

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – JANUARY 25, 2012 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:40 p.m.

1. 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 6, 2012 and to the Star Ledger and published on January 7, 2012, was 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

Those present were the following:

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

Those persons absent were the following:

Councilwoman Victoria Amitai.

3. MAYORAL PROCLAMATIONS DECLARING THE FOLLOWING:

- a. WEDNESDAY, JANUARY 25, 2012, AS “ALFRED GOODWIN DAY”  
IN THE BOROUGH OF CLOSTER HONORING HIS 50 YEARS OF  
SERVICE TO THE BOROUGH AND ITS RESIDENTS (Requested 11/29/11)

Mayor Heymann read and so declared noting that the Proclamation would be presented at the Firemen’s Dinner this weekend.

- b. FRIDAY, MARCH 2, 2012, AS “READ ACROSS AMERICA DAY”  
(3. M.L. 1/19/12)

Mayor Heymann read and so declared noting that she would be participating in same.

4. MAYORAL APPOINTMENTS (NON SALARIED) TO THE FOLLOWING COMMISSIONS (Not made at the Reorganization Meeting held 1/3/12/Adjourned from RM 1/11/12):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ENVIRONMENTAL COMMISSION				
Alt. No. 2	(Adam Nock resigned)	<u>No appointment</u>	2 Year un- expired to	12/31/12
SHADE TREE COMMISSION				
Alt. No. 2	Kathi Cochran	<u>No appointment</u>	4 Year	12/31/15

5a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item No. 7 was made by Councilman Glidden, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

ORDINANCES

6. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING – REGULAR MEETING 2/22/12 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received from Borough Attorney 1/19/12):
  - a. ORDINANCE NO. 2012:1116, “ORDINANCE FOR DETERMINING POSITIONS ELIGIBLE FOR DEFINED CONTRIBUTION RETIREMENT PROGRAM”

RESOLUTIONS

7. ~~\_\_\_\_\_~~ BILL RESOLUTION – JANUARY 31, 2012  
TO BE PREPARED BY DEPUTY TREASURER
8. RESOLUTION AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE FOR NO. 08-00003, ORIGINALLY DATED 6/19/08, PURSUANT TO N.J.S.A. 54:5-52.1 TO CORE LOGIC A/K/A FIRST AMERICAN COVERING PREMISES KNOWN AS BLOCK 1301 LOT 1 (Received from Collector’s office 1/11/12)
9. RESOLUTION AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE FOR NO. 06-00003, ORIGINALLY DATED 6/15/06, PURSUANT TO N.J.S.A. 54:5-52.1 TO LITTON LOAN SERVICING COVERING PREMISES KNOWN AS BLOCK 1701 LOT 6 (Received from Collector’s office 1/11/12)
10. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$2,688.44 TO SCHWARTZ, MATTHEW & KRISTIN, C/O MARTIN SHARIT, ESQ, FOR BLOCK 403 LOT 26 DUE TO 2011 REAL ESTATE TAX OVERPAYMENT RESULTING FROM REDUCTION IN REAL ESTATE ASSESSMENT FROM TAX COURT OF NEW JERSEY (Received from Collector 1/11/12)
11. RESOLUTION AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE FOR NO. 07-00002, ORIGINALLY DATED 12/11/07, PURSUANT TO N.J.S.A. 54:5-52.1 TO MAK AND LAW ASSOCIATE, LLC COVERING PREMISES KNOWN AS BLOCK 2102 LOT 38 (Received from Collector’s office 1/13/12)
12. RESOLUTION TO RE-ADVERTISE FOR BOROUGH ALTERNATE PROSECUTOR POSITION AND TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDING THE CONTRACT FOR THIS PROFESSIONAL SERVICE IN THE BOROUGH OF CLOSTER (Received from Borough Attorney 1/17/12)
13. TRANSFER RESOLUTION NO. 5 (Received from Administrator 1/19/12)
14. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COUNTY CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-11 AS FOLLOWS:  
Commodity/Service: Office Paper #11-B2CCP; Vendor: W B Mason, 535 Secaucus Rd., Secaucus, NJ 07094; County Contract #: Bid #11-50 awarded by Reso #687-11 by Board of Freeholders on 6/15/11; Max Amt: \$2000.00 thru 06/23/12;  
Commodity/Service: Diesel Fuel #11-B2CCP; Vendor: Rachles/Michele’s Oil Co. Inc., 116 Kuller Rd., Clifton, NJ 07011; County Contract #: Bid #11-84 awarded by Reso #1134-11 by Board of Freeholders on 9/21/11; Max Amt: \$60,000.00 thru 09/20/12;  
Commodity/Service: Gasoline #11-B2CCP; Vendor: Rachles/Michele’s Oil Co. Inc., 116 Kuller Rd., Clifton, NJ 07011; County Contract #: Bid #11-83 awarded by Reso #1135-11 by Board of Freeholders on 9/21/11; Max Amt: \$60,000.00 thru 09/20/12; (Received from Administrator 1/19/12)
15. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a (to expire on 11/30/12) AS FOLLOWS: Commodity/Service: Fasteners; Vendor: GKY Industries, PO Box 448, Jersey City, NJ 07303-0448; State Contract #: A72732; Max Amt: \$2,000.00; Commodity/Service: Fasteners; Vendor: Priddy Inc., 15 Muirfield Rd., Jackson, NJ 07527; State Contract #: A72733; Max Amt: \$2,000.00; (Received from Administrator 1/19/12)

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16. RESOLUTION AUTHORIZING EXECUTION OF AN OPEN SPACE TRUST FUND GRANT CONTRACT WITH THE COUNTY OF BERGEN FOR THE PURPOSE OF USING A \$68,100.00 GRANT AWARD FROM THE 2008 FUNDING ROUND OF THE TRUST FUND FOR THE PROJECT ENTITLED: “VARIOUS IMPROVEMENTS AT SCHAUBLE PARK, RUCKMAN PARK, AND MEMORIAL PARK” (dollar-for-dollar match!) (Received from Administrator 1/19/12)
17. RESOLUTION APPROVING TRANSFER OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE NO. 0207-33-012-005 FROM KOREA PALACE, INC. TO TOPSIDE, INC. (pocket/inactive) TO BE PREPARED BY BOROUGH CLERK

MOTIONS

18. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed via e-mail on 1/20/12) NO ABSTENTIONS:
  - a. REGULAR MEETING OF JANUARY 11, 2012
  - b. WORK SESSION MEETING OF JANUARY 11, 2012
19. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS/BOARDS AND COMMISSIONS (Not made at the Reorganization Meeting held 1/3/12/Adjourned from RM 1/11/12):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION				
Member	Wilson Reimers	<u>No appointment</u>	2 Year	12/31/13
Member	Ophelia MacBain	<u>Ophelia MacBain</u>	2 Year	12/31/13
Alt. No. 1	Donna Arbietman	<u>No appointment</u>	2 Year	12/31/13

20. MOTION GRANTING/~~DENYING~~ APPROVAL FOR THE FOLLOWING APPLICATION FOR HAWKER AND PEDDLER PERMIT, SUBJECT TO APPROVAL BY THE BOARD OF HEALTH (Received from Chief of Police 1/13/12):
  - a. NO. 2012-001 FOR AMA CATERING, 125 DAVIS DRIVE, RIVER EDGE, NJ 07661, TO OPERATE CATERING TRUCK FOR SALE OF COFFEE, SODAS, SNACKS

21. REPORTS

- a. CHIEF OF POLICE – DECEMBER 2011 (Received 1/10/12)

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

22. 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)

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

22a. Motion approving the following Closed Session Resolution at 8:50 p.m. 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 and Dolson

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”; and N.J.S.A. 10:4-12(b)(8), “A matter involving public employees”; 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.

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

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

- 23a. Motion approving a waiver for the requirement to install sidewalks at 30 Oak Street in exchange for payment of the square footage cost as calculated by the Borough Engineer and curbing to be installed at the direction of the Borough Engineer was made by Councilman Glidden, seconded by Councilman Kashwick and was declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson. Borough Attorney advised he would prepare a resolution memorializing this action.
- 23b. Motion approving an amount up to \$3,000 to be used at the discretion of the Borough Administer for the selection of a Planner was made by Councilman Glidden, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

24. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:46 p.m. was made by Councilman Kashwick, seconded by Councilman Glidden and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council  
via e-mail on February 3, 2012 for  
approval at the Regular Meeting to  
be held February 8, 2012

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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 February 8, 2012  
Consent Agenda Item No. 19a.

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BOROUGH OF CLOSTER

WORK SESSION NOTES – JANUARY 25, 2012 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session at Borough Hall on Wednesday, January 25, 2012. Mayor Heymann called the meeting to order at 7:05 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 6, 2012 and to the Press Journal and published on January 7, 2012, 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., Alissa Latner, John Kashwick, David Barad  
and Arthur Dolson  
Borough Administrator, Quentin Wiest  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Chief of Police, Dennis Kaine

The following persons were absent:

Councilwoman Victoria Amitai

MOMENT OF SILENCE FOR TOM REINECKE – Mayor Heymann said on Tuesday Closter lost one of its most valuable and committed citizens. She said he served the Borough in the Fire Department, helped build and maintain the 9/11 Memorial and mentored so many of us with his knowledge. She asked for a moment of silence in his memory.

At this time Councilman Glidden introduced Michael McGloin as a new member of the Closter Police Department. He said that Michael graduated from the Cape May County Police Academy in January of this year and is a graduate of the Richard Stockton College of New Jersey with a Bachelors Degree in Criminal Justice with a grade average of 3.46. He said he is from Dumont and has worked for the Haworth Department of Public Works, the US Marshal's Office, Pomona Fire and Rescue and the Haworth Fire Department. Mayor Heymann administered the

Oath of Office and the public offered a round of applause.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF JANUARY 12, 2012 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item No. 4 was removed by Mayor Heymann; Item No. 13 was removed by Councilman Kashwick; Item No. 14 was removed by Councilman Barad.

Item No. 4: Received 01/06/12, dated 01/06/12 from Janet Sharma, Executive Director, Volunteer Center of Bergen County, to Borough Clerk re Announcement that nominations are now open for the prestigious Governor=s Jefferson Award honoring outstanding volunteers and volunteer groups in New Jersey - nominations due 1/31/12; forms available at [www.njgovernorsawards.com](http://www.njgovernorsawards.com); and request to Save the Date for the Volunteer Center=s annual community-wide Celebrate Volunteers recognition event scheduled to be held 3/28/12 in Hackensack.

Mayor Heymann informed she did put a nomination in for the Governor=s Jefferson Award on behalf of the Closter Ambulance Corps. which is celebrating its 75<sup>th</sup> anniversary this year. We had two major storm events – tropical storm Irene and the pre-Halloween snow storm – and they were really on tap and worked very hard; so we put in the nomination for the Corps.

Item No. 13: Received 01/11/12 hand del'd, dated 11/14/11 from Big Sky Custom Homes re Requesting waiver of sidewalk installation at 30 Oak Street, Block 611, Lot 6 - application dated 11/14/11 (NEVER RECEIVED IN THIS OFFICE UNTIL 1/11/12!!)

Councilman Kashwick voiced his support of granting the waiver for this location. Mayor Heymann said she hoped that everyone looked at the photographs, but also had a chance to go look at the property on Oak Street. She voiced her opinion it is a lovely dead-end street with no sidewalks at all. She thinks it would benefit the Borough to get the equivalent instead of building the sidewalk in the middle of nowhere. The Borough Engineer wished to confirm the waiver would be for the sidewalk only, since there is curbing made of Belgian block on the other side of the street as well as up the street. Mayor Heymann agreed and asked that in open session someone make the recommendation to have them build the curb and waive the sidewalk. The Borough Engineer informed that the asphalt curb does not line up with the curb directly to the east and will need to be built pushed back. He asked that this be included in the Resolution that the curb should be built to line up appropriately to the easterly curb.

Item No. 14: Received 01/11/12, dated 01/09/11 from Jonathan & Cynthia Cohen, 7 Taylor Drive re Snow Removal on Taylor Drive Corner - informing of dangerous conditions and requesting the snow plows remove snow up to the curbs (Copy to William Dahle, III)

Councilman Barad explained he is uncertain from looking at the picture that was sent that he understands the resident=s suggestion that the way we are plowing snow is creating dangerous conditions. Mayor Heymann informed that Billy Dahle went to speak with them so it was handled. Councilman Barad said he wanted to make sure we responded to the letter. Councilman Kashwick questioned what the resolution was. The Mayor said that Billy didn=t get back to her on that but he did go speak to them; so she will check and find out what the resolution is. In response to Dr. Barad, the Mayor said she did not understand what the problem was and that is why she sent Billy.

b. MAIL LIST OF JANUARY 19, 2012 - Mayor Heymann asked if any member of the

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Council or public wished to address any matter or provide any comments. Item No. 4 was removed by Councilman Barad; Item Nos. 5 and 10 were removed by Councilman Kashwick; Item Nos. 1e, 7 and 9 were removed by Borough Clerk.

Item No. 4: Received 01/19/12, dated 01/16/12 from Lorin J. Sonenshine, AIA, Principal, SNS Architects & Engineers, PC re Expression of gratitude for allowing him to serve on the Zoning Board of Adjustment for 8 years; and disappointment regarding lack of communication concerning his non reappointment

Councilman Barad reminded they had talked about this somewhat and voiced his understanding that Mr. Sonenshine feels he was blindsided by his non reappointment. Dr. Barad explained he thinks it is Mr. Sonenshine's position that it is the Mayor's privilege to appoint or not appoint who she likes. Mayor Heymann shared that she was under the impression that he was aware of it, having spoken to more than one person on the subject. On Friday, when she spoke to Paul Demarest she learned Mr. Sonenshine was very upset by this; and she called and had a long conversation with him. She explained he had been, among other things, absent six times during the year and had expressed the fact that he didn't want to pursue this. She didn't call that to his attention at that point but she did point out she thought he knew, and that he had missed six meetings, which he explained he missed due to business obligations. She explained to him that when he has more free time and he wants to come back, they will be open to that appointment. The Mayor said it was after their conversation that Mr. Sonenshine wrote this letter.

Dr. Barad questioned if he was given communication recognizing his non-attendance at the meetings and reminding him that is a basis for non-reappointment. Mayor Heymann asked Councilman Dolson to respond and he said as follows: the basis behind part of the fact that he was not reappointed was that he verbally threatened three times to quit during the year because he didn't like the way the Board was handled; and he said especially if a certain individual was appointed Chairman. Mr. Dolson explained it was his opinion that if he (Mr. Sonenshine) was that indifferent as to serving on the Board because of those issues, then maybe we should just as well appoint someone else and get the Board at full strength at the beginning of the year. Mayor Heymann voiced her opinion she thinks everyone on the Board is aware of the problem with absences. She informed as a matter of fact that she tried not to reappoint a Member last year and after that, everybody came to her and asked her not to do that because he will be very faithful and come to all the meetings. She said she was forced to change her mind and she did reappoint him; and now he has missed more meetings than ever before. The Mayor voiced her opinion that missed meetings at a Board such as this really do disrupt the process; and it puts a lot of burden on everyone else.

Dr. Barad explained he thinks we should be clear on what we are doing and why we are doing it. If he wasn't appointed because of missed meetings or because he didn't agree with the business of the Board, which is what Mr. Dolson seems to say; he just feels we should be really clear. Mayor Heymann explained that her personal governing thought is that he missed a lot of meetings and she was so disappointed in the judgment she made the last time around that she didn't want to make the same mistake. She said that what Mr. Dolson said was another factor, which he had shared with other Council members so that everyone was aware of it. The Mayor said Mr. Sonenshine is a very intelligent person doing what he felt was his very best. She said what really bothers her is that after her conversation with him he wrote the letter to the Council. Dr. Barad asked that if there is an official position, Mr. Sonenshine should be responded to since he wrote a letter.

Item No. 5: Received 01/17/12, dated No Date from Peggy Monges, 472 High Street, to Tom Connolly, Supervisor of Roads, Bergen County re Requesting the County inspect and assess trees

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marked for removal by the Borough of Closter before action is taken to determine whether or not the trees can be saved

Councilman Kashwick noted the letter says the trees are marked with orange paint and explained that the Shade Tree Commission uses white paint. Mayor Heymann said Billy (Dahle) went to go look at it and he reported to her he resolved the issue. Mr. Kashwick said he is not a certified tree expert. She informed she has some correspondence regarding the issue and would forward it to Mr. Kashwick. He said the Shade Tree Commission should be responding to this because the County usually takes their opinion regarding shade trees – not the other way around. Mayor Heymann said that is what happened because the tree is on a County road, they came to the Borough for information on it. Leslie and Billy were involved with it.

Item No. 10: Received 01/18/12, dated 01/17/12 from Raymond J. Cywinski, Manager Watershed & Environmental Resources, to Mayor Sophie Heymann, Closter **and** Mayor Paul Hoelscher, Harrington Park re Schraalenburgh Road Bridge Litter

Councilman Kashwick voiced his understanding that this is a County road and United Water's property; so he doesn't see how Harrington Park and Closter would be responsible for it. Councilman Glidden voiced his opinion that they are looking to get the cooperation of the Boroughs because presumably residents from both Boroughs go there. Mr. Kashwick said as far as a sign, he feels United Water should be responsible to put it up. Mayor Heymann agreed to respond to Mr. Cywinski regarding same. Mr. Dolson pointed out that on the bridge in Oradell by the Oradell water works "no fishing" signs are posted; so, perhaps, whoever initiated that should put it on this bridge as well.

Item No. 1e: Received 01/18/12, dated 01/18/12 from William G. Dressel, Executive Director, NJS League of Municipalities, to Municipal Clerks re II. Governor Signs Bills - Bills the Governor signed into law, especially S-3148/A-4394 - establishing procedure for districts, municipalities or voters to opt to move the annual school election to November and eliminates vote on school budgets for such districts, except for separate proposals to spend above cap

The Borough Clerk explained the item and noted this is something Dr. Barad had predicted a long time ago. She said we will be receiving additional letters with more information.

Item No. 7: Received 01/17/12, dated 01/13/12 from David N. Grubb, Executive Director, Municipal Excess Liability Joint Insurance Fund, to Bergen JIF Members from Elected Officials= Training Seminars - informing this year=s training will focus on public officials/employment practices liability costs; and MEL will reduce each member=s 2012 liability claims premium by \$250 for each municipal elected official and authority commissioner who completes the course by 5/1/12; attached schedule of Elected Official=s training seminars in the Bergen County area and registration form (Copy to Glenn Parsells, Fred Pitofsky)

Borough Clerk alerted all to this item which she was sure the Mayor would follow up with either at this time or later under her report.

Item No. 9: Received 01/18/12, dated 01/14/12 from Janice Pierro, St. Paul=s Anniversary Committee, to Loretta Castano re Requesting permission to hold a block party to celebrate the 125<sup>th</sup> Anniversary of St. Paul=s Evangelical Lutheran Church and to block off Naugle Street from Closter Dock Road to Railroad Avenue on Sunday, 9/9/12; time to be determined (Copy to Chief Kaine, Glenn Parsells)

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Borough Clerk informed this request was forwarded to Chief Kaine and our Risk Management Consultant for review and report. She informed she will place this on the Administrator's Agenda for follow up.

At this time, Mayor Heymann referred back to Item No. 7 from the JIF and informed she had forwarded information to the Council regarding same as well. She explained over the past few years they have consistently had one of these training sessions at Closter Borough Hall. She reminded the Borough gets \$250.00 for each elected official and Administrator who participates in the sessions. The JIF has found these meetings really pay off. Our settlement rate in terms of costs of insuring the Borough is very low compared to other organizations with private insurance companies. She noted two Council members responded to her e-mail regarding the session that they could not attend same. The Mayor voiced her opinion that she is very reluctant to ask them to change the date because they went out of their way to give us a day after it has been omitted. She does not want to upset the apple cart; but noted there are other towns with these sessions and encouraged everyone to attend one locally. She informed that last year there were about 20 people in attendance; and Mr. Dolson said about half of those people were from other towns. In response to Mr. Glidden, the Mayor said they went through a lot of dates because there are not that many available and that is why she is reluctant to ask; because they did her a favor. Nobody voiced disagreement to the Mayor's suggestion of a date in May she is aware of that is available.

Steve Isaacson, 97 Columbus Avenue referred to Item No. 4 and questioned how many meetings a Board member can miss. Mayor Heymann informed that by law they cannot miss more than four meetings in consecutive order without a valid excuse. She said that was not true in any of these cases, and Mr. Sonenshine did not violate any laws. Mr. Isaacson questioned if there is a warning system; as a member of the Environmental Commission, they have lost two members because they did not consistently attend meetings. He asked if a warning is ever issued that if they miss another meeting there will be consideration in letting that person go. The Mayor said she thinks that would be up to the chair of that particular Board. Mr. Kashwick voiced his opinion that people are adults and are aware they have responsibilities and it's really unnecessary. Mr. Isaacson said if Mr. Sonenshine didn't violate any laws it's clear he was not let go for missing meetings; and he questioned what the reason is he was let go. Mayor Heymann explained there have been several members of the Zoning Board with an excessive amount of absenteeism, which makes it very difficult to conduct business.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of January 25, 2012)

Item No. 5 was removed by Borough Administrator; Item Nos. 16 and 20 were removed by Councilman Kashwick; Item No. 7 was removed by Borough Clerk.

13. TRANSFER RESOLUTION NO. 5 (Received from Administrator 1/19/12) (new one e-mailed and distributed 1/25/12)

Borough Administrator advised that a revised transfer resolution has been submitted to the governing body.

16. RESOLUTION AUTHORIZING EXECUTION OF AN OPEN SPACE TRUST FUND  
GRANT CONTRACT WITH THE COUNTY OF BERGEN FOR THE PURPOSE OF USING A  
\$68,100.00 GRANT AWARD FROM THE 2008 FUNDING ROUND OF THE TRUST FUND

FOR THE PROJECT ENTITLED: “VARIOUS IMPROVEMENTS AT SCHAUBLE PARK, RUCKMAN PARK, AND MEMORIAL PARK” (dollar-for-dollar match!)  
(Received from Administrator 1/19/12)

Councilman Kashwick questioned how this resolution was different from previous resolutions; and Mayor Heymann noted that it was for a grant that had been given to the Borough by the County of Bergen. Borough Administrator explained that the grant included such items as a water park, which the Recreation Department ultimately decided was impractical. After consulting with Mr. Oettinger on alternative recreation items, he sent a letter to the County asking if the funds could be used for the alternatives. An agreement accepting the alternatives has been received from the County for the same funding and use at the same parks but also including Schauble Park.

20. MOTION GRANTING/DENYING APPROVAL FOR THE FOLLOWING APPLICATION FOR HAWKER AND PEDDLER PERMIT, SUBJECT TO APPROVAL BY THE BOARD OF HEALTH (Received from Chief of Police 1/13/11):

a. NO. 2012-001 FOR AMA CATERING, 125 DAVIS DRIVE, RIVER EDGE, NJ 07661, TO OPERATE CATERING TRUCK FOR SALE OF COFFEE, SODAS, SNACKS

In answer to Councilman Barad, Chief Kaine advised that the truck caters to most of the businesses on Railroad Avenue and has been operating for many years. It was decided that the approval would be granted.

7. BILL RESOLUTION – JANUARY 31, 2012  
TO BE PREPARED BY DEPUTY TREASURER

Borough Clerk advised that there would be no bill resolution and therefore this item should be removed.

6. COMMITTEE REPORTS

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

1) STATUS REPORT RE CLOSTER WEBSITE

2) REPORT -- Councilman Dolson reported on the following:

a. The Ambulance Corps. will be celebrating 75 years of service to the Community. He informed that last year they responded to over 800 calls, a tremendous amount for a group of 30 people. Mr. Dolson said he will be attending the celebration next weekend (2/4/12). Mayor Heymann informed that she has read the figures for a town that is three times the size of ours that did not even have twice as many calls. Mr. Dolson reminded we cover the top of the hill and Alpine as well. The Mayor wanted to inform everyone of the level of expertise and said they can rappel down the Palisades and they send canoes out on the Hudson; and Mr. Dolson added that they now have an inflatable power boat on a trailer they can use to rescue from the bottom. He voiced his opinion that they are full fledged medical practitioners without doctor’s licenses.

b. Board of Health has revisited the issue of the intentional feeding of animals on public and private property. They have introduced an amendment; and the public hearing is scheduled for 2/26/12. They added that the prohibition of feeding of wild animals will not be construed to be confused with composting, growing vegetables, scholarly research, environmental education conducted at the Nature Center and humane trapping of animals or elevated bird feeders. Hopefully, this will placate all of the individuals who were concerned they would receive

a summons for some of these things. He voiced his opinion that it is as human as can be without

6. COMMITTEE REPORTS (Continued)

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

putting the town in jeopardy with some of the wild animals that could cause harm to the residents by feeding them. He invited anyone with comments to attend the next Board of Health meeting.

c. Zoning Board of Adjustment – Mr. Dolson acknowledged Mr. Isaacson’s comment earlier that there is a very intensive hearing being held tonight on an issue very strong in the Community; and it is good to have a full complement of the Board. He noted it is the first time in over a year that he has seen all of the chairs go. He wishes them success in their endeavors.

Mr. Dolson reported he attended a webinar on a type of upgraded websites that a company specializes in doing for governments. He asked that if everyone who had time and interest would look at the site for the town of New Providence, NJ, because this company did quite extensive work for them remodeling their website. He said he is not suggesting we do the same but pointed out they have a lot of modules and newer technology compared to what we have; and it would be nice to look at it. One of the more impressive features to him was that people on boards and commissions have their own passwords so that they can upload information that is pertinent to them. Mr. Dolson voiced his opinion it would be nice if Closter could do the same to keep up to date with rosters and minutes. He asked for input as to some of the features so they could further evaluate this to see if our own site can use some upgrading and improvement.

Mr. Dolson informed we received the preliminary financial statements for the year for the Borough and we did a very good job. Collections were very good for the revenue. Other than a few transfer resolutions and minor adjustments to expenses and revenues, he thinks we did very well. He commended all of the personnel involved in working on it as well the personnel involved in incurring expenses to run the Borough that they were able to keep it in budget.

Mayor Heymann wished to inform that the tax collection rate was exceptionally high – 99.4%. She wanted everyone to understand that this is astronomical in terms of comparing ourselves to other communities in a poor economy.

Mr. Dolson reported that he met with the Boy Scouts back in the Summer when they were working on the Eagle Scout project and they asked him how much it costs to run the Borough. He responded that it was about 14 million dollars; and they asked for a breakdown. He discovered that it was about \$35,000 an hour, which is an incredible expense to run this organization. He said he may be mistaken whether it is an hour or per day but it is still a lot of money to keep track of.

B. PUBLIC SAFETY - GLIDDEN (DOLSON/LATNER)

1) REPORT – Councilman Glidden reported we have a new police officer; and in his opinion, he thinks things may be quiet for a while in terms of shifting around personnel and promotions. He commended Chief Kaine for his hard work in getting that done. He voiced his opinion that by and by he thinks we are in pretty good shape with our Police Department. Our Borough deserves a lot of credit for making it what it is. There are things to consider now in terms of consolidation of services with other communities, but that will be ongoing and will be discussed later as well. In response to Mayor Heymann, he agreed he wanted to discuss consolidation in Closed Session.

6. COMMITTEE REPORTS (Continued)

C. PUBLIC WORKS - LATNER (AMITAI/GLIDDEN)

1) REPORT – Councilwoman Latner informed she had nothing new to report right now other than she has a Library Board meeting tomorrow night; and there are a few things she wants to follow up on with Billy (Dahle).

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported that the Ordinance Committee did not meet in January but will be meeting in February. He informed the LEEDS ordinance is up for discussion again and will discuss it in Committee and then bring it back to the Council. He hopes they will be able to move on that some time. The interesting occasion (mentioned earlier) that pertains to the Board of Education is ongoing; and we are going to have to carefully consider that. They have been discussing some points received from the Borough Attorney. We certainly have some discretion as Council to change the Closter School Election; we could do that unilaterally. But the High School requires all the towns to make that decision together. We could end up moving one, but the position is we could still end up having an April election for the other if the towns don't agree. The pros and cons are that if we were able to move all of the elections, perhaps there would be some savings in expense. An advantage to the Board is not having to put their budgets forward to the public for approval just for increased funding. It is an interesting situation that is going to require a lot of public discussion and opinion and input from the School Boards to make sure we are making a wise decision. But it is an opportunity and that is a good thing.

2) REPORT

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick reported the Human Resources Committee met last week and they will, hopefully, be finalizing the job descriptions in a week or so. They will be getting evaluations out in the first quarter of 2012.

2) REPORT – Councilman Kashwick reported on the following:

a. Shade Tree Commission should be completed with the pruning of the trees in District 1. The takedowns will be done shortly; he believes it has gone out to bid and has been signed off on. The Annual Accomplishment Report to the State is due 2/15/12.

b. Historic Preservation Commission met earlier this week and the street signs that were on order from last year will be in sometime in April. The Commission is working on some additional designations.

c. Environmental Commission had discussions of the possibility of placing beehives at Buzzoni Park, which would require a change to the Board of Health ordinance, which he believes was brought up at the Board of Health meeting. Mr. Dolson confirmed there was discussion; and they intend to revisit it because Mr. Isaacson explained to the Board last week that there is a different type of beehive that might be able to be utilized. They are requesting a presentation from a specialist so they can revisit the matter.

Mr. Kashwick reported the Commission is preparing to apply for a trail grant which is due 2/15/12 that would likely involve Hagen Park in Closter and the Demarest Nature Center doing

something jointly with maps or signs or something to that effect.

6. COMMITTEE REPORTS (Continued)

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON) (Continued)

There were discussions about the plantings at the MacBain Farm and the Conservation Zone. Mr. Kashwick spoke to the Borough Attorney a few weeks ago and voiced his understanding that the Planning Board can do this; it would not require a Planner since we are only using Borough properties for the Conservation Zone. Mr. Rogan affirmed same. Mayor Heymann explained the Planning Board has the authority to recommend to the Council any zoning changes. In response to the Borough Attorney, the Mayor explained the Council has not gotten a copy of the revised proposed plans because they were told that because it was a brand new zone, they needed to have a Planner to do it. The Borough Attorney agreed that in order to create a zone a Planner would be needed. Mr. Kashwick reminded it is already included in our Master Plan. Mayor Heymann said she was told that since we do not already have a Conservation Zone, in order to create it, they are recommended to hire a Planner. The Borough Attorney agreed that although it is not required, it is better to have a Planner because it is more defensible. The Mayor informed the Planning Board discussed this at great length; and the remaining proposed parcels are only owned by the Borough and United Water. Mr. Rogan advised that if there are United Water parcels, they are not Borough owned; and that would definitely require a Planner. Mr. Kashwick informed we are not looking at the United Water property at this point; it would be a secondary phase. Mayor Heymann reiterated her understanding that it was not the fact of what parcels were included; it is the fact that a new zone is being created.

The Borough Attorney advised it is better to have a Planner if it would potentially be challenged; but it is not required. The Planning Board just like any zoning ordinance said its fine; and he pointed out the LEEDS ordinance did not have a Planner. The Borough Engineer affirmed the Mayor's understanding that because it is not a zoning change, it is the creation of a zone, that a Planner would be strongly recommended to avoid problems down the road. Mr. Rogan agreed with same and clarified it is not legally necessary but recommended. Mayor Heymann agreed to bring these thoughts to the Planning Board and Mrs. Amitai; and informed that there is unanimity of the Board to create a Conservation Zone.

Mr. Kashwick reported he attended hearings for the Northern Branch Railroad yesterday. He said the preferred plan is to go to Tenafly; and the town is vociferously opposed to this. The alternative is to go to Englewood up to Route 4. How this would impact Closter would be the freight traffic would be moved to the overnight hours. They did say that the crossings up through Northvale would become quiet zone crossings so that no whistles would be blowing at night. Mr. Kashwick said he testified that he does not see how it would be cost effective to upgrade the tracks up through Northvale for two trains a week, if that. In the winter you don't even see snow removed on the tracks. He said he is not clear if there would be additional traffic after the upgrade of the line, but his suggestion was to do the rail trail if CSX would allow the right-of-way to extend from Tappan north. He suggested they allow the light rail up to at least Tenafly to allow for another option to ride a bike to the train as opposed to creating additional traffic.

Mayor Heymann informed that the Borough has had a Committee to study this all along; and some of the members of the Committee did attend meetings yesterday or plan to go tomorrow. Mr. Dolson said he was there as well. Mayor Heymann informed the Committee has been working on this for almost 20 years and includes Erik Lenander and Donald Winters who both attended. Mr. Winters wrote his testimony into the stenographers. She said as far as CSX is concerned, she thinks they are pretty adamant about that; they feel they have traffic going up there and potential

traffic. The Borough Engineer informed 10 Railroad Avenue will upgrade their rail spur at the old Weyerhaeuser.

6. COMMITTEE REPORTS (Continued)

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON) (Continued)

Mr. Dolson explained he has first-hand knowledge from the engineers that the plans would be posted on the web site today or tomorrow. He said there were placards on easels all the way around the room; and the last one was Closter all the way up to Northvale. He voiced his opinion that he feels one of the mistakes they are making would be to make Tenaflly a commuter hub. This enormous parking lot would be across from Benjamin Brothers Hardware at the beginning of the line and they are expecting 550 cars. If they extended it further up the line, they wouldn't have the 550-car parking lot which is part of the issue Tenaflly residents are having; they do not want to host a commuter lot.

Mayor Heymann said another issue is that there would be a station right behind the Clinton Inn, which is the most impacted intersection in town; and it makes no sense whatsoever. She thinks they are literally trying to defeat themselves with suggestions like that. Mr. Dolson said a vast majority of the speakers did address the issue that they felt the Commissioner didn't pay attention to any of the input from anyone who supplied it. Mr. Kashwick said that was not necessarily true because they had originally planned for parking at Overpeck Park and that has now been removed. Mr. Dolson clarified he was referring to Tenaflly. The Mayor said Donald Winters came to see her this morning with the actual materials; and he pointed out to her that the materials that came in the last packet were identical to what he has dating back to 1990. He showed her exactly where the same charts and photos are located in the older books.

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

1) REPORT – Mrs. Amitai was not present; therefore, no report was provided.

7. OLD BUSINESS

Councilman Kashwick questioned the status of the paperless packets; and the Borough Administrator said he would obtain a status update on same. He said he has spoken to Councilman Dolson on scheduling an IT meeting.

8. NEW BUSINESS

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, asked for clarification on the Conservation Zone and if same would be a new zone or an overlay. Mayor Heymann said that it would be a new zone and would not conflict with other zones. Borough Engineer explained that this is why a planner is needed, even though it is unlikely that the Borough would be sued since it is Borough property.

Mr. Isaacson referred to the bee ordinance and advised that the Commission is attempting to contact Rob Vreeland to make a presentation before the Board of Health. He referred to a newsletter relative to wild animal feeding from the Nature Center stating that this year there are less acorns. He suggested that these laws prohibiting the feeding of wild animals should be better

thought out and require more public input.

Mr. Isaacson noted that as a member of the Chamber of Commerce, we are planning a much better street fair and he spoke to the Police Chief about the possibility of closing Harrington Avenue in the downtown area and placing a banner across the road advertising the fair. Chief Kaine said that permission from the County is necessary and must include an exact date.

Mr. Isaacson expressed his support for not moving the School Election to the November Election where the turnout would be better but the public would have no input if the budget is not raised above 2%. By not giving the public the right to vote on the Budget, the School Board will raise the Budget 2% each year so that in five years, the Budget will go up 10%.

Jesse Rosenblum, 65 Knickerbocker Road, questioned the reason for changing Borough land into conservation land. Borough Engineer said that the property could be used but a public hearing on same would have to be conducted. Borough Attorney said it is a harder step to use the property under a Conservation Zone, but a future Council could accomplish a zoning change.

Michael Brown, Closter Chamber of Commerce, referred to the Borough calendar and questioned who received same. Borough Administrator said that every residence receives the calendar. Mr. Brown said that the calendar should be mailed to every business. Mayor Heymann said that a number of calendars were delivered to the Library for distribution; and if the Chamber wants calendars for their meetings, her office should be notified. He said that the Chamber is doing a blood drive on February 8<sup>th</sup> and he requested that a flyer be placed in Borough Hall. He also congratulated the Mayor and Council on the Vantage opening.

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

Motion to adjourn the Work Session at 8:37 p.m. was made by Councilman Glidden, seconded by Councilman Barad and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council  
via e-mail on February 3, 2012  
for approval at the Regular Meeting  
to be held February 8, 2012

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Loretta Castano, RMC  
Borough Clerk

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

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – JANUARY 25, 2012 - 7:30 P.M.

Approved at the Regular Meeting held February 8, 2012  
Consent Agenda Item No. 19b.