

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MARCH 28, 2012 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:54 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

The following persons were present:

- Mayor Sophie Heymann
- Councilpersons Alissa Latner, John Kashwick, David Barad, Arthur Dolson
Victoria Amitai
- 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:

- Councilman John C. Glidden, Jr.

2a. MAYORAL PROCLAMATION DECLARING THE MONTH OF APRIL AS “NATIONAL ALCOHOL AWARENESS MONTH” (10b. M.L. 3/29/12 – received 3/26/12) Mayor Heymann so declared during the Work Session.

3. MAYORAL APPOINTMENTS (*NON SALARIED*) TO THE FOLLOWING COMMISSIONS (Not made at the Reorganization Meeting held 1/3/12/Adjourned from RM 1/11/12; RM 1/25/12; RM 2/8/12; RM 2/22/12; RM 3/14/12):

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

4a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 6 and 14 was made by Councilman Kashwick, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Latner, Kashwick, Barad, Dolson and Amitai.

ORDINANCES

5. INTRODUCTION OF THE FOLLOWING ORDINANCES - PUBLIC HEARING – 4/25/12 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

a. ORDINANCE NO. 2012:1119, “AN ORDINANCE DESIGNATING THE CENTENNIAL AME ZION CHURCH A HISTORIC LANDMARK AND AMENDING CHAPTER 200, ZONING, SECTION A-5, DESIGNATION OF HISTORIC LANDMARKS” (RM 3/14/12) – (Requested by Borough Attorney 3/22/12) - TO BE PREPARED BY BOROUGH ATTORNEY

b. BOND ORDINANCE NO. 2012:1120, “AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF A LADDER TRUCK AND A PICKUP TRUCK IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$1,129,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,072,550 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME” (Received from Bond Counsel 3/22/12)

c. ORDINANCE NO. 2012:1121, “AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$290,600.00 FROM THE CLOSTER OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND AND HISTORIC PRESERVATION IMPROVEMENTS” (Received from Administrator 3/26/12/revised 3/28/12)

RESOLUTIONS

6. RESOLUTION AUTHORIZING A CROWN CASTLE LEASE AMENDMENT (Requested by Administrator 2/3/12) TO BE PREPARED BY BOROUGH ATTORNEY (Adjourned from RM 2/8/12; RM 2/22/12; RM 3/14/12) Removed at request of Boro Attorney
7. RESOLUTION ENDORSING SUBMISSION OF 2011 MUNICIPAL RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF RECYCLING, AND DESIGNATING CAROLE DACEY TO ENSURE APPLICATION IS PROPERLY FILED (Requested by Recycling Coordinator 3/20/12)
8. RESOLUTION AWARDED A CONTRACT TO JANNEY MONTGOMERY SCOTT LLC, AS UNDERWRITER FOR THE ADVANCED REFUNDING OF 2005 BONDS (Received from Administrator 3/22/12)
9. AMENDMENT NO. 3 TO THE TEMPORARY BUDGET FOR 2012 (Received from Administrator 3/22/12)
10. TRANSFER RESOLUTION NO. 7 (Received from Administrator 3/22/12)
11. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a AS FOLLOWS (Received from Administrator 3/8/12): Commodity/Service: Firefighter Protective Clothing & Equipment; Vendor: AAA Emergency Supply Co. Inc, 635 North Broadway, White Plains, NY 10603; State Contract #: A76364; Max Amt: \$1,148.25; Expiration: March 31, 2012 (Received from Administrator 3/22/12)
- 11a. RESOLUTION AWARDED CONTRACT FOR FIELD MAINTENANCE SERVICES FOR 2012 TO LUPARDI’S NURSERY INC., 75 BLANCH AVENUE, CLOSTER, RECEIVED AT THE OPENING HELD 3/23/12, IN AN AMOUNT NOT TO EXCEED \$20,835.00 (Received from Administrator 3/26/12)
- 11b. RESOLUTION ESTABLISHING A TEMPORARY CAPITAL BUDGET (Bond Ordinance 2012:1120 - Added at the request of the Administrator)
- 11c. RESOLUTION AUTHORIZING BOSWELL MCCLAVE ENGINEERING TO PREPARE SPECIFICATIONS FOR THE FY2012 NJDOT LOCAL AID PROJECT FOR HERBERT AVENUE SECTION 5 AND BLANCH AVENUE (Requested by Borough Engineer)
TO BE PREPARED BY BOROUGH ATTORNEY/BOROUGH ENGINEER
- 11d. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER FOR TAX SALE CERTIFICATE #11-00004 IN THE AMOUNT OF \$899,657.62 ISSUED AT THE MUNICIPAL TAX SALE HELD 6/30/11 TO KRISTINE & STEPHEN CREVANI FOR PROPERTY LOCATED AT

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING MINUTES – MARCH 28, 2012 - 7:30 P.M.

19 VERVALEN STREET, BLOCK 1607, LOT 1, SUBJECT TO WRITTEN
 APPROVAL OF THE LIEN HOLDER (Requested by Borough Attorney)

11e. RESOLUTION AUTHORIZING THE ADVERTISEMENT OF BIDS FOR THE
 PURCHASE OF A LADDER TRUCK FOR USE BY THE FIRE DEPARTMENT IN THE
 BOROUGH OF CLOSTER (Requested by Borough Attorney)

MOTIONS

12. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES
 (Distributed via e-mail on 3/23/12) NO ABSTENTIONS:

- a. REGULAR MEETING OF MARCH 14, 2012
- b. WORK SESSION MEETING OF MARCH 14, 2012

13. GRANTING APPROVAL FOR CERTAIN ROADS TO BE CLOSED THE MORNING OF
 SUNDAY, 5/6/12, FOR TEMPLE EMANU-EL TO CONDUCT THE ANNUAL JERRY
 FINK Z”L MEMORIAL RUN/WALK PARTIALLY THROUGH THE BOROUGH
 BEGINNING AND ENDING AT VETERAN’S MEMORIAL PARK; CHECK IN TO BEGIN
 AT APPROXIMATELY 7:30 A.M.; ALL ACTIVITIES EXPECTED TO CONCLUDE BY
 10:30 A.M. (Approval received from Risk Management Consultant 3/15/12)

14.—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; RM 1/25/12; RM 2/8/12; RM 2/22/12; RM 3/14/12):
 None

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

14a. MOTION GRANTING APPROVAL FOR ST. PAUL’S EVANGELICAL LUTHERAN
 CHURCH TO USE THE BANDSTAND AND SURROUNDING AREA AT VETERAN’S
 MEMORIAL FIELD FOR AN OUTDOOR EASTER DAWN SERVICE TO BE HELD
 SUNDAY, 4/8/12, AT 7:00 A.M. SUBJECT TO RECEIPT OF APPROVAL OF
CERTIFICATE OF INSURANCE AND HOLD HARMLESS AGREEMENT FROM THE
RISK MANAGEMENT CONSULTANT; THE FOLLOWING CONDITIONS PROPOSED BY
 THE DIRECTOR OF RECREATION ARE TO BE MET: PARISHIONERS TO PARK IN THE
 BACK PARKING LOT ON OLD CLOSTER DOCK ROAD TO AVOID CONSTRUCTION
 AT BASKETBALL COURT ENTRANCE; SEEDED GRASS AREAS TO BE AVOIDED
 DURING THE SERVICE; NOTICES ARE TO BE PLACED ON NEIGHBORING HOUSES
 ON OLD CLOSTER DOCK ROAD INFORMING OF MUSIC TO BE PLAYED ON EASTER
 MORNING AT 7:00 A.M.

15. REPORTS

4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

16. 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)

Ann Heller, Harrington Park, questioned the address of the Centennial AME Zion
 Church. Mayor Heymann informed it was 5 Lewis Street. Borough Attorney advised we have
 two addresses: 5 Lewis Street and 7 Campbell Avenue. Mayor Heymann explained Lewis
 Street is the street that goes past Borough Hall to Homans Avenue. In front of the church there is
 one little block that goes from Lewis Street to the driveway and it is called Campbell Avenue.

Bob Maurer, 119 Kensington Avenue, Norwood, questioned if there was any discussion
 by the Council on the street name change or was it done by the Historic Preservation
 Commission. Councilwoman Amitai said that all of the maps indicated Old Closter Dock Road;
 and Mayor Heymann said that the name change was never discussed by the Council.

Richard Collins, Pastor of the Centennial AME Zion Church, asked for clarification on

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – MARCH 28, 2012 - 7:30 P.M.

the historical designation of the Church. Borough Attorney answered that an ordinance was introduced this evening. Mayor Heymann explained the process that would include a public hearing on April 25th. Borough Attorney said the ordinance must be reviewed by the Planning Board and report on same prior to adoption. He will forward a letter to the Planning Board and Attorney in the morning. He said that publication of the ordinance should be delayed until the Planning Board reviews the ordinance and that the Public Hearing may have to be delayed depending on the Planning Board's meeting schedule.

16a. Motion approving the following Closed Session Resolution at 9:12 p.m. was made by Councilman Kashwick, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Latner, 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. 10:4-12 (b)(7) "Pending or anticipated litigation or contract negotiations and that the item under discussion in the closed meeting would be disclosed to the public at the conclusion of the potential litigation which should be within 6 weeks.

Mayor Heymann resumed the Regular Meeting at 9:50 p.m.

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

The following motions were made by Councilman Barad seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Latner, Kashwick, Barad, Dolson and Amitai:

17a. MOTION TO REDUCE THE FINE FOR FAILURE TO ACQUIRE PERMITS FOR THE CUTTING OF TREES AT 32 OLIVE STREET (BLOCK 504 LOT 29) **FROM** \$7,515.00 PLUS THE PERMIT FEE OF \$150.00 **TO** \$5,000.00 INCLUSIVE OF THE PERMIT FEE"

Borough Attorney advised he would prepare a Resolution memorializing same for the next meeting.

17b. MOTION TO DENY THE APPEAL OF JINAH JU (3. M.L. 3/22/12) REGARDING REPLACEMENT OF TREES REMOVED AT 62 HIGH STREET IN THE AMOUNT OF \$1,920.

18. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:52 p.m. was made by Councilwoman Amitai, seconded by Councilwoman Latner and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
via e-mail on April 5, 2012 for approval
at the Regular Meeting to be held
April 11, 2012

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held April 11, 2012
Consent Agenda Item No. 17a.

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – MARCH 28, 2012 - 7:30 P.M.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – MARCH 28, 2012 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session at Borough Hall on Wednesday, March 28, 2012. 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 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.

3. ROLL CALL

Those present were the following:

Mayor Sophie Heymann
Councilpersons Alissa Latner, John Kashwick, David Barad, Arthur Dolson and
Victoria Amitai (7:32 p.m.)
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:

Councilman John C. Glidden, Jr.,

At this time, Mayor Heymann explained she was deviating from the Work Session Agenda for the following:

Mayor Heymann introduced the 7th and 8th grade girls travel basketball team who had a record of 13 and 3 before the finals; and in overtime, beat Midland Park 43 to 38. They went on to beat Old Tappan in overtime 47 to 29 and subsequently first place in the final game in the Bergen Travel Basketball League with 10 seconds to go in overtime. She extended congratulations and presented a certificate to the team and coaches.

Mayor Heymann read from the Coach's statement about the Closter Girls Division 5 Pascack Valley Indoor Soccer league Team who won the championship on Saturday in Leonia. The 3rd and 4th grade girls all worked hard for a 3 to 0 during the playoffs and shutting out every team to claim the championship. She extended congratulations to the team and presented a certificate to the

team and coaches.

Mayor Heymann read the following Proclamation and so declared:

MAYORAL PROCLAMATION DECLARING THE MONTH OF APRIL AS “NATIONAL ALCOHOL AWARENESS MONTH” (10b. M.L. 3/29/12 – received 3/26/12)

Chief Kaine informed we received \$10,250 from the State of New Jersey for their Drunk Driving Enforcement Fund. Mayor Heymann expressed her concern about this issue and asked all parents and grandparents to pay special attention to this major problem.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF MARCH 15, 2012 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item No. 2 was removed by Mayor Heymann; Item No. 6 was removed by Borough Attorney.

Item No. 2: Received 03/09/12 hand del=d by Mayor, dated 03/09/12, from Rev. Robert W. Holsten, St. Paul=s Evangelical Lutheran Church, to Mayor re Requesting permission to use the Borough=s bandstand and surrounding area at Memorial Field to hold an Outdoor Easter Dawn Service @ 7:00 a.m. on Sunday, 4/8/12 to celebrate the 125th anniversary of the congregation (Copy to Glenn Parsells, Jim Oettinger)

Mayor Heymann voiced her understanding that the Council would like to grant this request, but none of the necessary insurance documentation has been received. In answer to Councilman Kashwick, the Borough Clerk explained we have not received any of the promised paperwork to forward to the Risk Management Consultant for approval; and voiced her opinion that perhaps the Reverend is confused inasmuch as Jim Oettinger has given his approval for the use of the field. Mr. Oettinger informed he spoke to the Reverend earlier today; and someone was going to come by this evening with the necessary paperwork. Mayor Heymann asked the Council to keep this in mind when it comes to the Regular Meeting Agenda; and, hopefully, the individual will have delivered the paperwork before that time.

Item No. 6: Received 03/13/12, dated 03/07/12, from Robert E. Laux, Executive Director and Eric Andersen, Chief Engineer/Director of Water Pollution Control Division re BCUA Rain-Derived Infiltration/Inflow (RDI/I) Reduction and Sanitary Sewer Overflow (SSO) Elimination Plan - 2012 Status; and requesting the municipality adopt an ordinance providing that a condition of the sale of a property is to require a certification from the building department or department of public works stating that no illegal sump pumps or other illegal connections to the sanitary sewer system exist (Copy to Construction Official, DPW Superintendent)

Borough Attorney requested this item be referred to the Ordinance Committee to follow through on the recommendation of the enclosed ordinance.

b. MAIL LIST OF MARCH 22, 2012 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item No. 3 was removed by Councilman Barad; Item No. 2 was removed by Borough Clerk

Item No. 3: Received 03/15/12 forwarded to Mayor, 03/16/12, rec=d from Mayor @ 11:45 a.m., from Jinah Ju, 62 High Street, to Mayor Heymann re Requesting permission to appeal decision of

the Borough's Tree Inspector regarding tree removal at 62 High Street (copy to J. Whitney 3/16/12)

Councilman Barad questioned where we were with this item. Mayor Heymann informed she was going to ask for a Closed Session to discuss this item as potential litigation.

At this time, Councilman Kashwick reminded of a similar issue on Olive Street and questioned what the resolution was to that item. Mayor Heymann explained that has not yet been resolved; and she wished to discuss same in Closed Session in addition to this one.

Item No. 2: Received 03/16/12, dated 03/12/12, from Marc Votto, 551 Closter Dock Road, to Mayor (with individually addressed envelopes to Council members) re Requesting additional help re traffic on Closter Dock Road (Copy to Chief Kaine)

The Borough Clerk explained that Mr. Votto is requesting the Governing Body pledge their support to Freeholder Maura R. DeNicola regarding his concerns about Closter Dock Road. She voiced her understanding that had been pursued with the Police Department but there is nothing that can be done because it is a County road. In answer to Councilwoman Latner, the Mayor explained Mr. Votto's concerns about traffic on Closter Dock Road and said he has reached out to local, County and State officials regarding same. She affirmed it is a County road and, therefore, not within our power to do anything.

Chief Kaine explained Mr. Votto wants all large trucks outlawed on the road and routed elsewhere. Councilman Barad voiced his understanding that Mr. Votto is asking for the Council's support in his suggestion to the Freeholders to make restrictions on Closter Dock Road. He questioned if they wanted to support that notion. Dr. Barad voiced his opinion that it is a County road and the trucks need a route to get from here to there; and there is no alternate route. Chief Kaine explained Mr. Votto wants to ban the use of all large tractor trailers on the road that use jake brakes which help them slow down by using a pressure system to release air; and it makes a loud noise. In answer to Dr. Barad, the Chief informed that jake brakes are mandatory to have on the trucks. After some discussion, it was determined that the Council could not support his request to the Freeholders; and Mayor Heymann would inform Mr. Votto of same.

Steve Isaacson, 97 Columbus Avenue, referred to the several Mail List items that are petitions in support of the Historic Designation of the Centennial AME Zion Church; and asked for the total number of signatures received to date. Mayor Heymann voiced her understanding that close to 1,000 were received; and the Borough Clerk informed we receive more every day.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of March 28, 2012)

Item No. 5c. was removed by Councilman Kashwick for discussion.

5. INTRODUCTION OF THE FOLLOWING ORDINANCES - PUBLIC HEARING –
4/25/12 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

c. ORDINANCE NO. 2012:1121, "AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$288,600.00 FROM THE CLOSTER OPEN SPACE, (\$290,600.) RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND AND HISTORIC PRESERVATION IMPROVEMENTS" (Received from Administrator 3/26/12/revised 3/28/12)

Councilman Kashwick referred to Councilwoman Amitai's request in the past to plant trees on Herbert Avenue; and suggested that an additional \$2,000 be included in the Open Space allocation. Borough Administrator said that the allocation should be changed now or not introduce the ordinance. It was decided to change the appropriation to \$290,600; and Borough Administrator advised if all of the funds are not used, the balance can be canceled back to the Open Space Fund.

At this time, Borough Administrator referred to the "Temporary Capital Budget Amendment" which he explained was prepared by the Bond Counsel and was distributed to the Council this evening. He explained that under normal circumstances, a bond ordinance refers to amending the Capital Budget to be consistent with the ordinance. Since it is early in the year and we have not adopted the budget as yet, Bond Counsel felt it was necessary to adopt a Temporary Capital Budget. Therefore, he asked that this Resolution be included on the Consent Agenda; and Borough Clerk confirmed it would be added under Resolutions as Item No. 11b. and no objections were voiced.

6. RESOLUTION AUTHORIZING A CROWN CASTLE LEASE AMENDMENT (Requested by Administrator 2/3/12) TO BE PREPARED BY BOROUGH ATTORNEY (Adjourned from RM 2/8/12; RM 2/22/12; RM 3/14/12)

Borough Attorney requested that this Resolution be removed from the Consent Agenda.

Borough Administrator asked that the following be added to the Consent Agenda:

- 11b. RESOLUTION ESTABLISHING A TEMPORARY CAPITAL BUDGET (Bond Ordinance 2012:1120)

6. COMMITTEE REPORTS

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

1) STATUS REPORT RE CLOSTER WEBSITE – Councilman Dolson reported that although the expenditures of the Borough haven't increased the revenues have decreased causing us to raise taxes this year. He said they anticipate a decrease in expenses by approximately \$8,000. Mr. Dolson voiced his concern that third party receipts are diminishing each year and it causes the dilemma of having to supplement that income by increasing taxes. He asked for support of the Budget and explained it has been very hard work to get to this point; because the longer it takes, the more information we learn; so there may be amendments may need to be done in the future.

2) REPORT – Councilman Dolson informed he had nothing further to report.

Mayor Heymann commented on the budget work and Finance Committee and informed that everyone worked very hard to get the budget within parameters of the State mandate. She explained they will try to do better in the next two weeks before the Municipal Budget is up for public discussion. The Mayor remarked on State support saying the League of Municipalities has been campaigning very actively to take the money from the State, which they call "State Aid", but in reality are monies confiscated from the municipalities. Those monies were dedicated to the municipalities and only collected by the State. She wrote a letter that appeared in The Record this

past Sunday regarding the subject. Mayor Heymann reiterated they are working hard to keep the taxes as low as possible. Final amounts will be made available when the budget is finalized.

6. COMMITTEE REPORTS (Continued)

B. PUBLIC SAFETY - GLIDDEN (DOLSON/LATNER)

1) REPORT – In the absence of Councilman Glidden, Chief Dennis Kaine reported on his behalf. He informed they recently worked in conjunction with the First Aid Squad and Fire Department along with resident Chris Bosco, President of the National Alliance of Mental Health. They had a training session on how to handle mentally challenged people in emergency situations. Chief Kaine informed there will be an Active Shooter Training tomorrow at the Temple.

C. PUBLIC WORKS - LATNER (AMITAI/GLIDDEN)

1) REPORT – Councilwoman Latner commended the efforts made by the Fire Department on the work put into the acquisition of ladder truck as seen on the Agenda tonight. She explained they went to great lengths to try to get the specifications under budget.

a. Library – Councilwoman Latner noted the Borough had been awarded the grant for automatic sliding doors at the Library; and asked the Borough Administrator if the money had come in yet. Mr. Wiest informed he has a meeting with Ruth Rando and Don Farrell from the Board to get that set up. He explained it is a Community Development Block Grant that flows through the Borough; therefore, a Resolution needs to be passed to award the project to the Library.

In answer to Mrs. Latner, the Borough Attorney informed he reviewed the staff manual with the Library and is awaiting word from JIF as to whether they can or cannot have a separate manual from the Borough's. He had spoken to Glenn Parsells about it earlier in the week; and since Mr. Parsells was not positive about it, he contacted the JIF attorney, Russell Huntington, and is awaiting his approval. Mr. Rogan agreed to keep the Library apprised of its present status.

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported the Ordinance Committee will meet the first Tuesday in April (4/3/12); and, hopefully, will finalize the version of the LEEDS ordinance for historic homes that he mentioned at the last meeting. Dr. Barad asked the Mayor if they could start to introduce summaries of what the Ordinance Committee discussed regarding the sign ordinance to the Sign Ordinance Committee. He explained the Sign Ordinance Committee has been working hard since last summer; and he noted that it is coming to a point where there will be a more simplified sign ordinance. Dr. Barad further explained his understanding it is being modeled after the Historic Commission ordinance where a Sign Commission will approve the format based on published guidelines. The ordinance will focus on rules and regulations as opposed to design of the signs; which, hopefully, will prevent small details such as an unapproved font from making the sign non-conforming.

Mayor Heymann voiced her opinion that changing an entire chapter in the ordinance book is a major task. In this particular case, there was a compilation of elected officials, Borough staff and members of the community who put in a major effort of time. She personally recognized Irene Stella and Bob Maurer, who were present in the audience, for their continued effort.

2) REPORT – Councilman Barad had nothing further to report.

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick reported the Human Resources Committee met several times this past month regarding various

personnel issues. They received an entire packet of job descriptions from the Borough Administrator this evening and those will be distributed shortly. A performance appraisal template is ready to go; and he will be attending the April 18th Department Head meeting to distribute same.

6. COMMITTEE REPORTS (Continued)

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

2) REPORT – Councilman Kashwick reported on the following:

a. Shade Tree Commission – Mr. Kashwick was unable to attend the last meeting but he spoke with Louise Ungar to get updated. The Commission decided to take up the Mayor’s proposal regarding the planting of trees near the power lines; and they are in agreement as long as the wording is vague such as “the Commission will only plant specific under story trees that will not enter the primary electrical distribution system”. The reason they ask for this is because a species may only be supposed to grow to 10 feet and then it grows more and becomes a question as to whether it has to be cut down; so this, hopefully, would avoid that question. Mr. Kashwick reported the Commission received a quote for the 5-Year Management Plan from Paul Cowie Associates at \$4,400. They hope to receive the \$3,000 grant they applied for to offset the cost of the report. No official Arbor Day has been established for 2012 as of yet, but he hopes to have a date and Mayoral Proclamation for same at the next meeting.

b. Historic Preservation Commission – Mr. Kashwick noted the (Ordinance) re designation of the Centennial AME Zion Church is on the Agenda this evening; and the Commission is considering several other designations. They are working to post all of the items together to simplify the ordinance and hearing process. There was some discussion of using the word “Old” on the historic signs on Main Street for Old Closter Dock Road. Some individuals and businesses have expressed concern because Mapquest and GPS systems refer to the street as just Closter Dock Road. Maps and several of the street signs, including some that were replaced, refer to it as Old Closter Dock. He voiced his understanding they are gathering more attention because there are now more street signs than there used to be. There weren’t signs on every corner of the road and they are now calling more attention to themselves because they increased in number.

c. Environmental Commission – Mr. Kashwick reported Clean-Up Day is scheduled for this Saturday, March 31, at 10 a.m. The meet up locations are the Closter Nature Center and Borough Hall; and refreshments will be provided. He reminded of the Governing Body’s decision not to have loose trash on the ground at Borough Hall and will have bags of trash instead lined up on the lawn for the photo op. Arrangements have already been made with Bill Dahle. Mr. Kashwick informed later in the day they will hold Earth Hour where they turn out the lights for one hour to unite to celebrate their year round commitment to protect the environment. Several members of the Commission met with the Demarest Environmental Commission and Demarest Nature Center regarding the trail that connects the two Boroughs. The big issue is that the trails are marked by two different color blazes making it confusing. Their proposal is to come up with an actual logo and a blaze that would be unique to that particular trail. Two designs will be presented for consideration. In answer to Mayor Heymann, he affirmed one design is a footprint and the new name would be the Northern Valley Trail. This trail will start at the Demarest Train Station, run Northward through Hagen Park; to Remembrance Park, through the water company property when it’s open, connect to the Closter Nature Center and Marion Village. There is also outreach to Alpine to hopefully connect up Ruckman Road to the Boy Scout Camp and ultimately to the Palisades Interstate Park Trails and the long path. Mr. Kashwick informed the next meeting of both Commissions is scheduled for 4/15/12 at 10 a.m. when they are supposed to meet at Ruckman Park to walk the proposed trail.

Mr. Kashwick reported that in light of the several incidents recently where trees were taken down even with permits, several Environmental Commission members want the ordinance

strengthened. He asked the Commission to review the Ordinance and make their specific recommendations to be presented to the Ordinance Committee.

6. COMMITTEE REPORTS (Continued)

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

John McCaffrey attended the meeting last week and asked about keeping a horse and chickens at the (MacBain) farm. Mr. Kashwick said they noted there are several Board of Health issues and ordinances involved; in addition to notification to neighbors. In answer to Mrs. Amitai, he explained the real issue is that the farm is public property.

Mr. Kashwick reported there was discussion of possible new landmark trees; and permission needs to be obtained from the property owners. Once that is accomplished, the matter will be brought before the Governing Body. The Commission, the Green Team and the Closter Nature Center jointly hosted Dr. Anthony Broccoli, a Rutgers University Climate Scientist, who discussed recent weather events and why they are happening. Mr. Kashwick said the event was well attended and informative.

At this time, Mr. Kashwick said he was making good on his promise to ask Councilwoman Amitai or Mayor Heymann at each report what the status is of the Conservation Zone at the Planning Board. Mrs. Amitai said she could not recall and deferred to the Borough Engineer, who explained his recollection was that it had not been discussed at the last subcommittee meeting because more urgent matters came up. He voiced his understanding that the Board's position was that they wanted to see the Planner first. Mayor Heymann said this will happen.

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

1) REPORT – Councilwoman Amitai reported on the following:

a. The Building Department is getting busier and busier. Ms. Amitai informed the Capital Young project at 10 Railroad Avenue, across from the new Vantage building, is working on a big addition. A steady flow of new houses has been coming in as well as the usual additions/expansions. There will be four new houses coming before the Planning Board shortly. She voiced her opinion that it is not quite as big as in 2006 but things are showing a little sign of improvement.

b. The Improvement Commission is thinking of holding a concert outdoors; and more information will be forthcoming. They are hoping to move forward with the dumpster art project and are waiting to hear back from the Boy Scout Council for their final approval. A young Eagle Scout who will be taking this project on will be doing a presentation; and she will have further reports in the future regarding the project.

At this time, Councilman Dolson wished to inform that as the Zoning Board of Adjustment Liaison, an issue that has been coming up time and again is the issue that people build their homes up to the max; and sometimes when they do that they are actually over the max. Two or three years later, they come back to the Zoning Board and they want to put in a patio, pool and several other things. The Zoning Board is asking those (members) who are involved with those types of applications to reinforce the limiting schedule that we have so we don't have that problem. As an example, he explained the other night they had an application with a 19,000 square foot property where they built the house 31 point something feet and still wanted to put in a swimming pool.

Mayor Heymann explained that, under our regulations, there is no way they can pass the Building Department with their original plans if they do not obey all of our restrictions, including

the building footprint and total pervious coverage. Mr. Dolson said you would think so; but it is still happening. Mrs. Amitai explained that the Planning Board doesn't have any teeth not to permit them from building to the max. Mayor Heymann explained that individual houses don't come to the

6. COMMITTEE REPORTS (Continued)

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

Planning Board by state fiat; they don't have any control over that. She said they do have a Building Department that has very specific rules to obey, so she does not understand why a house is built beyond the 30% it has now as the limit, without coming for a variance to the Planning Board. The Borough Attorney voiced his clarification that the homes are being built to the max; and then when people move in they want to build on to it. The Mayor voiced her understanding that Mr. Dolson is saying that they are being built over the max to begin with. Mr. Dolson said he saw a set of blueprints that at one time were legal; and then another set of blueprints that was changed; and it was beyond what was approved and what was legal; basically they are building beyond approval. The Borough Attorney advised that should be caught at the time of issuance of the C.O. Mr. Dolson informed there is a house that hasn't had a C.O. in three years but they are living in it. Mayor Heymann said they are culpable at that point; and asked if the Zoning Board of Adjustment did what it needed to do; to which he said they had a choice of tearing down part of the house or letting them get away with it; so, they deferred to the latter.

7. OLD BUSINESS

8. NEW BUSINESS

Borough Engineer referred to a grant from NJDOT in the amount to \$146,500 for the improvement of Herbert Avenue Section 4, as they determined; and he informed it would be Section 5 now; and his office had submitted a proposal. He strongly urged the sooner the Borough goes out to bid, the better the prices would be. In addition, a cost estimate for the Road Improvement Program had been submitted for review by the Finance Committee. Borough Administrator said that he and the Borough Engineer had traveled around the Borough; and there are some roads which are candidates for resurfacing. Asphalt prices are high because of the price of oil; and he felt the Borough Engineer should be authorized to proceed with plans and specifications for the Local Aid Project since same necessitates State review. He reminded funding is not in place yet and said a capital ordinance could be introduced at the next meeting to help get the process going but that it will take a few meetings after that to get the project approved.

Borough Engineer referred to a County request for participation in a handicap ramp project in which the County would reimburse the Borough for the construction of the ramps on County roads before paving. This program would be starting within the next two weeks in Closter. He indicated that \$50,000 to \$60,000 was allocated by the Borough in addition to inspection costs that should be reimbursed by the County. The roads to be done by the County are Piermont Road from Closter Dock Road south to the Demarest border and Closter Dock Road from Piermont Road to Harrington Avenue. Mayor Heymann distributed a list to the Council of the roads that need resurfacing; and requested that the Council inspect the roads. In response to Ms. Amitai, the Mayor explained that Hickory Lane is not included in the listing and that Ruckman Road, which is on the listing, would not be resurfaced this year because of the dredging of the pond. In response to Dr. Barad's inquiry, Borough Engineer advised that there was a listing prepared in 2002 of the roads needing resurfacing; and the improvements have been accomplished during the past 10 years. Hickory Lane requires a new roadway base, curbing, drainage improvements and possibly DEP permits. In response to Mr. Kashwick, he informed that the repair of Hickory Lane would cost over

\$500,000; and Councilman Barad recommended that the Council develop a financial plan to accomplish this repair at some point, which would be a complex problem because of the two farms and an historic property.

Borough Attorney advised that Closter Plaza is ready to redeem its tax certificate. He distributed a resolution this evening authorizing the Tax Collector to refund the tax sale certificate monies upon our receipt of the payment. The Plaza would like to make the payment on Friday; however, there is a question on the actual figure. Therefore, a paragraph was added to the resolution indicating that it was subject to the written approval of the lienholder before this Friday. If the lienholder cannot come to an agreement with the Tax Collector and the Closter Plaza as to the exact number, a recalculation would have to be accomplished; and the resolution would have to be included in the next agenda. Closter Plaza paid the taxes for the last quarter and is, therefore, current on taxes.

8. 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

Ann Brewster, 15 Taillon Terrace, questioned why the street sign for Closter Dock Road was changed. Borough Engineer explained that the County has a list on which Closter Dock Road is a County road from Harrington Avenue to Anderson Avenue; and the County refers to it as Closter Dock Road not Old Closter Dock Road. Mayor Heymann said that the County advised her that from Route 9W to Anderson Avenue it is Closter Dock Road and from Anderson Avenue westward it is Old Closter Dock Road. Borough Engineer said he did not speak to the County Engineer; but this was per the list he was provided by the County; and it's not conclusive but it's what they believe it to be. In answer to Mrs. Amitai he affirmed our tax maps show it as Old Closter Dock Road. He said he would review the historic tax maps and see what it has been throughout the years; and noted that it also may not be conclusive.

Irene Stella, 11 Cedar Lane, explained that the Historic Commission had the first group of four historic signs placed in 2009 on West Street with the second group of four signs placed at various historic buildings in town. Several members of the Commission wished to identify Old Closter Dock Road with signage; and same was agreed upon. She said she has maps from 1850 identifying Old Closter Dock Road. GPS will still give directions for Closter Dock Road; and the postman will still deliver mail whether the mail indicates Closter Dock Road or Old Closter Dock Road. She felt there should be a list compiled of true complaints and replace the signs if there is a problem. In answer to Mrs. Brewster, she explained that although it is not a Borough designation, it is a County Historic designation and has been since it was named such in 1982. She further explained that something can be historic without being designated because they are identified as such on different levels.

Bob Maurer, 119 Kensington Avenue, Norwood said the original lease for his store indicates Main Street; and having different street signs is confusing for customers. He noted that in front of Ward's store there are two signs one of which says Harrington Avenue and the other Old Closter Dock Road and they are being used as directional signs. He said that the sign is putting part of his building on Harrington Avenue and all of Closter Medical Group on Harrington Avenue.

Jack Caldwell, 145 Maple Avenue, said his father bought property 75 years ago on this street and it was called Old Dock Road.

10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

No one wished to be heard.

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

12. ADJOURNMENT

Motion to adjourn the Work Session at 8:52 p.m. was made by Councilman Kashwick, seconded by Councilwoman Amitai and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
via e-mail on April 5, 2012
for approval at the Regular Meeting
to be held April 11, 2012

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 April 11, 2012
Consent Agenda Item No. 17b.