

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – APRIL 24, 2013 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:45 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 published in The Record and the Star Ledger issues of January 8, 2013, 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 John C. Glidden, Jr., Alissa Latner, John Kashwick, David Barad,  
Arthur Dolson and Victoria Amitai  
Borough Administrator, Richard Sheola  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Chief of Police, Dennis Kaine

PRESENTATION

Isabelle Lee, a 4<sup>th</sup> grade student at the Hillside School, presented a letter from herself, Rachel T. and Sophie Han, stressing the importance of recycling of plastic water bottles that use 17 million gallons of oil to make. Failing to recycle these bottles may cause chemicals to leach into the water supply. Over 100 million bottles are disposed at landfills and that is enough to reach from New Jersey to China and back. She asked the Council not to use plastic water bottles, to watch the video "Back 2 Taps" and to urge their friends and family to do the same.

Dean Pialtos of the Coaches Association, asked support for honoring the Director of Parks and Recreation, Jim Oettinger, with either a tee sponsorship or by playing golf at the Golf Classic at White Beeches Golf & C.C., Haworth, NJ. He cited the Borough Attorney and Councilman Glidden for their support last year. The event would be held on June 3<sup>rd</sup> at 10 a.m. and a tee sponsorship is \$150. A dinner would be held at 5:30 p.m. at a cost of \$100. Mayor Heymann expressed her support for the event.

3. MAYORAL PROCLAMATIONS DECLARING THE FOLLOWING:

a. CONGRATULATING SPECTRUM FOR LIVING ON THE OCCASION OF ITS 30<sup>TH</sup> ANNIVERSARY (7. M.L. 4/4/13 – Received from Mayor 4/16/13)

Mayor Heymann noted that Spectrum was founded in Closter 30 years ago by Alex Gallione who founded a home for disabled children which is now a statewide organization. She said that the Borough Attorney has been a member of the Board for over 20 years. Mayor Heymann read the Proclamation and presented same to Mike Carpenter. Mr. Carpenter thanked the Mayor and Council for their cooperation and support.

b. CLOSTER VOLUNTEER WEEK - APRIL 21, 2013 TO APRIL 27, 2013 (Received from Mayor's office 4/16/13)

Mayor Heymann read and so declared. Mayor Heymann announced that this is also Administrative Assistant Day and our administrative professionals were taken out to lunch today.

c. ARBOR DAY - FRIDAY, APRIL 26, 2013 (Requested by Councilman Kashwick 4/9/13/read at RM 4/10/13)

Mayor Heymann noted that the Proclamation was read two weeks ago; and reminded the Council that tree planting would be taking place on Friday.

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4. MAYORAL APPOINTMENT (Requested by Mayor 4/17/13):

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ENVIRONMENTAL COMMISSION Associate Member	<u>Arthur Goldberg</u>	1 Year	12/31/13

5a. VOTE ON CONSENT AGENDA ITEMS

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

RESOLUTIONS

6. RESOLUTION APPOINTING Andrew M. Cimiluca and Elsbeth J. Crusius TO SERVE AS ALTERNATE PROSECUTOR(S) FOR A ONE YEAR TERM TO 12/31/13 (Opening held 4/4/13 @ 11:30 a.m./Adjourned from RM 4/10/13)
7. RESOLUTION OPPOSING THE NORTHERN VALLEY REGIONAL HIGH SCHOOL CAPITAL PROJECT (Received from Councilman Kashwick 4/18/13)
8. RESOLUTION SUPPORTING S-1896/A-1503 SHARING THE BURDEN OF PROPERTY ASSESSMENT APPEAL REFUNDS (Requested by Mayor 4/8/13) (M.L. 4/11/13 - 1a1)
9. RESOLUTION IN SUPPORT OF A-3393, LEGISLATION TO PROTECT RESIDENTIAL PROPERTY TAXPAYERS FROM THE LOSS OF TELECOMMUNICATIONS TAX SUPPORT (Requested by Mayor 4/15/13)
10. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A SHARED SERVICES AGREEMENT WITH THE NORTHERN VALLEY REGION SCHOOL DISTRICTS AND MUNICIPALITIES FOR AN EARLY-WARNING LIGHTNING DETECTION SYSTEM (Received from Borough Attorney 4/10/13)
11. RESOLUTION MEMORIALIZING MOTION GRANTING APPROVAL FOR PLACEMENT OF FARMERS MARKET SIGNS PURSUANT TO THE INTERSECTIONS LISTED AND PROVIDED TO THE COUNCIL AND BE MADE PART OF THE MEMORIALIZING RESOLUTION NOS. 1 THROUGH 8, EFFECTIVE APRIL 14<sup>TH</sup>, 2013, AND CONTINUING THEREAFTER TO THE MIDDLE OF EACH MONTH UP AND THROUGH NOVEMBER 2013 PURSUANT TO CLOSTER ORDINANCE 173-83E AND SUBJECT TO ANY COUNTY PROPERTY MAINTENANCE REGULATIONS AND POLICE RESTRICTIONS (RMA 03/10/13) - TO BE PREPARED BY BOROUGH ATTORNEY
12. RESOLUTION AWARDING CONTRACT FOR FIELD MAINTENANCE SERVICES TO LUPARDI'S NURSERY INC., 75 BLANCH AVE., CLOSTER, IN AN AMOUNT NOT TO EXCEED \$20,835.00 FOR 2013 AND \$20,835.00 FOR 2014; AND AUTHORIZING ADMINISTRATOR TO ISSUE A PURCHASE ORDER FOR EACH YEAR (Received from Administrator 4/18/13)

MOTIONS

13. MOTION APPROVING THE FOLLOWING MINUTES – NO ABSTENTIONS (Distributed 5/19/13):
  - a. REGULAR MEETING HELD 4/10/13
  - b. WORK SESSION HELD 4/10/13
14. MOTION GRANTING APPROVAL FOR JACK IN THE BOX, CLOSTER, TO USE THE MUNICIPAL BUILDING PARKING LOT PREMISES AT 295 CLOSTER DOCK ROAD AS THE SITE TO CONDUCT THEIR THIRD ANNUAL TRIKE-A-THON FUNDRAISER TO BENEFIT RESEARCH FOR NEONATAL LUPUS, ON SATURDAY, 6/1/13, FROM 10:00 A.M. TO 12 :00 P.M.; RAIN DATE: SUNDAY, 6/9/13 (Approval received from Risk Management Consultant 4/13)

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15. MOTION GRANTING APPROVAL FOR AMERICAN DIABETES ASSOCIATION TO CONDUCT “TOUR DE CURE” (OF APPROXIMATELY 500 RIDERS) PARTIALLY THROUGH THE BOROUGH ON SUNDAY, 6/2/13, FROM APPROXIMATELY 8:00 A.M. TO 4:00 P.M., FOLLOWING ROUTE PROVIDED (2. M.L. 4/18/13/Approval received from Risk Management Consultant 4/15/13)
16. MOTION GRANTING APPROVAL FOR ISSUANCE BY POLICE DEPARTMENT OF THE FOLLOWING HAWKERS AND PEDDLERS LICENSE FOR CALENDAR YEAR 2013 PER BOROUGH CODE CH. 127 (Received from Chief of Police 4/8/13):

PERMIT NO 2013-005 – FOR JOSEPH MAC DONALD, 1 GROESBECK COURT, EMERSON, NJ 07630, TO CONDUCT PAINTING AND POWER WASHING – SEALING

17. REPORTS

a. CHIEF OF POLICE – MARCH 2013 (Received 4/9/13)

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

7. RESOLUTION OPPOSING THE NORTHERN VALLEY REGIONAL HIGH SCHOOL CAPITAL PROJECT (Received from Councilman Kashwick 4/18/13)

Motion of approval was made by Councilman Kashwick, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Kashwick, Barad, Dolson and Amitai. Councilpersons Glidden and Latner voted no.

- 17b. Motion approving an expenditure not to exceed \$2,000 to enter into a contract with Summit Collaborative Advisors, LLC (27 Argyle Court, Summit, NJ 07901), for the purpose of providing a goal setting process for the Borough of Closter, to be memorialized at the next meeting, was made by Councilman Kashwick, seconded by Councilwoman Latner and declared carried upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

18. 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.

Leslie Ringelstein, 1 County Road, expressed her disappointment with the response received relative to the reason the Lustron home can be reviewed again for designation. Mayor Heymann said the governing body has a right to take up this issue at any time; and in this case, it makes sense because there is a new composition of the governing body since the discussion that occurred in 2006 in addition to other relevant reasons since that time. The Mayor said that in 2006 it was not recommended because of the difficulty to save the building, which may not be relevant today. Ms. Ringelstein said it was her impression that it did not proceed to the Planning Board in 2006 but Monday she was advised that it was recommended to the Mayor and Council by the Historic Preservation that the designation proceed to the Planning Board. She said she needs clarification of the facts. Mayor Heymann said, according to the law, the homeowner does not have a say in the matter; and the Council chooses what to do. At that time, Mayor Heymann said the issue was not whether it was going to deprive the homeowner of any value but the building itself whether it was repairable and usable. The Council at that time decided negatively on that issue but she did not recall if the interest of the homeowner was considered. Mayor Heymann suggested that Ms. Ringelstein review the minutes of the meetings held at that time; and Councilman Barad said the reasons of past Councils do not bind the present Council in any way. Borough Attorney said policy decisions could be changed by subsequent Councils.

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- 18a. Motion approving the following Closed Session Resolution at 9:24 p.m. was made by Councilman Glidden, seconded by Councilman Barad and declared carried by Mayor Heymann upon an affirmative vote of Councilpersons Glidden, 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)(8); “A matter involving public employees”; and N.J.S.A. 10:4-12 (b)(7), “Pending or anticipated litigation or contract negotiations”; and that the items under discussion in the closed meeting would be disclosed to the public at the conclusion of the matters which should be within 8 to 10 weeks.

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

Mayor Heymann resumed the meeting at 9:52 p.m.

20. ADJOURNMENT

Motion to adjourn the meeting at 9:52 p.m. was made by Councilman Kashwick, seconded by Councilman Barad and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council  
on May 2, 2013 for approval at the  
Regular Meeting to be held  
May 8, 2013

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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 May 8, 2013  
Consent Agenda Item No. 20a.

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION NOTES – APRIL 24, 2013 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, April 24, 2013. Mayor Heymann called the meeting to order at 7:35 p.m.

1. PLEDGE OF ALLEGIANCE

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

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was published in The Record and the Star Ledger on January 8, 2013, 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

The following persons were present:

Mayor Sophie Heymann  
Councilpersons John C. Glidden, Jr., Alissa Latner, John Kashwick,  
David Barad (7:40 p.m.), Arthur Dolson and Victoria Amitai  
Borough Administrator, Richard Sheola  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Chief of Police, Dennis Kaine

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF APRIL 11, 2013 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 3 was removed by Borough Clerk; Item No. 11 was removed by Councilman Glidden; Item No. 15 was removed by Councilwoman Amitai.

Item No. 11: Received 4/8/13, dated 4/5/13 from Jim Oettinger, Director, Closter Recreation Commission to Mayor and Council; CC: Chief Kaine re Request for permission to hold the Annual Little League Parade and opening ceremonies on 4/21/13 beginning at 12:30 at the Closter Borough Hall proceeding through town to Memorial Field for the opening day ceremonies. Request the Mayor to throw out one of the first balls and Council members to attend the opening ceremonies at 1:00 p.m. (Copy to Glenn Parsells) (Distributed 4/10/13)

Councilman Glidden noted he was out of town on opening day; and asked if the Mayor successfully threw out the first pitch. Councilwoman Latner affirmed same and said that she threw out the second pitch.

Item No. 15: Received 4/11/13, dated 4/11/13 from Cindy W. Randazzo, Director, Office of Local Government Services, NJDEP, to Borough Clerk re NJDEP Compliance Advisory Alert – Emergency Generator Demand Response. The emergency generator General Permit does NOT allow its use for demand response or peak shaving programs; those require a regular air Preconstruction or Operating permit approval and comply with applicable requirements.

Councilwoman Amitai asked the Borough Engineer what has to be done to follow through on this. He informed this does not pertain to the Borough so no action is required. Borough Administrator explained the advisory refers to generators trying to feed back into the system.

Item No. 3: Received 4/5/13, dated 4/3/13 from Loretta Weinberg, Senator, District 37, Gordon M. Johnson, Assemblyman, District 37 to Mayor Heymann re Answers to our resolution opposing S2511 which revises and updates the Open Public Meetings Act

Borough Clerk referred to the letter from Senator Weinberg and indicated the key points as follows: a Public Notice is required only if the meeting is open to the public and Subcommittees do not have to have minutes but should keep basic records as to how many meetings were held, members of the committee and what was generally discussed. Items can be added to an Agenda by a simple majority vote of the public body at the meeting; and the public body must explain why the item is being added. Regarding electronic meetings, there is a warning about emails and that electronic meetings are prohibited under the law; discussion of public business by a quorum of the public body whether in person or by email is illegal. Ms. Castano reminded that since it is so easy to e-mail, everyone needs to be mindful of the Open Public Meetings Act.

Mayor Heymann reported she spoke to Loretta Weinberg at length yesterday. The Senator explained to her that there have been some major changes to the original introduction of the bill. One of the things she pointed out was that subcommittees do not have to keep minutes; and what Closter has been doing all along in regards to subcommittee reports is perfectly acceptable. The subcommittee chair presents their report at the Council Meeting as part of Council activity. Mayor Heymann voiced her opinion that the changes made to the bill do not affect what we are doing in Closter at the present time.

Dr. Barad entered the meeting at this time (7:40 p.m.)

b. MAIL LIST OF APRIL 18, 2013 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 13 was removed by Councilman Kashwick.

Item No. 13: Received 4/18/13, dated 4/18/13 from [egg@dca.state.nj.us](mailto:egg@dca.state.nj.us) to Borough Clerk re Local Finance Notice LFN 2013-14R, 2013 Financial Disclosure Statements, Filing Instructions for Local Government Officers (Copy to Joe Yammarino)

Councilman Kashwick questioned if any additional information has been received. The Borough Clerk explained she copied Joe Yammarino, Chair of the Board of Ethics, on the LFN. Ms. Castano said she reviewed LFN 2013-13 and LFN 2013-14R and it is directed that “ the local Ethics Board shall make the Local Finance Notice available to all local government officers within their jurisdiction”. Ms. Castano informed this is where the process would begin. She also noted the deadline for submission was changed to May 31st. In answer to Councilwoman Latner, she explained it is up to the determination of the Board of Ethics to ascertain who should receive the notice to file and to disseminate the information to those individuals; but said since it is all electronic now, it should be easier to distribute and file. Ms. Castano voiced her concern that the

most difficult part would likely be determining who should file and how to get that information out to those people. The next meeting of the Board of Ethics is 5/9/13 @ 8:30 p.m. She agreed with the sentiments that there is not a lot of time but reminded that since they are filing electronically, it should not take long at all.

The Borough Clerk informed she asked the Borough Attorney if he wished to meet with the Board of Ethics to discuss this new information; and if he chose to do so, a Special Meeting could be scheduled; but Mr. Yammarino has been provided with the information. The Borough Attorney informed he may just attend the 5/9/13 Ethics meeting with a summary of the new procedures; but if they could have a meeting earlier, that would be fine. Ms. Castano voiced her displeasure that the State took so long to forward the notice because the most difficult part is determining who needs to file. Some parts of the notice seem to be contradictory where a title is required to file; but in some municipalities that same title is not required to file. On the other hand, it is a positive change that the Board no longer has to individually review the forms and send back ones requiring changes. She also noted that at this time there has been no guidance as to when the Clerk needs to file the Roster. With this new procedure, the Clerk will not be receiving the paper forms, only (the filing receipt page) which must contain the signature of the filer. In answer to Mrs. Latner, Ms. Castano agreed it would be a long process but in the long run it will save a lot of time and paper processing.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of April 24, 2013)

Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 14 was removed by Councilman Glidden; Mayor Heymann referred to item No. 6; Dr. Barad removed Item Nos. 7 and 12.

6. RESOLUTION APPOINTING Elsbeth J. Crusius and Andrew M. Cimiluca TO SERVE AS ALTERNATE PROSECUTOR(S) FOR A ONE YEAR TERM TO 12/31/13 (Opening held 4/4/13 @ 11:30 a.m./Adjourned from RM 4/10/13)

The Mayor informed two good candidates were received and it would not be a bad thing for the Borough to have two Alternate Prosecutors; therefore, she will be requesting the appointment of Elsbeth Crusius and Andrew Cimiluca. Councilman Glidden supported the appointment of two Alternates.

7. RESOLUTION OPPOSING THE NORTHERN VALLEY REGIONAL HIGH SCHOOL CAPITAL PROJECT (Received from Councilman Kashwick 4/18/13)

In answer to Councilman Barad, Mayor Heymann said at the last meeting the request they received was for a Resolution opposing the potential referendum for the improvement of the fields at the high school tennis courts.

The Mayor expressed her personal feeling that the governing body should not officially take a position on school matters inasmuch as it might set a poor precedent. The referendum may or may not take place with or without our approval; and we would guard our independence more readily if we do not take a position at all. Councilwoman Amitai noted that the project would affect our taxes and we, as elected officials, should have an opinion. Councilman Kashwick noted that the School Board had requested a resolution of support of this project without asking for any opinions which is why we are opposing these projects. Dr. Barad noted they asked for a resolution

supporting the referendum. Councilman Glidden said that the wording of the resolution is confusing because it says it is opposing the capital projects but does not say whether it supports or opposes a referendum; and he expressed support for a referendum. Councilwoman Latner said there would be a meeting on May 6<sup>th</sup> at the Old Tappan High School specifically to discuss the feedback on this project. She said she would prefer the project to go to referendum to obtain public input. Councilman Barad said this proposed resolution indicates Council opposition to the construction of the fields and makes no reference to the referendum. Councilman Glidden voiced his opinion that the proposed resolution should be removed from the Consent Agenda. Mayor Heymann invited him to pull the item when the time comes in the Regular Meeting and Dr. Barad expressed support for a separate vote on the matter.

12. RESOLUTION AWARDED CONTRACT FOR FIELD MAINTENANCE SERVICES TO LUPARDI'S NURSERY INC., 75 BLANCH AVE., CLOSTER, IN AN AMOUNT NOT TO EXCEED \$20,835.00 FOR 2013 AND \$20,835.00 FOR 2014; AND AUTHORIZING ADMINISTRATOR TO ISSUE A PURCHASE ORDER FOR EACH YEAR (Received from Administrator 4/18/13)

In answer to Councilman Barad, Borough Administrator said the contract is the same as previous years except that the term would be for two years at the same cost.

14. MOTION GRANTING APPROVAL FOR JACK IN THE BOX, CLOSTER, TO USE THE MUNICIPAL BUILDING PARKING LOT PREMISES AT 295 CLOSTER DOCK ROAD AS THE SITE TO CONDUCT THEIR THIRD ANNUAL TRIKE-A-THON FUNDRAISER TO BENEFIT RESEARCH FOR NEONATAL LUPUS, ON SATURDAY, 6/1/13, FROM 10:00 A.M. TO 12 :00 P.M.; RAIN DATE: SUNDAY, 6/9/13 (Approval received from Risk Management Consultant 4/13)

Councilman Glidden requested that if there were no objections, he would like to be the one to start the race as his Grandson will be participating. No objections were voiced.

6. COMMITTEE REPORTS

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

- 1) STATUS REPORT RE CLOSTER WEBSITE
- 2) REPORT – Councilman Dolson informed he had no Committee Reports this evening.

B. PUBLIC SAFETY - GLIDDEN (LATNER/BARAD)

- 1) REPORT – Councilman Glidden informed he had one issue for Closed Session that was discussed at the Public Safety meeting this morning regarding the hiring of personnel. He reported during the committee meeting, they hosted the Board President of Closter School District and Joanne Newberry regarding moving the polling places. The issue was discussed at length and the Public Safety Committee is recommending to the Council that the Borough Clerk be authorized to submit two alternative polling places to the County for consideration: the Library and the Senior Center. He said by doing that the County (Board of Elections) would come out and conduct inspections. Councilwoman Latner voiced her understanding that the School Board understands that the locations may come back as not viable alternatives but they wanted to make the inquiry. Councilman Barad asked if the school knows what they would do if it turns out that

6. COMMITTEE REPORTS (Continued)

B. PUBLIC SAFETY - GLIDDEN (LATNER/BARAD) (Continued)

there are no viable alternatives; and Mr. Glidden voiced his understanding the situation would remain as it has in the schools. He said he believes there are already special security measures that have been put into place that would carry over into Election Day. He feels their concerns are real and they should pursue the process to investigate viable alternative sites.

At this time, Mr. Glidden referred to the architectural drawings for the restrooms; and Borough Administrator advised that the matter would be discussed in Closed Session.

C. PUBLIC WORKS - LATNER (DOLSON/GLIDDEN)

1) REPORT – Councilwoman Latner reported the Ad Hoc Sanitation Committee will be meeting again.

Mrs. Latner reported the Library is obtaining quotes for anti-glare windows on the East facing side of the building which is something they have wanted to do for quite some time. She noted this year is the first time the Library has been asked to march in the Memorial Day Parade and they are working on a float.

Mrs. Latner reported the schools will be having a meeting on May 6 to discuss the fields and soliciting feedback which she plans to attend. A separate meeting is scheduled regarding safety and security and well-being on Tuesday, April 30. Last night the Board discussed the lightning detection system and the two companies in which they were interested. She voiced her understanding after speaking to Len Albanese that the Mayor suggested she would be comfortable with either system and questioned same. Mayor Heymann explained Len Albanese spoke to her today; and he was recommending to the high school a different system than the one she thought was in place for the entire region. Therefore, the high school put it on hold for the time being. Mrs. Latner affirmed same and said the system Mr. Albanese was recommending was a predictor and did more than forecasting. The two systems being looked at are the Thor Guard and the Strike Guard. There was more discussion about maintenance and costs but they are moving forward with obtaining a system. Mayor Heymann said she and the Administrator have attended several meetings on the issue, both companies had made presentations and it was her understanding that the unified group chose to go with Strike Guard. She said the distinction that Len made that Mrs. Latner just made between forecasting and predicting did not really come up; but now because there is an indefinite status on the subject, everyone in the Valley wants to participate. She said the Resolution in front of them today is broad enough to cover any system that is approved; and she recommended the Council adopt same this evening and see what happens with unanimity as far as which system will be chosen. The Mayor voiced her understanding that Strike Guard was less expensive and said Mr. Albanese disagreed with that. Mrs. Latner explained it has to do with the maintenance and other factors that need to be calculated.

Councilman Dolson noted that the Resolution says “a figure not to exceed \$25,000” and asked if that would cover either system. Mayor Heymann said if they, in fact, went with the other system, the Resolution would need to be amended. The Borough Administrator informed we only allocated a total of \$30,000 from Open Space; and it would need to be changed in that event.

6. COMMITTEE REPORTS (Continued)

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported the Ordinance Committee did not meet in April but will reconvene in May. They do have a good agenda for that meeting. After many months of hard work, the Sign Committee is finally passing on a draft to the Ordinance Committee; and they will be cobbling that together into final form over the next few weeks. The Ordinance Committee is still working on 2-family houses for discussion to try to come to some sort of resolution on the issue. Dr. Barad said he is aware that the tree ordinance is in need of some tweaking; and Mr. Kashwick said he sent an email regarding same but had not heard back yet.

2) REPORT

E. HUMAN RESOURCES - KASHWICK (DOLSON/LATNER)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick reported the Human Resources Committee met this evening and they discussed the Salary Ordinance, a personnel matter, the organizational charts and goal setting. He reminded that the Administrator had presented in the recent past some quotes for a goal setting session with the Council and there was a \$500 difference between them. The HR Committee is recommending going with the more expensive one because of the experience they have had in this type of work; and he questioned if everyone had time to review the information. Dr. Barad said he reviewed the quotes; and he agrees with the Committee on their recommendation that we will obtain more benefit by hiring a company with more experience. The Borough Attorney advised the next steps would be awarding the contract by Resolution and allocating the funds. They could adopt a motion this evening and a memorializing Resolution would be prepared for same.

At this time, Mayor Heymann questioned exactly what benefit would be derived from that \$2,000 expense. Mr. Kashwick voiced his opinion that instead of dealing with things reactively as they come up, they will be able to approach things proactively. The Mayor questioned why they needed a \$2,000 person to tell them to be proactive. He said we need the experience of someone in this field to properly facilitate the session and coordinate our needs. Mr. Kashwick feels it can't be any of themselves because they are all too close to the subject matter.

Mayor Heymann said goal setting is a great idea when you have the jurisdiction over all of the parts you wish to collaborate; but when there are so many varying factors in municipal government and confining established rules and regulations, it would not be a benefit because it is not the same as goal setting for a corporate or non-profit entity. She said we are fortunate to have much continuity in Closter, but that is not always a given.

Borough Administrator agreed and explained this person would be the facilitator to bring together the goals of the Council with the other advisory boards to congeal all of the ideas regarding the direction the Borough wants to go and figure out how to be able to get there. He said he had worked with this gentleman before and he had laid out a road map of sorts of the overall plans of how to get from A to B to C. In this case, he will be doing a little more of the work; but he will get everyone to express what their ideas are and their goals for the Borough; but it is more of a free-forming session. Councilwoman Amitai voiced her support for the idea. Dr. Barad suggested setting up an agenda of items that they don't have to rush in to but that could be moved towards little by little as things allow. Mayor Heymann voiced her opinion that they have been setting goals all the while, as individuals and collectively as a group; and, unfortunately, some of the things they would like have to be implemented are by staff with other responsibilities. One example is having better communications; but every effort that is made to increase

6. COMMITTEE REPORTS (Continued)

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

1) REPORT RE PERSONNEL COMMITTEE MEETINGS (Continued)

communications ends with a lack of personnel. She feels that paying for this is more than we can afford. To further illustrate her point, she explained there was an Emergency Management meeting shortly after Hurricane Sandy; and a follow up meeting was scheduled, but has had to be postponed twice. She feels having the goal is good but it doesn't necessarily make it happen because getting people together is difficult. Dr. Barad voices his sentiments that we are looking for a general direction as opposed to specific things as goals. Mayor Heymann clarified that she doesn't think the issue is being able to set the goals because each one of them has goals; and they want the best for Closter; it's the implementation. Mrs. Latner said she feels it would be good because not everyone is on every committee; and this would provide a directional flow chart and give everyone a ground level start to put things together so that they fit better. Dr. Barad said we should be enumerating important matters so we have a direction in which to move.

2) REPORT – Councilman Kashwick reported the following:

a. Historic Preservation Commission met Monday and held a hearing to approve the Certificate of Appropriateness for 238 West Street. They are nearing completion of an informational brochure for realtors and residents regarding Historic Preservation. He said they will likely ask the Borough Attorney to review same for legality. Mr. Kashwick reported "Talks With Toby" was held this afternoon; and announced that Orlando (Toby) Tobia and Irene Stella will be receiving the Bergen County Historic Preservation Award on 5/9/13 in Hackensack for their efforts with the sessions.

b. Shade Tree Commission is pleased to inform the Borough is a Tree City USA for the 13th consecutive year. Arbor Day will take place this Friday, April 26; tree planting will take place at Tenakill School at 9 a.m. and Hillside School at 10 a.m. Last evening, representatives from the Recreation Commission, Shade Tree Commission and Environmental Commission met at Ruckman Park to discuss the removal of the pear trees there and the new trees to be planted in their place.

c. Environmental Commission thanks Bill Dahle and the DPW for installing the bike rack at Pfeiffer Park. On 4/6/13 the Green Team, Environmental Commission and the Girl Scouts collected 70 bags of trash from our parks and other public spaces. This past Saturday the Green Team participated in Green Fair in Norwood. This Friday, April 26, Beth Ravit will be speaking about sustainability. Mr. Kashwick said he would like to work more closely with Brenda Cummings to obtain their copper certification from Sustainable Jersey. Mr. Kashwick reported there are other items that need to be brought before the Mayor and Council relating to Sustainable Jersey.

Mr. Kashwick voiced his sentiments that the Farmer's Market was outstanding and recommended everyone stop by there and Mr. Glidden agreed. Mayor Heymann commended the Chamber of Commerce and Kathy Friese on their efforts for the Farmer's Market. Mr. Kashwick asked if there was anything the Borough could do to help support this project financially; and the Mayor voiced her understanding the Chamber of Commerce is paying for it. Councilwoman Amitai questioned if the Board of Health was reducing any fees to the Farmer's Market participants because they pay \$50 for the table and then additional fees depending on how many sessions they attend which could cost up to \$200; and these are people selling this for as little as

6. COMMITTEE REPORTS (Continued)

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

\$1.00. As Liaison, Councilman Dolson explained the \$190.00 maximum fee is for the entire season which is 21-22 weeks. Mrs. Amitai questioned the need for a fee and asked if it costs us money. Mr. Dolson explained it is mandated by State Statute that these be overseen by the Health Department and ensuring they are legitimate businesses and not people cooking on their stove at home and selling it in a public forum. He noted the Health Officer and Registrar took a lot of time reviewing the applications and approving those participants; and he affirmed those tasks cost money in the form of registration fees. Mr. Dolson voiced his understanding that each price range has a “menu” of how many sessions are included so the prices vary on a scale. Mrs. Amitai voiced her concern that she is aware some of the people that would have liked to attend and participate did not because of the fee and felt it was too high; and they could go elsewhere for less money. Mr. Dolson could not recall any discussion on changes in the fees due to that basis. Borough Administrator explained that he understands a \$150 fee is charged just to be in some Farmer’s Markets for the season and then the health inspection fees are additional to that so \$190 for the season is not all that bad compared to \$400 in some other towns. Mr. Dolson thinks \$50 gives a participant 4 sessions. Borough Attorney explained this is a lot of extra work for the Board of Health as opposed to a restaurant that gets a periodic inspection. At the market, potentially new people could be coming every weekend; and they have to be reviewed and inspected. It is not advisable to overlook health matters. In answer to Dr. Barad, Mrs. Amitai explained they were told that there are other towns that cost less than what Closter is charging. She agrees that it was a wonderful market and said there are a lot of quality items available.

At this time, Mayor Heymann said regarding the historic lectures that Toby is giving, we can be quite proud of what our Historic Commission is doing in Closter. For those in attendance not aware, she explained that the County Historic Commission hands out 5-6 awards each year to the best historic projects in the County; and Closter has received one each of the past 3 years. The one we will receive on May 7 is for videotaping of Toby’s speeches at the Library. These will become archives of the Borough; and she encouraged everyone to attend one. Mayor Heymann said she wanted to make special note of this event; and Mr. Kashwick informed all of the Council Members should be receiving an invitation to the 5/9/13 ceremony shortly.

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

1) REPORT – Councilwoman Amitai reported that downtown landscaping this year includes planting in our pots; and She, Iris Barad and Irene Stella will go to each of the stores with planters and on bended knee ask for participation in watering of the plants.

Councilwoman Amitai reported the Building Department received a complaint about the open space field on Ver Valen Street across from Closter Plaza. She asked if there was any way to clean up the debris or was it already done during the cleanup. Mayor Heymann explained it was a priority item and it was completed during the cleanup but that this has been a sore spot ever since the Plaza was built. Garbage tends to get dumped, shopping carts make their way across the street and it tends to be a real problem. She thinks when the Plaza is repopulated the issue will be enhanced and invited any ideas on how to mitigate the problem in the future.

Mrs. Amitai reported the Improvement Commission is still working on the music festival and they have their chair personnel in place for those events. She asked if anyone knows someone

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

who likes to do PR to please pass along their information because the Commission will be losing Irene Stella and they don't have a good PR person to help promote the festival. The event is scheduled to be held the first week in October. Emme (Aronson) will be hosting the talent show and Katherine Row will be doing the classical portion. The Improvement Commission is resurrecting the idea of sculpture for the triangle in the Renaissance District.

In answer to Mrs. Amitai, Mr. Kashwick informed George Futterknecht is coming up with the exact species, but along the parking lot at Ruckman Park will likely be a species of cherry trees; along Piermont Road oak and maple trees; and the Borough Engineer asked that the trees be planted further away from the paths because of the roots.

Councilwoman Amitai reported the Building Department met. Ted Sollod of The Farm (formerly at Trautwein's) has applied for a building permit for Closter Commons – so they wish him luck on his new location. Jim Whitney will be looking into what we can do with Village School as far as general maintenance of the property to fix broken windows and such. Mayor Heymann voiced her understanding that there has been some recent interest in the property and there is a possibility it could be renovated. She affirmed that Kitty Koo still owns the property and said there are various people that would like to partner with her who would resurrect the property. Mrs. Amitai reported that two weeks ago the Building Department received an OPRA Request from the applicant's representative for site plans for surrounding properties to Closter Plaza which is a good sign; and he said they should be coming with their application soon.

Mrs. Amitai said there have been requests to advertise the Farmer's Market on the billboard in front of Closter Plaza or the police digital sign that is in the Renaissance District downtown. Mr. Kashwick said it should go on the website and noted the Borough could also get Sustainable Jersey credits if they do something for the Farmer's Market. Mayor Heymann suggested calling the Lion's Club to ask permission to use their sign board on Ver Valen Street. The Borough Attorney informed the contact would be Don Winters.

7. OLD BUSINESS

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, suggested providing a port-a-potty during the Farmers Market. He cited the Health Department checks and fees and questioned the justification of same. Borough Attorney said the fees are set by Code and provide for ongoing health inspections by the Health Officer. Regarding Election Day, Mr. Isaacson said the schools should be closed on that day. Councilwoman Latner said that this matter was discussed at a meeting this morning and this year one election would be on a Tuesday during the week of the Teachers Convention. In addition there is a lot of relevance placed on attendance during that week; and we are at this time pursuing options. Mr. Isaacson referred to Open Space and noted that Teaneck has a referendum every 4

CLOSTER MAYOR AND COUNCIL  
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years; and during the last referendum, 50% was approved for land acquisition and 50% for development. He suggested a referendum in Closter with the same questions. He questioned if the town would be purchasing the Lustron House; and in reference to the Village School, there is a website “Are You From Closter?” which indicated that the floors in the school have collapsed. He expressed concern about the encapsulated asbestos and noted that the Building Department has indicated that there have been no inspections of the building in a long time. He said if the school is in such a state of disrepair, it should be condemned. Mayor Heymann said everyone anticipates restoration of the school and plans have been approved. In answer to Mr. Isaacson’s statement and Dr. Barad’s question, Borough Attorney said that the school was never offered for sale to the Borough for one dollar.

Leslie Ringelstein, 1 County Road, noted that the Lustron House has been previously discussed by the Mayor and Council; and in 2006, it was decided not to designate the property; and the reason was because it was not fair for the house to be designated if the homeowner opposed same. She questioned what has changed; and Mayor Heymann said no action has been taken at this point in time except to send the matter to the Planning Board for a report to the Council thereafter. There is no limit as to how many times a designation can be brought before the governing body; and Council combinations have a different point of view. Councilman Barad said the previous Council did not vote on the designation but voted not to send same to the Planning Board.

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 8:44 p.m. was made by Councilman Kashwick, seconded by Councilwoman Latner and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council  
on May 2, 2013 for approval at the  
Regular Meeting to be held  
May 8, 2013

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held May 8, 2013  
Consent Agenda Item No. 20b.