

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – AUGUST 24, 2016 - 7:30 P.M.

Mayor Glidden called the meeting to order at 8:27 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 and Brian Stabile
- Temporary Borough Administrator, John Fry
- Borough Attorney, Edward T. Rogan
- Borough Clerk, Loretta Castano
- Borough Engineer, Nick DeNicola
- Chief of Police, Dennis Kaine

The following persons were absent:

- Councilman Robert Di Dio
- Councilwoman Jannie Chung
- Councilwoman Victoria Amitai

Also present in the audience:

- Former Councilman Arthur Braun Dolson

3. MAYORAL PRESENTATION(S)

4. 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 appointments were made by the Mayor for the above noted offices.

5. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCE @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

This Ordinance was introduced at the Regular Meeting held 7/13/16, was published in The Record issue of 7/19/16, as stated in the printer’s affidavit and Municipal Clerk’s affidavit of publication. Reprint of this Ordinance was posted on the Municipal Bulletin Board in accordance with statutory requirements, and copies have been made available to the general public.

At the Regular Meeting held 8/10/16, this Ordinance was carried to this meeting:

- a. ORDINANCE NO. 2016:1210: “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200, ZONING, SPECIFICALLY SECTION 200-63, & A301, FEES, SPECIFICALLY CONSTRUCTION OFFICE FEES, OF THE CODE OF THE BOROUGH OF CLOSTER”

Mayor Glidden announced that the Public Hearing on this ordinance has been carried to the next meeting.

6a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda was made by Councilman Barad, seconded by Councilman Stabile and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner and Stabile.

RESOLUTIONS

7. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEARS 2015 & 2016: BENS LLC V. CLOSTER (Received from Borough Attorney 8/11/16)
8. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE REFUND OF REAL ESTATE TAX OVERPAYMENT IN THE AMOUNT OF \$18,471.86 TO CORELOGIC FOR THIRD QUARTER 2016 DUPLICATE PAYMENTS FOR THE FOLLOWING TAX ACCOUNTS: BLOCK 610 LOT 4, KIM, HEE SOOK IN THE AMOUNT OF \$3,318.08; BLOCK 703 LOT 6, CHO, NICOLE, IN THE AMOUNT OF \$6,076.58; BLOCK 901 LOT 7, KISS, MICHAEL & TRACI, IN THE AMOUNT OF \$2,910.96; BLOCK 1404 LOT 7, VERAS, JOHN, IN THE AMOUNT OF \$2,651.73; BLOCK 1901 LOT 36.01, SHAHRABANY, IN THE AMOUNT OF \$3,514.51 (Received from Tax Collector 8/11/16)
9. RESOLUTION AUTHORIZING DISCUSSIONS TO EXTEND BID AWARD TIME FOR AN ADDITIONAL 30 DAYS FOR THE VERVALEN STREET IMPROVEMENTS (SECTION 2) CONTRACT (Received from Borough Attorney 8/16/16)
10. RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CONTRACT FOR RUCKMAN PARK WALKING PATH LIGHTING PROJECT FROM THE 2015 FUNDING ROUND OF THE BERGEN COUNTY OPEN SPACE, RECREATION, FLOODPLAIN PROTECTION, FARMLAND & HISTORIC PRESERVATION TRUST FUND (Received from Administrator's office 8/16/16)
11. RESOLUTION AWARDING JOB ORDER CONTRACTING INSTALLATION OF RUCKMAN PARK PATH LIGHTING (BOROUGH ORDINANCE 2016:1209 TRUST ACCOUNT T-20-00-000-000-000) Received from Administrator 8/17/16
12. RESOLUTION AUTHORIZING EMERGENCY PURCHASE TO REPAIR AND REPLACE BOROUGH EQUIPMENT DAMAGED BY LIGHTNING STRIKE ON 8/16/16 AND ALL RELATED SERVICES (~~Received from Administrator 8/22/16~~) (Received from Temporary Chief Financial Officer 8/19/16)

MOTIONS

13. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 8/18/16) ABSTENTION:
 LATNER:
 - a. REGULAR MEETING HELD AUGUST 10, 2016
 - b. WORK SESSION HELD AUGUST 10, 2016
14. 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 appointments were made for the above noted offices.

15. 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 for the above noted office.

16. REPORTS
 (None filed at the time of preparation of this Agenda)

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – AUGUST 24, 2016 - 7:30 P.M.

- 6b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA
17. 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)
18. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY

At this time, Mayor Glidden informed he had one contract issue for closed session. In response to Mayor Glidden, the Borough Attorney advised he had a matter for discussion in closed session.

Mayor Glidden advised that one was for the expenditure of public funds for the acquisition of real property and the other was pending or anticipated litigation or contract negotiations.

At this time, Councilman Stabile said he assumed the HR issues would not be discussed; and the Mayor said they could be discussed if he wished to do so. Mr. Stabile said he felt more comfortable discussing same with the full Council. Councilwoman Latner advised that two of the HR members are not present this evening; therefore, although he wished to move it forward and put it to rest, Mr. Stabile said he felt it would be more appropriate to wait for the other members of the HR Committee to return to so discuss; and the Mayor concurred.

At 8:41 p.m., Mayor Glidden informed we have a motion to go into closed session and thanked everyone in the audience for attending this meeting.

Mayor Glidden resumed the Regular Meeting at 8:50 p.m.

19. ADJOURNMENT

Motion to adjourn the Regular Meeting at 8:51 p.m. was made by Councilwoman Latner, seconded by Councilman Barad and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on
September 8, 2016 for approval at the
Regular Meeting to be held
September 14, 2016

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held September 14, 2016
Consent Agenda Item No. 13a.

**BOROUGH OF CLOSTER
RESOLUTION APPROVING THE SETTLEMENT OF
A TAX APPEAL FOR THE YEARS 2015 & 2016:
BENS LLC V. CLOSTER**

WHEREAS, the tax payer, BENS LLC, appealed the assessment levied on Block 1312, Lot 7 for the years 2015 & 2016; and

WHEREAS, the subject property’s street address is 304 Harrington Ave.; and

WHEREAS, the taxpayer, the appraiser and the assessor have agreed to compromise the appeal on the following terms: the 2015 assessment on the property will be reduced from \$1,013,900 to \$875,000 and the 2016 assessment on the property will be reduced to \$835,000; and

WHEREAS, the Plaintiffs have agreed to take a refund for 2015 and a credit for 2016 and there are sufficient funds available in the reserve for tax appeals account to satisfy the tax refund; and

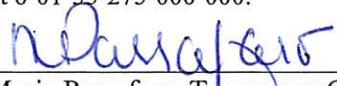
WHEREAS, the assessor and commercial appraiser are of the opinion that the revised valuation is consistent with true value of the property.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that:

The proposed settlement for the tax appeal encaptioned BENS LLC v. Borough of Closter as hereinbefore set forth is approved and the Borough Attorney or a member of his firm is authorized to execute all documents necessary to effectuate its terms.

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Maria Passafaro, Temporary Chief Financial Officer of the Borough of Closter, hereby certify, pursuant to N.J.S.A.40A:-9140.1, et seq. and N.J.A.C 5:30-5.4, that the funds, which are required for the above referenced tax court judgment are available to the Borough of Closter in account 6-01-55-275-000-000.

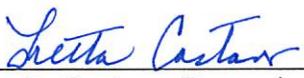


Maria Passafaro, Temporary CFO

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Barad	X					
Councilwoman Latner						
Councilman Di Dio					X	
Councilman Stabile		X				
Councilwoman Chung					X	
Councilwoman Amitai					X	

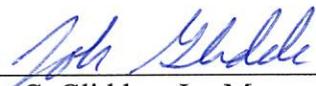
Adopted: August 24, 2016

ATTEST:



Loretta Castano, Borough Clerk

APPROVED:



John C. Glidden, Jr., Mayor

Certified to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held August 24, 2016.

Loretta Castano, Borough Clerk

**BOROUGH OF CLOSTER
RESOLUTION
REFUND OF REAL ESTATE TAX OVERPAYMENT**

WHEREAS, there exists tax overpayment resulted by duplicate payments in for the parcels listed below in the total amount of \$18,471.86, for Third Quarter 2016 and a refund was requested by the tax servicer,

WHEREAS, the Tax Collector is desirous to clear the overpayments of record,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, New Jersey, that the Deputy Treasurer is herewith authorized to issue a refund check to CoreLogic in the total amount of **\$18,471.86** for the following tax accounts.

BLOCK	LOT	PROPERTYOWNER	AMOUNT
610	4	KIM, HEE SOOK	\$3,318.08
703	6	CHO, NICOLE KISS, MICHAEL &	\$6,076.58
901	7	TRACI	\$2,910.96
1404	7	VERAS, JOHN	\$2,651.73
1901	36.01	SHAHRABANY	\$3,514.51

	Motion	Second	Yes	No	Absent	Abstain
Councilman Barad	X					
Councilwoman Latner						
Councilman Di Dio					X	
Councilman Stabile		X				
Councilwoman Chung					X	
Councilwoman Amitai					X	

Adopted: August 24, 2016

Attest: *Loretta Castano*
Loretta Castano, RMC

Approved: *John C. Glidden, Jr.*
John C. Glidden, Jr., Mayor

Certified to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held August 24, 2016.

Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER
COUNTY OF BERGEN

**RESOLUTION AUTHORIZING DISCUSSIONS TO EXTEND BID AWARD TIME FOR
AN ADDITIONAL 30 DAYS FOR THE
VERVALEN STREET IMPROVEMENTS (SECTION 2) CONTRACT**

WHEREAS, the Governing Body previously authorized the Borough Engineer to engage in the competitive bidding process for the project known as VerValen Street Improvements (Section 2); and

WHEREAS, on Thursday, July 21, 2016 at 11:30 a.m., bids were received and opened; and

WHEREAS, in accordance with the bid documents and New Jersey law, the contract must be awarded or all bids rejected within 60 days from the bid opening, which shall be September 21; and

WHEREAS, the State of New Jersey has put a hold on funding for road improvements which impacts the availability of funds for this project; and

WHEREAS, the Governing Body is desirous of extending the award deadline for an additional 30 days and understands that the contractor(s) consent is required for such an extension; and

WHEREAS, the Borough Attorney shall be authorized to enter into discussions with the contractor(s) to request/obtain said consent.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter as follows: The Borough Attorney is hereby authorized to enter into discussions with the contractor(s) to request/obtain consent to an extension of 30 days to award the contract for the VerValen Street Improvements (Section 2) project.

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Barad	X					
Councilwoman Latner						
Councilman Di Dio					X	
Councilman Stabile		X				
Councilwoman Chung					X	
Councilwoman Amitai					X	

Adopted: August 24, 2016

ATTEST:



Loretta Castano, Borough Clerk

APPROVED:



John C. Glidden, Jr., Mayor

Certified to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held August 24, 2016.

Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER
COUNTY of BERGEN, NEW JERSEY

GRANTEE AUTHORIZING RESOLUTION
Ruckman Park Walking Path Lighting Project

BE IT RESOLVED, that the Mayor and Council of the Borough of Closter wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$62,254.00 matching grant award from the 2015 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled Ruckman Park Walking Path Lighting Project located in Lots 2, 3 and 5 in Block 1902 on the tax maps of the Borough of Closter.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Mayor John C. Glidden, Jr. to be a signatory to the aforesaid Contract; and,

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about May 18, 2018; and,

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund’s requirements; and,

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund’s requirements.

This Resolution was adopted by the Mayor and Council of the Borough of Closter at a meeting on August 24, 2016.

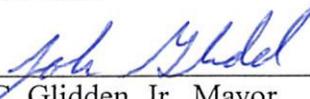
Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai					X	
Councilman Barad	X		X			
Councilwoman Chung					X	
Councilman Di Dio					X	
Councilwoman Latner			X			
Councilman Stabile		X	X			

Adopted: August 24, 2016

ATTEST:


Loretta Castano, Borough Clerk

APPROVED:


John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held August 24, 2016.

Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER
COUNTY OF BERGEN

**RESOLUTION AWARDING JOB ORDER CONTRACTING
INSTALLATION OF RUCKMAN PARK PATH LIGHTING
(BOROUGH ORDINANCE 2016:1209 Trust Account T-20-00-000-000-000)**

WHEREAS, there is a need for the installation of lighting at the Ruckman Park Walking Path; and

WHEREAS, the pricing of \$120,104.03 was provided by Facilities Solutions Group, Inc., 224 Washington Street, Perth Amboy, NJ 08862; and

WHEREAS, the above project has been funded in Ordinance 2016:1209; and

WHEREAS, this contract is in conformance with the requirements promulgated pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and which satisfies the best interests of the Borough; and

WHEREAS, this contract was awarded by the Middlesex Regional Educational Cooperative

65MCESCCPS, JOC# MRESC-15/16-14 EL2, contract valid 6/6/2015 to 6/5/2017, and is in conformance with the requirements promulgated pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and which satisfies the best interests of the Borough; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey as follows:

1. The Mayor and Clerk are hereby authorized to execute contracts and/or documents pursuant to the award of this contract.

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Maria Passafaro, Temporary Chief Financial Officer of the Borough of Closter, hereby certify, pursuant to NJSA 40A:9-140.1, et seq. and NJAC 5:30.4, that the funds are available to the Borough of Closter for calendar year 2016.

Dated: August 24, 2016



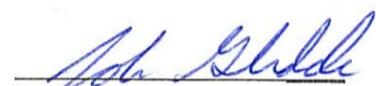
Maria Passafaro, Temporary CFO

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai					X	
Councilman Barad	X		X			
Councilwoman Chung					X	
Councilman Di Dio					X	
Councilwoman Latner			X			
Councilman Stabile		X	X			

Adopted: August 24, 2016

APPROVED BY:

ATTEST:


 John C. Glidden, Jr., Mayor


 Loretta Castano, Borough Clerk

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held August 24, 2016.

 Loretta Castano, Borough Clerk

ETK
 9/13/16
 JF
 8/25/16

BOROUGH OF CLOSTER
COUNCIL APPROVING EMERGENCY PURCHASES FOR REPAIR OF DAMAGES CAUSED BY
LIGHTNING STRIKE ON AUGUST 16, 2016

WHEREAS, an emergency situation arose at the Borough Hall Municipal Building on August 16, 2016

WHEREAS, the telephone system, office equipment, security system, video equipment, television monitors, data network switches for all Municipal offices as well as the Police Department were adversely effected by the lightning strike; and

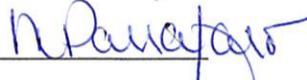
WHEREAS, N.J.S.A. 40A:11-6 allows the award of contracts without public advertising for bids and bidding when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey, that the Temporary CFO is hereby directed to approve all purchases relating to said repairs of the Borough Hall.

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Maria Passafaro, Temporary Chief Financial Officer of the Borough of Closter, hereby certify, pursuant to N.J.S.A.40A:-9140.1, et seq. and N.J.A.C 5:30-5.4, that the funds, which are required for the repair and or replacement of all repairs and including all work and material necessary therefore or incidental thereto.

Dated: August 24, 2016


 Maria Passafaro, Temporary CFO

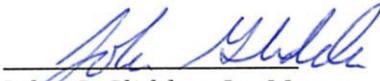
Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai					X	
Councilman Barad	X		X			
Councilwoman Chung					X	
Councilman Di Dio					X	
Councilwoman Latner			X			
Councilman Stabile		X	X			

DATE: August 24, 2016

ATTEST:


 Loretta Castano, Borough Clerk

APPROVED:


 John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held August 24, 2016.

 Loretta Castano, Borough Clerk

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – AUGUST 24, 2016 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, August 24, 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 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 and Brian Stabile
Temporary Borough Administrator, John Fry
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine

The following persons were absent:

Councilwoman Victoria Amitai
Councilwoman Jannie Chung
Councilman Robert Di Dio

Also present in the audience:

Former Councilman Arthur Braun Dolson

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF AUGUST 11, 2016 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 5b was removed by Mayor Glidden; Item Nos. 3a.IX, 4 and 10 were removed by Councilwoman Latner; Item Nos. 6 and 7 were removed by Councilman Stabile; Item No. 9 was removed by Borough Attorney.

Item No. 3a.IX: Received 08/05/16, dated 08/05/16 from Michael J. Darcy, CAE, Executive Director, NJS League of Municipalities re Weekly Round Up: Weekly Policy Update: First Responder Interoperable Communications (Copy to Chief Kaine, Chief Pierro)

Councilwoman Latner deferred to Chief Kaine who informed Lt. Winters and Chief Pierro filled out the survey.

Item No. 4: Received 08/05/16, dated 08/05/16 from Elizabeth Oreck, National Manager, Puppy Mill Initiatives, Best Friends Animal Society (Kanab, Utah) re Letter encouraging support of an ordinance to restrict retail sale of companion animals in Closter pet stores

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – AUGUST 24, 2016 – 7:30 P.M.

Item No. 10: Received 08/08/16, dated 08/08/16 from Alissa Latner re Letter from Jung Kim, 14048 SW Walnut Creek Way, Tigard, OR 97223, to Alissa Latner supporting Closter's Plans to Ban Puppy & Kitten Mills

Councilwoman Latner referred to Item Nos. 4 and 10 and Councilman Barad informed the Ordinance Committee has this on their agenda; and he will report on same later in the meeting. Mrs. Latner noted she received Item No. 10 from the west coast because they had read an article about the issue; and she wanted to bring attention to the impact it has been having nationally.

Item No. 5b: Received 08/08/16, dated 08/08/16 from Steve Isaacson, 97 Columbus Avenue, to Loretta Castano re Email suggestion the "Closter Plaza" sign be designated as a "Historic Landmark"

Councilman Stabile informed the Historic Preservation Commission met on Monday and they will be providing a recommendation for the best way for preserving the sign and keeping it in its current location on Vervalen Street. They don't have an objection to upgrading the lights but would like to keep the monopole unit with the dancing diamonds intact.

Mayor Glidden questioned what kind of restrictions would be placed on the owner should the sign be designated as a Historic landmark. Mr. Stabile clarified the Commission was not recommending landmark status just a way to preserve the sign. He explained that designation requires it to go under the control of the Commission for any changes to be involved in the process.

Mayor Glidden noted Mr. Isaacson mentioned he did a poll of residents who overwhelmingly support keeping the sign; and he performed his own poll with his email list and obtained the same results. He forwarded the results to Edens and he voiced his understanding they want to fix it up a little and preserve the sign. The Mayor said they acknowledged they would have to go back to the Planning Board to amend their plan; and the Borough Attorney affirmed same.

Item No. 6: Received 08/08/16, dated 08/05/16 from Richard T. Hammer, Commissioner, NJDOT, to Mayor re 2016 Transportation Alternatives Program (TAP) Request for Applications – due on or before 11/10/16

Councilman Stabile wanted to affirm the Borough is eligible for this federally funded program because it would be perfect to fund the Rails to Trails Program they discussed several months ago. He explained it involves the inactive CSX line that crosses through downtown; and it would turn that into an alternate transportation pathway for bicycles, hiking and walking through downtown Closter. In answer to the Mayor, the Borough Engineer explained CSX has to sign off on it. Councilman Stabile noted this is just the funding source for the program; and said CSX would have to get involved and grant use of the property. The Mayor voiced his concern that CSX has never been agreeable to any suggestions the Borough has had and referred to the Homans Avenue extension; and said he doesn't want anyone to waste any time unnecessarily. Mr. DeNicola explained that CSX is amenable to it because during his last conversation with them regarding resurfacing the crossing, they had informed him they were changing their standards because they realized that line will never be active again. Mr. Stabile noted that these funds can be used for any environmental remediation issues; and Borough Engineer said those need to be identified up front.

Borough Engineer asked if Mr. Fry would be following up on same noting that correspondence from a Borough Official may move it along. Councilman Stabile said he would be more than happy follow up and Mr. DeNicola will provide him with the contact information. The Mayor requested that a letter follow any phone calls made.

Item No. 7: Received 08/08/16, dated 05/31/16 from Lisa A. DiGerolamo, P.E., Vice President, Paulus, Sokolowski and Sartor, LLC, to Nabil Andrews, NJDEP, Land Use Regulation Program; c: Mayor, Borough of Closter re Response to Harrington Park NJDEP Permit Application for Flood Hazard Area Permit for Block 1601, Lot 1 in the Borough of Harrington Park – see also 6. M.L. 5/5/16 (Copy to Planning Board, Environmental Commission)

Councilman Stabile reminded the Borough sent some comments; and this is the response we received. He said the comments were well received and he is impressed with same. They covered most of the bases and are being hypervigilant as far as environmental and building requirements and not disturbing the riparian zone. Borough Engineer agreed he is satisfied with the project as well.

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – AUGUST 24, 2016 – 7:30 P.M.

Item No. 9: Received 08/08/16, dated 05/31/16 from Arthur N. Chagaris, Beattie Padovano, LLC, Attorney to the Planning Board, to Loretta Castano; c: Rose Mitchell, Edward T. Rogan, Esq. re Letter re Ordinance Amending and Supplementing Ch. 200, 200-63 and A301 Fees (Ordinance No. 2016:1210) indicating unanimous Planning Board approval and informing a Resolution will be adopted at the 8/25/16 meeting (Distributed 8/10/16)

Borough Attorney reminded this issue was briefly discussed at the last Regular Meeting; and we carried the ordinance to wait for the Planning Board's response. He explained that although the letter indicates they supported it, the specific statutory language that it is not inconsistent with the Master Plan was not included. The Board will meet tomorrow and pass a Resolution in support of same; therefore, he recommended we will carry the ordinance for one more meeting.

b. MAIL LIST OF AUGUST 18, 2016 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item Nos. 5 and 8 were removed by Mayor Glidden; Item Nos. 3a, 6 and 9 were removed by Councilman Stabile

Item No. 3a: Received 08/12/16, dated 08/12/16 from Michael J. Darcy, CAE, Executive Director, NJS League of Municipalities re Weekly Round Up: Weekly Policy Update:

I. No Progress in Trenton on TTF – Councilman Stabile noted it seems like there won't be any movement on the Transportation Trust Fund until after the November election which is not great news.

II. Important Notice on Sign Ordinances: Revising Sign Ordinances After Reed v. Town of Gilbert (Copy to Construction Official) - Councilman Stabile informed he was not entirely sure what sign code referred to and Borough Attorney said this refers to signs on property of an advertising nature. Mr. Rogan said he has not had time to thoroughly review this yet but that he will do so and report back on same if there is any impact on our ordinances. Mr. Fry said he read some of it; and it says you cannot restrict content of the sign, only their placement.

V. NJLM Blog Posting, Municipalities Blind-sided by New "Best Practices" Penalties – Mr. Fry said this refers to an end of year penalty that the Governor slipped in that takes away 100% of State Aid as opposed to the previous 5%. If you do not pass the Best Practices level threshold, you lose 100%; though he is not sure if it is just CMPTRA or energy receipts. The Mayor asked if there were any problems he was aware of; and Mr. Fry noted that informally to Maria, she responded that it is always a challenge, but we made it.

Item No. 5: Received 08/15/16, dated 08/11/16 from Rabbi Mordechai Shain, Executive Director, Lubavitch on the Palisades re Request for permission "*as soon as possible to provide us with ample time to make the necessary arrangements*", to set up a Menorah in front of the Closter Borough Hall for the duration of the holiday from 12/25/16 through 1/1/17 AND arrange a Menorah Lighting event in Ruckman Park, with entertainment and refreshments, on 12/27/16 @7:00p.m."*it is anticipated there will be participation of local personalities to help with the celebration and the lighting which will involve widespread media coverage*"; No Certificate of Insurance or Hold Harmless Agreement received (Copy to Richard Keating, Chief Kaine, William Dahle, III, Jim Oettinger)

Mayor Glidden noted there have been some emails going around about this request and said it should be discussed. The last few years the lighting ceremony has been at Ruckman Park; and Councilman Barad said former Chief Berrian allowed it there. The Mayor said it was difficult to have it at Borough Hall because of the spillover in the street. Recreation Director brought up several issues such as no lighting, no water or bathrooms; and that poses some potential hazards as well. Chief Kaine sent an email today that wherever it is determined to take place, the Police Department will work with them from a public safety standpoint. Councilwoman Latner agreed with Mr. Oettinger's comments because they are valid points. Dr. Barad feels it should be in front of Borough Hall because the Christmas Tree lighting last year posed no problems. Chief Kaine said there would be no problem with that. Mayor Glidden asked for a Resolution at the next meeting approving same. Mrs. Latner questioned what the request meant by local personalities and widespread media coverage and the Mayor said they always try to get media coverage of the event from varying organizations. Borough Clerk noted they will require submission of a Certificate of Insurance and Hold Harmless Agreement. She also reminded that the last time the ceremony was held out front when the former Chief of Police was here, there were issues with cars trying to turn running into a mass of people

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – AUGUST 24, 2016 – 7:30 P.M.

which precipitated moving the celebration elsewhere. Mr. Stabile reminded, as we discussed last year, this cannot be a religious display; and Borough Attorney said it cannot be exclusively religious; it must be a holiday display. In response to Dr. Barad, Mr. Rogan said he hopes there would be some non-religious items in the display in addition to the Christmas Tree.

Item No. 6: Received 08/15/16, dated 08/10/16 from David Robinson, Senior Associate, Synergy Environmental Inc., to Municipal Clerk re Public Notification Letters re Closter Marketplace, 6-130 Vervalen Street, Block 1607, Lot 1, Preferred ID: 579734:**a.** CEA Notification Letter with Fact Sheet Form; **b.** Response Action Outcome, Unrestricted Use, Area(s) of Concern: AOC 2 -250 gallon Unregulated Heating Oil Underground Storage Tank, AOC-2, Soil Impacted from Historic Dry Cleaning, and no other areas; Communication Center # 12-03-1556-03 (Copy to Board of Health, Construction Official, Environmental Commission)

Councilman Stabile noted the classification area heads towards Homans Avenue but the soil is clean and there is low level contamination in the groundwater; but it should not have any effect on our wetlands and Nature Center.

Item No. 8: Received 08/17/16, dated 08/17/16 from Steve Isaacson, 97 Columbus Avenue, to Loretta Castano re Request for review of intersection of Piermont and Vervalen for possible crosswalks (Copy to Chief Kaine)

Mayor Glidden asked Chief Kaine to report on same; and he informed that as it is a County road, the Borough Engineer would have more information. Mr. DeNicola said they recently did an intersection schematic for the ADA ramp program which incorporates putting a traffic island in the south direction on Piermont Road to better funnel the traffic onto Vervalen Street. The new design will allow a safe haven for pedestrians crossing; and the island will be made of physical concrete instead of just pavement markings. This is in the works; but, unfortunately, it is funded by TTF, so it is on hold; therefore, this will not go forward this Fall. Mr. DeNicola affirmed to the Mayor he would respond to Mr. Isaacson with this information.

Item No. 9: Received 08/17/16, dated 08/17/16 from Marc N. Schrieks, Deputy Chief of Staff for County Executive James J. Tedesco III, to Manager/Clerk re Request for response for participation in County of Bergen – Fire Truck *Loaner* Program with attached “Shared Services Agreement for Short Term Emergency Sharing of Fire Apparatus Between the County of Bergen and Any Municipality Within the County of Bergen” (Copy to Chief Pierro)

Councilman Stabile noted this is a County Shared Services Agreement for a 10-year term for up to 24 weeks that would allow the municipality to utilize a County-owned fire apparatus while any of our trucks are being repaired. It is free for up to 8 weeks; and after that, the cost varies from \$25-\$50 per day; and he feels this is a no-brainer in which to participate. Councilwoman Latner agreed with same. Mayor Glidden asked the Borough Attorney to review the contract included and prepare a Resolution of approval for the next meeting to be held 9/14/16.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of August 24, 2016)

Mayor Glidden asked if any member of the Council wished to remove any of the Consent Agenda items for discussion. He noted that Item No. 5 would be carried to the next meeting.

Councilman Stabile asked that Item Nos. 7, 9 and 12 be removed from the Agenda for discussion.

7. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEARS 2015 & 2016: BENS LLC V. CLOSTER (Received from Borough Attorney 8/11/16)

Councilman Stabile expressed thanks to the Tax Assessor in settling this appeal and keeping same out of court. He cited the reduction in the assessment; and noted that there would be a tax return for 2015 and a tax reduction for 2016. He questioned the values of same and Borough Attorney advised that the dollar value would not be included in the resolution since same was the function of the Tax Assessor.

9. RESOLUTION AUTHORIZING DISCUSSIONS TO EXTEND BID AWARD TIME FOR AN ADDITIONAL 30 DAYS FOR THE VERVALEN STREET IMPROVEMENTS (SECTION 2) CONTRACT (Received from Borough Attorney 8/16/16)
Councilman Stabile noted that the Transportation Trust Fund would probably not be funded until after November; and he questioned if the extension could be beyond the 30 days. Borough Attorney said that same could not be adjusted since the extension was statutory.
12. RESOLUTION AUTHORIZING EMERGENCY PURCHASE TO REPAIR AND REPLACE BOROUGH EQUIPMENT DAMAGED BY LIGHTNING STRIKE ON 8/16/16 AND ALL RELATED SERVICES (Received from Administrator 8/22/16) Received from Temporary CFO 8/19/16
Councilman Stabile noted there was significant damage to the Borough's IT structure. Kevin Whitney worked very diligently to get everything up and running in a very short amount of time. Essentially this resolution says we trust our employees and value what they do in an emergency situation.

6. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY - STABILE (BARAD/DI DIO)

- 1) REPORT RE CLOSTER WEBSITE
- 2) REPORT – Councilman Stabile reported that Borough Hall got struck by lightning but the IT Department is back up and running. We have a few issues but for the most part we are up and running. The Borough Clerk's office was back up on Monday and Ms. Castano reported her office didn't go down at the same time as everyone else's. Ours wasn't affected until Friday when most of the building was up and running. Councilman Barad said there was some discussion about the possibility of creating some sort of shielding that would protect the Borough Hall. He understands it was likely reflected from the tower through the walls and not through the electric lines themselves. They wanted to know from an engineering standpoint if there were any shield that could be added. Chief Kaine reported two members were in the building when it happened and the whole building shook, so we took a direct hit. Dr. Barad voiced his understanding that to some degree the tower attracts the lightning and then it hits the tower and comes across to the building which has lightning rods with grounding. Borough Engineer said he knows the cell tower is grounded, but he is not sure that the building is; and said it is a question for an electrician. He asked if anyone asked Chris Pesce to look into it. Mr. Stabile said it is approximately \$25,000 in damages. Dr. Barad asked how many more times we can take a hit. Mr. Fry noted Kevin told him that since he has been with the Borough that from 2004, there have been nine (9) hits with this being the most severe. Dr. Barad feels it is a modest investment to protect our equipment.

Councilman Stabile reported the Borough Administrator and Temporary CFO met with all the Department Heads regarding capital needs and the Finance Committee met to discuss same. We are pretty well settled on what our expenditures will be for 2016.

B. PUBLIC SAFETY - LATNER (DI DIO/CHUNG)

- 1) REPORT – Councilwoman Latner reported that the Police Department would like to move forward with the process of promoting two (2) officers to Lieutenant and the hiring of one patrolman to bring the staffing level back up to 20. The Chief said there is a current list of candidates; but if none of them are available, they will have to start over. There are currently three (3) eligible candidates for Lieutenant and that is based upon evaluations, seniority and test scores. Mrs. Latner requested they move forward with the process; and no objections were voiced. She noted she was not present at the last meeting and offered congratulations to Sgt. Fehsal on his promotion.

Regarding the Library, Councilwoman Latner reminded there were discussions a few months ago with public safety concerns with kids at the Library; and asked the Chief if he could attend the next Board of Trustees meeting to discuss same. Chief Kaine said either he or Detective Aiello would attend the meeting on 9/21/16.

6. COMMITTEE REPORTS (Continued)

B. PUBLIC SAFETY - LATNER (DI DIO/CHUNG) (Continued)

Mrs. Latner noted Councilwoman Chung is away this week; and said on her behalf she had spoken to DPW Superintendent who is also away this week; and he asked that she relay that the new mechanic is working out very well and they feel they are moving in a positive direction. Councilman Stabile noted some of the employees had expressed the same sentiments to him as well.

Councilwoman Latner voiced her regret she was not able to attend the last meeting; and noted that several parents from the Closter Public Schools had attended to discuss with the Mayor and Council their concerns regarding the status of staffing at the schools. She said the next Board of Education meeting will be held at Tenakill tomorrow night but she will be out of town; and the parents will again be requesting that an outside company perform the survey where the teachers could provide the information anonymously. She said she was glad they came to speak and make us aware of their concerns. Regarding Northern Valley Regional High School, the Board will be meeting to look into creating a new policy for Juniors and Seniors that would allow them to opt out of Phys. Ed. if they participate in a seasonal sport. Regarding the Referendum, they were able to get a 2% rate on the bond as opposed to 3%, so they are ahead of the game. The STEM classrooms have to be rebid and the auditorium bids were rejected. The tennis courts are getting done and both tracks are done. She said they really pushed to get everything done before school starts. They are moving forward with the remainder of the items. She is pleased to report they have met a lot of their goals and revamping some of their programs. There is a new career pathway course that will give seniors the opportunity to work with hospitals for internships as opposed to Senior Service. The schools remain high ranking; and Dr. Gordon clarified that the only reason Old Tappan ranks lower on occasion is because sometimes they include Region 3 schools in those performance numbers.

C. PUBLIC WORKS - CHUNG (LATNER/STABILE)

1) REPORT – Councilwoman Chung was not present this evening; therefore, no report was provided.

D. ORDINANCES - BARAD (CHUNG/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported the Committee is discussing the pet store ordinance and said it is complicated. They are looking at the Hackensack ordinance in addition to several others; and they want to write something that is enforceable. They noted the Hackensack ordinance brought up enforcement questions; so they are still discussing same.

Dr. Barad reminded of the recent request from the Senior Citizens for parking spaces in the Borough Hall parking lot and some things came up. A few months ago they did pass an ordinance restricting use of fourteen (14) spaces for use of Borough Hall employees between the hours of 8:30 a.m. and 4:30 p.m. The request is to look at twenty (20) spaces for Borough business only between the hours of 6 a.m. and 6 p.m. During discussions, the Committee brought up concerns that once the Plaza is up and running, there could be possible spillover from that parking lot into ours; so the question was raised whether we should extend those restrictions until 10 p.m., for example, rather than keep changing the ordinance. The Committee wanted to ascertain the Council's sentiments.

Relative to the same topic, Mayor Glidden asked the Borough Engineer in regards to the Flamm Property if it would be feasible to put a parking lot on that property. Mr. DeNicola explained that is mostly wetlands and buffer; and there is known contamination from lead paint. Once that was discovered, the Borough abandoned efforts to ascertain what the cleanup costs would be; so he cannot say for sure; but probably not without extensive cleanup costs; and it is the same impact for wetlands. Dr. Barad explained we have not yet made the signage, which, had it been made, we would have had to change it again. Councilman Stabile voiced his understanding that this includes commuters using the parking lot. Dr. Barad explained the parking lot is made with public funds; and we cannot completely restrict it – we are looking to restrict some spaces. Borough Attorney explained the Senior Center was built with Small City Grant money which paid for the parking lot; and had some provision in it that the lot cannot be exclusively for Borough Hall. In answer to Mr. Fry, he said we cannot restrict it to Borough business only since it was

6. COMMITTEE REPORTS (Continued)

D. ORDINANCES - BARAD (CHUNG/AMITAI) (Continued)

made with public monies; we can reserve some spaces but there has to still be spaces for the general public. Dr. Barad said he doesn't think changing from 14 to 20 spaces is a big deal, but the hours are more the issue. Due to Municipal Court running late into the evening, everyone agreed that 10 p.m. would be an acceptable limit.

2) REPORT

E. HUMAN RESOURCES - DI DIO (CHUNG/LATNER)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS

2) REPORT – Councilman Di Dio was not present this evening; therefore, no report was provided.

F. LAND USE AND CONSTRUCTION - AMITAI (BARAD/STABILE)

1) REPORT – Councilwoman Amitai was not present this evening; therefore, no report was provided.

7. OLD BUSINESS

a. REQUEST FOR AMENDED RESOLUTIONS TO BE SIGNED BY MAYOR/MANAGER/EXECUTIVE AND BOROUGH CLERK FOR BUS STOPS ON MUNICIPAL & COUNTY ROADS (10. M.L. 7/7/16) - Discussed AT WS 7/13/16 & 8/10/16

Borough Administrator said that the list from New Jersey Transit must be reviewed and compared with our list of bus stops. There appear to be some discrepancies.

b. BOROUGH HALL PARKING LOT (Discussed at WS 8/10/16)

c. LUSTRON HOUSE (Discussed at WS 8/10/16)

Councilman Stabile cited the problem with the caretaker bid; and said the Historic Preservation Commission wishes to move forward with an RFQ instead of an RFP; and they will provide the qualifications. Borough Attorney said that would mean a professional services contract; and a caretaker is not considered a professional for statutory purposes. Councilman Stabile referred to Ken's Tree Care that does some work for the DPW; and Mr. Rogan noted that same was a formal bid. He said if the Borough wished to do a formal bid on Lustron, there would need to be a lot more detail as to hours of operation and detail of services to be rendered. There is also a cost for a formal bid and the grant restrictions plus the more recent items that have been requested by the Historic Preservation Commission such as painting and paint removal. There must be specifics and determination whether same can be accommodated under the grant. Councilman Stabile noted that the Historic Preservation Commission understands that the grant money should be forthcoming no earlier than September; and an RFP is needed. Borough Attorney said that the Commission is now talking about a home office. He said we must better define what the Council and the Historic Preservation Commission envision for the Lustron House. Councilman Stabile said we need someone to be there to make sure the house is in good condition in addition to mowing the lawn. Borough Attorney noted that mowing the lawn was never considered since same opens up more liability for the Borough since the DPW workers are covered under Workers Compensation insurance. Mayor Glidden suggested a meeting be arranged with himself, Borough Attorney, Jennifer Rothschild and Councilman Stabile to discuss the matter.

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – AUGUST 24, 2016 – 7:30 P.M.

8. NEW BUSINESS

- a. ~~PRESENTATION BY CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT OFFICER RE PROPERTY MAINTENANCE VIOLATIONS IN THE DOWNTOWN AREA (Requested by Administrator 8/15/16)~~–cancelled by J. Whitney 8/24/16 – Borough Administrator said they were going to be doing a presentation but he was too busy, in addition to the restricted hours, to compile the listing. He is planning to complete the listing next week.
- b. POSSIBLE RESOLUTION RE JIF RENEWAL (11.M.L. 8/4/16/ Requested by Administrator 8/15/16) – Borough Administrator noted that he never sent it in, but had sent copies of what was received to the Borough Attorney; and it should be on the next meeting agenda.

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

10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

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

Borough Clerk cited the possible lack of a quorum for the meeting of October 12th due to the Yom Kippur holiday. The Council was polled; and it was decided that the meeting would be held on Monday, October 17, 2016.

12. ADJOURNMENT

Motion to adjourn the Work Session at 8:27 p.m. was made by Councilman Stabile, seconded by Councilwoman Latner and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council
on September 8, 2016 for approval at the
Regular Meeting to be held
September 14, 2016

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 September 14, 2016
Consent Agenda Item No. 13b.