

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – OCTOBER 13, 2010 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Regular Meeting at Borough Hall on Wednesday, October 13, 2010. Mayor Heymann called the meeting to order at 8:30 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., 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

The following persons were absent:

Councilwoman Alissa Latner

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 9/7/10 and were published in the Press Journal on 9/16/10 as stated in the printer's affidavit of publication. Reprints 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. ORDINANCE NO. 2010:1080, "AN ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF VAN SCIVER STREET, BLOCK 1205, LOT 17.02" (Received from Borough Attorney 8/31/10)

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.

Motion to adopt Ordinance No. 2010:1080 was made by Councilwoman Amitai, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad, Dolson and Amitai.

b. ORDINANCE NO. 2010:1081, "AN ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF VAN SCIVER STREET, BLOCK 1205, LOT 17.03" (Received from Borough Attorney 8/31/10)

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.

Motion to adopt Ordinance No. 2010:1081 was made by Councilman Kashwick, seconded by Councilman Dolson and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad, Dolson and Amitai.

5a. VOTE ON CONSENT AGENDA ITEMS

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Motion to approve the Consent Agenda minus Item Nos. 9, 23, 24, 25 and 26 was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad, Dolson and Amitai.

RESOLUTIONS

6. BILL RESOLUTIONS (Requested by Deputy Treasurer 9/22/10)
TO BE PREPARED BY DEPUTY TREASURER
 - a. NO. 1 – SEPTEMBER 30, 2010
 - b. NO. 2 - OCTOBER 15, 2010
7. RESOLUTION AUTHORIZING THE ADVERTISEMENT OF BIDS FOR VARIOUS EQUIPMENT AND IMPROVEMENTS (Received from Borough Attorney 9/22/10)
8. RESOLUTION AUTHORIZING AN AMENDMENT TO THE ANNUAL CONTRACT WITH BOSWELL ENGINEERING RELATING TO THE PROVISION OF ENGINEERING INSPECTION SERVICES FOR BARRIER FREE CURB RAMP INSTALLATIONS ON PORTIONS OF CLOSTER DOCK ROAD, PIERMONT ROAD, COUNTY ROAD AND SCHRAALENBURGH ROAD, PER PROPOSAL DATED 8/16/10, FOR AN AMOUNT NOT TO EXCEED \$5,000 (Received from Administrator 9/28/10)
9. RESOLUTION AUTHORIZING AN AMENDMENT TO THE ANNUAL CONTRACT WITH BOSWELL ENGINEERING RELATING TO THE PROVISION OF ADDITIONAL ENGINEERING SERVICES, PER PROPOSAL DATED 8/16/10, FOR COMMUNITY DEVELOPMENT BARRIER FREE CURB RAMP INSTALLATIONS AT VARIOUS LOCATIONS FOR AN AMOUNT NOT TO EXCEED \$8,500 (Received from Administrator 9/28/10)
10. RESOLUTION AUTHORIZING GAS AND AUTO EXPENSE STIPENDS FOR THE 2010 CALENDAR YEAR FOR THE FOLLOWING EMPLOYEES OF THE TAX AND FINANCE OFFICE: MARIA PASSAFARO - \$400; MICHAELA TOMANOVA - \$400; LI-TONG CHIANG - \$400; DOROTHY WOODS - \$240 (Received from Administrator 10/5/10)
11. RESOLUTION APPOINTING BRIAN PIERRO TO THE POST OF FIRE PREVENTION INSPECTOR, PROBATIONARY, FOR A 1 YEAR TERM TO 12/31/10 AT A RATE OF \$17.23/HR. (Received from Administrator 10/5/10)
12. RESOLUTION ACCEPTING GEORGE POTTERTON MEMORIAL (CONSISTING OF ENGRAVED STONE, SEATING PLAZA AND PLANTINGS AT MEMORIAL PARK) VALUED AT \$31,200 RECEIVED FROM THE CLOSTER COACHES' ASSOCIATION (Received from Administrator 10/5/10)
13. *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) 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
**QUALIFIED PURCHASING AGENT	_____	1 Year	12/31/10
SCHOOL CROSSING GUARD			
PART TIME	<u>Cheryl Friedrich</u>	1 Year	12/31/10

**Permissive (1b. Mail List 12/23/09 – recommended Borough Attorney review)

Councilman Kashwick questioned whether Mike Marinello should be appointed as the

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Qualified Purchasing Agent inasmuch as the Mayor announced the receipt of his certification for the position. Borough Administrator advised that before the appointment can be made, he would have to submit his resignation from that position and that this matter would be addressed at a subsequent meeting.

14. RESOLUTION AUTHORIZING COLLECTOR OF TAXES TO CONDUCT AN ACCELERATED TAX SALE DELINQUENT TAXES FOR CALENDAR YEAR 2010 FOR ALL COMMERCIAL AND INDUSTRIAL PROPERTIES (Received from Collector 10/7/10)
15. RESOLUTION AUTHORIZING COLLECTOR TO CANCEL TAXES RECEIVABLE FROM THE TAX RECORDS FOR THE YEAR 2010/2011: 3RD AND 4TH QUARTERS 2010 FINAL TAXES AND PRELIMINARY 2011 TAXES ON BLOCK 1104, LOT 18, ASSESSED TO VAN SCIVER CORP. AT ONE (1) RAILROAD AVENUE (Received from Collector 10/7/10)
16. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A CHECK IN THE AMOUNT OF \$285.77 TO ROBERT DEL VECCHIO AS WELL AS A RETURN OF PREMIUM PAID AT TAX SALE HELD 9/29/10 IN THE AMOUNT OF \$4,500 FOR REDEMPTION OF TAX SALE CERTIFICATE #10-00002 FOR BLOCK 1706 LOT 10, 445 CLOSTER DOCK ROAD (Received from Collector 10/7/10)
17. RESOLUTION APPOINTING BRYAN MONE TO THE POSITION OF PART TIME DISPATCHER – 1ST YEAR FOR A 1-YEAR TERM TO 12/31/10 AT AN HOURLY RATE OF \$13.84, EFFECTIVE 6/1/10 (Received from Chief of Police 10/7/10)
18. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR THE NJ BODY ARMOR REPLACEMENT FUND PROGRAM (\$2,076.94) (Received from Administrator 10/7/10)
19. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COUNTY CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-11 AS FOLLOWS:
Commodity/Service: Diesel Fuel #11-BeCCP; Vendor: – Racheles/Micheles Oil Co. Inc.
County Contract #: Bid #09-99 awarded by Res.#1208-10 by Freeholders; Max. Amt. \$25,000;
Commodity/Service: Gasoline #11-BeCCP; Vendor: Racheles/Michele’s Oil Co. Inc.; County Contract #: Bid #10-98 awarded by Res.#1189-10 by Freeholders; Max Amt.: \$25,000
 (Received from Administrator 10/7/10)
20. RESOLUTION AUTHORIZING TAX COLLECTOR TO CORRECT TAX RECORDS AND ISSUE A REVISED TAX BILL REFLECTING AN ASSESSED VALUE OF \$2,309,800 FOR TAX YEAR 2010 FOR BLOCK 1206 LOT 1, 23 NAUGLE STREET (O&P REALTY CORP.) (Received from Borough Attorney 10/7/10)

MOTIONS

21. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed 10/7/10) ABSTENTION: LATNER
 - a. REGULAR MEETING OF SEPTEMBER 22, 2010
 - b. WORK SESSION OF SEPTEMBER 22, 2010
22. 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:

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION			
Member	<u>Wilson Reimers</u>	2 Year	12/31/11
*SHADE TREE COMMISSION			
Member (Ryan) (3. M.L. 3/11/10)	_____	5 Year un- expired to	12/31/11
* <i>Mayoral Appointment</i>			

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23. MOTION APPOINTING _____ TO SERVE AS ZONING BOARD OF ADJUSTMENT ALTERNATE. NO. 3 FOR A 2-YEAR UNEXPIRED TERM (IAFRATE) TO 12/31/10 (3. M.L. 5/27/10) (Adjourned from RM 6/9/10; RM 6/23/10; RM 7/14/10; RM 7/28/10; RM 8/11/10; RM 8/25/10; RM 9/7/10; RM 9/22/10)

24. MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO FILL THE FOLLOWING 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	_____	4 Year un- expired to	12/31/11

**Mayoral Appointment*

25. 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)

26. 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)

27. MOTION APPROVING RAFFLES APPLICATION FOR MEN’S CLUB OF TEMPLE EMANU-EL TO CONDUCT ON-PREMISE CASINO NIGHT ON THURSDAY, 11/11/10, AT 180 PIERMONT ROAD, FROM 7:30 P.M. TO 11:30 P.M. (Completed application filed and appropriate fees paid 9/29/10)

28. MOTION GRANTING APPROVAL FOR THE POLICE DEPARTMENT TO IMPOSE A 9:00 P.M. CURFEW ON CABBAGE NIGHT, 10/30/2010, AND HALLOWEEN, 10/31/2010 (Received from Chief of Police 10/4/10)

29. MOTION GRANTING APPROVAL FOR THE RECREATION COMMISSION TO CONDUCT THE ANNUAL HALLOWEEN PARADE ON SUNDAY, 10/31/10; PARADE TO FORM BEHIND THE BOROUGH HALL AT 12:30 P.M. AND PROCEED AT 1 P.M. THROUGH THE CENTER OF TOWN TO TENAKILL SCHOOL FOR THE JUDGING OF COSTUMES (Requested by Director of Recreation 10/8/10)

30. ACCEPTANCE OF THE FOLLOWING REPORTS:

a. FIRE CHIEF – SEPTEMBER 2010 (Received 10/8/10)

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

31. 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.

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

Borough Attorney referred to the resolution on the Interboro Radio, approved at the Regular Meeting held September 22, 2010, that had been re-worded and provided to the Council members; and questioned if the Mayor and Borough Clerk could sign same. No objections were expressed by the Council members.

Borough Attorney referred to the request from the Closter Swim Club Manager for permission from the Council to approach the County to request the installation of a two-way sign on Piermont Road identifying the location of the Swim Club. Recommendations as to dimension could be included in the permission. Chief Berrian indicated that standard sign dimensions were 12” by 18”. Borough Attorney said that a copy of the sign could be requested from the Club.

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- 32a. Motion approving the following Resolution at 8:40 p.m. was made by Councilman Glidden, seconded by Councilman Dolson and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad, Dolson and Amitai.

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. 10:4-012(b)(4) “A collective bargaining agreement” and N.J.S.A. 10:4-12(b)(8), “A matter involving public employees”; and that the item 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 9:22 p.m.

33. ADJOURNMENT

Motion to adjourn the Regular meeting at 9:22 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 October 21, 2010 for approval at the
Regular Meeting to be held
October 27, 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 October 27, 2010
Consent Agenda Item No. 15a.

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BOROUGH OF CLOSTER

WORK SESSION NOTES – OCTOBER 13, 2010 - 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.

At this time, Mayor Heymann requested a Moment of Silence in memory of Charles Stewart, who passed away September 27th and will be greatly missed. The Mayor explained that he was a very warm, thoughtful and constant friend of the Borough of Closter for more than 50 years. He was a member of the Closter Fire Department for 53 years, President of the Seniors Citizens Club for a good many years and a member of the American Legion for his war services.

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, 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

The following persons were absent:

Councilwoman Alissa Latner

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF SEPTEMBER 23, 2010 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. No one wished to remove any items for discussion.

b. MAIL LIST OF SEPTEMBER 30, 2010 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. No one wished to remove any items for discussion.

c. MAIL LIST OF OCTOBER 7, 2010 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. No one wished to remove any items for discussion.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING

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(Refer to Regular Meeting Agenda of October 13, 2010)

Mayor Heymann welcomed discussion on any of the items on the Consent Agenda.

9. RESOLUTION AUTHORIZING AN AMENDMENT TO THE ANNUAL CONTRACT WITH BOSWELL ENGINEERING RELATING TO THE PROVISION OF ADDITIONAL ENGINEERING SERVICES, PER PROPOSAL DATED 8/16/10, FOR COMMUNITY DEVELOPMENT BARRIER FREE CURB RAMP INSTALLATIONS AT VARIOUS LOCATIONS FOR AN AMOUNT NOT TO EXCEED \$8,500 (Received from Administrator 9/28/10)

Councilman Kashwick asked to discuss this item and Mayor Heymann advised that it will be pulled from the Agenda during the Regular Meeting.

10. RESOLUTION AUTHORIZING GAS AND AUTO EXPENSE STIPENDS FOR THE 2010 CALENDAR YEAR FOR THE FOLLOWING EMPLOYEES OF THE TAX AND FINANCE OFFICE: MARIA PASSAFARO - \$400; MICHAELA TOMANOVA - \$400; LI-TONG CHIANG - \$400; DOROTHY WOODS - \$240 (Received from Administrator 10/5/10)

Councilwoman Amitai questioned how many employees currently receive an auto stipend. Mr. Wiest informed that other than this group, there are three people who are all in the Building Department; they are inspectors who use their own cars to travel about the community.

There being no additional requests to discuss any items on the Consent Agenda, Mayor Heymann asked to discuss a potential proposal to not mail out the Borough Calendar, but have it on the website and have a few printed copies at the Library and elsewhere, where people who do not have access to the website could obtain it.

She informed that she has received a written reply from Councilwoman Latner who could not attend this evening; and a comment from Steve Isaacson and offered to read same. Dr. Barad expressed his sentiment that after much thought, he feels they should continue to print the calendar. He feels that although we may have many residents who can access computers, we still have some who do not. He reiterated what Councilman Kashwick expressed in his e-mail that it uses energy to start up the computer and use the website; the notion of a calendar to post for reference is a convenience that does not require electricity. Mayor Heymann explained that the calendar used to be sent out separately; the DPW calendar was sent out separately from the official Borough Calendar; and it has only been the past two years that we have combined the two. She suggested that the DPW calendar could be once again sent separately. She wanted to make all aware that the Borough could save close to \$5,000 by not printing it; and it will look exactly the same way as it does on the web. If we combine that with making available the DPW calendar, we wouldn't save that much money in that case, but we would save several thousand dollars.

Dr. Barad clarified his position that while we provide many services to people who live in town, the one thing they really get that is a benefit to them, which comes from the government, is this single pamphlet which not only provides a calendar, but provides information about a wealth of other things. It is our one way of getting a document to people's homes each year that they keep and don't toss in the trash. He understands the website serves that way as well; however, he feels that for now, it is a reliable way; and it is something that is tangible they can hold. Taking it away could make them feel that we are not providing a service and he feels we should continue to do so.

Mayor Heymann thanked Dr. Barad for his sentiments and asked for further comments.

Councilman Glidden voiced his agreement with Dr. Barad that a lot of people appreciate that

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calendar, regardless of where they keep it; and feels we should continue to print it. He said it can be time consuming to get on the computer every time they want to see something on the calendar. He feels it is a great convenience because there are still a lot of people that do not have access to the internet; and it would be especially helpful for them.

Councilman Kashwick agreed with Dr. Barad and Mr. Glidden. He voiced his opinion that other than the tax bill, this is the only other written communication we have with our residents. It is nice to give them something that is comprehensive and informative to use. Councilwoman Amitai agreed and added a caveat; we have a large Korean community; and she questioned how everyone felt about translating it for those residents. Mayor Heymann voiced her understanding that she is getting the lay of the land very clearly on the matter.

Mayor Heymann informed that in the past the Borough had a newsletter, prior to the calendar. The newsletter was primarily funded by advertising from various banks. It was decided that it was cleaner for us not to advertise and turn the newsletter into a calendar. The Mayor asked how everyone felt about advertising.

Councilwoman Amitai expressed her opposition to the idea and suggested if we turn off the lights at the fields when no games are being played, we would have the money to pay for it. Dr. Barad voiced his opinion that he is not opposed to tasteful advertising but said he would like to see it beforehand.

Councilman Dolson reminded that this is an official government document; and he does not feel it is appropriate to be sponsored by the merchants in town. Mrs. Amitai expressed that it could come across as favoritism of those companies and said it doesn't feel right. Dr. Barad suggested it could be handled similarly to the way PBS advertises: "Sponsored by a Grant from..." Mayor Heymann informed she understands the sentiments and she is not going to press the issue.

At this time, Mayor Heymann announced that she is pleased that Michael Mariniello, our CFO, was officially recognized as a Qualified Purchasing Agent. She explained he is not taking any additional salary for this and the Borough saves a certain amount of money by not having to bid a lower threshold. The Mayor expressed her gratitude and showed his certificate to everyone.

Mayor Heymann opened the meeting to the public for comments.

Steve Isaacson, 97 Columbus Avenue, explained he has a vested interest in the calendar as everybody knows. He voiced his opinion that it is not a practical decision because in his experience, he has another company that he sells a product for on the internet and they call his office because he has his number on the bottle; they can not go on the internet or will not go on the internet. His mother, who is 78 years old and still teaches 5 days a week, cancelled her internet because she can't figure out how to turn it on. He feels that possibly in the next generation it would be good, and suggested using CD Roms, which are cheap to do and can be distributed inexpensively. On the other hand, if at 5:00 a.m. you want to put your garbage out and need to check, you would have to turn on your computer and boot up the CD. He voiced his understanding that both the high school and the public schools send out a calendar every year; and they are the most internet savvy people out there. He has both of those calendars and the Borough Calendar in his drawer. He feels it is practical and most people appreciate it. As far as advertising, they do it in the school calendars.

Mr. Isaacson suggested if the Chamber of Commerce got together and put an insert in the calendar, about \$3,000 would pick up the cost of almost half the calendar. Mrs. Amitai agreed that was a great idea because the Chamber could advertise their businesses and information. Mr. Isaacson also suggested adding other vendors for a fee which would reduce the cost even further.

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6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

1) STATUS REPORT RE CONTRACTS:

a. BOROUGH ADMINISTRATOR (RM 5/13/09) – The Borough Attorney reported that he has been very busy the last few weeks and informed that the Borough Administrator’s contract has been finalized in draft form and forwarded to the HR Committee for review; he anticipates further discussion on same at the next meeting.

b. MAC BAIN FARM AGREEMENT – Mr. Rogan informed he distributed the final draft of the MacBain Farm Agreement tonight to the Mayor and Council. He confirmed late this afternoon with Glenn Parsells (Risk Management Consultant) some changes in the insurance portion and also made changes recommended by the Environmental Commission, the Mayor and Mary Mayer who also contacted him via e-mail. It is in final draft for the Council’s consideration; and he urged anyone with additional questions to contact him. If there are no further changes to be made, he will request that it be placed on the next Regular Meeting Agenda for approval.

2) REPORT – The Borough Attorney reported as follows: Regarding litigation, it has been an active couple of weeks.

a. On Friday, 10/15/10, we have two motions returnable.

1. At 9:00 a.m. for Rosenblum vs. Irani and the Planning Board – Mr. Rosenblum and A&P are requesting that the court grant summary judgment against the Planning Board only – not our Ordinance; only the Planning Board’s approval of that site plan based upon the failure of the Applicant to notify property owners within 200 feet of the church property. He explained for anyone not familiar with the application that during the course of the hearings, the Church right next door to us (Centennial AME Zion Church) voiced concerns and objections to the application. That matter was resolved between Irani from the Closter Plaza and the church by way of an Easement for a portion of their pavement. The contention by A&P and Mr. Rosenblum is that at that point there should have been a re-noticing of property owners within 200 feet. That matter will be argued on Friday at 9 a.m. before Judge DelaCruz, where he informed he will be present, though we (the Borough) did not participate in that motion because it is just between the Planning Board and Closter Plaza. In response to Mrs. Amitai, he affirmed that Arthur Chagaris (Planning Board Attorney) and the attorneys for Irani will be present as well.

2. At 4:00 p.m., we have another motion regarding Donald Schmidt vs. Leonard Sinowitz (Zoning Officer) and the Borough regarding a commercial property dispute between himself (Schmidt), a neighbor and the Borough. That will be an oral argument before Judge Conway. He anticipates being able to report on both of those issues at the next meeting. Typically, the Judges don’t give an opinion that very day; we are usually replied to the following week or so with a written opinion.

b. Mr. Rogan informed that this evening he distributed a final draft of the Interboro Resolution which he reminded was verbally approved at the last meeting, subject to the Council’s approval of the specific wording. He circulated a copy previously and received some comments which were incorporated into the Resolution. He explained that if it is satisfactory, there is no need to vote on it tonight; they can simply request that the Mayor and the Clerk execute the Resolution.

c. Since our last meeting, we have received two Notices of Claim. He explained that a Notice of Claim is a notice that is forwarded by an attorney typically to a municipality or government or entity, of an intent to possibly sue; and it preserves their right to sue, if it has been filed within 90 days of a particular event. In his opinion, they are both baseless; however, one we may have to defend through JIF and the other involves a sidewalk where a Mr. Frederick Goetz had complained about having to make sidewalk

6. PROFESSIONAL REPORTS (Continued)

A. BOROUGH ATTORNEY (Continued)

repairs. For some reason Mr. Goetz filed a Notice of Claim saying his clients are going to pursue that action. Legally there was no need to file a Notice of Claim. Under Title 59, which is personal injuries; it

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basically sounds like they are asking us to reimburse them for the costs to repair their sidewalks.

Mayor Heymann informed she had not seen this claim and questioned if the Borough Administrator had received a copy. Mr. Rogan explained he had been directly copied on the claim and advised it was only received yesterday.

Mr. Rogan continued that the other matter involves bushes or something; there was an accident where a car went through a stop sign and hit somebody else and now they are saying the bushes should have been cut and somehow believes the Borough should have been responsible for cutting them. Those two have both been processed and forwarded to Glenn Parsells and JIF.

d. Mr. Rogan informed there is a hearing coming up regarding DPW arbitration. A brief has been prepared and forwarded to the arbitrator for the hearing, which is scheduled to be held 10/26/10 at Borough Hall. He feels we are in a good position on that; and following resolution of that matter, he will report back to the Council.

The Borough Attorney informed he had a couple of items for discussion in closed session under personnel.

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 – Borough Engineer explained that this is a federally funded project and the DOT has forwarded it to the federal level for review having essentially given its blessing for the project. As it involves federal funds, the federal government has to give its approval for same.

2) REPORT – the Borough Engineer informed he had three non-Borough related items to report on as follows:

a. The Anderson Avenue sewer connection in Alpine that was going to tie into the Borough's sewer system has been completed. There are a few punch list items that the contractor has to address, mainly resetting the cleanout and patching the pipe.

b. The Schraalenburgh Road and Old Hook Road Signal being completed by NJDOT which ties in with the rail - the projects were started in June with a lot of concrete and electrical work completed. It is now on hold until they secure a steel signal pole, which is a special order item because the County requested special poles that are non-standard DOT items, and they are on backorder. It is a non-Borough project, but it is being funded by the DOT.

c. Regarding the County ADA Ramp Project, they met with J. A. Alexander, the County's contractor to lay out the project. It was supposed to start last week but due to various snafus with the contractor and the County, that is not likely to happen for the next few weeks. He anticipates perhaps next year or early November at the earliest.

Councilman Kashwick questioned if crosswalks and walk signals will be installed by the County at Schraalenburgh and Old Hook Road; and the Borough Engineer explained that the State would be installing same for that project.

Mayor Heymann informed that she was approached today by a developer that needs to break open Susan Drive and required a Road Opening Permit from the Mayor and Council. She advised that she put him off for two weeks and requested that he provide a written request. The Borough Engineer informed that

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

Road Opening Permits go to the DPW; and Mayor Heymann responded that she just wanted to apprise him

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of the matter.

At this time, the Borough Engineer discussed a proposal that was sent to the Mayor and Council. He explained that it is a conceptual proposal and estimate to improve streams: one off Anderson Avenue which the Council visited over the summer; the other one is off of Ruckman Road which has a deteriorating wall situation. At this point, no work has been done, no survey, only a conceptual estimate for funding purposes. Mr. DeNicola explained that over the past year or so, municipalities have been moving away from repairing those stream situations. They are finding out that once you do one, more are found; and it establishes a precedent.

Mayor Heymann informed she has submitted all of the documentation on the subject provided by Boswell with subject data to the DEP, which is trying to write new rules for the permitting process. She received notice today that circulated through the DEP that they are using these cases as a sample to try to simplify the rules. She hopes that they will be rewritten in time for us to benefit from it; but she will not guarantee it.

7. REPORTS

A. BOROUGH ADMINISTRATOR

Before he began reporting, Mr. Wiest explained that Resolution No. 9 is a Curb Cut Resolution and questioned why it was being pulled. Mayor Heymann clarified that she was mistaken about which Resolution it was and agreed that anyone interested could comment on it at this time.

Councilman Kashwick questioned the Borough Engineer which locations were included. Mr. DeNicola informed the locations were contained in the referenced proposal and explained there were four on West Street which were currently done by the County; there were two or three on Demarest Avenue and one on Schraalenburgh Road. He spoke to Billy Dahle who says we can find other ones to do if the Council desires since West Street was done last year in concert with a DOT grant. Mr. Wiest thanked everyone for the clarification and informed he wanted to make sure we did not lose that one mistakenly.

1) STATUS REPORT RE NEW BOROUGH WEB SITE – The Borough Administrator voiced his opinion that the website is fairly effective at this point. We have a lot of information on it; and he is interested in suggestions on how to bring more things to the front page to find the main items; and invited all to provide their thoughts on same.

2) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S):
a. Verizon – Certificate of Liability Insurance re Road Opening Permits
(BC/2nd letter 10/8/10) – (C of I received by Clerk and sent to Risk Mgt. Consultant on 10/12/10 for review and approval – approval received 10/13/10) – Mr. Wiest thanked the Borough Clerk for staying on top of this insurance matter with Verizon and resolving it.

3) REPORT

B. BOROUGH CLERK

1) STATUS REPORT RE 2010 APPOINTMENTS – The Borough Clerk reminded that we did have the appointment of Adam Nock to fill the unexpired term of Billy Bauer as Alt. No. 2 to 12/30/10

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

(Environmental Commission). She informed that we have not received the required Citizen Leadership Act Form from Mr. Nock to date. Ms. Castano reported that she also sent a letter drafted by the Chairperson

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from the Environmental Commission to Mr. Bauer's home via certified mail with return receipt requested and no one has signed that receipt as yet. When she receives same, she will report further.

a. Regarding 2011 Appointments, a memo will go to all Borough Boards and Commissions on Friday, 10/15/10, asking for input by 11/5/10 to confirm any open appointments and recommendations for reappointment.

2) STATUS REPORT RE 2010 OATHS OF OFFICE – Ms. Castano reported that Oaths of Office are current.

3) STATUS REPORT RE 2010 LICENSES – Borough Clerk reported that all 2010 Licenses are current.

a. REPORT RE 2011 LICENSES - The 2011 License memo will be sent to the Chief on Friday, 10/15/10, for response by 11/15/10 to enable us to send the customary requests for renewal in the beginning of December for payment prior to the New Year.

4) STATUS REPORT RE 2010 MEETING DATES – Ms. Castano reported that 2010 Meeting Dates are current.

a. REPORT RE 2011 MEETING DATES – A memo was sent to all Borough Boards and Commissions on 10/1/10/with a correction sent on 10/4/10/ with a request for response by 12/2/10. We are waiting for responses. We included information regarding Holidays and Holy Days to assist all in setting up their future meeting dates.

5) STATUS REPORT RE IMPLEMENTATION OF CITIZEN SERVICE ACT (LOCAL FINANCE NOTICE -LFN 2009-24, 11/12/09) – Ms. Castano informed that there are no changes to report at this time.

6) STATUS REPORT RE PREPARATIONS FOR 2010 GENERAL ELECTION TO BE HELD TUESDAY, 11/2/10, FROM 6 A.M. TO 8 P.M. – Ms. Castano reported that the customary memo was sent to the Chief of Police on 10/8/10 asking for his Department's assistance, which has always been greatly appreciated.

Yesterday the Borough Clerk's office was open from 9 a.m. to 9 p.m. which was the last day to register to vote in the General Election. We received one which had to be hand delivered to the Bergen County Clerk's office, Election Division, by 11 a.m. because they need it in a timely fashion. Someone from her office had to drive down there to hand deliver one registration. It is unfortunate that they can't be faxed because they require the document with the original signature.

Tomorrow we will be hosting the Board Workers meeting in the Council Chambers at 6 p.m. and Ms. Castano received a call from the County with concerns because a Nor'easter is coming. She hopes it will not impact the attendance at this compulsory meeting which is being held in Closter for the Closter Board Workers.

7) STATUS REPORT RE FINANCIAL DISCLOSURE STATEMENTS – Ms. Castano informed that a committee of the Board of Ethics met last evening and reviewed 11 statements received in the interim from 6/30/10. Today she sent 9 approved ones to the Local Finance Board and will follow up on two that have to be corrected and returned. At this time, we have 13 FDS outstanding.

8) REPORT – Ms. Castano reported on the following:

a. Follow Up from WS 9/7/10 - CLOSTER TELEPHONE DIRECTORY – Ms. Castano thanked the Borough Administrator for his recent e-mail; however, she informed that her office is still getting a lot of calls from people complaining that they are falling asleep by the time they find out what the Borough Clerk's extension is.

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

b. LEAGUE CONFERENCE IN AC FROM 11/16/10 to 11/19/10 – Ms. Castano informed that pre-registrations have been paid for seven attendees. Accommodations have been made for five

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officers of the Borough. She is looking forward to attending the Conference as the programs seem to be extensive and should provide us with a great deal of information which we will bring back to the governing body.

C. CHIEF OF POLICE

- 1) REPORT – Chief Berrian had nothing to report and requested a Closed Session.

D. MAYOR

Mayor Heymann informed she had nothing new to report regarding grants and continued on to New Business.

- 1) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED

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

- A) DEP Greenhouse Grant Reduction (pre-application)

Reported by Mayor at Work Session held 6/9/10 as follows:

- B) COPS More Grant (Reported at WS 6/9/10)

- C) 2011 NJDOT LOCAL AID FOR HERBERT AVENUE (WS 6/9/10/RMA 7/14/10)

- D) CDBG GRANT APPLICATION IN THE AMOUNT OF \$20,000 TO IMPROVE THE ACCESSIBILITY TO THE CLOSTER PUBIC LIBRARY (RM 8/11/10)

- E) 2010 ROID GRANT (REC OPPS FOR INDIVIDUALS WITH DISABILITIES DIFFERENTLY ABLED CHALLENGER RECREATION PROGRAM)

Reported by Mayor WS 9/7/10

- F) 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 OF \$20,000 FOR HISTORIC PRESERVATION PLAN ELEMENT (7. M.L. 7/30/09)

2. 2009 ROID Grant (\$10,000) for Recreation Commission Challenge Routine (W.S. 12/9/09) (REC OPPS FOR INDIVIDUALS WITH DISABILITIES 2009 DIFFERENTLY ABLED CHALLENGER RECREATION PROGRAM) Mayor reported on award at WS 3/10/10

3. 2010 COMMUNITY DEVELOPMENT BLOCK GRANT FOR BARRIER FREE CURB CUTS - \$50,000 AWARDED (2. M.L. 6/17/10)

4. 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

5. NJ HIGHWAY SAFETY “CLICK IT OR TICKET” 2010 PROGRAM GRANT (\$4,000) (Approved RM 9/22/10)

6. NEW JERSEY “COPS IN SHOPS” PROGRAM GRANT (\$496.88) (Approved RM 9/22/10)

7. NEW JERSEY COMMUNITY FORESTRY COUNCIL 2009 BUSINESS STIMULUS FUND (BSF) GRANT - \$7,000 AWARDED 8. M.L. 1/21/10

- c. TO BE FILED - To be announced by Mayor

8. OLD BUSINESS

9. NEW BUSINESS

- a. STATUS REPORT RE SIDEWALK REPAIR PROCEDURE (Requested by Mayor)

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7/2/10/ Discussed WS 7/14/10; WS 8/25/10) – Mayor Heymann informed we have been discussing potential solutions to the sidewalk repair procedure; and they will be coming out with something in conjunction with the Building Department.

b. 2011 BOROUGH CALENDAR (Requested by Mayor 10/5/10) – Mayor Heymann reminded that we discussed the Borough Calendar earlier in the meeting.

Mayor Heymann explained how pleased everyone was when they received the October issue of the League of Municipalities magazine, which features Closter on the cover. She informed there is a very lovely article inside; and suggested if anyone wants to see a copy, they can take a two-minute recess to read it. Mr. Glidden expressed his opinion that it was a great article, and the Mayor's photo is great as well.

Mayor Heymann continued that the Borough Administrator had previously mentioned that next Tuesday, 10/19/10, we are going to start experimenting with a new possibility of providing Korean language services for Korean speaking residents of Closter who might just want some counseling on how to steer through Borough regulations, Building Department regulations, etc. and have heretofore had a very difficult time communicating with English speaking employees. She added that we are fortunate to have two Borough employees who are bi-lingual and are volunteering their additional time to do this. The first is Youngmin Woo, who is a Property Maintenance Inspector, and the other is Mike Yae who is our Public Defender. They will be here off and on between 4:30 p.m. and 6:30 p.m. on Tuesday, 10/19/10, to assist any Korean speaker from Closter with any problems they may have to try and help them. If this works out, we are going to try to make a permanent program out of it. She wanted to let everyone know so they could inform any of their neighbors who may need this service.

The Borough Attorney reported that yesterday Bill Dahle completed a certification for clean up on the property located at 126 Knickerbocker in the amount of \$6,650.00. Mr. Rogan reminded that in previous discussions on property maintenance issues where a house has either been abandoned or put into foreclosure and become in disrepair with overgrown lawn, trees, shrubs, weeds, etc. a certification could be given for the costs to clean up the property. Mr. Dahle also indicated that it may be something the Council wanted to consider to go out to a third party to see if a private entity could do it for a better price. Mr. Dahle estimated that if it was to be completed with the labor of the DPW for removal of trees, disposal of trees, fuel, equipment and so forth it would take an estimated 50 hours of labor to clean up this property. He indicated he also received a quote for \$5,600 which would save about \$1,000. We could get quotes from other vendors and Mr. Dahle has asked the Mayor and Council to consider passing a Resolution tonight to get quotes for an amount not to exceed \$5,000.

Mr. Rogan informed he has the quotes with him and could distribute them if the Council feels so inclined to consider same this evening. In response to Dr. Barad, he explained that Billy's estimates factor in everything which is broken down. He is estimating the labor cost to be \$2,600. Dr. Barad asked for clarification that the labor cost is what it would cost for the DPW employees who are receiving a salary anyway to dedicate their time to this project; and it would not be creating an additional bill. Mr. Rogan affirmed same. Dr. Barad reminded that right now there are no leaves on the ground and no snow, so maybe now would be an ideal time to complete this job so as to not have to write an additional check to a third party; and suggested perhaps considering the Resolution was not the best way to go at this time. Mr. Rogan agreed and explained there are two certifications: one for private services, and one for the DPW services.

Mayor Heymann added that the neighbor to this property has spoken to Quentin (Wiest) as well as herself and expressed their eagerness to have the cleanup completed. Mr. Wiest clarified that both proposals include having an outside service remove some trees that need to be removed, so that number is common to both proposals. What Bill has done for the other work is price it using his own forces or using outside services. We had received a foreclosure notice for this property some time ago; and it was occupied

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to some degree until some time recently. We believe it is no longer occupied, yet somehow they managed to cut the grass, but nothing else is getting done. They have contacted the bank or mortgage servicer to let them know that at this point, we are going to take some kind of action if they don't. Dr. Barad pointed out there is only one quote from a tree service for taking down these trees. He informed that recently he had to review quotes to remove trees from his own property; he realizes these quotes can vary from as much as this one is to \$800 or so less for the same tree from different companies.

Mr. Rogan advised he would not suggest approving a specific amount if looking for outside services but rather something not to exceed the lowest amount between the two. Dr. Barad explained that the particular quote incorporated from an outside vendor to take down one tree is a cost of \$1,950; although he has not seen the tree and it may be a great quote, he would prefer to see quotes from one or two additional vendors before he signed off on that to see that it was accurate. Mrs. Amitai recalled that this property had come before the Planning Board a few years ago and it was determined that this property is on the corner of a cul de sac north of Cedar Lane. The Borough Attorney affirmed that this could be brought up again at the Regular Meeting if the Council decided to act on it.

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

Janice Pierro, 168 Herbert Avenue, voiced her opinion to the Council that she is one of the many people who look at the Borough Calendar at least once a week. She expressed her surprise that they were not aware that the School Board does not send out a calendar anymore; they were having a problem with the advertisements and it was not cost effective, so now it is only available on the internet.

Jesse Rosenblum, 65 Knickerbocker Road, informed that at a prior Zoning Board of Adjustment meeting, sworn testimony was given by Denny Wiggers where he states that he is bringing 1,000 yards of soil into Closter and he has that soil processed by a machine on the Ghia property. Mr. Rosenblum clarified that this particular issue is not on the pending application in front of the Zoning Board and continued that he feels there are a couple of violations in that process. He suggested between the Borough Attorney and the Borough Engineer, something should be done about these violations.

Mayor Heymann informed that Mr. Wiggers has been served summonses from the DEP and the Board of Health and she believes they have been following through on this. Mr. Rosenblum informed that this is a new issue. The Borough Attorney asked for clarification that Mr. Wiggers testified the same. Mr. Rosenblum affirmed and explained that the soil is run through a machine to take out rocks and he mixes it with compost and likely resells the soil. It was questioned if it was sold and Mr. Rosenblum responded it was to whoever his customers were. He then asked if the Borough's Soil Movement Ordinance would apply to the situation and Mr. DeNicola affirmed same. The Borough Engineer then explained that the Construction Code Official and Property Maintenance would need to evaluate the situation and issue any necessary summonses. Mr. Rosenblum reminded that this was not his surmising of the situation and that Mr. Wiggers himself testified to this.

Steve Isaacson, 97 Columbus Avenue, voiced his agreement with Dr. Barad that we should not spend money on a vendor such as Ken's Tree Service to cut down the trees when our own DPW is capable of doing the same thing and they are already salaried employees. He agreed those fees should then be reimbursable by putting it on their tax bill as a lien against the house. Mr. Isaacson informed that Billy Bauer (Environmental Commission Alternate No. 2 removed) is attending school in Montreal and will not return to the area until some time in December; therefore, he will not be able to sign for the letter. This was just a formality they took to remove Mr. Bauer so Adam (Nock) could be brought on to the group. In regards to the Borough website, he suggested adding in similar fashion as other websites that have a section

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on the home page that has the “most e-mailed” and “most read” articles. It would be based on priority depending on what the public chooses; and it would make a quick shortcut link right to those pages. In reference to the suggested cleanup at 126 Knickerbocker Road, Mr. Isaacson questioned why we could not ask for the prisoners to come do the work for us. Mayor Heymann voiced her concern that she was unsure how we could bill for the prisoner’s time; and the Borough Attorney added that we could only allow them to do the debris cleanup. Mr. Isaacson voiced his opinion that the trees were not of urgency and reminded that the next door neighbor requested the property be cleaned up; and suggested the trees could be done at a later time from the rest of the yard issues. On another matter, he suggested that if they were looking for a good translator, John Hernandez, who is a long time resident in the Borough and just retired is looking for things to do. He fluently speaks Spanish, English and Korean; and he would be a great resource to the Borough. In response to his question if any further information was obtained about the “leases” for the snack stand at Memorial Field, Mr. Wiest responded that he was unaware of any leases but explained the Recreation Commission has a company that operates the snack stand for them; and Mr. Glidden affirmed same. Mr. Isaacson suggested that since we will soon have two snack stands, if we were to get a company in there who could cook meals well like at the middle school, the teachers and the kids could use it all the time and it would pay for itself and provide a good income to the Borough while providing an alternate place for lunch where the kids can utilize the field at the same time.

At this time, Councilman Kashwick revisited the issue he mentioned at the last meeting regarding the possible vacation of Edgar Street and the two acres on the corner of Ruckman Road. He questioned if any action items regarding same had been provided to the Borough Attorney at that time. Mr. Rogan voiced his understanding that he did not take it as a formal vote but rather a consensus from the Council to add these to the Conservation Zone. Mr. Kashwick clarified that he was suggesting the properties not just be part of the Conservation Zone, but be a part of the actual Nature Center. Mayor Heymann informed that the Nature Center has a regular lease and she would have to think twice about it. She agreed the Nature Center could certainly use those areas, but their lease is up in about 13 years; so it would be difficult to add something like that to a lease already existing. The Borough Attorney advised an Amendment would have to be made to the lease. Mr. Kashwick expressed his concern was that by only adding the properties to the Conservation Zone, they were still Borough properties and not Nature Center property. Mayor Heymann informed that they have always been thought of as separate lots; and Mr. Rogan advised at this point he has only added them to the Conservation Zone. Mr. Kashwick was proposing that the properties be added to the Nature Center to give it greater protection so the wildlife there is supervised by the Nature Center; therefore, it would be beneficial to add same to it. Mayor Heymann agreed to discuss the issue further.

Mrs. Amitai questioned what she needed to do legally to be able to add Wilson Reimers to the Improvement Commission; and Mayor Heymann informed she was going to make a formal appointment during the Regular Meeting. Mr. Dolson questioned if Mrs. Amitai was aware that his house is for sale and that he resigned his last appointed position; and she affirmed same reminding that it was years ago.

11. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
12. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
13. ADJOURNMENT

Motion was made by Councilman Glidden, seconded by Councilman Kashwick to adjourn the Work Session at 8:48 p.m. and declared unanimously carried by Mayor Heymann.

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Provided to the Mayor and Council
on October 21, 2010 for approval
at the Regular Meeting to be held
October 27, 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 October 27, 2010
Consent Agenda Item No. 15b.