

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MONDAY, APRIL 6, 2009 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Regular Meeting at Borough Hall on Monday, April 6, 2009. 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

The following persons were present:

Mayor Sophie Heymann

Councilpersons John C. Glidden, Jr., Thomas Hennessey, John Kashwick, David Barad,
Cynthia L. Tutoli, Victoria Amitai (9:55 p.m.)

Borough Attorney, Edward T. Rogan

Borough Clerk, Loretta Castano

Borough Engineer, Nick DeNicola

Chief of Police, David Berrian

Tax Collector, Maria Passafaro

Motion approving the following Resolution 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 and Tutoli.

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)(8), "A matter involving public employees" via the budget and that the items under discussion in the closed meeting would be disclosed to the public at the conclusion of the matter which should be within 4 weeks.

Mayor Heymann resumed the Regular Meeting at 7:40 p.m.

3a.1) INTRODUCTION OF ORDINANCE NO. 2009:1038, "BOROUGH OF CLOSTER CALENDAR YEAR 2009 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) PUBLIC HEARING – 5/13/09 @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD

Motion to approve the Introduction No. 2009:1038 was made by Councilman Kashwick, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Hennessey, Kashwick, Barad and Tutoli.

3a. 2) INTRODUCTION OF 2009 MUNICIPAL BUDGET AND RELATED RESOLUTIONS PUBLIC HEARING – MAY 13, 2009 @7:30 P.M. (Requested by Auditor 4/3/09 @ 1:00 P.M.)

Mayor Heymann noted that the Budget is a work in progress and is being introduced at this time in order to meet the deadline mandated by the State; and we would continue to be receptive to suggestions for changes.

Motion to introduce the 2009 Municipal Budget was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Hennessey, Kashwick, Barad and Tutoli.

At this time, Mayor Heymann announced that the former Northern Valley resident held hostage in Afghanistan has been released. She also announced that former Mayor Fred Pitofsky is improving very slowly; and former Councilman Mike Lewis is still hospitalized in Intensive Care after triple bypass surgery.

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4. MAYORAL PROCLAMATION DECLARING THE MONTH OF JUNE AS MYASTHENIA GRAVIS MONTH (7. M.L. 4/2/09)

Mayor Heymann read the Proclamation and so declared.

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)

Steve Isaacson, 97 Columbus Avenue, thanked the Mayor and Council for providing the paperwork that he had requested through OPRA; and he questioned the pavilion construction process under State Contract noting that the cost of the installation was \$25,000 instead of \$14,000 as originally indicated and that only two vendors from Monmouth and Mamaroneck responded. He questioned why the project did not go out to bid. Mayor Heymann explained that project was legally done because at the time the Borough had a qualified purchasing agent and more bids could have been gotten but she doubted that it was a job for amateurs. Mr. Isaacson indicated that there were a number of capable people in Closter who would have donated their services and that using companies that are so far from Closter opens the door to questions. Councilman Hennessey explained that the contractor had to provide prevailing wage and Mayor Heymann said that the application for the grant included all the costs.

Jack Kelly, 132 Herbert Avenue, said he inspected the construction and he questioned the usage of the structure. Councilman Hennessey responded that it is a shade canopy for the people using the playground. Mr. Kelly suggested that the structure be enclosed with air-conditioning and heat; and since there is a school in the area, a bridge constructed over the wetlands for access. He questioned the billings for the generator in the amount of \$95,000 and \$13,000 and Councilman Hennessey explained that one billing is for installation and the second is for extras. Mayor Heymann said it was done by the emergency service and had nothing to do with the Mayor and Council. The Mayor and Council had zero input in the matter and it was done as an emergency measure by the Police Department. Councilman Kashwick said that the Mayor was correct and the Council was not aware of what was going on as it was done by a separate entity. Mr. Kelly questioned if bathrooms would be installed in Ruckman Park and was advised by Councilman Kashwick that a final vote has not been taken on the matter; and the money would be provided through a County grant and an Open Space Grant. Mayor Heymann said that the bathroom was approved in 2004 or 2005 with an Open Space Grant and it is waiting to be done.

Relative to the emergency generator, Mr. Kelly questioned who paid for same. Mayor Heymann said that the Police Department runs the emergency management and have autonomy for expenses they feel are necessary for the people in Closter. Councilman Kashwick said this is part of state mandates for safety

Hugh Johnson, 107 Demarest Avenue, informed the Mayor and Council that Mike Lewis had a heart valve replacement. He questioned the involvement of the former administrator in the pavilion and noted that he had no experience as an administrator. Councilman Kashwick advised that the Acting Administrator was in charge of the bidding process; and Mayor Heymann said that this came up before the Finance Committee acting as the Open Space Committee from the Recreation Commission. She said she wrote the grant proposal for the Project.

Mr. Johnson questioned the excessive phone bills that included calls to Las Vegas, before the Super Bowl, Iowa, Toronto, New City and White Plains and the 9 telephone companies that have been reduced to 4. Chief Berrian said there is no ongoing criminal investigation into the matter and that his concern was the time the calls were made since the Police Department is on line 24 hours a day. He has since learned that the Fire Department is online 24 hours a day. Mayor Heymann said the Council listens to all members of the audience and follows through on items brought to their attention. In this case, the individual bills for the phone calls are not normally reviewed by the Council nor do they take an interest in how many companies are recommended by our professionals; however, since the issue was on the table, we are checking into it and we will find out if there is a cheaper way. We have been advised by our professionals, Al Young and Jim Winters, that the combination of services we get are as cost effective as anything they could find; and instead of paying one provider that subcontracts, we are going directly to those subcontractors. Mr. Johnson noted New Horizons is six times more than Verizon; and all the bills from last year and the beginning of this year were signed off by John DiStefano without any knowledge of the Finance Committee. Mayor

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Heymann explained that the recommendation of New Horizon was from Al Young and Jim Winters and was meant to be a cost savings; and this is borne out if you compare the yearly billings.

Donald Schmidt, 162 Closter Dock Road, referred to an e-mail that he had sent to the Mayor in January referencing the web site relative to having the minutes and agendas posted on the website, specifically those of the Planning Board and Zoning Board of Adjustment. Mayor Heymann said that all of the minutes that have been approved are supposed to be posted. Councilman Barad said the Council meetings are listed on the calendar and Councilman Kashwick said he would look into it. Councilman Glidden explained there are several things on the website that are difficult to find. Mayor Heymann reassured she would look into it.

Jack Kelly, 132 Herbert Avenue, referred to Mr. Bates, a DPW worker, who was present in the audience this evening, and he questioned why he was fired by Steven Harz. Borough Attorney said that this is a personnel matter about which he has received a grievance notice. He said a grievance committee would be established at which time the matter would be discussed. He said he assumed the man would be provided with representation from the (Teamsters) Union. Mayor Heymann said that Steven Harz did not fire the man but only made a recommendation as an appointee nominated by this Board in the capacity of mediating the situation; and the Personnel Committee, the Department Head and the Borough Attorney took charge of it. The DPW worker is not being paid since he was fired for good cause and this would be taken care of as part of the grievance hearing. Mr. Kelly urged the Mayor and Council to reconsider the payment of salary.

Hugh Johnson, 107 Demarest Avenue, cited the six telephone companies used by the Borough; and Mayor Heymann said as of now, there are only four companies being used. Mr. Johnson referred to John DiStefano and advised that Detective Robin Green from the Criminal Division of the State Attorney General's office has been in touch with him. An investigation of Mr. DiStefano is being started; and the County investigation is ongoing as well as with the EEOC who was dealing with him from early summer until the first part of December. He has evidence of many calls to New City where the case was initially handled and subsequently to White Plains during which time he was paid by the Borough while going back and forth to these cities. He did not use a Borough vehicle nor put in for compensation. Mayor Heymann said he was paid but he made up for the time he was not here by taking work home or by coming in at 7 a.m. She was not here during all those hours and she did not know everything he did. When asked about documentation in Mr. Johnson's possession relating to the EEOC hearing, he said that same had been delivered to the State police and he would not be willing to provide them to the governing body. Borough Attorney said that it is difficult for the Mayor and Council to investigate without documentation indicating relevant dates and times. Mr. Johnson referred to an instance in August when the Acting Administrator said he was going to Trenton at 11:30 a.m. and he returned at 3:40 p.m. and when asked for documentation, Mr. Johnson said he would be providing same to the State Police first but he indicated that the trip to Trenton was the date of Mr. DiStefano's hearing in White Plains. Borough Attorney again requested documentation verifying that Mr. DiStefano was somewhere other than here when he was paid.

6. COMMUNICATIONS

a. MAIL LIST – MARCH 26, 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.

The following items were removed by the following individuals: Donald Schmidt removed Item No. 1. Councilman Hennessey removed Item No. 2.

Item No. 1 – Received 3/19/09, dated 3/19/09 from Paul Demarest/Land Use Coordinator/Zoning Board of Adjustment re Resolutions of approval on 3/18/09 re following: a. 277 Herbert Avenue/1 Ruckman Road (Block 1306/Lots 1&)) Developer's agreement required b. 14 Church Court (Block 2202/Lot 3) c. 21 Bergenline Avenue

Donald Schmidt, 162 Closter Dock Road, said that he could not obtain the resolution from the Board of Adjustment Secretary today; and he expressed his concern about same since there is still an existing environmental problem as indicated in the correspondence from Trenton. He wanted assurance that the environmental problem would be taken care of and wells on the property are relocated before any permits are issued. Mayor Heymann asked that

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he check with her tomorrow on this matter in addition to the availability of the minutes and agendas.

Item No. 2 – Received 3/20/09, dated 3/18/09 from Mark N. Mauriello, Acting Commissioner, NJS Department of Environmental Protection to Mayor re Informing of 2009 Clean Communities entitlement in the amount of \$10,433.85 (Copy to William Dahle)

Councilman Hennessey referred to a previous discussion on the use of Clean Communities monies for the purchase of trash bins for Main Street that the Mayor was going to look into. Mayor Heymann said that \$10,000 can be used for a number of things including trash bins.

b. MAIL LIST – APRIL 2, 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.

The following items were removed by the following individuals: Borough Engineer removed Item No. 1. Councilwoman Tutoli removed Item No. 10.

Item No. 1 – Received 3/27/09, dated 3/26/09 from Wayne E. Haussler, P.E., P.P., P.T.O.E., Dewberry Project Engineer, Traffic/Electrical, to Mr. Dahle Bill, Superintendent DPW re Railroad Pre-emption of Traffic Signals (Train II) Old Hook, Road (CR 502) at Schraalenburgh Road (CR 39 (Location#1) (copy to Chief Berrian – letter only!) Construction Plan on file in Borough Clerk’s Office.

Mr. DeNicola explained that the letter concerns the pre-emption of the traffic signal at the intersection of Old Hook Road and Schraalenburgh Road that is now included in the project by the State Department of Transportation. The other request for the installation of cross walks at four locations at this intersection currently being reviewed. Mayor Heymann noted that the consultant’s report indicated that this is the most dangerous intersection in the County.

Item No. 10 - Received 3/31/09 dated 3/31/09 From Lisa A. Gorab, Esq. to Kathleen Donovan, Marlene Verrastro, Peter Incardone, Patricia DiCostanzo re Ballot Question for Annual School District Election to be held 4/21/09

Councilwoman Tutoli referred to the additional monies being requested by the Board of Education and questioned what the Board is doing to support financing in the Borough. Mayor Heymann said that the question should be addressed directly with the Northern Valley Board of Education.

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

8a. REVIEW OF CONSENT AGENDA ITEMS
(PROCEDURE TO BE EXPLAINED BY MAYOR HEYMMANN)

Mayor Heymann 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

9.* BILL RESOLUTION – APRIL 15, 2009
TO BE PREPARED BY TREASURER

10.* 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)

Mayor will have something for the next meeting on this

11.* 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):

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
**ADMINISTRATOR	_____	1 Year	12/31/09

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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

- 12.* RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE INTERBORO MUTUAL AID GROUP AGREEMENT (Received from Borough Attorney 3/26/09)
- 13.* RESOLUTION HONORING THE NEW JERSEY NATIONAL GUARD AND RESERVE (Received from Mayor's office 3/31/09)
- 14.* 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)
 We are not ready with that. Tabled to next meeting asked by Boro Attorney.
- ~~15.*~~ RESOLUTION APPOINTING ERIK LENANDER AS MUNICIPAL CONSULTANT ON A TEMPORARY PART-TIME BASIS FOR A MAXIMUM OF 10 HOURS PER WEEK AT \$90.00 PER HOUR, SUBJECT TO THE TERMS OF THE PROFESSIONAL AGREEMENT TO BE EXECUTED BETWEEN THE PARTIES (Received from Borough Attorney 3/31/09)
- 16.* RESOLUTION AUTHORIZING MAYOR, CHAIR OF THE POLICE COMMITTEE AND CLERK TO EXECUTE THE CONTRACT BETWEEN THE BOROUGH OF CLOSTER AND PBA LOCAL 233 DATED JANUARY 1, 2008 THROUGH DECEMBER 31, 2011 (Received from Borough Attorney 4/2/09)
- 16a.* RESOLUTION APPROVING INCREASE OF HOURS OF WORK FOR WILLIAM ZUCKERMAN FROM NO MORE THAN 24 HOURS A WEEK, AT A SALARY OF \$15.00 PER HOUR, TO 32 HOURS AT THE SAME RATE OF \$15.00 PER HOUR, OR \$480 PER WEEK (Received from Mayor's office 4/3/09 @9:15 A.M.)

MOTIONS

- 17.* 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:
- | <u>OFFICE</u> | <u>APPOINTEE</u> | <u>TERM</u> | <u>EXPIRATION</u> |
|-------------------------|------------------|-------------|-------------------|
| BOARD OF HEALTH | _____ | 2 Year un- | |
| ALT. NO. 2 | | expired to | 12/31/09 |
| HISTORIC PRESERVATION | _____ | 4 Year | 12/31/12 |
| COMMISSION/MEMBER | | | |
| IMPROVEMENT COMMISSION | _____ | 2 Year un- | |
| MEMBER | | expired to | 12/31/09 |
| MEMBER | _____ | 2 Year | 12/31/10 |
| 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

- 18.* POSSIBLE MOTION APPOINTING _____ TO SERVE AS

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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)

Adjourn to next meeting/no action

- 19.* MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL REGULAR MEETING MINUTES:
- a. FEBRUARY 25, 2009 (Distributed 3/26/09) ABSTENTION: AMITAI
 - b. MARCH 11, 2009 (Distributed 4/2/09) NO ABSTENTIONS
- 20.* GRANTING APPROVAL FOR CLOSTER PUBLIC LIBRARY BOARD OF TRUSTEES TO SERVE WINE AT A RECEPTION IN THE OUTSIDE COURTYARD BETWEEN THE LIBRARY AND THE BELSKIE MUSEUM ON SUNDAY, 4/26/09, FROM 3 P.M. TO 6:30 P.M.; IN EVENT OF RAIN IN THE BELSKIE MUSEUM (8. M.L. 3/26/09)
- 21.* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:
- a CONSTRUCTION OFFICIAL – MARCH 2009 (Received 3/13/09)

The following items were removed by the following individuals: Mayor Heymann previously removed Item Nos. 10, 11, 14, 17 and 18. Jesse Rosenblum asked that Item No. 15 be removed as well as Item no. 3a1) and was informed that 3a1) had been voted on already.

8b. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 10, 11, 14, 15, 17, 18 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, and Tutoli.

22. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA

15. RESOLUTION APPOINTING ERIK LENANDER AS MUNICIPAL CONSULTANT ON A TEMPORARY PART-TIME BASIS FOR A MAXIMUM OF 10 HOURS PER WEEK AT \$90.00 PER HOUR, SUBJECT TO THE TERMS OF THE PROFESSIONAL AGREEMENT TO BE EXECUTED BETWEEN THE PARTIES (Received from Borough Attorney 3/31/09)

Jesse Rosenblum, 65 Knickerbocker Road, questioned how long a period of time would be for the temporary status. Councilman Glidden explained that it would be at the pleasure of the Mayor and Council; and during discussion it was felt once a new administrator is hired, it is likely that the Borough would no longer need the services of Erik Lenander. On a question of salary, Councilman Glidden said it would be a maximum of \$900 per week.

Motion of approval 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 and Tutoli.

Motion to recess the meeting at 8:40 p.m. to go into the Work Session was made by Councilman Barad seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Hennessey, Kashwick, Barad and Tutoli.

Mayor Heymann resumed the Regular Meeting at 9:03 p.m. and asked for a motion approving the following Resolution to go into Closed Session:

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; 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 item(s) under discussion in the closed meeting would be disclosed to the public at the conclusion of the matters which should be within 4 weeks; in the case of pending or anticipation litigation a longer period of time.

Said Motion was made by Councilman Glidden, seconded by Councilman Barad and

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declared carried by Mayor Heymann upon the affirmative vote of Councilperson Glidden, Hennessey, Kashwick, Barad and Tutoli.

At this time, Mayor Heymann explained that the Borough Attorney had determined that remaining escrow would have to be returned regarding an application pending before the Zoning Board of Adjustment; and the Borough Clerk informed it should be handled administratively as had always been customarily done in the past.

Mayor Heymann resumed the Regular Meeting at 10:12 p.m.

23. 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
24. DISCUSSION OF PUBLIC COMMENTS OR ANY OTHER TIMELY MATTER, IF APPROPRIATE
25. ADJOURN

Motion to adjourn the Regular Meeting at 10:12 p.m. was made by Councilman Barad, seconded by Councilman Glidden and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
on April 23, 2009 for approval
at the Regular Meeting to be held
May 13, 2009

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.31a1)

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WORK SESSION NOTES – MONDAY, APRIL 6, 2009 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:40 p.m.

1. ROLL CALL

Those persons present were:

Mayor Sophie Heymann

Councilpersons: John C. Glidden, Jr., Thomas Hennessey, John Kashwick,

David Barad, Cynthia L. Tutoli

Borough Attorney, Edward T. Rogan

Borough Clerk, Loretta Castano

Borough Engineer, Nick DeNicola

Those persons absent were: Councilwoman Victoria Amitai

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. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

- 1) REPORT – Borough Attorney reported there would be a number of items for Closed Session including an update on the Ikalowich litigation, DPW Negotiations, DPW Grievance, File Bank and the fairly significant number of tax appeals.

B. BOROUGH ENGINEER

- 1) STATUS REPORT RE WEST STREET PROJECT
(Bid Awarded to Arnold's Roads RM 2/25/09/\$115,000) – The project was due to commence today but has been delayed due to the rain.
- 2) REPORT – 2009 Road Program – The bids have been received and there is a possible problem with the low bid; and assistance would be needed from the Borough Attorney. Award recommendation may be forthcoming at the meeting of April 22nd.

4. REPORTS

A. ACTING BOROUGH ADMINISTRATOR

- 1) STATUS REPORT RE PREPARATIONS FOR 2009 MUNICIPAL BUDGET
- 2) STATUS REPORT RE BOROUGH WEBSITE
- 3) STATUS REPORT RE FOLLOW UP WITH FILE BANK FOR STORAGE OF RECORDS (Requested by John DiStefano at WS 10/6/08) – Mayor Heymann reported that this matter would be discussed in Closed Session.

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- 4) REPORT RE INSURANCE ITEM(S) FOR FOLLOW UP:
 - a. Boy Scout Troop 63 to conduct yard sale in Borough Parking Lot on 6/13/09; Rain Date 6/20/09 (5. M.L. 4/2/09)
- 5) REPORT

B. BOROUGH CLERK

- 1) STATUS REPORT RE 2009 APPOINTMENTS – The appointments are as current as possible and are being maintained on the Agenda.
- 2) STATUS REPORT RE 2009 OATHS OF OFFICE – This is a work in progress but with the limited staff, we are way behind.
- 3) STATUS REPORT RE 2009 LICENSES – The licenses are current at this time.
- 4) REPORT RE 2009 MEETING DATES – (Two) Work Session meeting dates for the Zoning Board of Adjustment must be corrected and will be sent to the Press Journal and the Record for publication.
- 5) REPORT RE PREPARATION FOR ELECTIONS – Today at 4 p.m. was the deadline for filing petitions for Mayor and Council for the Primary Election. Petitions have been filed by Republican incumbents Thomas Hennessey and Cynthia Tutoli. The County Clerk's office has advised that the names of the candidates must be as they appear on the voter registration list. No Democratic filings have been received.

The Annual School Elections will be held on April 21, 2009 from 2 p.m. to 9 p.m.; and her office was open until 9 p.m. on Tuesday at which time there were four registrations. Ms. Castano reminded that the Municipal Clerk has become the individual to run the School Elections to ensure there are no problems; but it is not within the scope of duties to take care of the concerns addressed earlier.

- 6) REPORT - A proposal from the Concorde Group regarding the Paris Grant has been received via e-mail today dated March 30, 2009 after a follow up phone call was made to obtain same. The full proposal must be reviewed but same has not been accomplished since the office is again down one full time employee. The School Election is coming up as are Liquor License renewals and Financial Disclosures Statements which was forwarded to the Borough Attorney's office. The Board of Ethics should be getting a separate mailing on this matter and the deadline for submission is April 30th.

C. CHIEF OF POLICE

REPORT – Chief Berrian reported that the Mayor and Council viewed the improvements made in the Police Department. For the past 18 months, the Department has been in

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disarray due to the water proofing of the basement; and through the use of confiscated funds, equipment has been purchased saving money for the Borough.

The Contract has been signed and the new schedule went into effect in February; and the numbers for the first quarter of the year are doing well. Summons activity is up and there have only been 44 sick hours whereas last year there were 88 hours. Overtime in general is down considerably.

The rank and file have approached him relative to a change to a more popular uniform and the men are willing to use their 2009 clothing allowance to purchase the uniforms. The new uniform would be more versatile and comfortable. Mayor Heymann congratulated the Chief on the reconstruction of the Department and the efficient use of space. In answer to Councilman Hennessey, Chief Berrian advised that the yellow polo shirts are used when the officer is on a private work detail.

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANT APPLICATIONS:

a. GRANTS FILED

1. FY 2007 NATIONAL TRAIL RECREATION GRANT - \$25,000 - \$10,000 MATCH FOR TRAIL MAINTENANCE (Extension requested???)
2. GREEN COMMUNITIES 2008 APPLICATION FOR \$4,500 WITH A MATCHING SUM FROM CLOSTER IN THE AMOUNT OF \$1500 (Requested by Mayor Heymann 11/7/07)
3. COMMUNITY DEVELOPMENT GRANT OF ~~\$140,000~~ \$205,000.00 FOR A.D. ACCESSIBLE BATHROOMS IN TWO PUBLIC PARKS (SHAUBLE AND MOLLICONE) RM 9/24/08 - Mayor requested at WS 10/6/08 that this addition be made to her Report in the amount of \$210,000

b. GRANTS AWARDED

1. BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND & HISTORIC PRESERVATION TRUST FUND; DUE 7/7/06; FILED BY COUNCILMAN KASHWICK - 50% LOCAL MATCH REQUIRED?- ACQUISITION OF FLAMM PROPERTY END OF RUCKMAN ROAD/HOMANS AVENUE- \$500,000 AWARDED 7/11/07 FOR BLOCK 1308, LOTS 3 AND 4, 37 HOMANS AVENUE (8.M.L.7/26/07)
2. BERGEN COUNTY OPEN SPACE TRUST FUND - 2004 FUNDING ROUND FOR MUNICIPAL PARK IMPROVEMENT AND LAND ACQUISITION PROGRAM (50% local match); APPLICATION DEADLINE: 10/29/04 (8.M.L.8/26/04) (~~\$190,000.00~~ \$120,000.00 for Recreational Trails Program/RM10/27/04 - \$120,000 Recommended Award - County Public Hearing 5/26/05)
3. NATIONAL TRAILS RECREATION PROGRAM - \$25,000 (local match of \$10,000 required) filed 12/15/05
4. ANJEC GRANT - \$20,000 requested/\$6,000 received

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5. 2008 NJDOT MUNICIPAL AID PROGRAM FOR WEST STREET (SECTION 3) \$150,000 awarded (5. M.L. 12/27/07)
6. FY2008 ENHANCED 9-1-1 GENERAL ASSISTANCE GRANT- \$28,019.00 awarded (5. M.L. 04/24/08)
7. SUPER VALUE, INC./PUBLIC ENTITY GRANT - \$6,600.00 awarded for Hazardous Discharge Site Remediation – 121 Schraalenburgh Road, Block 502 Lot 3 (14. M.L. 7/3/08)
8. PROJECT GRANT APPLICATION RE BERGEN COUNTY OPEN SPACE TRUST FUND/\$68,100.00 FOR IMPROVEMENTS TO BOROUGH PARKS IN THE MUNICIPALITY OF CLOSTER; CASH-FOR-CASH MATCH – Approved RM 6/25/08 (Requested by Mayor 7/2/08) – \$68,100 awarded; Mayor reported at WS 9/10/08 – CONTRACT NO. OST-CSR-08 – 03/01/09-4/30/10 (Various Park Improvements)
- 2) STATUS REPORT RE FOLLOWING GRANT APPLICATIONS:

b. GRANTS AWARDED (Continued)

9. RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES GRANT AWARD \$10,000 (for all persons with varying disabilities in the NVRS District (7. M.L. 9/11/08)

c. GRANTS TO BE FILED

- 2) STATUS REPORT RE RESOLUTION CALLING FOR CHANGES TO OPRA APPROVED BY NJS LEAGUE OF MUNICIPALITIES
- 3) REPORT – Mayor Heymann reported that there was nothing new on the grants but we are tracking the sums left from various grants in the capital account. This will enable us to set up budget categories; and in some cases, augment the Budget with the leftover monies from these grants that can be applied to present needs. She provided the Council with a spread sheet of the capital and grant information.

At this time, Councilman Hennessey announced that last Thursday, NBC was in Closter to obtain a permit for a film shoot and Mayor Heymann and Leslie provided a permit within two or three hours. Mayor Heymann commended Leslie for the work she did on this matter. There are two other permits pending.

5. OLD BUSINESS

- a. STATUS REPORT RE KIDDIE SOCCER/POSSIBLE POLICY ESTABLISHED BY RECREATION COMMISSION RE USE OF BOROUGH PARKS (Discussed at W.S. 11/12/08)

6. NEW BUSINESS

At this time, Councilman Barad reported that there are two companies interested in adding antennas to the tower and equipment on the roof. He questioned the status of the solar panels; and Mayor Heymann said there is another company that would install the

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panels at no cost to the Borough. She pointed out that the Borough was also interested in using that area as a cable outlet and was informed that this would not impinge on the area needed for solar panels. Councilman Glidden referred to a proposal received three years ago that would provide for installation and maintenance, the Borough would receive a guaranteed price for electrical usage and there was a federal subsidy for taxes and bonds involved. Mayor Heymann said there are other companies that provide this service while the Borough would get a portion of the savings. A subcommittee of the Environmental Commission is pursuing this matter. Councilman Barad said his committee would meet with the companies wishing to add to the tower and he would ask the Environmental Commission to check to see if there is too much microwave focused in one area.

7. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
8. OPEN MEETING TO THE PUBLIC

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 9:03 p.m.

Provided to the Mayor and Council
on April 23, 2009 for approval at the
Regular Meeting to be held
May 13, 2009

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 a.2)