

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – SEPTEMBER 23, 2009 - 7:30 P.M.

Mayor Heymann called the meeting to order at 7:31 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 (8:30 p.m.), Cynthia Tutoli (7:37 p.m.)
Borough Administrator, Quentin Wiest
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police David Berrian

The following persons were absent:

Councilwoman Victoria Amitai

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

The following Ordinances were introduced at the Regular Meeting held 8/26/09 and were published in the Press Journal on 9/3/09 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. No. 2009:1050, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 50, POLICE DEPARTMENT, SPECIFICALLY SECTION 50-26, TO ADD APPEAL PROCEDURES"

Mayor Heymann declared the public hearing open and asked if anyone wished to be heard either for or against this Ordinance. No one wishing to be heard, Mayor Heymann closed the public hearing and asked for a motion of approval.

Inasmuch as there was not a quorum present to vote on the aforesaid ordinance, Mayor Heymann explained that action on the ordinance would be postponed until the arrival of another member of the Council.

At this time, Mayor Heymann announced that the following ordinances would be reserved for the next meeting because there are some minor adjustments to be effected all at once.

b. No. 2009:1051, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 48 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING PERSONNEL POLICIES"

c. No. 2009:1052, "AN ORDINANCE ADOPTING THE SEPTEMBER 2009 CLOSTER PERSONNEL MANUAL"

5. RATIFICATION OF FOLLOWING MAYORAL APPOINTMENTS (WS 9/9/09):

a. (DR.) MARK MADDALONI TO SERVE AS MEMBER OF ENVIRONMENTAL COMMISSION FOR AN UNEXPIRED 3-YEAR TERM (GOTTHELF) TO 12/31/09 (Gotthelf resignation received from Mayor 9/11/09)

b. PHILIP GOTTHELF AS ENVIRONMENTAL COMMISSION ASSOCIATE MEMBER FOR A 1-YEAR TERM TO 12/31/09

Mayor Heymann advised that this was a ratification of appointments made under her

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authority as Mayor.

6. 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, member of the Environmental Commission questioned the unexpired term of office indicated and was advised by Mayor Heymann that the previous appointment of Mr. Gotthelf had been for an unexpired term.

Councilwoman Tutoli entered the meeting at 7:37 p.m.

Jack Kelly, 132 Herbert Avenue, referred to a recent newspaper article relative to the vacation payment for John DiStefano and questioned if there were rules and regulations covering the employment of Borough personnel. Mayor Heymann said that the wording taken from the Borough's personnel policy in the newspaper was not completely correct and is not necessarily in sync with the State policies on the subject. Borough Attorney advised that the vacation section provides that an employee with the Borough for five years gets vacation time in addition to two days per year upon leaving. The section also provides that if the person is terminated, they are not entitled to the two extra days; and it is not clear if the person is not entitled to the whole vacation time or just those two days. It was past practice to pay for the vacation but not the two additional days. This would be clarified in the two ordinances listed on this evening's Agenda since the provision could be read two ways. Mayor Heymann said that the Council does not normally approve vacation pay for any employee. She indicated that vacation pay is earned by the employee, paid through the Payroll Department; and there was no input from the Mayor or the Council on this particular voucher. She said that Mr. DiStefano received the vacation pay that the Borough thought was due him at that particular time; and he is not under any indictment at this time that we know of; but if there is a change, this matter would be opened again.

Mr. Kelly questioned if a maintenance man would be hired; and Borough Administrator explained that an ordinance was introduced to create this title as a member of the Department of Public Works and would be either recruited from the current members of the Department or be a new hire.

Ms. Dimitriadis, 272 Closter Dock Road, expressed concern about the taxes that she felt have more than doubled during this economic time; and she questioned the usage of the tax money by the town. Mayor Heymann indicated that the taxes have not increased that much; and in order to insure a fair tax rate, a new appraisal was authorized last winter which provided less taxes for most people. She added that the official that does the appraisal does not report to the Mayor and Council directly; but is totally objective and not under the control of the Mayor and Council. The tax rate is based on a fair share by all the homes in the Borough according to our needs; and all of the expenses were kept flat or lower except for those expenses over which the Borough has no control such as pension and health benefits and contractual union wages. Notice was given to property owners of the right to appeal the tax assessment last January; an appeal could be filed and if successful, a retroactive refund would be forthcoming. Borough Administrator advised that he had spoken to the property owner and tried to explain the difference between the 1st and 2nd quarter payments from the 3rd and 4th quarter payments. In order to determine the actual percentage increase, a comparison must be made between the total taxes paid in 2008 and the total taxes to be paid in 2009.

Ms. Dimitriadis said that she has complained for a number of years that her sidewalk needed to be redone; and she felt with the high taxes she is paying that there should be money to repair her sidewalk.

Mr. Dimitriadis said that complaints were made about the building on his property (a commercial property) and he spent a lot of money to rectify same but the town has not repaired the curbing or the sidewalks. He attempted to clean the grass around the curb, sprays it two to four times a year but the town never did anything to help him. He voiced frustration because he spent a lot of money to upgrade the building (Nonna Clementina's). Borough Administrator advised that he would be addressing this matter with the Mayor and Council.

Steve Isaacson, 97 Columbus Avenue, questioned when the subject of the hiring of a

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maintenance person would be addressed; and the Borough Attorney informed that the matter would be discussed at the (Regular) meeting of October 14. Mr. Isaacson suggested that Open Space funding requests be discussed at an open meeting. Borough Attorney explained that this is an item discussed at a Committee Meeting that is open to the public but not publicized.

Michael Kafer, 261 Parsells Lane, asked for clarification of the 2009 budget revenue line item in the amount of \$237,000 due from the general capital fund. Borough Administrator said that this transaction involved a loan of funds from the Current Fund to the Capital Fund and that it is required that this money be paid back to the Current Fund. Mr. Kafer questioned authorizations that were cancelled in the 2007 Audit in the amount of \$497,000 and felt this money should be used to reduce current debt or future borrowing. Borough Administrator advised that he was not familiar with the transaction that occurred last year but he would contact the Chief Financial Officer for a further explanation. Mayor Heymann said that the Borough is not using long-term borrowing to fund current operations.

Mr. Kafer expressed support for the merging of revenue collection offices, cited the monies expended by several Northern Valley municipalities and encouraged that the Mayor and Council consider consolidation.

Jack Kelly, 132 Herbert Avenue, questioned how the new maintenance person would be paid. Mayor Heymann said the money would be taken out of other monies that we have allocated. The Borough cannot spend more money than has been budgeted. There is at least one less employee in the Department of Public Works since the beginning of the year; and the new maintenance person would be replacing the one that has been budgeted. There would be no new addition to the Borough.

At 8:10 p.m., Mayor Heymann returned to the following Agenda Item:

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

The following Ordinances were introduced at the Regular Meeting held 8/26/09 and were published in the Press Journal on 9/3/09 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. No. 2009:1050, " AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 50, POLICE DEPARTMENT, SPECIFICALLY SECTION 50-26, TO ADD APPEAL PROCEDURES"

Motion to adopt Ordinance No. 2009:1050 was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Hennessey, Kashwick and Tutoli.

7. COMMUNICATIONS

a. MAIL LIST – SEPTEMBER 10, 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 item was removed by the following individuals: Borough Clerk removed Item No. 4.

Item No. 4 – Received 9/04/09, dated 8/19/09 from Blake Thompson, Program Manager & Michael Sussman, Senior Engineer, Kleinfelder East, Inc. to Borough Clerk re Public Notification on behalf of ExxonMobil Environmental Services Company (ExxonMobil) re:
a. Environmental investigation and groundwater contamination at former Exxon Service Station #15PER, 563 Piermont Road, Block 239, Lots 1A and 2 NJDEP Case #91-12-19-1357, UST #0222293, PI #022229 (letter only) (Copy to Board of Health, Construction Official – letter only) DISK ON FILE IN BOROUGH CLERK'S OFFICE. b. Environmental investigation and contamination in soil and groundwater as listed on attached fact sheet at Exxon Service Station #35410, 681 Piermont Road, Block 35, Lots 1-3, NJDEP Case #88-11-15-1503, UST #0089724, PI #008972 (letter only)(Copy to Board of Health, Construction

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Official – letter only) DISK ON FILE IN BOROUGH CLERK’S OFFICE. c. Environmental investigation and contamination in groundwater at Exxon Service Station #36653, 1 Knickerbocker Road, Block 702, Lot 1, NJDEP Case #94-06-23-1615, UST #0098599, PI #008959, KCSI-#NJD986595635 (letter only) (copy to Board of Health, Construction Official – letter only) DISK ON FILE IN BOROUGH CLERK’S OFFICE.

Borough Clerk advised that a copy of the notifications had been forwarded to Mary Mayer on September 22.

b. MAIL LIST – SEPTEMBER 17, 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 item was removed by the following individual: Councilwoman Tutoli removed Item No. 5

Item No. 5 - Received 9/16/09 with no date from Toros & Elis Tossounian to Borough Clerk re Notice of Meeting to Property Owners re Zoning Board of Adjustment application for variance for Block 701 Lot 16 (88A Knickerbocker Road) to be heard 10/5/09 at 8 p.m.

Councilwoman Tutoli questioned why a variance was needed to replace a deck that was damaged in a storm. Mayor Heymann said that if the property is non-conforming then the appurtenances are non-conforming and a variance would be required.

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

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 ORDINANCE – PUBLIC HEARING –
~~10/28/09~~ 10/14/09 @ 7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY
BE HEARD:

a. NO. 2009:1057, CAPITAL ORDINANCE RE FLAMM PROPERTY (Requested by Administrator 9/17/09) TO BE PREPARED BY BOROUGH ATTORNEY
TITLE: “AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$709,501.00
FROM OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION
TRUST FUND FOR THE ACQUISITION OF BLOCK 1308, LOTS 3 AND 4
COMMONLY KNOWN AS 37 HOMANS AVENUE”

11.* BILL RESOLUTION – SEPTEMBER 30, 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; 7/22/09; 8/12/09; 8/26/09; 9/9/09):

<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	<u>Mario LaViola</u>	1 Year	12/31/09

Mayor Heymann explained there are no appointments to be made on the above noted Items.

13.* RESOLUTION AUTHORIZING THOSE LICENSEES WHO HAVE NOT RECEIVED

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THEIR TAX CLEARANCE CERTIFICATES 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

- 14.* RESOLUTION AUTHORIZING THE IMPLEMENTATION OF VOLUNTARY BENEFIT PROGRAMS FOR BOROUGH EMPLOYEES (AFLAC) (Received from Borough Attorney 9/16/09)
- 15.* RESOLUTION AUTHORIZING THE SALE OF TANGIBLE PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE BY THE BOROUGH OF CLOSTER (Received from Borough Attorney 9/16/09) EXHIBIT “A” TO BE PREPARED BY ADMINISTRATOR
- 16.* RESOLUTION ACCEPTING LOW BID RECEIVED FROM LOUIS BARBATO LANDSCAPING INCORPORATED, 1600 RAILROAD AVENUE, HOLBROOK, NY 11741, AT THE BID OPENING HELD 9/17/09 @ 11:30 A.M. FOR TREES FOR PLANTING AND RELATED SERVICES FOR THE BOROUGH OF CLOSTER, IN THE AMOUNT OF \$9,840.00 (Received from Administrator 9/18/09)
- 17.* RESOLUTION AUTHORIZING RELEASE OF CLOSED SESSION NOTES OF JULY 22, 2009 (Requested by Borough Attorney 9/16/09)

MOTIONS

- 18.* 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; 7/22/09; 8/12/09; 8/26/09; 9/9/09:

<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	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

Mayor Heymann noted there were no appointments to be made at this time.

- 19.* APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed 9/3/09):
 - a. REGULAR MEETING OF SEPTEMBER 9, 2009 - ABSENTION: TUTOLI
 - b. WORK SESSION OF SEPTEMBER 9, 2009 – ABSTENTION: TUTOLI

- 20.* 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; 7/22/09; 8/12/09; 8/26/09; 9/9/09

Mayor Heymann explained there would be no appointment made at this time.

- 21.* MOTION GRANTING APPROVAL FOR THE POLICE DEPARTMENT TO IMPOSE A 9:00 P.M. CURFEW ON CABBAGE NIGHT, 10/30/09, AND HALLOWEEN, 10/31/09 (Requested by Chief of Police 9/15/09)

- 22.* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:

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a. CHIEF OF POLICE – AUGUST 2009 (Received 9/14/09)

The following items were removed from the Consent Agenda by the following individuals: Mayor Heymann previously removed Item Nos. 12, 18 and 20. Councilman Kashwick removed Item No. 10.

9b. VOTE ON CONSENT AGENDA ITEMS

Motion to approve the Consent Agenda minus Item Nos. 10, 12, 18, and 20 was made by Councilman Kashwick, seconded by Councilman Hennessey and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Hennessey, Kashwick and Tutoli.

23. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA

10. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING –
~~10/28/09~~ 10/14/09 @ 7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY
BE HEARD:

a. NO. 2009:1057, CAPITAL ORDINANCE RE FLAMM PROPERTY (Requested by Administrator 9/17/09) TO BE PREPARED BY BOROUGH ATTORNEY
TITLE: “AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$709,501.00
FROM OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION
TRUST FUND FOR THE ACQUISITION OF BLOCK 1308, LOTS 3 AND 4
COMMONLY KNOWN AS 37 HOMANS AVENUE”

Dr. Beth Ravit, 460 Piermont Road, thanked the Mayor and Council for the action taken this evening to preserve the wetlands. Councilman Glidden thanked her for her comments.

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

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

Donald Schmidt, 162 Closter Dock Road, referred to the appointment to the Planning Board by Mayor Heymann that he felt the Council was not aware of; and Mayor Heymann said that the Council was advised of the appointment and same is in the record.

Mr. Schmidt noted that there are members of certain Boards who have taken the Oath of Office but have not signed Financial Disclosure Statements, which he had addressed in a letter to the Borough Attorney. Mr. Rogan advised that he had contacted the Zoning Board Attorney Michael Kates on the matter who was to take care of the matter at the next meeting. Mr. Schmidt said that the State has advised the Ethics Board Chairman that it is up to the Borough Attorney to report to the appointing authority, which is the Mayor and Council. He said he requested a listing of those appointees who had not signed the Financial Disclosure Statements. He cited a Zoning Board case during which 6 members voted to approve a use variance application and all members who voted for the application were not legally able to vote. He provided copies of his documentation on this very serious matter. Borough Attorney advised that State statute does not invalidate a vote because a member did not file a Financial Disclosure Statement; and in terms of fines, the Mayor and Council cannot impose same only the Ethics Board may do so at their discretion after a hearing. He clarified that within a week after receiving the letter, he had spoken to the Chairman of the Board of Ethics and Mayor Heymann. He personally contacted a number of Borough employees, not Zoning Board members; he contacted the Zoning Board Attorney and it was his understanding that the Financial Disclosure Statements would be available to the members at the upcoming Zoning Board meeting for signature and subsequently filed. Mr. Rogan advised that the only instance that would invalidate a vote would be some type of conflict of interest.

Mr. Schmidt said he appreciated the time spent by Board members and noted that the Ethics Board Chairman did a great job with a great deal of patience to obtain compliance.

Councilman Barad entered the meeting at 8:30 p.m.

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Mayor Heymann asked for a motion to adjourn the Regular Meeting to go into the Work Session at 8:31 p.m.

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

Motion to adjourn the Regular Meeting at 8:31 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 October 8, 2009 for approval
at the Regular Meeting to be held
October 14, 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 October 14, 2009
Consent Agenda Item No. 26a.

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WORK SESSION NOTES – SEPTEMBER 23, 2009 – 7:30 P.M.

Mayor Heymann called the meeting to order at 8:31 p.m.

1. ROLL CALL

The following persons were present:

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

The following persons were absent:

Councilwoman Victoria Amitai

Also present in the audience was Arthur Braun Dolson, Chairman of the Board of Ethics.

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 there is a tentative Finance Committee meeting scheduled for next Wednesday, 9/30/09, to discuss the Capital Budget. Regarding the Open Space allocations that were introduced (at the last meeting), he noted that Mary Mayer from the Closter Nature Center had a question regarding the amounts being reduced for the trails. They use the New York/New Jersey Trail Conference to do the work, and that is because they allow volunteer labor in addition to the work they do. Ms. Mayer has requested that the full amount be restored. He inquired of Quentin Wiest how to do that because he wasn't sure that as a governing body they would want to make an amendment to the allocation. Mr. Wiest explained that the Ordinance (No. 2009:1055) has been published and is scheduled for public hearing at the next meeting (on 10/14/09) so rather than revise that, whatever the Mayor and Council wishes to do, he thinks we can find sufficient funds in one of the older Open Space Capital Ordinances to close any gap that occurred in terms of what they actually need. We will do so if that is what the Mayor and Council chooses. Mr. Kashwick questioned if an additional vote would be required; and Mr. Wiest explained that the capital ordinances from prior years leave enough room for expenditures for things like that with their approval.

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2) STATUS REPORT RE CLOSTER WEBSITE – Councilman Kashwick advised he alerted Kevin (Whitney) that the Council is okay with pursuing the new vendor for hosting the site; and he is working on that.

3) REPORT – Councilman Kashwick reported on the following:

a. The Environmental Commission has decided to hold its Harvest Festival again this year on 10/24/09 at the MacBain Farm from 4:00 p.m. to 6:00 p.m. Last year was very lovely weather and there was a big turnout; and they are hoping for the same this year. At this time, Mayor Heymann wished to thank Steve Isaacson for designing the invitation for that event.

b. Shade Tree Commission was in agreement with the changes to the ordinance that were recommended by the team that the Mayor and Leslie (Weatherly) worked on. In response to his inquiry if the Ordinances and Legislative Committee had discussed it yet, Dr. Barad advised they obtained approval and JoAnn (Riccardi) was in the process of getting it back to them.

c. The Historic Preservation Commission will not be holding their scheduled meeting this month and have cancelled it since it is Yom Kippur.

B. PUBLIC SAFETY - GLIDDEN (TUTOLI/HENNESSEY)

1) REPORT – Councilman Glidden advised he had no report.

C. PUBLIC WORKS - HENNESSEY (AMITAI/GLIDDEN)

1) REPORT – Councilman Hennessey advised the DPW Committee did not meet and, therefore, had no report.

Mr. Rogan reported that he was contacted by a Teamsters Representative and they requested to have a brief follow-up meeting on negotiations with some members of the Committee to try to finalize. Although they are not that far apart, they asked the Borough to get back to them with a couple of dates for about a half-hour or 45 minutes in the morning; and he will follow up on that.

D. ORDINANCE - BARAD (KASHWICK/AMITAI)

1) STATUS REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported that the Committee met last week, there is nothing major to report and they will be meeting again next month.

2) REPORT – Councilman Barad reported regarding the Board of Health there was a question from Mr. Kashwick about the horses and he had responded that they are a Class 2 animal that needs to have a shelter; and he was hoping the information would be relayed back to the McCaffrey's. Mr. Kashwick explained that he had spoken to Ruth and mentioned she needed to speak to Vi (Caputo) in the Board of Health. Dr. Barad said he spoke to Vi and then Tony Neusch spoke to him, so he received the message twice that they wanted to know what the horses were doing.

E. HUMAN RESOURCES - TUTOLI (KASHWICK/BARAD)

1) STATUS REPORT RE PERSONNEL COMMITTEE MEETINGS – No report.

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2) REPORT – Councilwoman Tutoli reported that the Library came back from Summer hiatus and they were pleased there were 25 children in attendance at the story hour, which is the largest group they have had so far. There will be some sessions on community relations to encourage more of the Korean community that although they do utilize the Library, they would like to have more communications. They are anticipating \$44,000 coming back to the Borough for mowing and the work performed by the end of the year.

Mayor Heymann added that they succeeded in getting a Boy Scout troop to volunteer with moms and dads and scout leaders in the driving rain and made trails. It is worthwhile going to the back of the Library between it and the Belskie Museum where they have a park for passive reading and things of that sort. It is making good use of property that was unkempt before. She invited John Kashwick to attend if he hasn't been recently.

At this time, Councilman Glidden reported that he neglected to mention earlier there had been a Public Safety Committee meeting last week. He wanted the Council to know it was requested by the Chief and two members of the Police Department involved in the management of the police vehicles. They have brought up that they have an aging fleet; and they request that the Council take a serious look at upgrading the fleet. The outcome of the meeting was that they sent it the Borough Administrator and asked him to look at what they need and what he thinks they can do and how to finance it. They are currently waiting for that report.

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

1) REPORT – Councilwoman Amitai was absent therefore no report was given.

4. OLD BUSINESS
5. NEW BUSINESS
6. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
7. OPEN MEETING TO THE PUBLIC

Mayor Heymann opened the meeting to the public. No one wishing to be heard, she asked for a motion to recess the Work Session.

8. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

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9. ADJOURNMENT

Motion to adjourn the Work Session at 8:40 p.m. was made by Councilman Kashwick, seconded by Councilwoman Tutoli and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on October 8, 2009 for approval at the Regular Meeting to be held October 14, 2009.

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held October 14, 2009
Consent Agenda Item No. 26b.