

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

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

The Mayor and Council of the Borough of Closter held a Regular Meeting at Borough Hall on Wednesday, July 22, 2009. Mayor Heymann called the meeting to order at 7:32 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 (7:40 p.m.), Cynthia L. Tutoli (7:40 p.m.), Victoria Amitai

Borough Administrator, Quentin Wiest

Borough Attorney, Edward T. Rogan

Borough Clerk, Loretta Castano

Borough Engineer, Nick DeNicola

Chief of Police, David Berrian

At this time, Mayor Heymann welcomed Christopher Osenbruck who is one of the Borough's top Dispatchers and was out with a serious accident.

4. 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)

Chief Berrian asked Christopher Osenbruck to come forward and update the Council on the incident in which he sustained an injury. Christopher Osenbruck expressed his appreciation for the extension of medical benefits provided by the Borough and requested that same be maintained because at this point in time his heels were not weight bearing; but he hoped to return to work on September 23, 2009.

Jennifer Rothschild, 32 Hickory Lane, referred to a letter forwarded to the Personnel Committee noting that she had not received a reply; and it is of the utmost importance that this matter be resolved. At this time, she handed out copies of the letter to the Council members.

Haroutioun Aghjayan, 101 Carlson Court, questioned the increase in real estate taxes and felt the Budget was not being controlled and the school system was taking advantage of the situation. He asked for advice for people to regain control of expenses. Mayor Heymann said that the budgets were discussed in the Council Chambers and by the School Board for many months. The Mayor and Council do not control the School Budget. The Municipal Budget contained mandatory increases in pre-negotiated salaries, health and pension benefits in addition to a reduction of \$300,000 in State Aid. She suggested that the State legislators be approached on this matter. The taxes are levied on the value of the house, the municipal budget increased by 4% and the average numbers would be available on the website.

Nancy Anderson, 515 Piermont Road, noted that the value of her house decreased but the farmland increased tremendously. She said that the Tax Assessor advised that the farmland was a valuable piece of property that could be improved. She said that all of the commercial properties had increased tremendously and were being assessed higher to make up for the decline in value of the residential properties. Mayor Heymann explained that the Borough had no control over the assessments that are made by the Tax Assessor, who was under County supervision.

Rosanna Arcieri, 43 Sherman Avenue, said she received no satisfaction from the Tax Assessor and that she could not provide the taxes for the neighboring properties. She said if the increase was not paid interest would accrue. Mayor Heymann repeated that the Council

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had no control over assessments; however, the property owner could appeal the assessment to the County Board.

In answer to Jack Kelly, 132 Herbert Avenue, Mayor Heymann explained that the County tax rate had not been set when the tax bills were sent to the residents. Mr. Kelly questioned the improvement of Herbert Avenue noting that a section at the top and bottom of the street was not improved in addition to the lack of curbing on the Blanch Avenue side. Borough Engineer indicated that the entire length was improved in 1995; and curbing was not installed because the roadway is low in the area of Blanch Avenue and drainage would have to be installed. Mr. Kelly questioned why all the money was spent on West Street and none provided for Herbert Avenue. He also questioned who owned the trees on Herbert Avenue and related the history of the effect of the trees on the sidewalk installation program. Mayor Heymann said that the Borough maintains the trees in the right of way; but the trees are owned by the property owner. There would be a discussion on trees and sidewalks later in the meeting.

Ray Hickey, Lou's Getty Station, cited the increase in the taxes and the assessment of his property and noted that this is killing small businesses. Councilman Barad said that a full audit report was reviewed by the governing body, the values are within a certain tolerance and there is an appeal process. Mayor Heymann explained the control of the State and County over assessments, and informed that she would check on the huge diversions in assessments and assured that any mistakes would be rectified.

Steve Isaacson, 97 Columbus Avenue, suggested letters be sent to the School Board about taxes and the measures that should be taken to bring down costs. He said that consideration should be given to an appointed School Board.

Mr. Isaacson asked for a status report on the cemetery. Borough Engineer advised that he had submitted a proposal to the Borough to conduct a survey of the property. Mr. Isaacson noted that 2010 is the 300th Anniversary of the Borough; and he proposed that the Open Space money be used to build a legacy to the Borough for the next 300 years. He suggested a barn at the farm.

Rich Veranni, a commercial building owner, cited the large tax increase he received and said that it would cause businesses to leave town. Mayor Heymann said that the governing body cares for the business owners and did a minimal budget. She said she would convey all of the comments heard this evening to the County and State representatives.

Hugh Johnson, 107 Demarest Avenue, said that a 20% increase is extortion; and he cited the huge increases received by two restaurants in town. He cited the construction of the pavilion for \$35,000 by outside contractors, which escalated the cost over the \$14,000 grant. He referred to a rumor that the Construction Official would be rehired and Mayor Heymann noted that a letter was sent to the Construction Official advising of his termination.

Mr. Johnson referred to the DiStefano vacation days voucher and to a conversation he had with Mr. DiStefano about vacation time in 2008. In 2009 he worked for five weeks and he was paid for his entire 2009 vacation. The voucher shows a stamp of his signature, a written signature with an "i" at the end and the voucher was signed off by Dorothy Woods, Deputy Treasurer. Ms. Woods also signed off on all of the phone bills for the 10 companies previously used by the Borough. He referred to the Mayor's issues with several employees; and Mayor Heymann said that there is not a word of truth in the statements.

Haroutioun Aghjayan, 101 Carlson Court, suggested that a cap be put on taxes and that we fight the School Board and the State. Mayor Heymann said she has addressed this matter with State officials but that she does need the help of the residents. There are caps in place that the Borough and the School Board stay within. Councilman Glidden said by State law we cannot influence one assessment over another but we can determine on a year-to-year basis the Budget to spend money on the services that the Borough provides to the residents. There are public hearings on the Budget; and he urged public review of the document in addition to input on same from the residents. He said that last year the revenue amounted to \$44,000,000 of which \$28,000,000 went to the School Board; and those documents are on the website.

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Jack Kelly, 132 Herbert Avenue, cited the political party of the representatives from the 39th District. He said he has been questioning how the money is being spent in the Borough and noted that \$200,000 remains in surplus. He said there are ways to reduce the budget.

Bob Maurer, 119 Kensington Avenue, Norwood, New Jersey, owner of Wards and Terri Lee Togs, cited his tax increase of over \$2,200 for his commercial property. He said he appealed his taxes but was denied.

Hugh Johnson, 107 Demarest Avenue, said the Mayor went to Trenton on the binding arbitration issue; and Mayor Heymann said she is proud that she is fighting to eliminate binding arbitration. She said she respects every police officer in the Borough and is separate from her fight against binding arbitration.

Mr. Johnson referred to two OPRA requests to Dorothy Woods, Deputy Treasurer, dated June 10, 2009 and June 15, 2009 relative to John DiStefano and the responses to same noting that some information does not exist. After he contacted her and advised that a police officer received the information in question, the information arrived two days later. He referred to an OPRA request relative to the rose bushes and flora and fauna around Borough Hall, the differing cost amounts and an invoice from Susan Boudet in the amount of \$16,000. He questioned how much more would be spent on landscaping at Borough Hall. Mayor Heymann said that Susan Boudet volunteers her services to the Borough to a very large extent.

5. COMMUNICATIONS

a. MAIL LIST – JULY 9, 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 for discussion by the following individuals:
Councilwoman Amitai asked that Item No. 7 be removed and Steve Isaacson asked that Item No. 6 be removed.

Item No. 7 – Received 07/09/09, dated 07/07/09 from Irene Stella, Acting Chairperson, Closter Historic Preservation Commission re Nomination of the West Street/Harrington Avenue District – Designation Hearing to be held at Special meeting in Borough Hall Council Chambers on 8/3/09 @ 8 p.m.

Councilwoman Amitai felt there was an error in the delineation of the Historic District as published in an article in the Press Journal and she would need to review the initial paperwork. Mayor Heymann said that the District has been reduced.

Item No. 6 – Received 07/08/09, dated 07/08/09 from Raymond Losito, 707 Hardweg Drive, River Vale, N.J. 07675 re 597 Piermont Road – request for Council confirmation of no objections to having traffic light installed at the corner of Piermont Road (a County Road) and Vervalen Street – prospective tenant willing to pay for installation of traffic light/approval needed from County. (Copy to Chief Berrian)

Steve Isaacson, 97 Columbus Avenue, questioned who the prospective tenant would be. Borough Attorney explained that permission is not being requested for the installation of a traffic signal, only if the Mayor and Council had any objection.

b. MAIL LIST – JULY 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. No items were asked to be removed.

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

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

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7a. 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

8. * INTRODUCTION OF ORDINANCE NO. 2009:1048, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 171 OF THE CODE OF THE BOROUGH OF CLOSTER” – PUBLIC HEARING – 8/12/09 @ 7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received from Borough Attorney 7/14/09)

8a.* INTRODUCTION OF ORDINANCE NO. 2009:1049, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS” – PUBLIC HEARING – 8/12/09 @ 7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received from Borough Attorney 7/14/09)

9.* RESOLUTION AUTHORIZING THE INCREASE IN HOURS OF COMPENSATION FOR THE BOARD OF HEALTH REGISTRAR/LICENSING OFFICIAL/SECRETARY (Received from Borough Attorney 7/14/09)

10.* RESOLUTION ACCEPTING MAINTENANCE BOND FOR WEST STREET IMPROVEMENTS, SECTION 4 (ARNOLD’S ROADS INC.) AND CHANGE ORDER NO. 1 AND FINAL IN THE AMOUNT OF \$15,887.38; FINAL CONTRACT AMOUNT: \$130,102.38 (ORIGINAL AMOUNT OF CONTRACT: \$114,215.00 (Received from Administrator 7/14/09)

11.* BILL RESOLUTION – JULY 31, 2009
TO BE PREPARED BY DEPUTY TREASURER

12.* *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; 4/22/09; 5/13/09; 5/27/09; 6/10/09; 6/24/09; 7/8/09):

| <u>OFFICE</u> | <u>APPOINTEE</u> | <u>TERM</u> | <u>EXPIRATION</u> |
|-----------------------|------------------|-------------|-------------------|
| DEPUTY TAX COLLECTOR | _____ | 1 Year | 12/31/09 |
| DESK DISPATCHER | | | |
| FULL TIME | _____ | 1 Year | 12/31/09 |
| POLICE MATRON | _____ | 1 Year | 12/31/09 |
| SCHOOL CROSSING GUARD | _____ | 1 Year | 12/31/09 |
| TREASURER | _____ | 1 Year | 12/31/09 |

13.* RESOLUTION RENEWING 2009-2010 LIQUOR LICENSE – MOO KUNG WHA RESTAURANT, LLC

14.* RESOLUTION AUTHORIZING AWARD OF PURCHASE ORDER FOR TREE REMOVAL, STUMP GRINDING AND TRIMMING SERVICES TO ACE TREE SURGEONS IN THE AMOUNT OF \$7,880.00 (Received from Administrator 7/15/09)

15.* RESOLUTION AUTHORIZING THOSE LICENSEES WHO HAVE NOT RECEIVED THEIR TAX CLEARANCE CERTIFICATE FROM THE DIVISION OF TAXATION, WHO HAVE COMPLIED WITH ALL OTHER REQUIREMENTS FOR RENEWAL OF THEIR 2009-2010 ANNUAL LIQUOR LICENSE RENEWALS, TO APPLY FOR AN AD INTERIM PERMIT UNTIL SUCH TIME AS THEIR TAX CLEARANCE CERTIFICATE IS OBTAINED FROM THE DIVISION OF TAXATION

16.* RESOLUTION CONFIRMING ENDORSEMENT OF BERGEN COUNTY COMMUNITY DEVELOPMENT GRANT IN THE AMOUNT OF \$25,000 PROPOSED BY SPECTRUM FOR LIVING GROUP HOMES, INC. FOR SPECTRUM’S NORTHERN VALLEY RESPITE AND SOCIALIZATION PROGRAM (This Resolution does not obligate the financial resources of the municipality and is intended solely to expedite the expenditure of the aforesaid CD funds) 5. M.L. 7/16/09/Received from Administrator 7/14/09

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17.* RESOLUTION CONFIRMING ENDORSEMENT OF BERGEN COUNTY OPEN SPACE TRUST FUND APPLICATION IN THE AMOUNT OF \$36,500 WHICH HAS BEEN PROPOSED BY THE RECREATION DIRECTOR FOR MEMORIAL FIELD BASKETBALL COURT RESURFACING AND SEATING (Dollar for dollar match)
 Received from Administrator 7/15/09

18.* RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$781.14 TO ROSEANN LEE FOR BLOCK 901 LOT 20 DUE TO OVERPAYMENT OF 2009 THIRD QUARTER PRE-PAYMENT (Received from Tax Collector 7/16/09)

MOTIONS

19.* 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; 4/22/09; 5/13/09; 5/27/09; 6/10/09; 6/24/09; 7/8/09:

| <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 | _____ | 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

20.* APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed 7/16/09) ABSTENTION: TUTOLI
 a. REGULAR MEETING OF JULY 8, 2009
 b. WORK SESSION OF JULY 8, 2009

21.* POSSIBLE MOTION APPOINTING _____ TO SERVE AS MEMBER OF THE ZONING BOARD OF ADJUSTMENT FOR AN UNEXPIRED 4-YEAR TERM (MATTES) TO 12/31/09 (14. M.L. 6/25/09) Adjourned from RM 7/8/09

22.* MOTION APPROVING THE FOLLOWING APPLICATION AS NEW MEMBER: OF THE KNICKERBOCKER HOOK AND LADDER COMPANY: NISHAL MAHBUBANI (Completed application received 6/8/09)

23.* MOTION GRANTING APPROVAL FOR 57TH ANNUAL BLOCK PARTY TO BE HELD ON PEARLE ROAD ON SUNDAY, 9/12/09, FROM 2:00 P.M. TO 10:00 P.M.;
 RAIN DATE: 9/13/09 (8. M.L. 7/16/09)

24.* MOTION GRANTING APPROVAL FOR BLOCK PARTY TO BE HELD ON EVERETT STREET ON 8/1/09 BEGINNING AT 3:00 P.M.; AND THE STREET BE CLOSED FOR FROM 85 EVERETT TO 79 EVERETT FOR SAFETY REASONS (1. M.L. 7/23/09 distributed 7/17/09)

24a.* GRANTING WAIVER FOR TEMPLE EMANU-EL TO HOLD TASHLICH SERVICE AT THE CLOSTER NATURE CENTER ON SUNDAY, 9/20/09, AT 5:00 P.M. (Approval received from Risk Management Consultant 7/17/09)

25.* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:

a. CHIEF OF POLICE – JUNE 2009 (Received 7/13/09)

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The following items were removed by the following individuals: Item No. 9 was removed by Councilman Hennessey; Item No. 14 was removed by Borough Administrator; Item No. 10 was removed by the Borough Engineer; Mayor Heymann previously removed Item Nos. 12, 19 and 21

7b. VOTE ON CONSENT AGENDA ITEMS

Motion to approve the Consent Agenda minus Item Nos. 9, 10, 12, 14, 19, 21 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.

26. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA

9. RESOLUTION AUTHORIZING THE INCREASE IN HOURS OF COMPENSATION FOR THE BOARD OF HEALTH REGISTRAR/LICENSING OFFICIAL/SECRETARY (Received from Borough Attorney 7/14/09)

Councilman Hennessey questioned how the Secretary was being compensated for the additional hours. Mayor Heymann pointed out that this was only a request from the Board of Health. Mr. Hennessey was told that she would be offered compensatory time for these additional hours versus actual pay. Mayor Heymann advised she knew nothing about that and asked the Borough Administrator if that was the case. Mr. Wiest advised that this is an increase in her hours with pay due to the retirement of the Health Officer requiring additional time in the office.

Diane Larsen, 49 John Street, questioned the change in workload. Mayor Heymann said that the secretary has been covering for the Health Officer during the hours she is not present in the office; and money is being saved.

Jennifer Rothschild, 32 Hickory Lane, expressed her support for the Board of Health Secretary.

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

10. RESOLUTION ACCEPTING MAINTENANCE BOND FOR WEST STREET IMPROVEMENTS, SECTION 4 (ARNOLD'S ROADS INC.) AND CHANGE ORDER NO. 1 AND FINAL IN THE AMOUNT OF \$15,887.38; FINAL CONTRACT AMOUNT: \$130,102.38 (ORIGINAL AMOUNT OF CONTRACT: \$114,215.00 (Received from Administrator 7/14/09)

Borough Engineer explained that the Resolution refers to the 2008 Local Aid Project, no more monies would be expended by the Borough and the job was extended south to utilize more of the grant monies.

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

14. RESOLUTION AUTHORIZING AWARD OF PURCHASE ORDER FOR TREE REMOVAL, STUMP GRINDING AND TRIMMING SERVICES TO ACE TREE SURGEONS IN THE AMOUNT OF \$7,880.00 (Received from Administrator 7/15/09)

Borough Administrator explained that the award is the result of a quotation process as opposed to a bid process and the Borough Auditor advised that a resolution does not have to be adopted. The resolution was removed from the Agenda.

Mayor Heymann asked for a motion to recess the Regular Meeting to go into the Work Session at 9:02 p.m.

Motion to recess the Regular Meeting at 9:02 p.m. was made by Councilman Glidden, seconded by Councilman Barad and declared unanimously carried by Mayor Heymann.

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Mayor Heymann resumed the Regular Meeting at 9:48 p.m.

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

Motion approving the following Resolution at 9:48 p.m. 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.

- 27a. OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(7), "Pending or anticipated litigation or contract negotiations"; N.J.S.A. 10:4-12(b)(7) "A matter falling within the attorney-client privilege 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 litigation and matter which should be within 8 to 10 weeks.

Mayor Heymann resumed the Regular Meeting at 10:19 p.m.

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

- 28a. Motion appointing Quentin Wiest as the Personnel Appropriate Authority for a one year term expiring December 31, 2009, as Affirmative Action Officer for a one year term expiring December 31, 2009 and as Bergen County Community Development Governing Body Representative for a one year term effective July 1, 2009 and expiring June 30, 2010 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.
- 28b. Motion approving the paving of the upper portion of Alpine Drive from Anderson Avenue to Wainwright Avenue was made by Councilman Barad, seconded by Councilman Glidden and declared carried upon the affirmative vote of Councilpersons Glidden, Hennessey, Kashwick, Barad, Tutoli and Amitai.
- 28c. Motion approving terminal leave to the Building Subcode Official Keith Sager was made by Councilwoman Tutoli, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Hennessey, Kashwick and Tutoli. Councilpersons Barad and Amitai voted no.

29. ADJOURN

Motion to adjourn the Regular Meeting at 10:22 p.m. was made by Councilman Glidden, seconded by Councilman Kashwick and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
on July 30, 2009 for approval at
the Regular Meeting to be held
August 12, 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 August 12, 2009
Consent Agenda Item No. 24a.

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Mayor Heymann called the meeting to order at 9:10 p.m.

1. ROLL CALL

The following persons were present:

Mayor Sophie Heymann
Councilpersons John C. Glidden, Jr., Thomas Hennessey, John Kashwick,
David Barad, Cynthia Tutoli and Victoria Amitai
Borough Administrator, Quentin Wiest
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 advised 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 Finance Committee will be meeting next week to discuss open space allocations.

2) STATUS REPORT RE CLOSTER WEBSITE – Councilman Kashwick reported that he met with Quentin Wiest and Kevin Whitney earlier this week to review some possible modifications to the website. He explained that Kevin had brought up another provider that we could use which would be lower cost and easier to use. He would like to get a consensus from the Council as to whether they would like to pursue it. Mr. Wiest added that the other provider is the one Kevin uses on a regular basis through the school where he works; and he is very happy with that platform. Other than being more affordable, he thinks that in many ways it is easier to work with; and Mr. Wiest suggested at this point we should investigate other sites built around that platform to see if it is appropriate for Closter.

3) REPORT - Councilman Kashwick reported the following:
a. Environmental Commission Chairman, Dave Scholz, brought the news that he will be resigning at some point this year due to health reasons; and Mr. Kashwick expressed his regret that it is a most unfortunate loss to the Commission. He informed they discussed upgrades to the trail systems that are currently in place. Some clean up work is needed and the signs need to be put up. A Sub-Committee was set up to review the Tree Ordinance; and, perhaps, after the next Environmental Commission meeting in August, they will have some feedback.

b. The Shade Tree Commission has marked a number of trees for removal; and they are in the process of completing the plans for the Fall planting.

c. The Historic Preservation Commission is busy preparing for the Hearing to be held on Monday, 8/3/09, at 8:00 p.m.

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B. PUBLIC SAFETY - GLIDDEN (TUTOLI/HENNESSEY)

1) REPORT - Councilman Glidden advised there is no report but requested a Closed Session meeting regarding Public Safety.

C. PUBLIC WORKS - HENNESSEY (AMITAI/GLIDDEN)

1) REPORT – Councilman Hennessey reported that the DPW Committee did not meet this month. Regarding all of the brush collected from the storm two weeks ago, DPW Superintendent Billy Dahle reported an estimated 1,600 cubic yards, about 40 garbage trucks worth, was collected and transported to the compound yard where Ken’s Tree Care chipped it up.

In response to Councilwoman Amitai’s question as to when the rest of it would be picked up, Mr. Hennessey responded that they are still working on it. At this time, Mayor Heymann mentioned regarding people who gave volunteer services to the Borough or gifts in kind, the value of the chipping work was about \$16,000, which is at no cost to the Borough as per the Agreement the Borough has with Ken’s Tree Care.

Diane Larsen, 29 John Street, questioned what exactly the contract with Ken’s Tree Service is. Mayor Heymann responded that it is a public contract and explained to her that she can pick up a copy of it. Ms. Larsen noted that he is running a business for himself at the same time, and up by the Swim Club you can see the trucks going up there all day long. Mayor Heymann advised that is part of the contract. In response to Ms. Larsen’s question that if she came to pick up the contract tomorrow, would it be available, the Mayor advised it would.

D. ORDINANCE - BARAD (KASHWICK/AMITAI)

1) STATUS REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported that the next Ordinance Committee meeting is scheduled for 8/4/09. JoAnn Riccardi had asked if one was needed in August; and he advised he felt it was and it would take place via telephone. He mentioned they had forwarded some things to people, as Councilman Kashwick reported earlier, such as the tree ordinance from the Environmental Commission; and Councilwoman Tutoli was going to review the Personnel Manual to make sure the changes are correct; and if so, that can be adopted. We will be receiving some recommendations from the Planning Board for the next meeting. He advised that if anyone had anything else to be added to the Ordinance Committee Agenda to let him know and he will send it back to JoAnn.

Councilman Hennessey reminded that several months ago he had sent a memo to the Ordinance & Legislative Committee regarding Building Department fees collected for C. O.’s. Councilman Barad responded that was changed in a fee ordinance recently. Mr. Hennessey conveyed his understanding it was changed last year; and Dr. Barad advised they have been changing and amending it on an ongoing basis. Mayor Heymann and Councilwoman Amitai concurred, as another item was on tonight’s Regular Meeting Agenda. Borough Attorney clarified that the one on tonight’s Agenda was not for C. O.’s, it was for driveways and curbs. In response to noting he has seen no changes, Dr. Barad advised he will look into it further. Mr. Hennessey expressed his understanding that there is an existing ordinance on the books stating that contractors need to have a registration with the town in order to obtain a building permit; and it is not being enforced. Mayor Heymann thanked him for bringing this enforcement issue to their attention so they can follow up on it. Ms. Amitai suggested that perhaps Paul Demarest

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could address that since he is here. Paul responded that for commercial projects they collect liability insurance and a fee. For residential projects it is State. Mr. Hennessey voiced his understanding there is an ordinance on the books, and he thinks he copied Paul on it, that any contractor filing for a building permit needs to be registered with the town, and it is his understanding that it is not being enforced. Borough Attorney advised there is a recent ordinance that says that. In response to Dr. Barad, Paul advised that there is a State registry for holding projects, or residential projects, and contractors have to be registered with the State. Mayor Heymann clarified that all contractors need to be registered with the State, but there was an ordinance passed by the Borough that they have to be registered in Closter. Mr. Hennessey clarified that this is a registration to conduct business in Closter, and it is between Closter and the contractor; and it has nothing to do with the State. In response to Paul, Borough Attorney advised the State would only supersede the ordinance for the Howe Warranty for new construction. Mr. Hennessey reiterated that it is a registration with the town, and whether a \$1 fee is charged or not, contractors need to have a certificate of registration to apply for a building permit, and that would mete out a lot of abuse. Mr. Hennessey requested that the Borough Attorney look into the Ordinance and check the wording; and he advised he would review same and send a memo to the Building Department.

2) REPORT – Councilman Barad reported regarding the cable tower that some discussion was had a few weeks ago when the Borough Administrator first came in; and he has not heard any follow up on it. Mr. Wiest reported that he had a meeting with Chief Berrian and officers within the Police Department regarding communications in general. At that meeting a tower consultant who has consulted for the Department for a number of years was brought in. Mr. Wiest expressed his particular interest was whether or not the tower had to remain in its current location or whether it could be located anywhere else in the community. He mentioned he has heard that the only place it could be was its current location. The consultant felt it could be located in other places, which would have to be investigated, but there are no disqualifying reasons why it could not be considered. He was contacted recently by a consultant representing a wireless company who is interested in either getting on the existing tower or getting on another tower if it is relocated. They are renewing their interest at this point so there should be some further discussion as to what we want to do. In response to Dr. Barad's question as to when the lease is up, Mr. Wiest responded he believes it is up in 2013 and there may be 3-4 years to go. Councilwoman Amitai questioned if it would be appropriate to get some idea how much it would cost to relocate the tower. He said it is not something he thinks they would want to spend money on, but they could certainly offer a bid in the marketplace for another company to erect a tower in another location or take over the existing one. The vendor would pay the cost to move the tower and pay the amount to lease it from the Borough. If there is an interest in relocating this, they could look into some possible sites within the community and see whether or not they are viable. Councilwoman Amitai asked why not just poll everybody, because she would be in favor of moving it. Mayor Heymann advised that there are a lot of factors involved that they need to be cognizant of before making a decision. Dr. Barad noted that they need more information before taking a straw poll, but that's why they're looking into it.

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E. HUMAN RESOURCES - TUTOLI (KASHWICK/BARAD)

- 1) STATUS REPORT RE PERSONNEL COMMITTEE MEETINGS – No report.
- 2) REPORT – Councilwoman Tutoli advised she has one item for Closed Session.

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

1) REPORT – Councilwoman Amitai questioned whether anyone noticed or not, but short people would have a hard time seeing over tops of the little triangle opposite Borough Hall with the beautiful things that Susan Boudet did; she can't see and she thinks it has become dangerous and needs to be pruned. Mayor Heymann clarified it is the triangle at the intersection of Vervalen and (Old Closter Dock Road). Chief Berrian advised he will contact Susan tomorrow to discuss.

a. The Planning Board would like to invite the Mayor and Council, as well as the residents, to attend their meeting next Thursday night, 7/30/09, and 8/5/09 as the attorneys for the Whole Foods application will be presenting their plan for downtown; and it is very important and they would like to get everyone's feedback. She noted that we should all be well informed and be able to voice our opinions.

b. Councilwoman Amitai requested assistance from the Borough Engineer regarding the mistake that was found in the Code, that the Borough Clerk was kind enough to locate the original ordinances, referencing Residential A and B and the 75 foot buffer. Nick DeNicola advised he did not think it was a mistake in the Code. He voiced his understanding that the original ordinance was superceded and he does not know why they superceded it. He questioned Ms. Amitai if that was the issue she was referring to. She responded that when they discussed it, it appeared that some words were eliminated and changed the meaning of it so that it looked like it only pertained to one zone. Later in the paragraph it referred to both zones. Borough Engineer advised there was an ordinance that superseded that one and eliminated that, and whether or not it was a mistake or intentional, he is unaware. Councilwoman Amitai asked if the Borough Clerk would forward the original ordinance to the Borough Attorney for review. Councilman Barad suggested the Ordinance and Legislative Committee review it as he does not know what it is. Mayor Heymann informed that she is not aware either. Ms. Amitai stated that they believed it was a typo or irregularity that needs to be clarified.

c. Ms Amitai informed she has reached out to Jeanette DiCarlo, a potential person for the Closter Improvement Commission, whom she is waiting to hear back from.

4. OLD BUSINESS

At this time, Mayor Heymann invited the Borough Engineer to update the status of the monies left over from the Road Program. Mr. DeNicola reported that at the last meeting there was talk of paving Ruckman Road from Anderson Avenue to Piermont Road, or Anderson Avenue to Herbert Avenue; and after a meeting with the Borough Administrator and the Superintendent of Public Works, Billy Dahle, that has been reassessed. They performed a quick inspection of Alpine Drive; and based on same, they recommended repaving Ruckman Road from Anderson Avenue to Piermont Road and Alpine Drive from Anderson Avenue heading down until the money is exhausted. He anticipates the monies to be exhausted somewhere around Wainright Avenue, plus or minus a couple of hundred feet, so more than half of the road

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could be completed. They felt this would be money better spent as there are more residences in that area, and it is more of an arterial to all the streets that come off of Alpine Drive such as Wainwright and Halsey. Mayor Heymann requested that action be taken on this matter upon return to the Regular Meeting. Mr. DeNicola reiterated the new section proposed would be Alpine Drive from Anderson Avenue and working their way towards Piermont Road. Dr. Barad questioned if this has already been approved; and Mr. DeNicola advised that it was, and this would be an amendment to the previously approved request. Mr. Kashwick expressed his understanding that there were not enough monies to go below Piermont Road and Mr. DeNicola confirmed that a section above Piermont Road could definitely be done, and a small section below, but he does not know at this point how much.

5. NEW BUSINESS

Mayor Heymann reported she had some new business, which she passed out in a letter tonight to the Council, Borough Attorney, Borough Administrator and Borough Engineer regarding an issue at 95 Cedar Lane, where there are various proposals possible for dealing with a broken sidewalk, broken by a number of Sycamore trees which are notorious for bringing up roots. She asked the Council to review the letter from Ray Cywinski and make it their business to look at the area at 95 Cedar Lane and surrounding so this can be discussed intelligently at the next meeting. She does not feel any judgment on this issue can be made without having seen it physically.

At this time, Mr. Wiest questioned if the Mayor would like to revisit the proposal brought up by the Borough Engineer regarding the cemetery. He reiterated that if we are interested in pursuing this matter it would be necessary at some point to locate the property line. Mayor Heymann asked for comments regarding same. Mr. Hennessey suggested a person would be able to tell from the center line of the road where the property line is within 2 or 3 feet. Mr. DeNicola clarified it would be the right of way line. The property line, not speaking legally, but technically, in order to fine a person, the judge will require that the parties know where the property line is relative to the trees, etc. At this point, he does not know where that line is. He looked at it with Keith Sager and Billy Dahle and they were unable to find any monumentation up there to determine where the property line is. They need to install monumentation and determine the line. Mr. Hennessey questioned if from a cursory view and knowing where rights of way are, whether it could be determined if the landscaping was planted on Borough property. Mr. DeNicola explained that the issue is not that it is from the road, it is going back from the road. It is a Borough right of way that is running perpendicular to the cemetery. Borough Attorney suggested that the Council may want to consider authorizing himself or someone else to speak to the property owner first, as he may have a survey already and not even realize that he potentially planted on Borough property. He explained that at this point, we do not know for sure that he did, as Mr. DeNicola had mentioned it is not in the front, it is along the side. The property line is not straight, so it is hard to tell if that area is Borough property or not. Cost wise it may be more effective to have a conversation with the resident. Mr. DeNicola pointed out that even if the owner has a survey, there is still no monumentation in the area, the lines are floating in the field so to speak. Mayor Heymann reiterated to clarify her understanding that the Borough Attorney was suggesting that before we consider legal action, for which a survey would be necessary, we

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find out what the homeowner at 42 Susan Drive is willing to do for the Borough in exchange for his presumed malfeasance. She added that it was not just the plantings, it was also the cutting of the trees, which are two separate matters. At this time Mayor Heymann recommended that they ask Mr. Rogan speak to Mr. Segal at 42 Susan Drive; and when his report comes back, they can take whatever actions are necessary. She questioned if the Council was in agreement and no objections were voiced.

At this time, Councilman Kashwick questioned in regards the water company trail whether any further information had been received on that issue. Mayor Heymann voiced her understanding that the Environmental Commission discussed it last night. Borough Engineer commented that he had sent the proposal to the Borough to put the bridge in; and before they are authorized on that proposal, an agreement needs to be hammered out with United Water to determine what the terms of the agreement are and where the access would be. There was some language in the agreement that was not favorable to the Borough, particularly that at any time and place they (United Water) can end the agreement. If the Borough installs a bridge over this tributary, it would be a lot of money to spend just to have the access terminated. Mayor Heymann reiterated that before we build anything, we need to have a firm agreement in accord with everyone's wishes. She stated they will hold the bridge in abeyance, and explained that the Environmental Commission had a number of notions on this thing that she would like to participate with.

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

Jesse Rosenblum, 65 Knickerbocker Road, questioned on the subject of the cemetery if the Borough keeps any records of available capacity, or whatever is done on the property. Mayor Heymann informed that it is a private cemetery. Mr. Rosenblum retorted there was no control of who goes in and how many. The Borough Attorney questioned if he was referring to bodies or the number of people walking in. Mr. Rosenblum remarked that he is aware the State has a Cemetery Board. The Mayor expressed her understanding that there was no present activity in the cemetery. He asked if there was any activity, would the Borough keep tabs on what was going on. She responded that she does not believe it is within the Borough's purview and the cemetery would be responsible to the State Board. He noted that the Board is in Trenton or Newark. She reiterated that she did not believe it was an active cemetery to begin with and she did not believe the Borough was involved in that. Mr. Rosenblum expressed his understanding and remarked he had seen articles in the papers about mischief in cemeteries.

Mr. Rosenblum informed he had read an article about a Closter drug bust regarding marijuana worth over \$1,000,000. Mayor Heymann acknowledged this and clarified it was valued over \$1,200,000. He had spoken to Chief Berrian who told him that type of contraband would probably be incinerated. Based on taxpayer complaints and the fact that the Mayor had certain powers of persuasion, he suggested that she speak to the Prosecutor or even Governor, to save the material as it has value to the Borough and the County; and as a suggestion, ask them to authorize the placing of the material on E-Bay for a licensed California user or ship it to the

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Netherlands. The material has value, people use it and in some places it is legal; and why destroy it, when it has monetary value. Mayor Heymann agreed that he had a point and offered to have Chief Berrian follow up on the matter; and Mr. Rosenblum informed her that she had to be the one to discuss the matter as it needs to be addressed by a person of high authority.

Hugh Johnson, 107 Demarest Avenue, questioned the gates Chief Berrian had disputed the Mayor getting together with United Water before she went on vacation and after he got back from vacation, who would be dealing with the gates. Mayor Heymann responded that was one of the issues she had asked the Environmental Commission to address.

Mr. Johnson addressed the Borough Engineer and asked if he had considered Hickory Lane for the Road Program. He asked that if it was not to be resurfaced, could the DPW at least fill it in because from Anderson Avenue going down it is in horrible shape. Mr. DeNicola agreed and informed him that it is more than a resurfacing problem it is mostly a reconstruction job. The resurfacing would not last as it has potholes and requires curb and drainage replacement. The DPW can patch the potholes, but it is only a temporary fix. The road needs reconstruction as it is the worst road in the Borough.

At this time Mr. Johnson addressed Councilman Kashwick regarding the Shade Tree Commission and asked if the public would be involved in the planting or will the public be able to help out with the planting of the trees. Mr. Kashwick explained they were large trees – 2 ½ inch to 3 inch caliper and 8 to 10 feet tall. He advised the Commission would be taking care of this.

Mr. Johnson addressed the Borough Administrator and questioned how many communication companies we had now. He explained that originally there were 10 and that was pared down to 6. He questioned if we still had Broadwing and wanted to know why we were still using them as a long distance company when Nextel and Verizon are available. Mr. Wiest responded that he was researching that now; and he believed Broadwing had been closed out. He could see some old bills in the system and did not have a chance to review them, but it was very few dollars. He advised that we had a mix of companies or carriers and they were starting to get into that now. Mr. Johnson informed that John DiStefano had brought in Broadwing; and when he researched them, had found they were a long distance carrier out of Texas. New Horizons was brought in as a cost savings factor, but they were 4 or 5 times more expensive than Verizon. Then they had Extel and Nextel. Mr. Wiest responded that it depended on the type of line. He had met with New Horizons; and they offered a variety of lines that were less expensive than the same type of line offered by Verizon and that was kind of why they exist, to shave a piece of the market from Verizon. New Horizons is an active provider to the community right now. Mr. Johnson reminded that the Finance Committee knew nothing of this and just signed off on it.

Mr. Johnson continued that he had a Public “Safety” issue regarding when he had tried to make a left turn from Demarest Avenue onto Schraalenburgh Road heading South. Paulie’s Restaurant currently has parallel parking on Schraalenburgh Road and it is impossible to see during heavy traffic when trying to make that left turn because the cars parked in front of Paulie’s heading North on Schraalenburgh Road make it impossible to see the traffic heading South. He was curious if anything could be done about this issue. He does not know how many accidents or near misses the Borough has had there, but he has had a few. He said he was offering constructive criticism because Paulie’s does a lot of business; and while patrons parked on Demarest Avenue, that was fine, but people could not see coming out.

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Mr. Johnson informed that there were residents from John Street in the audience who were very concerned, again, not to be redundant, but when the Council went into Closed Session that Keith Sager would not be hired. He asked the Mayor to assure them that this was not the case and that what she said earlier that he is being terminated, on the record, is the case and there would be no difference discussed in Closed Session. He again asked for Mayor Heymann's reassurance for himself and for those residents. She responded that she could not speak for the Council but she would imagine so. Mr. Johnson accused the Mayor of lying often and asked to be forgiven if he did not believe that the Mayor was not extending the truth.

At this time, Mr. Johnson requested Mayor Heymann respond to the Police Dispatcher that was here a month ago. He noted that she was not present tonight but asked to hear the Mayor's comments on her complaints which were very relevant. Mayor Heymann explained she had no further comment. He questioned if the Mayor did not believe the Dispatcher was entitled to an explanation. She replied that she did not believe that there was anything missing. Mr. Johnson questioned if the Mayor was saying that everything the Dispatcher said was a lie and she stated that he said that, she did not. He reiterated that he was asking her for her comment and it took a lot of guts for the Dispatcher to come up here in a vulnerable state. Mayor Heymann repeated that she had no comment; and he questioned why not. Mayor Heymann advised that there was no point in pursuing something that was 8 years old, and had been refuted many times, that's the end of the story. He stated it was not for the Dispatcher, and it was not for the Criminal Justice Division.

At this time he again asked Mayor Heymann what John DiStefano had on her so that she had so amicably placated him that all of her fellow Council people saw her double dipping and all of the receipts. He expressed that he would like to know and the public was entitled to know. Mayor Heymann stated that she has nothing further to say, she has a completely clear conscience, she did nothing out of line and she does not know what to tell you. He said the Mayor would have to convince Lt. Dan O'Brien, Regina Garb of the Criminal Justice Division and a Grand Jury that will be summoned. Mayor Heymann responded that she would be happy to. Mr. Johnson welcomed the Mayor back from vacation and stated that they were going to rock and she was going to roll.

Linda Albelli, 353 High Street, addressed the Borough Engineer regarding the Road Program and her understanding that there was money left over. She mentioned there were some incomplete jobs from several years ago; and questioned why they were not revisiting those jobs that were assured to residents would be completed, and then they ran out of money and the jobs were not done. Specifically she was referring to the curbing on High Street across the street from her house, the Onny property. They had stopped it smack in the middle of their property because the money ran out and the homeowner was assured it would be the next wave when the curbing was completed. She wanted to know why, if there was extra money left over, was the incomplete job not being at least assessed and looked into. Mr. DeNicola responded that it was a paving program. They had a contract with Rockborn who was basically known for paving. We can do curbs; it would be the Borough's purview. It was not an incomplete project, as you are aware, High Street runs all the way to Schraalenburgh Road. He said there were numerous sections that could be completed and questioned from what property to go and where would they stop. Ms. Albelli remarked there were new curbs on the other side of the street to a certain point, so it would really be patching and putting in curbs where they could. She did not believe it would be

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very expensive to do that. The point being is that the residents were assured it would be completed. Mr. DeNicola informed that he did not assure the residents; and Ms. Albelli clarified that it was not Boswell but the sitting Council at the time of the project who assured that it would be addressed.

At this time Ms. Albelli expressed that she shared the concern of Mr. Johnson and the other residents present regarding Mr. Sager. She stated she would also like to be assured that at the end of this month he would be terminated and would not be collecting a paycheck any longer from Closter; and if this was going to be revisited by the Council in Closed Session, then before that she felt the public should be able to comment regarding his employment, the problems encountered by the Borough due to his employment. She noted that through the years he has been with Closter, he has had a problem with women; he has made aggressive comments; he has been rude to the public; he has done some things that were not acceptable in her view. She expressed she hoped the Council was not reconsidering keeping his employment.

Jack Kelly, 132 Herbert Avenue noted he had read in the papers that Jesse Rosenblum had a lawsuit on Whole Foods and questioned what that was about. Mayor Heymann suggested he speak to Jesse about it. He asked if it would affect the proceedings tomorrow night. Mayor Heymann advised it would not; and the Borough Attorney clarified that it was a week from tomorrow night, 7/30/09.

At this time, he questioned if the Council had had a chance to go to Memorial Park and look at the new plaque. Mayor Heymann advised she was on vacation and had not yet had the opportunity to do so. He questioned if any of the Council members had been to the park and asked for any comments. Councilman Glidden said he was surprised and it was probably something the Council should take a look at.

Hugh Johnson, 107 Demarest Avenue, questioned if the public would be informed of any decision regarding Keith Sager's termination or could the public believe that it was already a done deal. Mayor Heymann reiterated, as she pointed out earlier, that he was already sent a letter terminating him by will of the Council about 5 or 6 weeks ago. Borough Attorney informed him that the letter was sent 3/12/09. Mr. Johnson noted that some people were still concerned.

Jennifer Rothschild, 32 Hickory Lane, advised that the Zoning Board of Adjustment had a Work Session earlier this evening, where Paul Demarest, an employee of the Building Department, stated that Lenny Sinowitz would not be attending said meeting as he needed to speak to the Council tonight regarding Keith Sager. She expressed her feeling that there was a lack of transparency in this process. She personally felt like her heart was beating 120 beats per minute at the moment; and she was terrified of what the Council might do. She agreed with Ms. Albelli in requesting reassurances. She stated that if the Council was going to invite male employees to a meeting, to invite female employees as well, as Rose Mitchell was not present this evening. Mayor Heymann stated that no employees were invited; and Ms. Rothschild offered that she was unfamiliar with the process. Mr. Rogan advised that if there was going to be a Closed Session on any personnel issue, the only individual that would be in the Closed Session would be that person. Ms. Rothschild expressed that she was very concerned about this issue as apparently phone calls were made earlier in the day to various people begging for affirmative votes. Mr. Rogan advised he was unaware of any such calls taking place. She continued that she was very concerned about this situation as she had very many personal experiences of a negative nature, she is afraid to come to Borough Hall to make photocopies or do other work, and she

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would like not to be afraid anymore. And she is afraid for other women as well.

Jesse Rosenblum, 65 Knickerbocker Road, expressed that he would like to assure Jack Kelly that Closter Plaza will have a drug store.

8. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
9. ADJOURNMENT

Motion to adjourn the Work Session at 9:50 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 July 30, 2009 for approval at
the Regular Meeting to be held
August 12, 2009.

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held August 12, 2009
Consent Agenda Item No. 24b.