

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – WEDNESDAY, DECEMBER 8, 2010 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Regular Meeting at Borough Hall on Wednesday, December 8, 2010. Mayor Heymann called the meeting to order at 8:35 p.m.

1. PLEDGE OF ALLEGIANCE

Mayor Heymann invited all to join in the Pledge of Allegiance.

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was sent to the Press Journal and The Record and published in both newspapers on January 7, 2010, posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

3. ROLL CALL

The following persons were present:

Mayor Sophie Heymann

Councilpersons John C. Glidden, Jr., Alissa Latner, John Kashwick, David Barad,
Arthur Dolson 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

At this time, Mayor Heymann read a Resolution as a statement of support for the National Guard and Reserve. Mayor Heymann asked Councilman Glidden to determine if anyone associated with the Borough is currently active in the National Guard and to advise her.

Mayor Heymann asked for a Moment of Silence on the passing today of former Fire Chief and Life Member of the Closter Ambulance Corps, Phil Addison, at the age of 86.

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

The following Ordinance was introduced at the Regular Meeting held 11/8/10 and was published in The Press Journal on 11/18/10 as stated in the printer's affidavit of publication. Reprint of this Ordinance was posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public:

BOND ORDINANCE NO. 2010:1084, "ORDINANCE REAPPROPRIATING \$343,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES TO PROVIDE FOR EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS IN THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY"

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

Motion approving adoption of Ordinance No. 2010:1084 was made by Councilman Dolson, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons, Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

5a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 7, 8, 16, 17, 18, 19, 20 and 21 was made by Councilman Kashwick, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

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RESOLUTIONS

6. BILL RESOLUTION – DECEMBER 15, 2010
TO BE PREPARED BY DEPUTY TREASURER
7. ~~POSSIBLE TRANSFER RESOLUTION NO. 2~~
TO BE PREPARED BY TREASURER/CFO (Requested by Administrator 12/2/10)
8. ~~POSSIBLE APPOINTMENT(S) OF SALARIED EMPLOYEES (NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/10; RM 1/13/10; 1/27/10; 2/10/10; 2/24/10; 3/10/10; 3/24/10; 4/14/10; 4/28/10; 5/12/10; 5/26/10; 6/9/10; 6/23/10; 7/14/10; 7/28/10; 8/11/10; 8/25/10; 9/7/10; 9/22/10; 10/13/10; 10/27/10; 11/8/10; 11/22/10)~~
RESOLUTIONS TO BE PREPARED BY ADMINISTRATOR

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
DEPUTY BOROUGH CLERK	_____	1 Year	12/31/10
DEPUTY TAX COLLECTOR	_____	1 Year	12/31/10
DESK DISPATCHER			
FULL TIME	_____	1 Year	12/31/10
PERMANENT CLERICAL FLOATER	_____	1 Year	12/31/10
POLICE MATRON	_____	1 Year	12/31/10

9. RESOLUTION DESIGNATING THE RESPONSIBILITIES OF CHAPTER 178 (TELEVISION AND MOVIE FILMING) TO THE BOROUGH ADMINISTRATOR IN THE ABSENCE OF THE BOROUGH CLERK (Received from Borough Attorney 11/24/10)
10. RESOLUTION MEMORIALIZING THE APPROVAL OF A TV-MOVIE FILM PERMIT FOR ACCORDION FILMS LLC (Received from Borough Attorney 11/30/10)
11. RESOLUTION ACCEPTING GIFT FROM CGI HOLISTIC FITNESS (Received from Administrator 11/30/10)
12. RESOLUTION AUTHORIZING THE FILING OF A PETITION CHARGING THAT THE BUILDING LOCATED AT 131 WEST STREET, CLOSTER, NEW JERSEY, IS UNFIT FOR HUMAN HABITATION, OCCUPANCY OR USE (Received from Borough Attorney 12/2/10)
13. RESOLUTION APPOINTING LESLIE WEATHERLY AS ADMINISTRATIVE SECRETARY FOR A ONE YEAR TERM TO 12/31/10 AT HER CURRENT RATE OF \$42,282, EFFECTIVE 12/8/10 (Received from Administrator 12/2/10)
14. RESOLUTION ENDORSING AND AUTHORIZING A BERGEN COUNTY PROSECUTOR'S OFFICE POLICE DEPARTMENT CONSOLIDATION STUDY WITH THE BOROUGH OF DEMAREST AND HAWORTH (Requested by Mayor Heymann 11/30/10/Received from Administrator 12/3/10)
- 14a. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a (Received from Administrator 12/8/10)
- 14b. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 (Received from Administrator 12/8/10)

MOTIONS

15. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed 12/2/10) ABSTENTION: BARAD:
- a. REGULAR MEETING OF NOVEMBER 22, 2010
 - b. WORK SESSION OF NOVEMBER 22, 2010

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16. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS (NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/10; RM 1/13/10; 1/27/10; 2/10/10; 2/24/10; 3/10/10; 3/24/10; 4/14/10; 4/28/10; 5/12/10; 5/26/10; 6/9/10; 6/23/10; 7/14/10; 7/28/10; 8/11/10; 8/25/10; 9/7/10; 9/22/10; 10/13/10; 10/27/10; 11/8/10; 11/22/10:

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
SHADE TREE COMMISSION Member (Ryan) (3. M.L. 3/11/10) <i> Mayoral Appointment</i>	_____	5 Year un- expired to	12/31/11

17. MOTION APPOINTING _____ TO SERVE AS MEMBER OF THE BOARD OF ETHICS FOR AN UNEXPIRED 5-YEAR TERM (ARCHER) TO 12/31/2013 (6. M.L. 7/15/10) (Adjourned from RM 7/28/10; 8/11/10; 8/25/10; 9/7/10; 9/22/10; 10/13/10; 10/27/10; 11/8/10; 11/22/10)

18. MOTION APPOINTING _____ TO SERVE AS MEMBER OF THE CLOSTER IMPROVEMENT COMMISSION FOR AN UNEXPIRED 2-YEAR TERM (MATTES) TO 12/31/2011 (1. M.L. 9/16/10) Adjourned from RM 10/13/10; 10/27/10; 11/8/10; 11/22/10

19. MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO FILL THE FOLLOWING *NON- SALARIED* APPOINTMENTS MADE AT THE REORGANIZATION MEETING HELD ON 1/4/10 (Which have not been accepted as of the time of preparation of this Agenda):

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION Member	_____	2 Year un- expired to	12/31/10
*SHADE TREE COMMISSION Alternate No. 2 <i>*Mayoral Appointment</i>	_____	4 Year un- expired to	12/31/11

20. MOTION APPOINTING _____ TO SERVE AS ALT. NO. 1 MEMBER OF THE CLOSTER IMPROVEMENT COMMISSION FOR AN UNEXPIRED 2-YEAR TERM (PEREIRA) TO 12/31/11 (7. M.L. 10/21/10) Adjourned from RM 10/27/10; 11/8/10; 11/22/10

21. MOTION APPOINTING _____ TO SERVE AS MEMBER OF THE LOCAL ASSISTANCE BOARD FOR AN UNEXPIRED 2 YEAR TERM (LEWIS) TO 12/31/11 (2. M.L. 12/2/10)

22. GRANTING APPROVAL FOR THE FRIENDS OF THE CRÈCHE TO PLACE NATIVITY CRÈCHE IN FRONT OF BOROUGH HALL DURING THE WEEK OF 12/05/10; TO BE REMOVED PRIOR TO 1/04/2011 (6. M.L. 11/11/10) Approval received from Risk Management Consultant 11/23/10

23. ACCEPTANCE OF THE FOLLOWING REPORTS:
 (None received at time of preparation of this Agenda)

- 5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

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

Mayor Heymann opened the meeting to the public. No one wished to be heard.

25. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY

Motion approving the following Closed Session resolution at 8:45 p.m. was made by Councilman Kashwick, seconded by Councilman Dolson and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai:

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- 25a. 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)(5) “Expenditure of public funds for the acquisition of real property”; 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 6 weeks.

Mayor Heymann resumed the Regular Meeting at 9:37 p.m.

Motion approving the following resolution was made by Councilman Barad, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

- 25b. RESOLUTION AUTHORIZING THE HIRING OF A POLICE OFFICER (CHRISTOPHER BARBIERI) AS A PROBATIONARY PATROLMAN, EFFECTIVE 1/12/2011, AT THE CONTRACTUAL SECOND YEAR RATE OF \$60,000 PER ANNUM
TO BE MEMORIALIZED BY BOROUGH ATTORNEY

26. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:38 p.m. was made by Councilman Glidden, seconded by Councilwoman Amitai and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on
December 16, 2010 for approval at the
Regular Meeting to be held
Monday, December 20, 2010

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held December 20, 2010
Consent Agenda Item No. 18a.

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BOROUGH OF CLOSTER

WORK SESSION NOTES – WEDNESDAY, DECEMBER 8, 2010 - 7:30 P.M.

The Mayor and Council held a Work Session at Borough Hall on Wednesday, December 8, 2010. 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. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was sent to the Press Journal and The Record and published in both newspapers on January 7, 2010, posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

3. ROLL CALL

The following persons were present:

Mayor Sophie Heymann
Councilpersons John C. Glidden, Jr., Alissa Latner, John Kashwick, David Barad,
Arthur Dolson 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

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF NOVEMBER 24, 2010 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. The following items were removed by the following individuals: Item No. 1 was removed by Councilman Dolson; Item No. 3 was removed by Councilwoman Amitai.

Item No. 3: Received 11/22/10 Hand del'd by Mayor, dated 11/05/10 from Victoria L. Sidrow, President & CEO, Vantage Health System re Thanking the Borough for the opportunity to develop affordable housing for individuals with special needs and requesting support for vulnerable residents by including Vantage in the 2011 Budget

Councilwoman Amitai voiced her opinion that it was nice of us to make a contribution to Vantage and questioned where the money came from. Mayor Heymann explained it is a very small contribution we make, which we have been making for many years, because they service our area; and Boroughs generally help in a small way.

Item No. 1: Received 11/22/10, dated 11/19/10 from Gail Warming Tanno, Municipal Clerk, Borough of Alpine, to Bergen County Planning and Economic Development, Municipal Clerks of Closter, re Copy of Ordinance No. 718: An Ordinance of the Borough of Alpine to Amend Chapter 220, Section 22, Authorizing an Amendment to the Zoning Code for an Addition of a New Section Entitled "Uses Prohibited in All Zones" introduced 10/27/10; tabled at meeting held 11/15/10, NEW HEARING DATE: Wednesday, 12/15/10 @ 7:30 p.m. (Copy to Planning Board, Zoning Board of Adjustment)Demarest, Cresskill, Tenafly, and Rockleigh, Town Clerk of Orangetown

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Councilman Dolson explained it seems the Borough of Alpine is amending their zoning ordinance to deal with temporary portable something for outside; Mayor Heymann clarified it was plastic tops for swimming pools; Councilwoman Amitai noted they are also referred to as “plastic bubbles”. Mr. Dolson explained that at one point we had discussed an ordinance regarding PODS and he now sees it looks like everyone else has the same problems. Mayor Heymann voiced her opinion that PODS are different from bubbles; and Mr. Dolson agreed they are both temporary issues.

b. MAIL LIST OF DECEMBER 2, 2010 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. The following items were removed by the following individuals: Item No. 4 was removed by Steve Isaacson

Item No. 4: a. Received 11/29/10, dated 11/23/10 from Edward B. Baker, Project Manager, EnSafe, to Borough of Closter, c: Louis Apa - Borough of Closter Health Officer re Former Weyerhaeuser Company Containerboard Packaging Plant, 10 Railroad Avenue - Notice in accordance with New Jersey Administrative Code 7:26E informing of the ongoing environmental evaluation at Block 1205, Lot 8 and Block 1206, Lot 19 (Copy to Construction Official, Board of Health, Environmental Commission);
b. 11/29/10, dated 11/24/10 from Edward B. Baker, Project Manager, EnSafe, to Loretta Castano re Former Weyerhaeuser Company Containerboard Packaging Plant, 10 Railroad Avenue - Notice in accordance with New Jersey Administrative Code 7:26E-1.4(i)(5) informing of the ongoing environmental evaluation at Block 1205, Lot 8 and Block 1206, Lot 19 with paper and electronic copy of letter and 200 foot recipient list (letter only!) Copy to Construction Official, Board of Health, Environmental Commission - letter only!) **DISK ON FILE IN BOROUGH CLERK’S OFFICE!!**

Steve Isaacson, 97 Columbus Avenue, questioned what was going on with respect to this item. He realizes there seems to be an ongoing monitoring of an environmental hazard at this location. They are operating on the property and have done a lot of fixing up; now they’ve dropped their application (to the Planning Board) and have resubmitted another application; and he questioned why they were being allowed to get away with this. Mayor Heymann expressed her confusion at his statement because they are not doing anything that is against any of our Codes. Mr. Isaacson clarified that at some point he had discussed that the application started in April and was continuously postponed. He explained it seems as though there is a new trick being pulled out of the bag; let’s drop the application and stop the clock; resubmit the application and start the clock from zero again. He asked for an explanation.

The Borough Engineer explained that the Planning Board requested that they drop the application because of a failure to prosecute the case; therefore, the Board requested that it be dropped. As a result, the applicant had to file all new fees; so it was rather expensive for the applicant. The Board determined it had been too long at that point.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of December 8, 2010)

Mayor Heymann asked if any member of the Council or public wished to discuss any items on the Consent Agenda and invited comments at this time. The following items were removed by the following individuals: Councilman Kashwick removed Item No. 14

RESOLUTIONS

14. RESOLUTION ENDORSING AND AUTHORIZING A BERGEN COUNTY PROSECUTOR’S OFFICE POLICE DEPARTMENT CONSOLIDATION STUDY WITH THE BOROUGH OF DEMAREST AND HAWORTH (Requested by Mayor Heymann 11/30/10/Received from Administrator 12/3/10)

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Mayor Heymann advised that the County Prosecutor has offered confiscated funds to the municipalities to fully fund studies for possible consolidation of Police Departments; and the only obligation on the part of the municipalities was to present applications for same before June 30, 2011. In the Northern Valley there has been considerable movement; and the Borough of Demarest has taken the lead in this matter. One of the companies allowed to do the study has come through with a proposal specific to Closter, Demarest and Haworth; and at this time, Mayor Heymann provided copies to the Council in addition to copies of the guidelines from the County Prosecutor's office. She explained that an open bid process must be followed; and the qualifications of the consultants are very clear. The proposal contains a cost of \$29,500, which is considerably less than estimated by the County. Our obligation is to take the recommendation of the consultant or, if not, repay the proposal cost to the County. Borough Attorney advised that as long as the Borough follows the guidelines and makes a good faith effort to comply with same, the Borough may not have to repay the funds. Mayor Heymann advised that it is estimated that the study would take six months to complete.

14a. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE
CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a (Received from Administrator 12/8/10)

Borough Administrator explained that this Resolution authorizes the purchase of Fire Department turn-out gear through a State Contract.

14b. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED
COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11
(Received from Administrator 12/8/10)

Borough Administrator explained that this Resolution approves the purchase of electricity through the Middlesex County Cooperative Pricing System for the year 2011 by Direct Energy Business LLC. The vendor presently supplies the Board of Education. The rates indicated by Public Service in the Mail List are not relevant for the Borough since the only item we purchase from them is gas. Councilwoman Amitai suggested contacting other Northern Valley municipalities on this subject and to be vocal at the rate hearing. Borough Administrator advised that the rate table indicates a percentage increase in gas service of less than one percent.

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

1) STATUS REPORT RE CONTRACTS:

a. BOROUGH ADMINISTRATOR (RM 5/13/09) – The Borough Attorney reported that there is a Personnel Committee meeting scheduled; and this is a topic for discussion.

b. MAC BAIN FARM AGREEMENT – Mr. Rogan informed that they are still working on one issue; and they are waiting to hear back from Mary Mayer on one issue as well, but that should be concluded by year end; he anticipates having this to the Council prior to the next meeting for possible vote and approval.

2) REPORT – The Borough Attorney reported that the Attorneys of all Interboro towns met at his office where they discussed some items, made some requests of the County to consider modifying the draft agreement they originally sent to us; and we have not heard back from them. He followed up as recently as yesterday; and they informed they would get back to him within a week. Mr. Rogan drafted for discussion purposes, the Regional Interboro Agreement; he explained that theoretically there are going to be two separate agreements: one would be the Interboro towns with the County, the other would be the Interboro towns staying together as a separate contracting unit. He informed that would have to be distributed and discussed at an Interboro meeting hopefully sooner rather than later. Mayor John DeRienzo was supposed to be scheduling a meeting on that, but as of today, he had not heard anything further.

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6. PROFESSIONAL REPORTS (Continued)
A. BOROUGH ATTORNEY (Continued)

Regarding the A&P/Rosenblum vs. Closter case, which was scheduled for trial on 11/30/10, it was adjourned by the Court on 11/29/10 @ 1:30 p.m. with the Judge indicating she wasn't able to hear the case; and it has been rescheduled for 1/25/11.

Mr. Rogan reported that he met this morning with the Public Safety Committee and has distributed to the full Council an item for review under a personnel matter. He informed that he also responded to the Public Safety Committee about another matter, by way of e-mail, this afternoon.

Dr. Barad referred to the case to be heard on 1/25/11 and questioned if there was anything related to that case that would affect a reapplication. Mr. Rogan responded in the negative and explained that the only effect it would have is that right now an applicant in the business zone, if they were looking for a retail use of over 40,000 square feet, they would have to request a variance. Other than that, it would have no effect one way or another. If we are successful on that, our ordinance would uphold judicial scrutiny; and it would continue to remain 45,000 square feet; if we lose the case, it would revert back to the 40,000 square feet. It is not going to affect the applicant one way or another; the only difference is that the applicant has to make another check on his application and provide proofs of the variance. It is unlikely that an application would be able to be heard before this case is over; therefore, in all likelihood, that issue would be long decided before the Planning Board gets another look at any potential application.

B. BOROUGH ENGINEER

1) STATUS REPORT RE 2009 SAFE STREETS TO SCHOOL SIDEWALK PROJECT – NJDOT \$275,000 (not to exceed \$52,100) RM 6/24/09 – Mr. DeNicola reported that this project around Tenakill school has completed State review; and they have forwarded it to the Feds; it is a Federally funded project so they are also going to review it. He has been advised probably a March bid is likely at this point barring any problems; he does not foresee any problems, so it will be another three months.

2) REPORT – The Borough Engineer reported there are another two or three projects that are ready for bid; probably in late winter/early 2011: Memorial Field Basketball Court Construction; Handicapped Ramp Project through a CDBG Grant we received; and depending on what happens with the Field House at Ruckman, the Restrooms at Mollicone and Schauble. These projects are ready to go once we obtain authorization from the Borough to bid; probably sometime early next year.

7. REPORTS

A. BOROUGH ADMINISTRATOR

1) STATUS REPORT RE NEW BOROUGH WEB SITE – Mr. Wiest reported that the 2011 Borough Calendar is at the printer right now; and a copy will be available on the Borough Web site and should be viewable in the next week or so.

2) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S):

a. George Washington Bridge Challenge to be held 6/12/11 (7. M.L. 11/24/10)

3) STATUS REPORT RE COORDINATION OF ADVERTISEMENT OF BIDS FOR VARIOUS EQUIPMENT AND IMPROVEMENTS (RMA 10/13/10)

4) STATUS REPORT RE PURSUIT OF “FAIR AND OPEN” PROCESS IN AWARDED CONTRACTS FOR FIREHOUSE ROOF REPLACEMENT AND COMMUNICATIONS EQUIPMENT FOR THE FIRE DEPARTMENT TO BE AWARDED IN THE BOROUGH OF CLOSTER (RMA 11/8/10)

5) REPORT - Mr. Wiest informed the only items he wanted to report on this evening were regarding upcoming bids and so forth. He pointed out that all could see this evening that we are doing everything we can to find good pricing either on State contracts or County contracts. We have been able to

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7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

place a number of the items from the recent funding authorizations through State and County contract purchases. We have a couple of upcoming bids that we are working on specifications for right now, one of which is the Fire House Roof Replacement. The Communications Equipment for the Fire Department is listed in Item 4 above; virtually all of those items can be found on State contracts. We do have orders in place for those items. The biggest item we are working on is the specifications for the roll-off that was approved earlier in the year, and the attachments that go along with that. He anticipates that coming out in the next week or two.

The Borough Administrator reported he had nothing new regarding insurance, as the George Washington Bridge Challenge comes up mid-year in 2011; and we will have that in place before that time.

B. BOROUGH CLERK

1) STATUS REPORT RE 2010 APPOINTMENTS - The Borough Clerk reported that we are current with additional appointment of the Local Assistance Board on the Agenda because we recently received a resignation.

PREPARATION FOR 2011 APPOINTMENTS - Ms. Castano reported as follow up to her memo dated 10/19/10 with deadline of 11/5/10, we are preparing for the 2011 Appointments and we have almost all of the responses and recommendations with the exception of the Recreation Commission and the Zoning Board of Adjustment. Paul Demarest (Land Use Coordinator, ZBA) informed us that he had provided the request to the Board, but he did not receive any responses or recommendations; therefore, he tried but did not get any results. Our first draft of the appointment list for the Reorganization Meeting was sent to the Mayor and Council in a timely fashion thanks to Arlene (Corvelli, Assistant to Borough Clerk); and we did that on 12/3/10, which she believes is a first in her 20 years as Borough Clerk. Mrs. Amitai and Mayor Heymann thanked the Borough Clerk for same.

2) STATUS REPORT RE 2010 OATHS OF OFFICE - Ms. Castano reported that all 2010 Oaths are current.

3) STATUS REPORT RE 2010 LICENSES - The Borough Clerk reported that 2010 Licenses are current.

PREPARATION FOR 2011 LICENSES - As follow up to our memo dated 10/15/10, we received report from Det. Bureau on 11/8/10, sent out notices on 11/15/10 to 8 licensees with deadline of 12/10/10. As of today we have 3 returns; which is very interesting because second hand gold/silver jewelry this time of year – they would like to have that license ready and able on the first of the year.

4) STATUS REPORT RE 2010 MEETING DATES/PREPARATION FOR 2011 MEETING DATES FOR ALL BOROUGH BOARDS AND COMMISSIONS (ANNUAL MEETING NOTICE) - Ms. Castano reported that on 10/1/10 we sent a memo to Borough Boards, Departments and Commissions with request for return by 12/2/10. As of today we have all responses and are preparing the Annual Meeting notice for publication in two newspapers, The Press Journal and The Record in a timely fashion right after the Reorganization Meeting.

5) STATUS REPORT RE IMPLEMENTATION OF CITIZEN SERVICE ACT (LOCAL FINANCE NOTICE -LFN 2009-24, 11/12/09) – The Borough Clerk informed that she had a question/reminder regarding the Citizen Service Act regarding the new appointments; that the Citizen Leadership Form needs to be completed before the appointment is made. That form can be downloaded from the Clerk's website. Ms. Castano requested the Mayor and Council follow-up with this as they make preparations for appointments.

6) STATUS REPORT RE FINANCIAL DISCLOSURE STATEMENTS – Ms. Castano informed she wished she could report that everything has been submitted; however as of today, we have 6 outstanding FDS not yet returned. The ones she did receive in the interim will be sent to the Board of Ethics; they have a meeting scheduled for 12/14/10 where, hopefully, they can review and approve those, so she can send the previous batch to the Local Finance Board; however, at this time of year there are still 6 remaining.

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7. REPORTS (Continued)

A. BOROUGH CLERK (Continued)

7) REPORT

a. Codification – Ms. Castano reported that at the request of the Administrator, she sent to General Code a request for an estimate; she received a response on 11/24/10 with some questions which she forwarded to our Borough Attorney on 12/3/10 for review and response. As soon as that is completed, she can prepare a requisition for a cost not to exceed \$2,025.00; which is under the budgeted amount.

b. OPRA – The Borough Clerk informed that Arlene prepared the new OPRA form which was approved by our Borough Attorney and placed on our Web site indicating the following: \$.05 regular size (8 ½ by 11”); \$.07 per page for legal size. It is easier now for anyone to access it on the website and they can see what the fees are rather than being surprised.

c. PREPARATION FOR REORGANIZATION MEETING TO BE HELD TUESDAY, 1/4/2011 – Ms. Castano reported we are preparing for the Reorganization Meeting. As far as Professional Services, notice has been placed on the web site, thanks to Quentin Wiest and Kevin Whitney.

d. Ms. Castano reported that she has had a scanner in her Department for at least two years; and they were waiting for someone to give the go-ahead. Arlene proceeded to determine whether it was still working, because we never did turn it on; our understanding was that we had to have a meeting with General Code. The scanner is working and she would need to purchase software for it which would cost approximately \$300. The question arises, would each of the Council and the Mayor want laptops in 2011 because we could go paperless. The laptops would be on the Council dais so they could refer to all of the paperwork that we would be e-mailing to them.

Dr. Barad questioned how we would propose to use that. Ms. Castano explained that initially, we could be getting things to them by scanning them and e-mailing it to them so they could review it at home in lieu of paper packets being sent to them every Friday. Dr. Barad suggested one way was to create a public file on the server that they could access to get that information. Ms. Castano questioned how would they get it so that when they come to a meeting they can refer to it; will there be paper. Dr. Barad responded that he felt we could be paperless if there were a monitor at the dais, but he didn't think it made sense to carry around a laptop; Ms. Castano explained that wouldn't occur because they would remain in Borough Hall. Dr. Barad agrees that being able to access certain information would be useful.

The Borough Clerk posed the question whether an iPad would work; and Dr. Barad voiced his opinion that this did not need to be discussed here. Ms. Castano explained that for many years she has had to listen to “Loretta, you use too much paper”; and each and every one of them is responsible for receiving this information; if it is addressed to the Mayor and Council, that means 7 copies of everything. Dr. Barad expressed that he supports the notion of putting something on the desks that they could use, but he feels we need to be careful how it is to be implemented so that it is most cost effective.

Ms. Castano suggested a committee review it; Mr. Glidden agreed that it doesn't hurt to have a discussion about it right now. Dr. Barad voiced his opinion that we don't have enough parameters to talk about it. Mayor Heymann explained that she had been discussing the idea with the Borough Clerk for quite some time. She does have some concerns about everyone having laptops here; and she agreed with Dr. Barad that there are certainly more ways than one of skinning this particular cat. She voiced her opinion that it certainly deserves a lot of research and suggested Councilman Kashwick and Kevin Whitney, and whoever else they wish to be on a committee to see to doing that.

Dr. Barad feels monitors would be good but it is useful for people to see the paper here. Mr. Kashwick questioned if the laptops would be networked; Mayor Heymann clarified they would be on a closed network as he suggested. She continued that these laptops would be dedicated to Council business that is on hand for the meetings and nothing else. Dr. Barad voiced his opinion that a laptop is too portable and would prefer to see some sort of monitor on the desk, perhaps a Kindle-like thing, which is cheaper than a laptop. Ms. Castano suggested the iPad and Mrs. Latner agreed that she has seen paperwork on her husband's iPad; and he loves it for his work. Dr. Barad added that he doesn't want people surfing the internet while at the Council meeting. Ms. Castano explained that there is a very seasoned veteran, who has

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7. REPORTS (Continued)

A. BOROUGH CLERK (Continued)

all of the Council work on laptops; and they had a presentation about 5 years ago, at which time she was very hopeful about the idea, but it just drifted off. Wanda Worner is the Clerk/Administrator in Northvale and she is excellent as far as linking everything so that Resolutions are attached to the Agenda; she will be willing to provide another presentation, though she realizes we could not do it this year because there is only one more meeting. Borough Clerk offered that if the Council were interested, they could set up a presentation so Ms. Worner could explain how it is done. Dr. Barad agreed that would be useful for the Council to have this at a Work Session and it is a starting place.

C. CHIEF OF POLICE

- 1) REPORT – Chief Berrian asked for closed session matter.

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS: Mayor Heymann reported that there is nothing new regarding Grants.

a. FILED

1. Reported by Mayor at Work Session held 12/9/09 as follows:

- A) DEP Greenhouse Grant Reduction (pre-application)
- B) 2011 NJDOT LOCAL AID FOR HERBERT AVENUE (WS 6/9/10/RMA 7/14/10)
- C) CDBG GRANT APPLICATION (\$20,000) TO IMPROVE ACCESSIBILITY TO THE CLOSTER PUBLIC LIBRARY (RM 8/11/10)
- D) 2011 ROID GRANT (REC OPPS FOR INDIVIDUALS WITH DISABILITIES DIFFERENTLY ABLED CHALLENGER RECREATION PROGRAM)
Reported by Mayor WS 9/7/10
- E) 2010 BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND GRANT APPLICATION (Municipal Park Improvement Program/Purchase of Playground Equipment/Memorial Park - \$37,500/match – RM 9/22/10)

b. AWARDED

- 1. CERTIFIED LOCAL GOVERNMENT GRANT (\$20,000) FOR HISTORIC PRESERVATION PLAN ELEMENT (7. M.L. 7/30/09)
- 2. 2010 COMMUNITY DEVELOPMENT BLOCK GRANT FOR BARRIER FREE CURB CUTS - \$50,000 AWARDED (2. M.L. 6/17/10)
- 3. BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL IMPROVEMENT PROGRAM 2009 Grant (\$37,000) basketball courts/Memorial Field (filed 7/27/09)
Award of \$36,500 reported WS 6/9/10
- 4. NEW JERSEY COMMUNITY FORESTRY COUNCIL 2009 BUSINESS STIMULUS FUND (BSF) GRANT - \$7,000 AWARDED 8. M.L. 1/21/10
- 5. NJ BODY ARMOR REPLACEMENT FUND PROGRAM (\$2,076.94) (Approved RM 10/13/10)

c. TO BE FILED - To be announced by Mayor

2) REPORT – At this time, Mayor Heymann announced she had a few items she wished to report on as follows:

She explained that yesterday's edition of The Record had a lovely article about Closter's only person that was involved in Pearl Harbor. Andy Meyers is still very active in the Borough, the Senior Citizens and the American Legion. She voiced her opinion that he is a fine person, and it was delightful to read about him, because we do need to remember Pearl Harbor. It was something that some or most of you probably didn't live through.

Mayor Heymann reported that some of us went to the ground breaking at the Vantage home to be

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built on Railroad Avenue. If you go there, in the intersection where Railroad Avenue takes a bend westward; you will see that they have already made major progress in building it up. They will have 16 livable units which will make major contributions to our portion of our addition to COAH, so we really come out ahead on that.

The Mayor continued that if anyone was interested, at Ruckman Park the foundation of the building is done there and the footings have been put in. All of the building materials are there waiting, so if anyone wants to take a breather from the nice weather these days, they can go see how the building is coming along. She explained that it is being completed with a lot of volunteer Borough labor, or items at cost; and it's going to be a real boon for the Borough.

8. OLD BUSINESS

Mayor Heymann informed that as per the instructions of the Borough Attorney, they have added seasonal décor to the crèche and menorah out front of Borough Hall; we have a sled pulled by reindeer with stars and poinsettias; and it is very attractive. Mr. Dolson questioned if it was possible to put temporary lighting on that because only one side is lit. Mr. Kashwick questioned if we still put the tree up and Mayor Heymann responded in the affirmative that the lights are on the tree but she is not sure if it is lit up. She thinks perhaps when the tree is lit, that may answer Mr. Dolson's question.

9. NEW BUSINESS

- a. STATUS REPORT RE SIDEWALK REPAIR PROCEDURE (Requested by Mayor 7/2/10/Discussed WS 7/14/10; WS 8/25/10)
- b. 2011 BOROUGH CALENDAR (Requested by Mayor 10/5/10)

At this time, Mayor Heymann informed she had some items for discussion as follows:

The first one has to do with clothing bins; we have several clothing bins in town at this point. We have one from the Red Cross in front of the Senior Center and there are two others for the Police Department that were from the former DARE program, which are located at the DPW. The company that runs the Red Cross bin, came to us with proposals which we may want to consider, because their bins are overflowing all the time. They thought this could be a "win-win" situation with a slight income for the Borough, income for the charities involved and a profit for the person doing this. The company is called Care Cycle out of Brooklyn; and they come here twice a week to pick up the items from the Red Cross bin. Their proposal is to add a second bin next to the Red Cross bin which overflows all the time, they would pay the Borough a flat fee of \$1,000 to put the bin there; the Red Cross would get a percentage and they would get the rest. They made some other proposals, one being instead of the bins at the DPW which service the police DARE program, which no longer exists, so there is not much purpose in that; they suggested one or two bins earmarked for Borough activities, such as the Nature Center or Belskie Museum, whatever is decided, so people could make their contribution for something in the Borough. She reminded that it would be \$1,000 to the Borough, a share for the charity; and the company would get the rest. There were also suggestions to have one at the Ambulance Squad on the grassy strip north of the building; and she brought that suggestion to Ross Herbert (Ambulance Corps. Captain) to be discussed with the Corps.

Mr. Kashwick questioned where the money would be coming from; and Mayor Heymann explained it is a very lucrative business to sell second-hand clothing, so it would come from the company that collects it. Mrs. Amitai voiced her opinion that just like Alpine passed the ordinance about not having the bubbles due to their unsightliness; she personally thinks it would be great to have them at the DPW where there could be 5 or 6 bins in a confined location which would be acceptable. She would prefer to have as few as possible; and if we have one next to another, they should be aesthetically similar to minimize the visual impact.

Mayor Heymann explained we would not have more at the DPW, we would have these instead. Mrs. Amitai clarified that her concern was not with the ones at the DPW, but the ones throughout town. Mayor Heymann explained the only ones she is recommending right now are to replace the ones currently at the DPW and add the additional one next to the Red Cross bin, which would be identical to the one there already. Mr. Dolson questioned if this was a typical procedure for an agent to set this up on behalf of the

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Red Cross. The Mayor informed that she had actually made arrangements for the original one some time ago. The company works with the Red Cross all over the County and other counties as well. Mrs. Amitai questioned if they were willing to give us \$1,000, maybe they would be willing to give us \$2,000. Mayor Heymann explained that if they were to do that, there would be nothing left for the charity; though it is a possible deal we could bring right to the charity, because they give you a percentage, and there is really no way to check that out and measure what is collected. Mr. Kashwick voiced his opinion that it was a good idea; and no objections were voiced. Therefore, Mayor Heymann asked the Borough Attorney to draw up a contract for review.

Mayor Heymann called to the attention of Council that the Board of Health is in the process of passing several Ordinances without input from the Council because the Board of Health is autonomous. She explained they are fairly comprehensive and include an ordinance to control tanning booths, one to increase their fees and one to authorize by Ordinance a very comprehensive review of plans of any eating establishment that is set in Closter. When she had expressed surprise at how specific the ordinance was, it was pointed out very clearly to her that this is word for word what the State allows us to do; and the State is actually mandating this, but we haven't really done it. She announced that it was in The Press Journal this week if anyone wanted to take a look at it. The Borough Clerk informed that she customarily provides copies of our ordinances so that other boards are aware of what is going on; we never received any notice of the public hearing; and questioned if we were receiving this information after it has been adopted. Mr. Dolson clarified that these were introduced in November and are up for public hearing and adoption next Thursday.

Mayor Heymann brought to the Council's attention that she was asked to consider a request by the Radon Action Partnership, because Radon Action month is in January. Closter's topography is in the middle of radon concerns, but risk is relatively low. Radon can be a potential danger and she asked for thoughts whether they wanted to enact a radon campaign, mostly through public relations, such as a media campaign. After some discussion, it was determined that this was a matter for the Board of Health.

The Mayor reminded all that we earn \$250 against our JIF insurance costs for everyone who participates in lecture on Safety Issues. This year's safety issue is controlling Workers Compensation and Liability Costs; and they did have one such lecture in Atlantic City, which she attended, but no one else did. She informed she is making arrangements with JIF, as they had least year, to have a meeting here to which other communities will be invited as well. At this point, we have set up several potential dates in February 2011 just before a Council meeting so it doesn't interfere with everyone's schedules. It would start around 6:00 p.m. and last for about an hour and a half; and she encouraged all members of the Council to attend.

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

Rich Marsich, 82 Maple Avenue, said he believed he is being discriminated against by some of the Management Team at the Closter Library by the enforcement of arbitrary rules concerning his use of a cell phone at the Library. He explained he was berated by the Manager and subsequently the police were called to eject him from the Library at the request of the Manager. He has spoken to the Director and the volunteer community supervisor on the matter. He had previously used a cell phone at the Library. Councilman Glidden said during his last visit to the Library, there was a general policy prohibiting cell phone use and possibly same is not being enforced properly at this time. Chief Berrian suggested that he meet with Mr. Marsich to attempt to ameliorate the situation with the Library Board. Mr. Marsich said that he would think about the offer.

11. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

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

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13. ADJOURNMENT

Motion to adjourn the Work Session at 8:42 p.m. was made by Councilman Glidden, seconded by Councilwoman Latner and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
on December 16 , 2010 for approval
at the Regular Meeting to be held
December 20, 2010.

Loretta Castano, RMC
Borough Clerk

Prepared by Arlene Corvelli and
Carol Kroepke, RMC, utilizing recording
and Borough Clerk's notes

Approved at the Regular Meeting held December 20, 2010
Consent Agenda Item No. 18b.