the customary memo for inspections and compliance; and once Tax Clearance is approved, payment and approvals are received, a renewal Resolution is prepared and placed on the Agenda for approval usually the first and second meetings in June. The approved resolution is uploaded electronically to ABC through POSSE and the system generates the new license.

4) STATUS REPORT RE 2016 MEETING DATES – No change from last report.

5) STATUS REPORT RE 2015 ORDINANCES FOR CODIFICATION
(Nos. 2015:1184 to 2015:1200) - CODE SUPPLEMENT NO. 22 – My office still has to clear some issues with the Purchase Order that was prepared as it was not initiated by our office and we need to verify appropriate accounts were charged and then the Supplements will be distributed. The legislation on the Borough website – BOROUGH CODE - is current through December 31, 2015.

6) REPORT RE ELECTIONS

a. PREPARATIONS FOR PRIMARY ELECTION – JUNE 7, 2016 – Petitions were filed in the Clerk’s office on 4/4/16 by 4 p.m.; Council candidates for 3-year term from 2017-2019: Republican candidates: Victoria Roti Amitai (incumbent) and Joseph Yammarino; Democrat: Scott M. Devlin and Philip Goldberg; County Committee R and D for 6 districts – male-female.

7) REPORT – Borough Clerk reported on the following items:

a. Financial Disclosure Statements – LFN 2016-7 and LFN 2016-8 have been received from DLGS and forwarded to the Board of Ethics. Deputy verified current appointments and updated the Board for their follow through. To date, we have not received an email from the Chairman notifying of the need to file. The deadline is 4/30/16. Arlene and I tried and completed ours last week.

b. Ms. Castano congratulated Mr. Fry for coming in and making us feel comfortable as we were somewhat anxious about the prospect of a new administrator and stiffened up a little bit. He has made us very relaxed and comfortable working with him.

At this time, Councilwoman Amitai referred to the Administrator’s Report and she wanted to add that the Building Department has been trained on the new Mitchell Humphrey Software System including all of the Sub Codes so everyone can input their information. The first building permit was issued today; and all of the information from the two previous systems has been uploaded. By next week, we hope the Tax Assessor and the DPW will receive training and can start using the system as well.

7. REPORTS (Continued)

C. CHIEF OF POLICE

1) REPORT – Chief Kaine reported the Shared Service Agreement for the Pistol Range was started today with Norwood doing qualifications this week, Northvale next week, Closter and then Cresskill. The Chief informed Sgt. Dippolito was injured on 3/25/16 when a resident cut his finger off with a hedge clipper; and while waiting for the ambulance and administering first aid an old dry well opened up on the front lawn and the Sergeant fell into it. He injured his knee and had surgery this past Monday and is out on workman’s comp. On the 8th he announced he would be retiring effective 7/1/16 after 29 years on the force, unrelated to the injury.

The Department will be participating in the DEA Operation Takeback for unused prescription drugs and it has been announced on our social media outlets. The date is Saturday, 4/30/16, between 10 a.m. and 2 p.m.; and any old prescriptions or drugs can be dropped off with no questions asked after which the DEA picks up and destroys them.

Chief Kaine thanked everyone involved for their time and effort involved in hiring the two new Patrolmen sworn in tonight. Mayor Glidden said we will now have to repeat the process to replace Sgt. Dippolito; and the Chief said that was his Closed Session speech.

Councilman Stabile asked if there was such an amnesty program where persons could turn in illegal drugs; and the Chief informed there was not. He said amnesty lies with the Bergen County Prosecutor; and if being prosecuted for a first time heroin offense, they would not be charged; but we would make sure they get treatment.

Councilman Stabile referred to an unfunded mandate from the Attorney General for bail programs which used to go through municipal judges and is now having to go through the County and will require two officers to escort a person to the County Judge causing excessive overtime. The Chief explained it is a bail reform act that will start in January 2017 and is in effect in Bergen County as of 4/1/16. Municipal Court Judges are no longer allowed to set bail in certain cases; and anything that goes on a warrant bail, has to be set by Superior Court. The person has to be transported to the County Jail; and within 48 hours, a Superior Court Judge will hear the case; but there are going to be a lot more transportations to the jail for warrants. Judge Geiger, himself and the Detectives have been through several trainings; and they have already performed three of these transports. He said it is a work in progress because the rules keep changing. It will take a lot more manpower because the reports all have to be completed prior to transportation and a lot of paperwork is involved. In response to Mr. Stabile, the Borough Attorney voiced his understanding that these mandates were in order to comply with the speedy trial requirements that a lot of New Jersey Courts have been several years behind on prosecutions; and this is to comply with the U.S. Constitution. He believes this is a done deal but said there may be some way to get State contribution towards overtime because it is mandated. Chief Kaine said it is a work in progress; and trainings will continue next week with the Court Administrator and Detectives who are going to the Police Academy during regular business hours. Mr. Rogan says we should keep on top of this in that there could be some future funding or training available. In response to Councilwoman Amitai, the Chief said he does not know how many cases last year would have been handled this way because, until now, Judge Geiger was about to set bail; and they could pay it here as well but about two dozen or so.

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)
2. NEW JERSEY DEPARTMENT OF TRANSPORTATION FY2015 DISCRETIONARY AID APPLICATION FOR CEDAR LANE PROJECT IN THE AMOUNT OF \$180,000 (Authorized RM 4/22/15)

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – APRIL 13, 2016 - 7:30 P.M.

7. REPORTS (Continued)

D. MAYOR (Continued)

1) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED

3. BERGEN COUNTY OPEN SPACE TRUST FUND FOR THE RUCKMAN PARK WALKING PATH LIGHTING PROJECT IN THE AMOUNT OF \$137,500.00 (Authorized RM 8/26/15)
4. 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR SENIOR TRANSPORTATION SERVICES IN THE AMOUNT OF \$6,000 (Authorized RM 9/21/15)
5. NJ DEPARTMENT OF TRANSPORTATION FOR THE VERVALEN STREET IMPROVEMENT PROJECT – GRANT AGREEMENT #MA-2016-VERVALEN STREET-00196 (Authorized RM 10/14/15) (8. M.L. 3/31/16 - Notice of \$155,500 Award rec'd from DOT)
6. HISTORIC PRESERVATION TRUST FUND GRANT FOR THE HAROLD HESS LUSTRON HOUSE FOR A MAXIMUM GRANT AWARD AMOUNT OF \$24,999.00 WITH NO MATCH REQUIRED (Application approved at RM 12/21/15 in the amount of \$20,000/ Amended and increased RM 1/27/16)

b. AWARDED

1. 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR CLOSTER SENIORS ACTIVITIES IN THE AMOUNT OF \$6,000 (Authorized RM 9/21/15) \$2,000 awarded - Contract Number: PS-CLOSTERSR15; Term of Contract: 7/1/15 – 6/30/16 (8. M.L. 1/7/16)

c. TO BE FILED

1. Mayor Glidden informed the grant for the Swim Club will be filed by the Borough Engineer and Leslie Weatherly. Mr. DeNicola hopes to have it ready in a week or two.
- 2) REPORT – Mayor Glidden informed he was advised by the Fire Department that they would like to place some recruitment signs along Vervalen Street heading east. They would like two permanent signs recruiting volunteers; and he asked that same be considered. In response to Councilwoman Amitai, he said he has an email he will send around; and they are not billboards but smaller signs closer to the ground.

At this time, Councilman Barad reminded that the Shade Tree Commission recently applied for the Grant for the Community Stewardship Incentive Program (CSIP).

8. OLD BUSINESS

Councilwoman Chung asked that the Resolution she referred to at the Work Session on 3/23/16 be included in the Consent Agenda for the Regular Meeting Condemning Reckless and Dangerous Act of North Korea. Councilwoman Chung read same into the record. Mayor Glidden requested this Resolution be added to the Consent Agenda.

At this time, Borough Clerk noted oversight of a request from the Closter Elks to conduct the Memorial Day Parade on Monday, 5/30/16 (8. M.L. 4/7/16); and requested that a motion approving same be included on the Consent Agenda unless any objections were voiced.

9. NEW BUSINESS

Councilman Barad informed he had a work order from Wood Landscape for the Administrator for the tree plantings. He requested that at the next DPW Committee meeting, Councilwoman Chung extend the gratitude of the Shade Tree Commission for the men watering the plants last year and requesting same for this year.

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The Borough Engineer reminded they discussed this year’s Local Aid project; and said we need to start working on the next project submission because the deadline is in September. He suggested Homans Avenue due to truck traffic and construction; and the Mayor agreed. Borough Attorney informed he would have something for the next meeting authorizing Boswell to prepare a proposal.

At this time, Councilwoman Amitai informed she had an item for Closed Session.

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, said he takes issue with Councilman Stabile saying we have too much money in our trail grant fund. He said we have one more major bridge to build; the last one cost \$100,000 to build, so the more money we can get, the better off we are. He thinks passive recreation is going to be the future as the prices of oil and gas go up; and people will want to get more in touch with the area.

He referred to the Borough Engineer’s comments about the traffic study being forwarded to the County; and said it was done in August. Mr. DeNicola informed he just learned the same information as well. Mr. Isaacson said it was done when the schools were closed and half the Plaza was vacant. Mr. Isaacson referred to automated garbage trucks and reminded he had spoken about the possibility of looking into that service. Councilwoman Latner reminded she has spoken with Bill Dahle about this in the past; and the concern was a lot of cul-de-sacs and one-way streets; it sounds good, but logistically there were a lot of issues that came up and the expense was not worth it.

Mr. Isaacson questioned if it was ever confirmed that the alleyway (between Empty Vase and Celebrity Salon) was Borough property; and the Borough Attorney informed he confirmed it is disputed. The Zoning Office says there was an easement but the Assessor says it is Borough property. At this time, he cannot confirm with certainty. Mr. Isaacson said if it is Borough property, we can apply for open space funds to develop it as a pocket park.

Mr. Isaacson questioned the status of Wendy Lane. Councilwoman Amitai informed there is a date to meet with them on 5/9/16 at the request of the residents. The Mayor said the Borough Attorney, Code Official and Administrator and a couple other people will be present to discuss the potential opening of the street.

Mr. Isaacson questioned if Edens would be paving Homans Avenue; and if not, why, because their trucks are messing it up. The Borough Engineer said the road was messed up before and all he can say is it was not part of the Planning Board Resolution. Mr. Isaacson suggested it may be time to change the Planning Board.

He questioned if Edens was making a COAH contribution; and the Borough Attorney said they are not because it not deemed to be a “new construction”; it is a “renovation”. He thanked the Borough Attorney for the Village School contract and said he thinks we could be doing better with that \$1 million dollars. In response to Mr. Rogan, he said the land on Van Sciver Street and West Street could be used for that company that would come in and build Section 8 housing and make 30-40 units that would not cost us anything to build because we are giving them the land. Mayor Glidden said there are several problems including wetlands and environmental issues in addition to the location not being desirable property; and we would not get proper credit. Borough Attorney explained COAH requires it to be within a walking distance of town.

11. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

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

Motion to adjourn the Work Session at 9:14 p.m. was made by Councilman Barad, seconded by Councilman Di Dio and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council
on April 21, 2016 for approval at the
Regular Meeting to be held
April 27, 2016

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held April 27, 2016
Consent Agenda Item No. 21b