

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – APRIL 22, 2009 - 7:30 P.M.

Mayor Heymann called the meeting to order at 7:36 p.m.

1. PLEDGE OF ALLEGIANCE

Mayor Heymann invited all to join in the Pledge of Allegiance

2. OPEN PUBLIC MEETINGS ACT STATEMENT

Mayor Heymann declared that the meeting was being held in compliance with the provisions of the Open Public Meetings Act.

3. ROLL CALL

Those present were the following:

Mayor Sophie Heymann  
Councilpersons John C. Glidden, Jr., Thomas Hennessey, John Kashwick,  
David Barad, Cynthia Tutoli and Victoria Amitai  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Chief of Police, David Berrian

Also present in the audience were: Arthur Dolson, Ethics Committee Chairman, Donald Schmidt and James Whitney, Property Maintenance Officer.

4. MAYORAL PROCLAMATIONS DECLARING THE FOLLOWING:

- a. THE MONTH OF APRIL AS “NATIONAL DONATE LIFE MONTH, 2009  
(2i. M.L. 4/8/09 - Received from Mayor’s office 4/8/09) Mayor Heymann declared at the last meeting.
- b. ARBOR DAY ON THE FOLLOWING DATES AND LOCATIONS:
  - 1) THURSDAY, APRIL 23, 2009, AT HILLSIDE ELEMENTARY SCHOOL AND TENAKILL MIDDLE SCHOOL
  - 2) SATURDAY, APRIL 25, 2009, IN THE BOROUGH OF CLOSTER  
(Received from Mayor’s office 4/15/09) –

Mayor Heymann read and so declared. She thanked the Shade Tree Commission and the Environmental Commission for providing the impetus for Arbor Day and for the tree planting day on Saturday.

- c. THE MONTH OF JUNE AS SCLERODERMA AWARENESS MONTH  
(6. M.L. 4/8/09) –

Mayor Heymann read aloud and so declared.

At this time, Mayor Heymann announced that today is Administrative Assistants Day at which time she honored the Borough Clerk and thanked her for all her efforts.

5. OPEN MEETING TO PUBLIC FOR ANY MATTER, PER N.J.S.A. 10:4-12 (a)  
(Subject to 5-minute limit per General Rule No. 10)

Arthur Dolson, Chairman of the Board of Ethics, 74 Closter Dock Road, referred to the Annual Financial Disclosure Statements that must be filed for all of the appropriate officers and employees. The initial communication from the Local Finance Board was received two weeks ago and he met with the Borough Clerk to formulate a plan to meet the submission deadline of April 30<sup>th</sup>. A letter requesting an extension was sent to the Local Finance Board but same was not granted. A Special Meeting of the Ethics Board has been scheduled for April 30<sup>th</sup>, memos have been drafted for all the appropriate personnel requesting prompt submission of the forms and that the form is available online for completion and print out. He pointed out the fines for failure to complete and submit the form.

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Hugh Johnson, 107 Demarest Avenue, announced that today is Earth Day. He noted that the trees across the street are very nice and questioned who donated them. Councilman Kashwick advised him that the trees were part of a \$25,000 grant received from the State. Mr. Johnson referred to a discussion he had with Mayor Heymann relative to the condition of the Closter Plaza parking lot and the damage to his vehicle which was part of an incident report filed with the Police Department. The manholes are in a dangerous condition and barricades should be installed. He cited the existence of at least 40 potholes. Borough Engineer said that the manhole in the driveway is the responsibility of the Borough and the DPW Superintendent should be contacted on same. Mayor Heymann said the owners of Closter Plaza would be submitting a plan to the Planning Board for a complete renovation, that includes Whole Foods, in three stages and there would be a special meeting in May. Borough Attorney said that it is the owner's responsibility to maintain the parking lot.

Mr. Johnson reported that people are dumping boulders and rocks on the Abram Demaree Farm property and Mayor Heymann said that they are large boulders being used as a retaining wall. Borough Attorney said that the owners have been notified to remove the signs from Schraalenburgh Avenue.

6. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCES @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

These Ordinances were introduced at the Regular Meeting held 3/25/09 and were published in the Press Journal issue of 4/2/09, as stated in the printer's affidavit of publication. Reprint of these Ordinances were posted on the Municipal Bulletin Board, in accordance with statutory requirements, and copies have been made available to the general public.

a. BOND ORDINANCE NO. 2009:1035, "ORDINANCE APPROPRIATING \$45,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR IMPROVEMENTS TO BOROUGH HALL IN THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY

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

Mayor Heymann advised that the funds are distributed from Ordinance No. 941- \$25,000 from roads and \$20,000 from Police and Fire and the funds would be used for ongoing repairs to Borough Hall.

Motion approving adoption of Ordinance No. 2009:1035 was made by Councilman Glidden, seconded by Councilman Barad, and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Hennessey, Kashwick, Barad, Tutoli and Amitai.

b. ORDINANCE NO. 2009:1036, "AN ORDINANCE AMENDING SCHEDULE A: LIMITING SCHEDULE, SPECIFICALLY, CHANGING THE MAXIMUM SIZE OF RETAIL STORES IN DISTRICT NO. 3 BUSINESS AREA PURSUANT TO THE RECOMMENDATION OF THE PLANNING BOARD

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

Motion approving adoption of Ordinance No. 2009:1036 was made by Councilman Barad, seconded by Councilwoman Amitai, and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad, Tutoli and Amitai. Councilman Hennessey voting No.

c. ORDINANCE NO. 2009:1037, "AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$68,100.00 FROM OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND FOR PARK AND HISTORIC PRESERVATION IMPROVEMENTS"

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

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Mayor Heymann explained that a grant in the amount of \$68,100 had been received from the County that has to be matched with Borough funds; and the monies would be used for the installation of a bathroom at one of the fields in addition to improvements at other parks. Councilman Hennessey asked that his Committee and Councilman Kashwick's Committee be included in the planning of the improvements.

Motion approving adoption of Ordinance No. 2009:1037 was made by Councilman Glidden, seconded by Councilman Barad, and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Hennessey, Kashwick, Barad, Tutoli and Amitai.

7. COMMUNICATIONS

a. MAIL LIST – APRIL 8, 2009 – Mayor Heymann reviewed the correspondence distributed on this date and asked if any member of the Council wished to address any matter or provide any comments.

At this time, Mayor Heymann announced that she had been contacted by Stephen Dilts, Commissioner, NJS Department of Transportation, and have been informed that Federal regulations prohibit them from supporting any road work in Closter. Specifically in order to be eligible for Federal funds from the Stimulus Act, you have to be on the list of Federal roadways that are in impacted areas. There is a State grant proposal to help those municipalities that are not eligible for Federal funds but the funds would not be available until 2010.

The following items were removed by the following individuals: Councilman Hennessey removed Item No. 4.

Item No. 4 – Received 04/07/09, dated 03/31/09 from Lucy Vandenberg, PP, AICP, Executive Director re follow up to letter of 2/24/09 re 12/31/08 petition for substantive certification for Closter's Housing Element and Fair Share Plan; Deadline: 4/10/09 (Original Letter to Mayor 4/8/09)

In answer to Councilman Hennessey, Mayor Heymann said that the application is complete to the best of our knowledge and is being reviewed by the Council on Affordable Housing; but in the meantime, the Borough is completely protected.

b. MAIL LIST – APRIL 16, 2009 – Mayor Heymann reviewed the correspondence distributed on this date and asked if any member of the Council wished to address any matter or provide any comments.

At this time, Mayor Heymann reported that as part of the Galcik Minor Subdivision Application, the Borough gained possession of a 10' strip in the rear of the property that will enable the Borough to run the Cross Closter Trail along the Dwarskill

The following items were removed by the following individuals: Donald Schmidt, 162 Closter Dock Road, removed Item No. 9. Councilwoman Amitai removed Item No. 10.

Item No. 9 – Received 4/14/09, dated 4/10/09 from Bill Brewster, Adjutant/Treasurer, LeRoy S. Mead Post 111 re request for waiver of \$517.00 fee to obtain liability insurance to conduct meetings at the Senior Citizens building approximately 4 times per year (copy to Glenn Parsells with request for written recommendation for approval)

Donald Schmidt, 162 Closter Dock Road, indicated that there was something wrong with the insurance cost cited in the communication; and expressed support for a waiver. Mayor Heymann explained that the Borough requires insurance coverage for use of Borough facilities; and the minimum fee is \$517 charged by the insurance company.

Item No. 10 – Received 4/15/09, dated 4/13/09 from Valerie B. Nicolosi, Secretary to the Borough Administrator, Borough of Tenafly, to Administrator/Municipal Clerks re Master Contract – Riverside Cooperative Emergency Water Main and/or Storm and Sanitary Sewer Repairs (memo only!) Contract on file in Borough Clerk's Office (copy to William Dahle, Nick DeNicola – memo only)

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In answer to Councilwoman Amitai, Mayor Heymann explained that the Tenafly Administrator is also the Administrator for the Riverside Cooperative; and one of the contracts was for the emergency water main sewer repair. A cooperative would not be possible for the BCUA charges since same is based on flow from individual municipalities.

8. OPEN MEETING TO PUBLIC FOR COMMUNICATION ITEMS ONLY  
 (Subject to 5-minute per By-Laws General Rule No. 10)

Mayor Heymann opened the meeting to the public for communication items only.

9a. REVIEW OF CONSENT AGENDA ITEMS  
 (PROCEDURE TO BE EXPLAINED BY MAYOR HEYMANN)

Mayor Heymann explained the procedure and reviewed the items on the Consent Agenda and asked if any member of the Council or Public wished to remove or discuss any item.

ORDINANCES AND RESOLUTIONS

10.\* INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING – 5/27/09 @ 7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

a. ORDINANCE NO. 2009:1039, “ORDINANCE AMENDING CHAPTER 92, DRIVEWAYS, OF THE CODE PURSUANT TO THE DECISION OF THE SUPERIOR COURT IN DOCKET NO. BER-L-7852-05 (Received from Borough Attorney 4/14/09)

b. ORDINANCE NO. 2009:1040, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS” (Received from Borough Attorney 4/15/09)

~~11.\*~~ POSSIBLE RESOLUTION RE TAX REIMBURSEMENT CERTIFICATION (Received from Recycling Coordinator 4/15/09 – approval of Borough Attorney is required)  
TO BE PREPARED BY BOROUGH ATTORNEY  
 Remove

12.\* BILL RESOLUTION – APRIL 30, 2009  
TO BE PREPARED BY DEPUTY TREASURER

CHRISTOPHER E. MARTIN, ESQ. AS

13.\* ~~POSSIBLE~~ APPOINTMENT OF/ BOROUGH ALTERNATE PROSECUTOR  
 (Opening held 1/8/09 @ 10:30 a.m.) (Adjourned from RM 1/28/09; 2/11/09; 2/25/09; 3/11/09; 3/25/09; 4/6/09) TO BE PREPARED BY DEPUTY TREASURER

14.\* POSSIBLE APPOINTMENT(S) OF SALARIED EMPLOYEES (NOT MADE AT THE REORGANIZATION MEETING HELD 1/5/09) RESOLUTIONS TO BE PREPARED BY ACTING ADMINISTRATOR/TREASURER (Adjourned from RM 1/14/09; 1/28/09; 2/11/09; 2/25/09; 3/11/09; 3/25/09; 4/6/09):

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
**ADMINISTRATOR	_____	1 Year	12/31/09
DEPUTY BOROUGH CLERK	_____	1 Year	12/31/09
ASSISTANT TO BOROUGH CLERK	_____	1 Year	12/31/09
DEPUTY TAX COLLECTOR	_____	1 Year	12/31/09
DESK DISPATCHER			
FULL TIME	_____	1 Year	12/31/09
PART TIME	_____	1 Year	12/31/09
POLICE MATRON	_____	1 Year	12/31/09
SCHOOL CROSSING GUARD	_____	1 Year	12/31/09

\*\* **Note:** The following appointments are outstanding, to date, in the absence of Administrator/ Treasurer:

TREASURER	_____	1 YEAR	12/31/09
AFFIRMATIVE ACTION OFFICER	_____	1 YEAR	12/31/09
APPROPRIATE AUTHORITY	_____	1 YEAR	12/31/09

15.\* RESOLUTION ACCEPTING THE LOW BID RECEIVED AT THE BID OPENING HELD 4/3/09 @ 11:30 A.M. FROM \_\_\_\_\_ FOR THE 2009 ROAD IMPROVEMENT PROGRAM (Received from Borough Attorney 3/31/09; adjourned

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from RM 4/6/09)

- 16.\* RESOLUTION APPROVING LIST OF 36 MEMBERS SUBMITTED BY PRESIDENT OF CLOSTER VOLUNTEER FIRE DEPARTMENT FOR 2008 LOSAP CONTRIBUTIONS AND AUTHORIZING THE TREASURER TO MAKE THE CONTRIBUTION ON BEHALF OF THE DEPARTMENT (Received from Deputy Treasurer 4/15/09)
- 17.\* RESOLUTION APPROVING LIST OF 24 MEMBERS SUBMITTED BY PRESIDENT OF THE CLOSTER VOLUNTEER AMBULANCE AND RESCUE CORPS FOR 2008 LOSAP CONTRIBUTIONS AND AUTHORIZING TREASURER TO MAKE THE CONTRIBUTION ON BEHALF OF THE CORPS (Received from Deputy Treasurer 4/15/09)
- 18.\* RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE \$1,000.00 CASH ESCROW TO 115 ALPINE DRIVE LLC, RE ROAD OPENING PERMIT NO. 2006:005 FOR RESTORATION OF TRENCH OPENING AFTER CONSTRUCTION AT BLOCK 2211, LOT 2, 115 ALPINE DRIVE, IN ACCORDANCE WITH BOROUGH CODE CHAPTER 171 (Received from Deputy Treasurer 4/15/09)
- ~~19.\*~~ RESOLUTION AUTHORIZING TREASURER TO RETURN THE REMAINING ESCROWS IN THE AMOUNT OF \$3,297.65 TO NBC STUDIOS, SNL, 30 ROCKEFELLER PLAZA, NEW YORK, NY 10112, POSTED FOR POLICE TRAFFIC DIRECTOR SERVICES RE TV/MOVIE FILMING, IN COMPLIANCE WITH LOCAL FINANCE NOTICE 2000-14 (Received from Chief of Police 4/6/09)
- 20.\* RESOLUTION OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY (THE “LOCAL UNIT”) AUTHORIZING THE LOCAL UNIT’S PARTICIPATION IN THE POOLED NOTE FINANCING PROGRAM OF THE BERGEN COUNTY IMPROVEMENT AUTHORITY (Received from Bond Counsel 4/16/09 @ 4:23 P.M.)

MOTIONS

- ~~21.\*~~ MOTION APPROVING THE FOLLOWING NON-SALARIED APPOINTMENTS (NOT MADE AT THE REORGANIZATION MEETING HELD 1/5/09) Adjourned from RM 1/14/09;1/28/09; 2/11/09; 2/25/09; 3/11/09; 3/25/09; 4/6/09:

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
BOARD OF HEALTH ALT. NO. 2	_____	2 Year un- expired to	12/31/09
HISTORIC PRESERVATION COMMISSION/MEMBER	_____	4 Year	12/31/12
IMPROVEMENT COMMISSION MEMBER	_____	2 Year un- expired to	12/31/09
MEMBER ALT. NO. 2	_____	2 Year	12/31/10
MEMBER ALT. NO. 2	_____	2 Year	12/31/10
RECREATION COMMISSION ASSOCIATE MEMBER	_____	1 Year	12/31/09
**SHADE TREE COMMISSION ALT. NO. 2	_____	2 Year	12/31/10

\*\* Mayoral Appointment

- 22.\* POSSIBLE MOTION APPOINTING \_\_\_\_\_ TO SERVE AS MEMBER OF THE HISTORIC PRESERVATION COMMISSION FOR AN UNEXPIRED 4-YEAR TERM (REIMERS) TO 12/31/09 (13. M.L. 3/5/09) (Adjourned from RM 2/25/09; 3/11/09; 3/25/09; 4/6/09)

- 23.\* APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed 4/16/09) – NO ABSTENTIONS:
  - a. REGULAR MEETING OF MARCH 25, 2009
  - b. WORK SESSIONS:
    - 1) MARCH 11, 2009
    - 2) MARCH 25, 2009

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- 24.\* GRANTING APPROVAL FOR THE RECREATION COMMISSION TO CONDUCT THE ANNUAL LITTLE LEAGUE PARADE ON SUNDAY, 4/26/09, BEGINNING AT 1:00 P.M. AT BOROUGH HALL AND PROCEEDING THROUGH TOWN TO MEMORIAL FIELD FOR THE OPENING DAY CEREMONIES (2. M.L. 4/16/09)
- 25.\* GRANTING APPROVAL FOR THE INTERRELIGIOUS FELLOWSHIP FOR THE HOMELESS OF BERGEN COUNTY (IRF) TO CONDUCT 16<sup>th</sup> ANNUAL BIKE BERGEN PARTIALLY THROUGH THE BOROUGH ON SUNDAY, 4/26/09, BEGINNING AT 1 P.M. (12. M.L. 4/16/09) (Approval received from Risk Management Consultant 4/9/09 – information received 4/14/09)
- 26.\* GRANTING APPROVAL FOR ISSUANCE BY POLICE DEPARTMENT OF THE FOLLOWING HAWKERS AND PEDDLERS PERMIT FOR CALENDAR YEAR 2009: (Received from Chief of Police 4/16/09):
- a. 2009-001 - BLADE CORE INC, 65 WILLOWBROOK BLVD., SUITE 215, WAYNE, NJ, TO GO DOOR TO DOOR SELLING VERIZON FIOS
- 26a.\* GRANTING APPROVAL FOR BOROUGH CLERK TO SIGN STATE OF NEW JERSEY, OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF ALCOHOLIC BEVERAGE CONTROL, APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR FOR CLOSTER BPOE 2304, 148 RAILROAD AVENUE, CLOSTER, NJ 07624, TO CONDUCT DINNER DANCE ON 5/23/09 FROM 7:00 P.M. TO 11:00 P.M. TO RAISE FUNDS FOR CHARITABLE PURPOSES (Application received 4/20/09)
- 27.\* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:
- a. CHIEF OF POLICE – MARCH 2009 (Received 4/16/09)
- b. FIRE CHIEF – MARCH 2009 (Received 4/17/09)

The following items were removed from the Consent Agenda by the following individuals: Mayor Heymann previously removed Item Nos. 11, 14, 15, 21, 22. Councilman Hennessey removed Item No. 10b. Councilwoman Amitai removed Item No. 23. Mr. Johnson removed Item No. 19.

9b. VOTE ON CONSENT AGENDA ITEMS

Motion to approve the Consent Agenda minus Item Nos. 10b, 11, 14, 15, 19, 21, 22, and 23 was made by Councilwoman Amitai, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Hennessey, Kashwick, Barad, Tutoli and Amitai.

28. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA

- 10b. ORDINANCE NO. 2009:1040, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS” (Received from Borough Attorney 4/15/09)

Councilman Barad explained that this ordinance updates the fees contained in the current Ordinance and this ordinance covers all the fees in the Borough. The filming fee is being increased.

Motion of approval was made by Councilman Barad, seconded by Councilman Hennessey and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Hennessey, Kashwick, Barad, Tutoli and Amitai.

19. RESOLUTION AUTHORIZING TREASURER TO RETURN THE REMAINING ESCROWS IN THE AMOUNT OF \$3,297.65 TO NBC STUDIOS, SNL, 30 ROCKEFELLER PLAZA, NEW YORK, NY 10112, POSTED FOR POLICE TRAFFIC DIRECTOR SERVICES RE TV/MOVIE FILMING, IN COMPLIANCE WITH LOCAL FINANCE NOTICE 2000-14 (Received from Chief of Police 4/6/09)

Hugh Johnson, 106 Demarest Avenue, asked when the show would be aired and was advised that it was filmed on a Friday and aired on a Saturday.

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Motion of approval was made by Councilman Hennessey, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Hennessey, Kashwick, Barad, Tutoli and Amitai.

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

- a. CONTINUED DISCUSSION RE PARKING SPACE FEE (Requested by Mayor 1/18/08)  
RM 9/10/08

At this time, Councilman Barad pointed out that Councilwoman Tutoli spent 40 minutes of the meeting reviewing telephone bills and he expressed his appreciation.

Motion to adjourn the Regular Meeting at 8:35 p.m. was made by Councilman Glidden, seconded by Councilman Kashwick and declared unanimously carried by Mayor Heymann

Mayor Heymann resumed the Regular Meeting at 8:45 p.m.

Mayor Heymann read the following resolution authorizing signature of the 2010 Local Aid Application for West Street Section 5 and asked for a motion approving same:

- b. RESOLUTION GRANTING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO WEST STREET SECTION 5 PROJECT

At this time, Mayor Heymann referred to the electronic application form for the SAGE Grants and advised that L. Weatherly had learned how to handle this grant; and Mr. DeNicola advised that his office prepared the application using this method.

Motion of approval was made by Councilman Barad, seconded by Councilman Kashwick and declared unanimously carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Hennessey, Kashwick, Barad, Tutoli and Amitai

30. DISCUSSION OF PUBLIC COMMENTS OR ANY OTHER TIMELY MATTER, IF APPROPRIATE

Motion approving the following Resolution at 8:49 p.m. was made by Councilman Glidden, seconded by Councilwoman Amitai and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Hennessey, Kashwick, Barad, Tutoli and Amitai:

- 30a. OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(4), “A collective bargaining agreement”; 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 contract negotiations, litigation and matter which should be within 6 weeks.

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

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31. ADJOURN

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

Provided to the Mayor and Council on  
May 7, 2009 for approval at the  
Regular Meeting to be held  
May 13, 2009

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held May 13, 2009  
Consent Agenda Item No.31 b.1)

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Mayor Heymann called the meeting to order at 8:35 p.m.

1. ROLL CALL

The following persons were present:

Mayor Sophie Heymann

Councilpersons: John C. Glidden, Thomas Hennessey, John Kashwick,  
David Barad, Cynthia L. Tutoli, Victoria Amitai

Borough Attorney, Edward T. Rogan

Borough Clerk, Loretta Castano

Borough Engineer, Nick DeNicola

Chief of Police, David Berrian

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT

Mayor Heymann declared that the meeting was being held in compliance with the provisions of the Open Public Meetings Act.

3. COMMITTEE REPORTS

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

1) STATUS REPORT RE CAPITAL BUDGET/CAPITAL PLAN

(RM 7/9/08) – Councilman Kashwick reported that the Budget has been introduced this evening and the hearing would be held on May 13, 2009.

2) STATUS REPORT RE CLOSTER WEBSITE

3) STATUS REPORT RE IN-KIND MATCH OF \$25,000 FOR COMMUNITY FORESTRY GRANT (Work to be done by DPW) RM 6/27/07 –The inspection was done two weeks ago and some issues must be addressed in a letter so that the Borough can get the money from the State

4) REPORT – Councilman Kashwick announced that Closter has been named Tree City USA for the 9<sup>th</sup> consecutive year by the Arbor Day Foundation. Tomorrow will be Arbor Day at Tenakill and Hillside Schools with the planting of a beech tree at 9:30 a.m. at the Hillside School and an oak tree at 11 a.m. at the Tenakill School. This Saturday is the 4<sup>th</sup> annual tree planting event at 10 a.m. by the bridge at Ryerson and Tenakill Streets.

The Environmental Commission will hold a program entitled Nature Art Action and Awareness this Sunday at the Library and Belskie Museum beginning at 3 p.m. with a wine and cheese party in the Courtyard at the Museum. At 4 p.m. the Commission will show a film called Kilowatt Hours with a discussion period to follow. Mayor Heymann said this would be a perfect place to celebrate Earth Day. Signs for the trails have been ordered and should be available in a few weeks.

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The Historic Preservation Commission has presented the homeowners in the West Street/Harrington Avenue Historic District with pictures of their homes and there would be a garden party on May 23<sup>rd</sup> that is open to the public to foster more support. Irene Stella informed the Council that the Commission is getting close to street signs and an appointment.

B. PUBLIC SAFETY - GLIDDEN (TUTOLI/HENNESSEY)

- 1) REPORT – Chief Berrian reported that arrests are up in addition to traffic enforcement and there is a positive feeling within the Department. Councilman Glidden complimented him on the productivity within the Department.

C. PUBLIC WORKS - HENNESSEY (AMITAI/GLIDDEN)

- 1) REPORT – Councilman Hennessey reported that the DPW Committee did not meet this month. Next week mulch deliveries will commence. The DPW was instrumental in gutting the basement to prepare the area for records storage; and same should be in place in three weeks. The service counter for the Building Department is scheduled to be delivered next week.

D. ORDINANCE - BARAD (KASHWICK/AMITAI)

- 1) STATUS REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported that the Committee met last week.
- 2) REPORT – The Cablevision Committee would be meeting relative to the towers. Board of Health did not meet due to lack of quorum. He questioned the outcome of the School Election and was advised that the budgets passed and all the incumbents were elected with the exception of Grace Park.

E. HUMAN RESOURCES - TUTOLI (KASHWICK/BARAD)

- 1) STATUS REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilwoman Tutoli reported that the committee continues to meet either in person or by telephone in addition to meeting with applicants for the Administrator position. We have qualified candidates and after a final interview, the final three would meet with the full Mayor and Council. It is hoped to have an Administrator in place soon. There is a DPW issue that the Committee will be working on as well as our continuing effort to find an assistant for the Borough Clerk.

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

- 1) REPORT – Councilwoman Amitai reported that the CIC sign ordinance sub-committee has been meeting and discussing certain things and questions we need to address. Signs are being posted for volunteers. She has been taking pictures of downtown; and when completed, same would be presented to the Mayor and Council. Mayor Heymann reported that a filmmaker who received permission to use the Closter Plaza parking lot for overnight parking

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WORK SESSION AGENDA – FEBRUARY 25, 2009 – 7:30 P.M.

has made a donation in the amount of \$500 and she took it upon herself to direct the donation to the CIC.

At this time, Mayor Heymann said there was a group trying to arrange concerts for young musicians and she suggested contacting the Closter Library.

4. OLD BUSINESS

5. NEW BUSINESS

Nick DeNicola explained that the Local Aid 2010 Grant Application is due in early June and requested that the Council adopt a resolution upon return to the Regular Meeting authorizing the Mayor to sign an application for West Street Section 5 from Closter Dock Road to High Street at an estimated cost of \$200,000

Mr. DeNicola referred to two Co-op bids received for Northwest Bergen/Mahwah and Pascack Valley road surfacing programs which one was higher than Closter and one lower. Co-ops can be good under some circumstances but the contractor has to spread around a number of towns.

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

7. OPEN MEETING TO THE PUBLIC

Hugh Johnson, 107 Demarest Avenue, reported that Mike Lewis is out of the hospital and home after heart surgery but his son Steven died three weeks ago. Fred Pitofsky is in Dunroven in Cresskill. He questioned the use of non-local contractors in the construction of the pavilion. Mayor Heymann explained that the contractors were chosen based on the recommendation of the manufacturer of the pavilion.

8. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

CLOSTER MAYOR AND COUNCIL  
WORK SESSION AGENDA – FEBRUARY 25, 2009 – 7:30 P.M.

9. ADJOURNMENT

Motion to adjourn the Work Session and return to the Regular Meeting was made by Councilman Glidden seconded by Councilman Barad and declared unanimously carried by Mayor Heymann at 8:45 p.m.

Provided to the Mayor and Council on  
May 7, 2009 for approval at the  
Regular Meeting to be held  
May 13, 2009

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held May 13, 2009  
Consent Agenda Item No. 31 b.2)