

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – TUESDAY, SEPTEMBER 27, 2011 - 7:30 P.M.

1. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

Mayor Heymann called the meeting to order at 8:35 p.m.

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 Record and published on January 9, 2011 and to the Press Journal and published on January 13, 2011, 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.

2. ROLL CALL

The following persons were present:

Mayor Sophie Heymann  
Councilpersons John C. Glidden, Jr., John Kashwick, David Barad and  
Victoria Amitai  
Borough Administrator, Quentin Wiest  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Deputy Police Chief, Dennis Kaine

The following persons were absent:

Councilwoman Alissa Latner  
Councilman Arthur Dolson

3a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 5, 11 and 13 was made by Councilman Barad, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad and Amitai.

ORDINANCES

4. INTRODUCTION OF ORDINANCE NO. 2011:1109, "AN ORDINANCE AMENDING CHAPTER 200, ZONING, SECTION A-5, DESIGNATION OF HISTORIC LANDMARKS" PUBLIC HEARING – 10/26/11 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received from Borough Attorney 9/22/11)

RESOLUTIONS

5. ~~POSSIBLE~~ RESOLUTION AWARDDING CONTRACT TO \_\_\_\_\_ FOR PROFESSIONAL PLANNER – MASTER PLAN, RECEIVED AT OPENING HELD 3/30/11 @1:30 P.M. - TO BE PREPARED BY BOROUGH ATTORNEY (Adjourned from RM 4/26/11; RM 5/11/11; RM 5/25/11 – Borough Attorney advised at this meeting the need for the Planning Board to put in writing a request that further information be provided regarding the RFP's submitted for consideration since the deadline for award is past 30 days; Adjourned from RM 6/8/11; RM 6/22/11; RM 7/13/11; 7/27/11; 8/10/11; 9/14/11)
6. RESOLUTION NO. 6 RE AD INTERIM PERMIT
7. RESOLUTION INCREASING CONTRACT PRICE FOR 2010 CDBG BARRIER FREE SIDEWALK RAMPS, CHANGE ORDER #1 AND FINAL FOR M. INGANNAMORTE & SON, INC. (Original Contract amount: \$35,716.00; Change Order No. 1 Amount: \$6,092.88; Final Amount: \$41,808.88) (Received from Administrator 9/21/11)
8. RESOLUTION REDUCING CONTRACT PRICE FOR HERBERT AVENUE, SECTION 4 & MEMORIAL FIELD BASKETBALL COURT IMPROVEMENTS, CHANGE ORDER NO. 1 FOR AJM CONTRACTORS, INC. (Original Contract amount: \$266,191.00; Change Order No. 1 Amount: (\$188.60); Final Amount: \$266,002.40) (Received from Administrator 9/21/11)

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9. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR THE 200 CLUB OF BERGEN COUNTY GRANT IN THE AMOUNT OF \$987.00 (Received from Administrator 9/22/11)
10. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a. as follows:  
Duration of Contract: From 9/21/11 to 9/30/12 unless earlier expiration date is indicated;  
Commodity/Service: Wireless Devices & Services; Vendor: Verizon Wireless, Cellco Partnership, 502 First State Blvd, Newport, DE 19804; State Contract #: A64428;  
Max Amt.: \$3,000.00 (devices) \$12,000.00 (services) (Received from Administrator 9/23/11)
11. RESOLUTION ACCEPTING THE LOW BID RECEIVED FROM MARINI BROTHERS CONSTRUCTION CO., INCORPORATED, HACKENSACK, NJ, AT THE BID OPENING HELD 9/23/11 @ 11:30 A.M. FOR THE CONSTRUCTION OF THE 2009 SAFE SIDEWALKS TO TENAKILL SCHOOL INFRASTRUCTURE PROJECT IN THE AMOUNT OF \$182,563.85 FOR THE BASE BID PLUS ALTERNATE (Received from Administrator 9/23/11)

MOTIONS

12. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed via e-mail on 9/23/11) NO ABSTENTIONS:
- a. REGULAR MEETING OF SEPTEMBER 14, 2011
  - b. WORK SESSION OF SEPTEMBER 14, 2011
13. MOTION APPOINTING THE FOLLOWING INDIVIDUAL TO FILL THE FOLLOWING *NON-SALARIED* APPOINTMENTS MADE AT THE FOLLOWING MEETINGS (Which have not been accepted as of the time of preparation of this Agenda)

<u>OFFICE</u>	<u>MEETING</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION Member	Reorg.1/04/11	_____	2 Year	12/31/12

14. ~~POSSIBLE~~ MOTION GRANTING APPROVAL FOR THE CROP WALK TO BE CONDUCTED PARTIALLY THROUGH THE BOROUGH ON 10/16/11 SUBJECT TO RECEIVING A WRITTEN REQUEST AND ROUTE (Approval of insurance received from Risk Management Consultant 9/20/11/no written request received/no route received)
15. ~~POSSIBLE~~ MOTION GRANTING APPROVAL FOR DEDICATED INDIANS OF AMERICA TO PLACE TEMPORARY SIGNS AT THE \*REQUESTED BOROUGH RIGHT-OF-WAY LOCATIONS ANNOUNCING THEIR FESTIVAL OF LIGHTS CALLED "DIWALI" TO BE HELD AT THE DEMAREST DUCK POND ON 10/9/11 (7. M.L. 9/22/11) (RECEIPT OF APPROVAL OF REQUIRED INSURANCE TO BE PROVIDED BY RISK MANAGEMENT CONSULTANT -- \*BOROUGH RIGHTS-OF-WAY LOCATIONS TO BE PROVIDED)

Borough Clerk advised she has not received the insurance approval nor the locations of the signs. Borough Administrator said that some of the locations were on County Roads in addition to Borough roads and there were no problems indicated. It was decided to approve the motion subject to receipt of approval of the insurance from the Risk Management Consultant and the sign locations.

16. REPORTS

- a. DEPUTY CHIEF OF POLICE – AUGUST 2011 (Received 9/22/11)
- 3b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

11. RESOLUTION ACCEPTING THE LOW BID RECEIVED FROM MARINI BROTHERS CONSTRUCTION CO., INCORPORATED, HACKENSACK, NJ, AT THE BID OPENING HELD 9/23/11 @ 11:30 A.M. FOR THE CONSTRUCTION OF THE 2009 SAFE SIDEWALKS TO TENAKILL SCHOOL INFRASTRUCTURE PROJECT IN THE AMOUNT OF \$182,563.85 FOR THE BASE BID PLUS ALTERNATE (Received from Administrator 9/23/11)

CLOSTER MAYOR AND COUNCIL

REGULAR MEETING MINUTES – TUESDAY, SEPTEMBER 27, 2011 - 7:30 P.M.

Motion to approve Consent Agenda Item No. 11, subject to preserving the tree at 156 Harrington Avenue that is currently marked for removal and that when the trees are marked for removal it is in conjunction with a member of the Shade Tree Commission, namely George Futterknecht or Todd Bradbury being present; and if there are any additional trees that have to be removed aside from what is on the plan, that a member of the Shade Tree Commission is notified prior to removal of the trees was made by Councilman Kashwick, seconded by Councilman Barad and declared carried by Mayor Heymann on the affirmative vote of Councilpersons Glidden, Kashwick, Barad and Amitai.

BEFORE ROLL CALL VOTE, Borough Engineer advised that the only way to go around the tree was to go on to private property; and permission must be granted. In answer to Councilwoman Amitai, Mr. DeNicola said that one property owner is opposed to the sidewalk installation because her fence is beyond the Borough right-of-way line requiring the fence to be pushed. Mayor Heymann said that the majority of the people are in favor of the sidewalk. It was decided that the property owner should be contacted on this matter.

17. 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.11)

Borough Engineer advised that during the excavation for the basketball courts, very soft clay was unearthed near the stream and would require additional excavation to remove same entirely. The excavation would require the removal of 4 feet of material for a 50' by 30' area and replaced by stone and filter fabric to stabilize the area. Rough cost is \$10,000 and the total grant is \$73,000 including the Borough match. The bid was \$65,000 so that there is roughly \$8,000 remaining. Cutting back the court would provide only half a basketball court and the Borough may not be able to improve it in the future without a permit from the DEP. Mayor Heymann said that the same problem was encountered at Ruckman Field. It was the consensus of the Council to move forward on the excavation of the soft clay.

17a. Motion approving the following Closed Session Resolution at 8:55 p.m. was made by Councilman Glidden, seconded by Council Barad and declared carried by Mayor Heymann on the affirmative vote of Councilpersons Glidden, Kashwick, Barad 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. 10:4-12(b)(7), "Pending or anticipated litigation or contract negotiations"; N.J.S.A. 10:4-12(b)(8), "A matter involving public employees"; and that the items under discussion in the closed meeting would be disclosed to the public at the conclusion of the matter which should be within 8-10 weeks.

Mayor Heymann resumed the Regular Meeting at 9:45 p.m.

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

18a. Motion approving the funding of the balance of the sign at Veterans Park in the amount of \$2,000 from the Borough's Open Space Trust Fund was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad and Amitai.

Relative to allocating funds for the potential barrier on Westminster Avenue, Borough Attorney advised that as long as authorized by the Mayor and Council, denying access to a paper street is legal if it does not affect the operation of a legal business.

18b. Motion approving the purchase and installation of fencing to provide a barrier to the paper street Westminster Avenue in an amount not to exceed \$500 was made by Councilman Glidden, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad and Amitai.

Borough Administrator requested that authorization be given to the Borough Attorney to participate in the preparation of specifications for a street sweeper.

18c. Motion authorizing the Borough Attorney to prepare bid specifications for the purchase of a Street Sweeper was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor Heymann on the affirmative vote of Councilpersons Glidden, Kashwick, Barad and Amitai.

CLOSTER MAYOR AND COUNCIL  
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19. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:50 p.m. was made Councilman Glidden, seconded by Councilman Kashwick and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council via  
e-mail on October 7, 2011 for approval  
at the Regular Meeting to be held  
October 12, 2011

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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 12, 2011  
Consent Agenda Item No. 19a.

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION NOTES – TUESDAY, SEPTEMBER 27, 2011 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session at Borough Hall on Tuesday, September 27, 2011. Mayor Heymann called the meeting to order at 7:30 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 Record and published on January 9, 2011 and to the Press Journal and published on January 13, 2011, 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

Those present were the following:

Mayor Sophie Heymann  
Councilpersons John C. Glidden, Jr., John Kashwick, David Barad and  
Victoria Amitai  
Borough Administrator, Quentin Wiest  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Deputy Police Chief, Dennis Kaine

The following persons were absent:

Councilwoman Alissa Latner  
Councilman Arthur Dolson

At this time, Mayor Heymann welcomed the Boy Scouts and Leaders who were in the audience and invited them to have a special session of the Mayor and Council, which they would be the governing body. She proceeded to explain the procedure of the meeting.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF SEPTEMBER 15, 2011 - 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 22, 2011 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item No. 6 was removed by Mayor Heymann; 1d was removed by Councilman Kashwick.

Item No. 6: Received 09/21/11, dated 09/16/11 from Gary Vander Veer, P.E., Azzolina & Feury Engineering, Inc., to Borough Clerk re Notification that an application for a flood hazard area permit and freshwater wetlands permit will be submitted to the NJDEP for the project: Borough of Alpine, Tenakill Brook Bank Stabilization, NJDEP Permit Application, Block 70, Lots 23 & 24, Old Saw Mill Road, Our File No. ALP-937 - comments to be made within 15 calendar days of receipt of this letter! (Copy to Land Use Coordinator/Planning Board, Land Use Coordinator/Zoning Board of Adjustment, Environmental Commission)

Mayor Heymann wished to clarify there was an error in the notice sent by Azzolina & Feury stating the project involved “Tenakill Brook”; it should read “Demarest Brook”. In response to Councilman Barad the Borough Engineer affirmed the purpose of the project is bank stabilization. He explained that Closter repaired the bank behind Tenakill Field about 8 years ago and this is either a similar project where it’s a hard reinforcement like a gabion wall, or it could be bio-engineering where they re-stabilize the bank with vegetation. Though he has not seen the plans, he thinks it would be one of those two.

Item No. 1d: Received 09/20/11, dated 09/20/11 from William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerks re S-2887, Wind Turbines on Preserved Farmland, HELD (Copy to Land Use Coordinator/Planning Board, Land Use Coordinator/Zoning Board of Adjustment)

Councilman Kashwick questioned if the Council would entertain a Resolution agreeing with the League on opposing this legislation. He explained this legislation involves allowing wind turbines to be placed on lands purchased with Green Acres funding for farmland preservation. He offered to draft a Resolution if everyone was in agreement.

At this time, Mayor Heymann wanted to point out that she feels this is of interest for everyone because it involves the future procurement of energy. She voiced her understanding that some people have heard about the issues of primarily using oil – which depletes forever and is imported in many cases; so we need something called renewable energy. The Mayor explained for the Boy Scouts in the audience that windmills are a source of renewable energy; and there is a movement in New Jersey to allow the placement of windmills on farmland because of the open space which would encourage a wind stream. Councilman Kashwick voiced his opinion that it is not an appropriate use for land that was supposed to have been preserved as a farm. Though he agrees that wind turbines are a better source of energy than burning coal or gas, it is still development of farmland; and he feels it sets a dangerous precedent in New Jersey.

In response to Councilman Barad, Councilman Kashwick stated his position which would call for drafting a Resolution in Opposition to S-2887, Wind Turbines on Preserved Farmland; which is the same stance the League of Municipalities holds. Dr. Barad voiced his understanding that the issue pertains to the use of Green Acres preserved lands and whether or not to allow development on them; and he feels wind turbines are a slippery slope that begins it all.

Mayor Heymann clarified that the issue Councilman Kashwick has is the proposed legislation that would allow turbines to be built on land that has already been safeguarded as open land; and the owners have already been paid for the non-development of that land. She voiced her understanding that, in essence, the owners would get income from the land that the State has paid them to preserve. The issue is not that it speaks to having turbines on farmland; it speaks directly to the fact that the farmland they want to offer has already been paid for to be kept out of circulation.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of September 27, 2011)

Mayor Heymann asked whether any member of the Council or public wished to remove for discussion any of the following Consent Agenda Items: Councilman Kashwick removed Item Nos. 7 and 11.

7. RESOLUTION INCREASING CONTRACT PRICE FOR 2010 CDBG BARRIER FREE SIDEWALK RAMPS, CHANGE ORDER #1 AND FINAL FOR M. INGANNAMORTE & SON, INC. (Original Contract amount: \$35,716.00; Change Order No. 1 Amount: \$6,092.88; Final Amount: \$41,808.88) (Received from Administrator 9/21/11)

In answer to Councilman Kashwick, Borough Engineer advised that there were additions under the allowable 20% change order amount to the project inasmuch as the grant was for \$50,000 and the bid came in at \$35,000.

11. RESOLUTION ACCEPTING THE LOW BID RECEIVED FROM MARINI BROTHERS CONSTRUCTION CO., INCORPORATED, HACKENSACK, NJ, AT THE BID OPENING HELD 9/23/11 @ 11:30 A.M. FOR THE CONSTRUCTION OF THE 2009 SAFE SIDEWALKS TO TENAKILL SCHOOL INFRASTRUCTURE PROJECT IN THE AMOUNT OF \$182,563.85 FOR THE BASE BID PLUS ALTERNATE (Received from Administrator 9/23/11)

Councilman Kashwick explained he inspected the entire area and noted that there was a 30" oak tree at 156 Harrington Avenue that should be preserved. He asked that when the trees are marked, a member of the Shade Tree Commission should be present. Borough Engineer said that in order for the sidewalk to wrap around the tree, an easement from the property owner would be needed. In answer to Councilwoman Amitai, Borough Engineer advised that the sidewalk would be 4' wide, which is the generally accepted width even though the Closter Code calls for 5' width sidewalks. It can be reduced to 3' in the case of an extreme situation. Mayor Heymann explained the situation to the audience and said that increasing the sidewalk area to schools would encourage their use by more students. Some trees must be removed because of right-of-way issues.

In answer to Jesse Rosenblum, 65 Knickerbocker Road, Borough Engineer advised that most of the sidewalks would be new except for a portion on Harrington Avenue between Tenakill Brook and Cedar Lane. The bid was for 1,300 total square yards of sidewalk.

Steve Isaacson, 97 Columbus Avenue, voiced his understanding that 17 trees would be cut down and explained he felt the Environmental Commission should have been informed of the project. Mayor Heymann said that this was an issue that involved the Shade Tree Commission, who was informed and went along with the project. Mr. Isaacson reminded he came up with a sidewalk plan from the 9/11 Memorial along Old Dock Road through Memorial Park; and it was not considered. The Environmental Commission has the power to regulate passive recreation and should have been informed and not bypassed.

Eric Mattes, 72 Primrose Lane, asked if there was a new standard for pedestrian crosswalks; and the Borough Engineer explained that the interpretation, not the detail has changed. It was determined that the handicapped ramps were not being installed in strict detail in the past and 99% of the ramps did not comply. The ramps used to be parallel with the road and now they are more skewed.

Joseph Migliore, 1 County Road, said that the contractor advised that three ramps had to be replaced because the alignment of the pad is that the width faces the direction of travel of the wheel chair. A visually impaired person can feel the orientation in order to cross the street.

6. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY - DOLSON (GLIDDEN/ KASHWICK)

- 1) STATUS REPORT RE CLOSTER WEBSITE
- 2) REPORT – In the absence of Councilman Dolson no report was provided.

B. PUBLIC SAFETY - GLIDDEN (DOLSON/LATNER)

- 1) REPORT – Councilman Glidden informed he had two items for Closed Session regarding Public Safety personnel.

Councilman Glidden informed there was a Public Safety Committee meeting this past Sunday when they were invited over to the fire house. The Fire Department suggested to them that they are in need of a new ladder truck. He explained that this is the largest piece of equipment in their fire truck inventory and it is something they have to consider; considering the current ladder truck is 21 years old and the maintenance is starting to get a little high. Mr. Glidden suggested they begin looking at it to see what they can do. The Committee was treated to a ride in the ladder truck around town on Sunday; and he offered his opinion that it is quite an experience to do so. Mr. Glidden suggested they could arrange for a ride for the Boy Scouts if they have not been treated to such an event yet. He explained there are a lot of factors in considering a ladder truck; the length and the width of the truck have to fit in the fire house. Another issue they have is maneuverability as in the case of a street with a cul-de-sac that requires the truck to turn around. Mr. Glidden voiced his opinion that they learned a lot about fire trucks this past weekend; and they will have to have a lot of long discussions about it because it is the most expensive piece of equipment in Closter.

C. PUBLIC WORKS - LATNER (AMITAI/GLIDDEN)

- 1) REPORT – In the absence of Councilwoman Latner, the Borough Administrator provided a brief report. Mr. Wiest explained we have a new piece of equipment (roll off truck) on order and are awaiting delivery which will complete our major equipment purchases. Other than that, there is nothing else he felt he needed to bring to their attention.

At this time, Ed Cappellutti, 96 Pine Street, questioned how much a fire truck will cost. Mr. Glidden explained that a ladder truck of that size and magnitude, being the largest piece of equipment in the fire truck inventory, would cost in the ballpark of approximately \$1,000,000. Questions such as other alternatives and the possibility of refurbishing the current truck have to be answered in the upcoming discussions. The issue was only brought to their attention this past weekend; and it will be a while before any decisions are made because it will have an impact on the tax rate and public safety.

At this time, Mayor Heymann explained to the Boy Scouts what Ordinances, Statutes and laws are.

6. COMMITTEE REPORTS (Continued)

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported there was no Ordinance Committee meeting in September due to various conflicts and informed the next meeting will be on 10/4/11. Dr. Barad said they would have a full report to provide next month.

Mayor Heymann explained that the Council is faithful and like other Council committees, they meet once a month to discuss issues that come up during the regular course of business.

2) REPORT

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick reported the Human Resources Committee met twice in the last two weeks and he has several items for Closed Session regarding personnel.

2) REPORT – Councilman Kashwick reported on the following:

a. The Environmental Commission voted to oppose the acquisition of the Swim Club now that contamination has been identified there, but they would still support the acquisition of the three acres of wetlands and woodlands behind the club. The Commission is looking for the final locations for the bike racks that were authorized two years ago from Open Space funding. Mr. Kashwick announced that the Harvest Festival will take place 10/29/11 at 4:00 p.m. at the MacBain farm. Beth Ravit (Chair) informed the Commission that they did not receive the Sustainable Jersey grant from Wal-Mart this year.

b. The Shade Tree Commission received a quote for the widening of the grates in the downtown area around the pear trees; and they will be discussing that at their next meeting as to the award of the contract. He informed that the pruning of the trees will take place in Election District 1 this fall.

c. The Historic Preservation Commission is planning a hearing at the November meeting for two additional properties they are planning to designate. He announced the properties are the AME Zion Church and 151 West Street. Mr. Kashwick reported that the new signs have been ordered and they will comply with the new regulations in terms of reflectivity and readability. The Commission is planning a talk on Election Night, 11/8/11, at 7:00 p.m. at the Closter Library to discuss the Lustron House and the effect of WWII on Closter.

In response to Councilwoman Amitai's inquiry as to the placement of the bike racks, Mr. Kashwick explained they are to be placed in a park, but he believes Mr. Isaacson is reaching out to Heidenberg Plaza; and Mr. Isaacson said he believed the Chamber of Commerce would be donating the bike racks for that location.

Mrs. Amitai questioned if she was correct that she read somewhere that the County was planning a countywide sign planning program in terms of design; and asked if he was aware of it. Mr. Kashwick responded that he was not familiar with same. The Borough Engineer explained it could have been a contract to meet the federal requirement to replace the signs by February 2012. He reminded that at an earlier meeting he reported that due to the financial burdens on towns and states, that deadline requirement has been waived, but the standard still exists. Mr. DeNicola said that meeting may have gone to the wind once this ruling came out.

6. COMMITTEE REPORTS (Continued)

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

1) REPORT – Councilwoman Amitai informed the Building Department is reporting good things. She explained they have several applications for new homes coming in and there was one stop work order issued. They plan on having a meeting next week.

Mrs. Amitai reported the Improvement Commission has some ideas they would like to implement for next year's Labor Day weekend. They would like to create more of a "Closter Day", which would involve everybody and not just one department, or just the Recreation Commission. They have requested meetings to discuss these ideas. Mrs. Amitai received a report that the CIC earned \$150.00 from the vendors they did have at the Labor Day events this year; and the vendors were very happy to participate and look forward to better placement next year with a greater number of vendors.

7. OLD BUSINESS

a. STATUS REPORT RE REQUEST FOR NAME CHANGE AT VETERAN'S MEMORIAL PARK AND A NEW SIGN (3. M.L. 2/17/11; referred to O&L Committee for W.S. 3/23/11; Placed on WSA 5/11/11 per request of Dr. Barad 4/26/11)

Borough Administrator said the Ordinance Committee has reviewed the names of the various parks in town.

Bill Brewster said that the sign would be delivered and installed in several weeks. The total cost was \$3,702 and they have paid \$1,851. He asked if the Borough could contribute to the cost. Borough Administrator advised that we have graphic of the sign and is not dissimilar to other signs in town. Councilman Glidden noted that the name has been changed from Veterans Park to Veterans Monument Park; and Mr. Brewster advised that the name was requested in February at which time the Council was in agreement. He explained the history of the name of the park, which was built in memory of the veterans and the American Legion had installed signs. Mayor Heymann said that the name change is in front of the Ordinance Committee and Councilman Barad said that action of same should occur in another month or two.

8. NEW BUSINESS

Mayor Heymann referred to Westminster Avenue, which has been misused and which the Council has closed. She explained that the individual who has been misusing the road has found a way to exit the street; and she recommended that it be closed in a parallel format to the street itself. She suggested that orange construction fence at a cost of \$154 could be installed by the Department of Public Works. Currently two large blocks are used. Plowing through the orange fence would be a criminal offense. Deputy Chief Kaine said that destroying Borough property would be deemed criminal mischief; and the Borough Attorney informed that there would have to be a witness to the offense in order for action to be taken. Mayor Heymann said that a solid fence at a higher cost is an alternative. Councilman Barad said that the access is being used on a regular basis and removing the fencing would be observed by the neighbors.

Jack Caldwell, 145 Maple Avenue, said that the use of the property is non-conforming and it touches two existing streets. He was unsure if the Borough could block the use of a paper street. Mayor Heymann said that we have had the property owner in court many times and many fines have been levied from the State, County and the Borough.

Boy Scout, Kevin (inaudible), 8 Halsey Lane, suggested the use of cameras to identify who is breaking the laws and using the property.

9. OPEN MEETING TO THE PUBLIC FOR ANY MATTER PER NJSA 10:4-12(A) (SUBJECT TO A 5-MINUTE LIMIT PER GENERAL RULE NUMBER 11) EXCEPT FOR ITEMS SCHEDULED FOR PUBLIC HEARING AT THE REGULAR MEETING

Steve Isaacson, 97 Columbus Avenue, extended his congratulations to Councilman Barad on becoming a grandfather. He thanked everyone for attending the Chamber of Commerce Meet and Greet. He asked if alcoholic beverages can be served at the next Meet and Greet at the Senior Center. Borough Attorney said that a permit would be needed in addition to permission from the Mayor and Council. Borough Clerk informed that obtaining a Social Affairs permit takes approximately one month. Borough Attorney advised that the Seniors have their own rules and regulations in addition to being Borough property; and a written request would have to be submitted.

Mr. Isaacson referred to the Swim Club and questioned when the Mayor was approached about the purchase. Mayor Heymann said that it would be in the record but it was early in the year. Borough Administrator said that two public actions were taken: one to award a contract to Boswell Engineering for a survey, and a preliminary assessment of the property. The preliminary assessment indicated some further site investigation which needed another contract. Mr. Isaacson said that there is continuous reference to the swim club being owned by the Brooks Farm. Borough Engineer explained that it was incorrect and later corrected to indicate that the Borough owned the property. Mayor Heymann explained the property ownership history, which culminated in the property coming to the Borough in 1946. In answer to Mr. Isaacson, Borough Engineer said there was no evidence of contamination until the borings were done.

Michael Brown, Chamber of Commerce, requested the repeal of the 2,000 square foot rule as soon as possible. Councilwoman Amitai reported that the Planning Board subcommittee has met on the matter; and a report would be forthcoming from the Planning Board Attorney.

Jack Caldwell, 145 Maple Avenue, referred to the piece of equipment (roll off truck) mentioned by Mr. Wiest to be purchased by the Department of Public Works, and voiced his opinion that it was excessively expensive at a cost of approximately \$230,000. He noted that the specifications were not drawn up by the Borough but by an outside vendor. He said he has compared the specifications with those of other municipalities and found that the Borough's were long and complicated. Mr. Caldwell added that many of the components do not have names; and the 4-wheel drive is excessively expensive at a cost of at least \$30,000. The length is too long especially for plowing roads and he felt the truck should be usable for all the roads in town rather than secondary areas. He noted that the Borough already has four trucks that are too long to plow streets in this town and cautioned that you will be adding a fifth one with a \$30,000 option to enable it to be used to plow snow; but you still can't gain access on some of the smaller cul-de-

sacs because you can't turn around or do intersections. He added that the Borough already owns a truck like this one with the same capability with small hook load containers; and he thinks this is an extravagant, unnecessary, "I want" rather than an "I need" issue.

Borough Administrator explained that the Superintendent of Public Works would ultimately accept the vehicle; and the Department of Public Works Committee had met on this issue several times before the bid was awarded. The specifications are written to provide a level playing field for all of the possible bidders. At the time there had been several individuals who expressed the same opinions as Mr. Caldwell; and ultimately it was decided that this was an appropriate purchase for the Borough. Mr. Wiest voiced his opinion that everybody understands there may be differences of opinion when selecting an item that is appropriate for the community. He explained that once you know what you want, the specifications are drawn around the existing specifications because you know what you are trying to get, so they are written to level the playing field for other bidders. It outlines the specifications of what you want; and bidders have the opportunity to present other pieces of equipment needs to highlight any areas of difference and that allows you to make a fair evaluation if any of those items are of significance to you. Mr. Wiest added that he believes the number Mr. Caldwell quoted for the 4-wheel drive is actually less than what he stated; but he did not wish to debate that now and he has the information in the file and would like to review it.

Dr. Barad acknowledged that we do have experts in the community; and if Mr. Caldwell is willing to help in the future, we would appreciate his input. Mr. Wiest agreed with Dr. Barad and said at one point they considered hiring a vehicle consultant, but ultimately decided against same due to the expense. Dr. Barad suggested that a directory of volunteer experts be established on the web site.

Mr. Caldwell added his opinion that there was not a level playing field in this instance since the specifications were drawn by a distributor and manufacturer who are 250 miles away and have no facilities nearby.

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

At this time, Mayor Heymann made the following announcements:

The Northern Valley Fire Chiefs Parade will be held this Saturday starting in Norwood and ending in Harrington Park commencing at 1:00 p.m.

The Nature Center is celebrating its 50<sup>th</sup> Anniversary on October 22<sup>nd</sup>.

12. ADJOURNMENT

Motion to adjourn the Work Session was made at 9:50 p.m. by Councilman Glidden, seconded by Councilman Kashwick and declared unanimously carried by Mayor Heymann.

Provided via e-mail to the  
Mayor and Council on  
October 7, 2011 for approval at the  
Regular Meeting to be held  
October 12, 2011

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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 12, 2011  
Consent Agenda Item No. 19b.