

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – JUNE 26, 2013 - 7:30 P.M.

Mayor Heymann called the meeting to order at 7:34 p.m. for the sole purpose of addressing Agenda Item No. 3 as she had explained in the Work Session.

Mayor Heymann returned to the Regular Meeting at 10:00 p.m. and proceeded with the Agenda items.

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, Victoria Amitai
Borough Administrator, Richard Sheola
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine
Superintendent of Public Works, William Dahle III

Mayor Heymann announced the retirement of Officer Don Nicoletti who is a well respected member of the Department and consistently worked to enhance the lives of those in need and supporting the families of Newtown, Connecticut. Don has a warm sense of humor and heartfelt sincerity in addition to being known to many school children. He was deployed to the front lines of the 9/11 attacks and he is an example to the new officers of the Department. Mayor Heymann wished him well in his retirement and the Council and audience offered a standing ovation.

3. SWEARING IN OF THE FOLLOWING OFFICERS:

MATTHEW THORNHILL – SERGEANT
JUSTIN P. KRAPELS – PATROLMAN
DANIEL J. HARGRAVE – PATROLMAN

Councilman Glidden introduced Matt Thornhill, a life long resident of Closter, a graduate of the public school system who began his police career in Demarest after graduating from the Police Academy in 1989 and transferring to Closter in 1991. With his promotion to Sergeant he will supervise a patrol squad. Mayor Heymann administered the Oath of Office and the public offered a round of applause.

Councilman Glidden introduced Justin Krapels, a life long resident of Norwood, a graduate of Northern Valley Regional High School-Old Tappan and Thomas Edison State College, with an Associates Degree in Criminal Justice who comes from a family of police officers. He started his career as a dispatcher in Closter. Mayor Heymann administered the Oath of Office as a Closter Police Officer and the public offered a round of applause.

Councilman Glidden introduced Daniel Hargrave, a life long resident of Dumont, a graduate of Dumont High School and Bergen Community College with an Associates Degree in Criminal Justice. He started his career as a dispatcher in Closter, Cresskill and Bergen County Communications and is a member of the Dumont Police Reserve as well as an active member of the Dumont Fire Department. Mayor Heymann administered the Oath of Office as a Closter Police Officer and the public offered a round of applause.

Councilman Glidden welcomed the new police officers to Closter and offered his congratulations to Sergeant Thornhill on his promotion.

Mayor Heymann encouraged all in attendance at the meeting prior to their leaving to take a look at the four posters on the wall which were made by the Tenakill School 7th Graders in their Civics class. She explained that each poster depicted what they learned regarding our government, our constitution, its privileges and limitations. The Mayor voiced great pride regarding the future which lies ahead for all of us due to their understanding and ability to portray what they learned.

At 7:49 p.m., the Mayor adjourned this portion of the meeting to return to the Work Session.

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Mayor Heymann resumed the Regular Meeting at 10:00 p.m.

In response to Mayor Heymann’s inquiry, Borough Clerk informed she had received two Oaths of Office from Irene Stella; therefore, she asked that her name be removed from the outstanding appointments.

4. MAYORAL APPOINTMENTS (*NON-SALARIED*) TO THE FOLLOWING BOARDS/COMMISSIONS (Made at the Reorganization Meeting held 1/2/13 – Oath not received at the time of preparation of this Agenda):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ENVIRONMENTAL COMMISSION Alt. No. 2	(Anthony Gray non acceptance)	_____	2 Years	12/31/14
PLANNING BOARD Alt. No. 1	Irene Stella	Oath received 6/26/13	2 Years	12/31/14

5. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCE @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

The following Ordinance was introduced at the Regular Meeting held May 22, 2013 and was published in The Record on May 28, 2013 as stated in the Borough Clerk’s affidavit of publication. Reprint of this Ordinance was posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public:

ORDINANCE NO. 2013:1146, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS, SPECIFICALLY FOR THE BOROUGH CLERK’S FEES REGARDING LIMOUSINES”

Mayor Heymann declared a Public Hearing. No one wishing to be heard, Mayor Heymann closed the meeting to the public.

Motion approving adoption of Ordinance No. 2013:1146 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, Dolson and Amitai.

- 6a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 15, 16, 17, 21, 22 and 23 was made by Councilman Barad, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

ORDINANCES

7. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING AND ADOPTION 7/24/13 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received from Borough Attorney 6/17/13):
ORDINANCE NO. 2013:1148, “AN ORDINANCE DESIGNATING 1 STATION COURT A HISTORIC LANDMARK AND AMENDING CHAPTER 200, ZONING, ATTACHMENT 3, DESIGNATION OF HISTORIC LANDMARKS”

RESOLUTIONS

8. RESOLUTION CORRECTING BASE SALARIES FOR 2013 (for the following positions: Shade Tree Administrative Assistant; Financial Assistant; Assessor Clerical Assistant; Zoning Officer) (Received from Administrator 6/20/13)
9. RESOLUTION SUPPORTING PSE&G’S ENERGY STRONG PROGRAM (Requested by Mayor 6/3/13/ 5. M.L. 6/6/13/Adjourned from RM 6/12/13 at request of Mr. Kashwick)
10. RESOLUTION AMENDING THE HOURS OF PROPERTY MAINTENANCE INSPECTOR (JAMES WHITNEY) EFFECTIVE JULY 1, 2013 (Adjourned from RM 6/12/13 for additional information/Received from Administrator 6/20/13)
11. RESOLUTION NO. 2 RENEWING (5) 2013-2014 LIQUOR LICENSES
12. RESOLUTION CORRECTING BLOCK/LOT NUMBER IN RESOLUTION (Resolution No. 13/ Regular Meeting of 5/22/13) FROM BLOCK 1301/LOT 1 TO BLOCK 1303/LOT 1 RE RELEASE OF PERFORMANCE BOND IN THE AMOUNT OF \$33,762.50 POSTED BY MRS. KUBITIS REALTY (Received from Deputy Treasurer 6/19/13)

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13. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RETURN AND RELEASE REMAINING ZONING BOARD OF ADJUSTMENT LEGAL ESCROW FEES TO THE FOLLOWING APPLICANTS DUE TO SATISFACTORY COMPLETION OF SERVICES RENDERED (Received from Deputy Treasurer 6/19/13):

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>	<u>APPLICANT</u>	<u>AMOUNT</u>
1712	3	10 JANE STREET	DINA MARINACCIO	\$240.00
605	6	144 HARING STREET	RAMONA GRBIC	\$543.00

14. RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS (Prepared by Boswell Engineering) FOR THE 2013 ROAD IMPROVEMENT PROGRAM (Received from Administrator 6/20/13)
15. RESOLUTION APPROVING RECREATION COMMISSION FREE SUMMER CONCERT SERIES ON THE FOLLOWING DATES: 6/20/13; 6/27/13; 7/11/13; AND 7/18/13 (Received from Administrator 6/20/13)
16. RESOLUTION APPROVING PLANS AND SPECIFICATIONS (Prepared by Clarke Caton Hintz Architects) FOR THE EXTERIOR RENOVATION AND REPAIR OF BOROUGH HALL (Received from Administrator 6/20/13)
17. RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE FOR BIDS FOR THE EXTERIOR RENOVATION AND REPAIR OF BOROUGH HALL (Received from Administrator 6/20/13)
18. RESOLUTION APPROVING THE BOROUGH ADMINISTRATOR'S REQUEST TO ATTEND ANNUAL CONFERENCE OF INTERNATIONAL CITY MANAGEMENT ASSOCIATION IN BOSTON, MA, IN SEPTEMBER 2013; BOROUGH'S FINANCIAL OBLIGATION NOT TO EXCEED \$1,000.00 (Received from Administrator 6/20/13)
19. RESOLUTION AUTHORIZING ISSUANCE OF REFUND IN THE AMOUNT OF \$134.00 TO THE GREAT AMERICAN ROOFING COMPANY, 120 E.MAIN STREET, RAMSEY, NJ 07446, FOR BUILDING PERMIT #13-0188 (DUE TO DUPLICATION OF BUILDING PERMITS ISSUED FOR ROOF REPLACEMENT AT 8 CARLSON COURT) (Received from Administrator 6/20/13)

MOTIONS

20. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 6/21/13):
- a. REGULAR MEETING HELD 6/12/13 - ABSTENTION: LATNER
 - b. WORK SESSION HELD 6/12/13 – NO ABSTENTIONS
 - c. SPECIAL MEETING HELD 6/8/13 - ABSTENTION: AMITAI
21. MOTION APPOINTING _____ TO SERVE AS ZONING BOARD OF ADJUSTMENT ALTERNATE NO. 1 FOR AN UNEXPIRED 2-YEAR TERM (SHYONG) TO 12/31/14 (4. M.L. 5/30/13/Adjourned from RM 6/12/13)
22. MOTION APPROVING APPOINTMENTS TO THE FOLLOWING BOARDS/COMMISSIONS (Made at the Reorganization Meeting held 1/2/13 – Oaths not received at the time of preparation of this Agenda):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
BOARD OF HEALTH				
Alt. No. 1	<u>Dr. Jeanne Baer</u>	_____	2 Years	12/31/14
BOROUGH HISTORIAN	<u>William Cahill</u>	_____	1 Year	12/31/13
HISTORIC PRESERVATION COMMISSION				
Member	<u>Stuart Tray (Class A)</u>	_____	4 Years	12/31/16
IMPROVEMENT COMMISSION				
Member	<u>Fred Pitofsky</u>	_____	2 Years	12/31/14
Member	<u>Tina Stratton</u>	_____	2 Years	12/31/14
RM 1/23/13:				
Alt. No. 2	<u>Wilson Reimers</u>	_____	2 Years	12/31/14
RM 4/2/13:				
Member	<u>Irene Stella</u>	Oath rec'd 6/26/13	2 Years	12/31/14
Member	<u>Michele Bhagat</u>	_____	2 Years	12/31/14
Member	<u>Shiran Slutzky</u>	_____	2 Years	12/31/14
Alt. No. 1	<u>Tina Stratton</u>	_____	2 Years	12/31/14
RECREATION COMMISSION				
Asst. Director	<u>Brian Beddoe*</u>	_____	1 Year	12/31/13
P/T Clerical/Recreation	<u>Gina Ferraro*</u>	_____	1 Year	12/31/13
Associate Member	<u>Wendy Nigro</u>	_____	1 Year	12/31/13

* Salaried Appointment

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24. REPORTS

a. CHIEF OF POLICE – MAY 2013 (Received 6/12/13)15

6b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

15. RESOLUTION APPROVING RECREATION COMMISSION FREE SUMMER CONCERT SERIES ON THE FOLLOWING DATES: 6/20/13; 6/27/13; 7/11/13; AND 7/18/13 (Received from Administrator 6/20/13)

Councilman Glidden urged the members of the Council to attend at least one of the concerts.

Motion of approval was made by Councilman Glidden, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

16. RESOLUTION APPROVING PLANS AND SPECIFICATIONS (Prepared by Clarke Caton Hintz Architects) FOR THE EXTERIOR RENOVATION AND REPAIR OF BOROUGH HALL (Received from Administrator 6/20/13)

Motion of approval was made by Councilman Barad, seconded by Councilman Kashwick:

ROLL CALL VOTE: Mr. Glidden – No Dr. Barad – Yes
Mrs. Latner – No Mr. Dolson – No
Mr. Kashwick – Yes Mrs. Amitai – No

DENIED: 2-4

25. 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)

Leslie Ringelstein, 1 County Road, indicated that she still needs to understand the process of the proceedings concerning the Lustron House. Borough Engineer advised that the Planning Board would be voting on a resolution confirming their actions in the matter. Mayor Heymann said that the resolution would be forwarded to the Council for discussion at the meeting of July 10th if received on a timely basis.

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

Mr. Sheola referred to a request (dated 6/25/13) from St. Paul’s Evangelical Lutheran Church to hold an open mike night at Memorial Field on July 20 requiring attention. Borough Clerk explained that the customary procedure would be followed: it would be included on the next mail list (6/26/13), forwarded to the Risk Management Consultant and the Director of Recreation for review and approval; and upon receipt of approval from the Risk Management Consultant of the required insurance, it would be placed on the next Regular Meeting Agenda for approval.

26a. Motion allowing the non-contractual Borough Hall employees and Public Works and Police administrative employees to switch the Columbus Day holiday for July 5th was made by Councilwoman Amitai, seconded by Councilman Kashwick and declared carried upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

26b. Motion was made by Councilman Glidden, seconded by Councilwoman Amitai to allow the Borough Administrator to prepare a quote and post quote for the Borough to seek local business with food handling license to sell food and beverages, not sold by other concessionaires, on Labor Day, September 2, 2013. Insurance and Hold Harmless Agreements to be provided by the vendor for approval by the Borough’s Risk Manager and Administrator as per Borough standards. Minimum donation of \$100 required payable to the Closter Ambulance Corps. Type of food and beverages to be sold are subject to Recreation Director’s approval and Board of Health requirements. Said Motion was declared carried upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

26c. Motion approving the following Closed Session Resolution at 10:27 p.m. was made by Councilman Glidden, seconded by Councilman Barad and declared carried by Mayor Heymann on the 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)(5), “A matter involving the expenditure of public funds for acquisition of real property”; and N.J.S.A. 10:4-12(b)(8), “A matter involving public employees”; and “that the items under discussion in the closed meeting would be disclosed to the public at the conclusion of the contract negotiations, litigation and matter which should be within 12 weeks.”

Mayor Heymann resumed the Regular Meeting at 10:55 p.m.

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26d. At this time, Councilman Glidden explained he would like to offer a resolution of this Mayor and Council opposing the current action of the Northern Valley School District with respect to random drug testing for the reason that the School Board has not allowed adequate time for public input on this program. Councilman Dolson added that it does not justify the need to implement the program. Said motion was seconded by Mr. Kashwick

BEFORE ROLL CALL VOTE, Dr. Barad said he would word an introductory statement that while we understand the need for something for control of a drug problem that exists, the School Board has not yet proven that such a problem exists and has not provided time for sufficient public input.

Said Motion was declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.
RESOLUTION TO BE PREPARED BY BOROUGH ATTORNEY

27. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:55 p.m. was made by Councilman Glidden, seconded by Councilwoman Amitai and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on
July 3, 2013 for approval at the
Regular Meeting to be held
July 10, 2013

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held July 10, 2013
Consent Agenda Item No. 12a.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – JUNE 26, 2013 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, June 26, 2013. 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 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 (7:33 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
Superintendent of Public Works, William Dahle III

Mayor Heymann explained the procedure for the Work Session and informed that due to the large and welcome audience she was going to deviate to the Regular Meeting Agenda for the swearing in of the Police Officers.

At 7:34 p.m. Mayor Heymann proceeded with Item No. 3 on the Regular Meeting Agenda.

At 7:50 p.m., the Mayor resumed the Work Session.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF JUNE 13, 2013 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. No one wished to remove any items for discussion.

b. MAIL LIST OF JUNE 20, 2013 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 4 was removed by Councilman Kashwick.

Item No. 4: Received 06/18/13 hand del'd by Mayor, dated 06/17/13 from Ilan Shemtov, 3 Laurence Court re Tree removal at 25 Westervelt Ave (Copy to Construction Official)

Councilman Kashwick questioned how to respond to the letter and asked if this was any reason to absolve the owners of what happened. Mayor Heymann voiced her understanding that anyone who receives a fee or a fine that they do not agree with is welcome to come before the Mayor and Council and that is what is happening here. She asked if anyone was present in the audience to discuss the letter and invited Mr. Shemtov to speak.

Ilan Shemtov, 3 Laurence Court, explained he just purchased 25 Westervelt Avenue and what happened is an embarrassment which was unexpected. His family left town for the weekend and he said they trusted the contractor to do the right thing; but there was some confusion between what they wanted done and what actually happened. Mr. Shemtov said they are willing to replant trees to replace the ones cut because it was an unfortunate mistake he wishes could be taken back.

In answer to Councilman Barad Mr. Shemtov explained the original conversation with the tree company was for four trees and a subsequent conversation changed that to two trees plus all the bushes on the property. He said there was a miscommunication because he spoke to the contractor's brother about the changes. Upon his return, Jim Whitney contacted him; and right away he got on the issue and did not pay the contractor. He told the contractor that once he settles the issue with the town, he would meet with him to settle up. In answer to Councilman Kashwick, Mr. Shemtov informed they did not have a written contract with the vendor but the fee was to be \$2,500 for the two big trees in the back of the property and the bushes that were to be removed. He said \$2,500 would not have covered all of the trees that were removed even if he wanted to. In answer to Mr. Kashwick, he affirmed that out of the 12 trees removed, there were three evergreen trees on the Borough right-of-way.

In answer to Dr. Barad, the Borough Attorney advised the issue would be between the homeowner and the contractor. Dr. Barad voiced his understanding that both the contractor and the homeowner would be responsible but they would have to settle it between themselves. Dr. Barad asked to discuss the matter further in Closed Session and thanked Mr. Shemtov for coming. Mr. Kashwick suggested obtaining the opinion of the Borough's Certified Tree Expert before coming to a decision. Mayor Heymann affirmed there would be no decision made this evening on the matter.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of June 26, 2013)

Mayor Heymann explained the procedure for reviewing the Consent Agenda items for those in attendance and asked if anyone wished to discuss any items. Item No. 9 was removed by Councilman Kashwick; Item No. 8 was removed by Councilmen Kashwick and Barad; Item Nos. 12 and 16 were removed by Councilwoman Amitai.

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8. RESOLUTION CORRECTING BASE SALARIES FOR 2013 (for the following positions: Shade Tree Administrative Assistant; Financial Assistant; Assessor Clerical Assistant; Zoning Officer) (Received from Administrator 6/20/13)

In answer to the Councilmen's questions the Borough Administrator explained this revised the original Resolution adopted at the last meeting because the Finance Office caught errors in four of the positions. In answer to Dr. Barad, Mr. Sheola said the largest discrepancy was \$78.00 annually.
9. RESOLUTION SUPPORTING PSE&G'S ENERGY STRONG PROGRAM (Requested by Mayor 6/3/13/ 5. M.L. 6/6/13/Adjourned from RM 6/12/13 at request of Mr. Kashwick)

Councilman Kashwick thanked the Borough Clerk for the additional information she sent regarding this item and informed he had no objection to its approval.
12. RESOLUTION CORRECTING BLOCK/LOT NUMBER IN RESOLUTION (Resolution No. 13/ Regular Meeting of 5/22/13) FROM BLOCK 1301/LOT 1 TO BLOCK 1303/LOT 1 RE RELEASE OF PERFORMANCE BOND IN THE AMOUNT OF \$33,762.50 POSTED BY MRS. KUBITIS REALTY (Received from Deputy Treasurer 6/19/13)

In answer to Councilwoman Amitai, Mayor Heymann affirmed this is the building located near the railroad tracks. Mrs. Amitai voiced her opinion that the building is coming along beautifully and the Mayor said it is a credit to the Borough.
16. RESOLUTION APPROVING PLANS AND SPECIFICATIONS (Prepared by Clarke Caton Hintz Architects) FOR THE EXTERIOR RENOVATION AND REPAIR OF BOROUGH HALL (Received from Administrator 6/20/13)

Councilwoman Amitai recalled about a year ago, resident and volunteer Andy Ouzoonian was asked to do a report on Borough Hall and asked how that report differed from what Clarke Caton Hintz came up with. Mayor Heymann explained that Mr. Ouzoonian studied the envelope of the building and recommendations on how to fix it to make it impermeable. Clark Caton Hintz is providing the actual specific specs to go out to bid to make those repairs. In answer to Mrs. Amitai, the Mayor said Mr. Ouzoonian's report was only part of it. The Borough Administrator recalled that CCH submitted a report last summer that was distributed to everyone which outlined numerous repairs that needed to be made to the building in phases at a total cost between \$450,000 and \$475,000 cumulatively. He explained Phase I is masonry on the office and Police Department sides and listed some of the items that would be included. It is anticipated there will be 2-3 additional phases to complete the project. Mrs. Amitai asked if architectural drawings were provided to illustrate what the finished product would look like; and Mr. Sheola explained that there are no architectural changes being made, only repairs to existing elements like cleaning the bricks and replacing missing mortar; but informed he has not seen final drawings. In answer to Mrs. Amitai, he explained that they would like it approved tonight to get it out on the street because this is the best time of the year to do brickwork. Mrs. Amitai voiced her opinion that \$400,000 is a lot of money; and Mr. Sheola reminded that the Council adopted a capital ordinance (Closter Open Space – Ordinance No. 2013:1143) for \$180,000 this year already to complete Phase I of the project. He said the survey performed last year of the exterior including the roof was around \$15,000 - \$17,000 total and CCH provided the report which was distributed to the Council. Mrs. Amitai said he may well have provided the report but it was a year ago and a lot of paper has passed by them since then; and requested the opportunity to review the report before voting on this. Councilmen Kashwick and Barad explained that this item will only authorize the Borough to go out to bid to review proposals. It is not awarding any contract for work to be performed. Dr.

Barad explained bids may come in at much less than we anticipate or they could be more; but at that time, we can decide what to do with it. He voiced his understanding that the Council is in agreement that there are issues with the building that need to be addressed. Mrs. Amitai expressed concern about what the new doors would look like. Mr. Sheola explained the only real change would be the door at the Lewis Street entrance because it needs to be ADA compatible. In answer to Mrs. Amitai, Mr. Sheola informed he had worked with Clarke Caton Hintz on projects in the past; and noted they are one of the leading architectural firms in New Jersey in addition to specializing in historic buildings. Mrs. Amitai suggested that we improve upon the front door because it isn't particularly pretty. Additionally, she voiced her concern that once the project is put out to bid, it is hard to bring it back in and say they want something different done. Mayor Heymann agreed that Mrs. Amitai made a good point but said the intent of this particular project is to maintain the building in the style in which it was built in the 1930's. She explained that is why there are no changes being made to the aesthetics of the building; and the project is supported by the Historic Preservation Commission who originally applied for historic status hoping to obtain a grant. The Mayor reminded we did receive a grant for handicapped accessible doors in the amount of \$10,000. Councilman Glidden said he is inclined to let the bid go forward with the expectation that we will be able to review what comes in under those bids. Mr. Sheola informed that Clarke Caton Hintz would be reviewing the bids. Mayor Heymann voiced her understanding that the Council wants to review the proposal to see if they are in accord with it before it goes out in case there is something with which they do not agree. Mrs. Amitai said she expected that the architects would have come to the Council with a proposal; and the Mayor said it is a thick packet of information.

At this time, Mayor Heymann asked that this item be held up so the Council may review the bid specifications. Mr. Sheola said he could send the specs to anyone who wanted them. Dr. Barad reiterated that only repair work is being done; and asked if spending extra money on a different door was Mrs. Amitai's only issue. She explained that her concern is that it looks the way it should look as far as being historically correct. She asked what the Historic Commission had to say as far as recommendations because the building is in the historic district. She reiterated that due to its location and being in the Downtown Renaissance District and that fact that we are spending money on it that it would only make sense to obtain that recommendation. Mr. Kashwick offered to bring it to the Commission at their next meeting at the end of July if she wanted to wait. Dr. Barad suggested pulling this item for a separate vote in the Regular Meeting to see what happens at that time. Mayor Heymann said that even in the event this item is approved, they will still have the opportunity to review the bid specifications before they go out.

6. COMMITTEE REPORTS

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

1) STATUS REPORT RE CLOSTER WEBSITE – Councilman Dolson informed he received an e-mail from the Borough Administrator that he and the IT Manager revisited the idea of reforming the website to make it more user friendly and informative. Councilman Dolson said he feels it is worth looking into because technology changes frequently; and there is always room for improvement. He invited input from the Council, staff and public. Mayor Heymann noted we will soon be getting an in-house server which should improve communications. Councilman Dolson explained currently our information is in the “cloud”; and because of Open Public Records Act requirements, confidentiality and control issues, it would be more beneficial to have the server in house. In answer to Mr. Kashwick, Mr. Sheola said for

6. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY - DOLSON (GLIDDEN/ KASHWICK) (Continued)
disaster recovery there will be an off-site storage and retrieval system.

Councilman Dolson reported there was discussion about the potential of changing the website domain name from www.closterboro.com to something else and the processes involved to be able to reroute the old address to the new one for a period of time. He said streamlining things will allow for more expeditious search results. The Mayor voiced her understanding that it would make things more uniform and easy to access while not being too expensive. They intend to do some cleaning up of the presentation. Mrs. Amitai asked if anyone else objected to Borough being spelled “boro” and the Mr. Sheola informed the proposed new domain name would be “closternj.us”. He explained that the email contacts would be first initial, last name @ closternj.us. and would create a nice uniformity. Mr. Sheola said we would like to improve our position from 82nd on the list from the poll because 82nd is not bad but it could be better.

2) REPORT – Councilman Dolson reported the Board of Health did not meet this month.

At this time, Mr. Dolson informed he just read that the State Legislature approved the State Budget; and he hopes that information will trickle down once it’s finalized. He voiced his hope that they will be reinstating the homeowner’s rebate which quietly disappeared. He also read the stay in the confiscation of COAH funds was not included in the Budget so he does not know if it creates a safety cushion or not.

B. PUBLIC SAFETY - GLIDDEN (LATNER/BARAD)

1) REPORT – Councilman Glidden thanked Chief Kaine for his diligence in hiring two fine young men as police officers and conducting all the tests involved.

Councilman Glidden informed he had a few items to discuss regarding Recreation. As to the construction of bathrooms at Schauble and Mollicone Parks – the construction has started but they encountered a problem because they hit a water main and the building will need to be relocated. Mr. DeNicola explained the contractor hit a water main that runs through the park from Bergenline Avenue to Knickerbocker Road. He said it was uncovered during an investigation of the footing; and noted the contractor should have been aware of it beforehand because there was a mark-out. Regardless, the building needs to be relocated back to its original proposed location tucked away close to the horn tower. In answer to Dr. Barad, he explained the move was made to eliminate the sanitary sewer extension; and it was negotiated out of the contract we had with AJM; but after wanting to make the building larger, it was put back in anyway. At this time we are waiting for a change order from the contractor with the price. Mr. Sheola noted he was promised same today but hopes to have it for the next meeting. Mr. Glidden hopes to be able to update the status at the next meeting.

Councilman Glidden noted on the Agenda is the issue regarding Angelina’s Gifts and Goodies; and he informed the Recreation Commission was the party who made the recommendation for same. The Borough Attorney informed due to different regulations in State law we have to obtain quotes for this service. He advised they should put up an ad for quotations from local businesses only that hold a food-handling license and would agree to our insurance requirements, Board of Health regulations and making a minimum contribution of \$100.00 to the Ambulance Corps. In that way, we would have a criteria as opposed to awarding it blindly. Mayor Heymann voiced her concern that in the past we refused applicants who wanted to use the parks for gainful purposes and although this system may work it may still set a pattern for someone who wants to run a camp like we did two years ago. In response to Mayor Heymann’s suggestion, the Borough Attorney explained the problem with this concession is that we can potentially lose

6. COMMITTEE REPORTS

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

money, which is a problem we have always encountered in the past. With amusement rides, they are already paid for and it's done; with a vendor who provides popcorn, they can go on to sell it the next day. Depending on the weather and the crowd, the Ambulance Corps has made \$1,000 and borderline lost money and that was using volunteers. Dr. Barad voiced his understanding that we are simply trying to reproduce what the Ambulance Corps had provided in the past though he is not opposed to having concessions on occasion. The Administrator said that the Ambulance Corps could do something like this on their own and not be subjected to the public difficulties contractors are. The Mayor said the \$100 is not only for the Ambulance Corps but it pays for the use of their equipment; and the Lions Club is donating equipment. The Borough Attorney advised they will not be addressing the Lions Club issue because they are not a quasi-municipal entity. He recommends it be run by a quasi-municipal entity. Councilwoman Amitai urged everyone to listen to our Borough Attorney on this matter.

C. PUBLIC WORKS - LATNER (DOLSON/GLIDDEN)

1) REPORT – Councilwoman Latner reported she saw on the Agenda that Michael Kafer will be reporting on the Solid Waste Advisory Committee report; and she thanked him for chairing the Committee and doing an excellent job. Mrs. Latner thanked everyone else who served on the Committee: Carl Olssen, Bill Brewster, Linda Crescenzi, Louise Ungar and Steve Isaacson and said it was a very productive Committee.

Mrs. Latner informed last month Hillside School had an event called “Art in the Sky” and she thanked all of the students and teachers who participated and the DPW who maintained the grass and the Fire Department for providing use of the truck.

In response to Mrs. Latner's inquiry, Mr. Sheola informed the Oak Island Fire Department came last week and picked up the old ladder truck. He said their Chief circulated a photo of their new/our old truck already in the barn down there; and we will be receiving additional photos once the truck is re-lettered. Mr. Sheola reported the check was delivered before the title was signed. Mrs. Latner reminded that this Sunday is the Wet Down from 12 p.m. to 4 p.m. at the Fire House.

Councilwoman Latner reported the Library Personnel Manual is being merged with the town; and they have been instructed to contact the Borough Attorney regarding questions. In response to Mrs. Latner, the Administrator said he believed that new language was sent to the paper asking people to make donations directly to the funds that have been set up in Oklahoma. Mrs. Latner asked for a copy in order to circulate it to places for update.

As Liaison to the Board of Education, Councilwoman Latner reported there is now a random drug testing policy in place that has been talked about for the last couple of months. She voiced her concerns on the issue and asked for Council support.

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported the next Ordinance Committee meeting will be held 7/9/13 at which time they will entertain discussing amending the fees for live entertainment. He explained the current fee is \$250.00 across the board; and the current proposal is that for establishments under 35 (seats), a \$50 fee would be imposed; but voiced his opinion that he is not married to any particular figure. Dr. Barad invited the Council's input as to numbers and limits; and said he would bring it to the Committee so they could come back with an ordinance as soon as possible.

The Committee is still reviewing the sign ordinance; and they anticipate completing the review at the next meeting.

6. COMMITTEE REPORTS

D. ORDINANCES - BARAD (KASHWICK/AMITAI) (Continued)

Regarding two-family houses, he spoke to the Chair of the Zoning Board of Adjustment who said they are or have discussed it; and they are looking for a legislative solution, not an administrative solution. The Zoning Board's position as set by the Chairman is that they prefer things to come before the Board in some fashion.

- 2) **REPORT RE FOLLOW UP OF REQUEST BY ANGELINA'S GIFTS AND GOODIES AT WS 6/12/13 FOR CONSIDERATION FOR CHANGE IN FEE FOR LIVE ENTERTAINMENT FOR SMALL BUSINESSES –**
(Discussed in Mr. Glidden's Report – Item No. 6B)

E. HUMAN RESOURCES - KASHWICK (DOLSON/LATNER)

1) **REPORT RE PERSONNEL COMMITTEE MEETINGS** – Councilman Kashwick reported attending the presentation at Tenakill School with the Mayor last week. They invited the students to come this Fall, when the Council discusses religious displays on Borough property, and he is hopeful they will come. The Human Resources Committee has a meeting scheduled for next week to discuss the evaluations for the Senior Management for the Borough.

- 2) **REPORT** – Councilman Kashwick reported on the following:
 - a. Historic Preservation Commission completed the HPC FAQ pamphlet; and as soon as copies are received from the printer, he will distribute same to the Council.
 - b. Environmental Commission further discussed the trail extension up to Alpine. One of the trail map signs by the Library is in poor shape; and they are looking into redoing and potentially redesigning it.
 - c. Shade Tree Commission is working on the fall plantings and Community Forestry Management Plan. At the next meeting they will be finalizing their 5 year goals to submit to Paul Cowie.

At this time Mr. Kashwick requested a Closed Session to discuss possible real estate acquisition.

At this time, Mr. Sheola informed he had a request on behalf of the employees regarding July 5th. He polled the Departments, and there will only be 3-4 employees in the building on that day; so he e-mailed Councilman Kashwick proposing to switch the Columbus Day holiday to have the day after the 4th of July as a holiday. Responses were received from all employees except for one, and the administrative staff in the Police Department and DPW. He asked that if the Council has no objections that a motion be passed in the Regular Meeting permitting the switch.

Mr. Sheola informed he received an e-mail from the ICMA requesting that he be part of a committee. The Organization is celebrating their 100th anniversary this year; and he was asked to serve on the knowledge network advisory board. He explained this is a web-based system to exchange information and reports.

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

1) **REPORT** – Councilwoman Amitai reported there will be a Planning Board meeting this Thursday where the Closter Market Place Application will be discussed for the first time. She said they are looking forward to several long meetings to get this approved for the Closter Plaza.

Councilwoman Amitai reported the Building Department met; and the outcome is a shift in code enforcement responsibilities; Youngmin Woo will primarily work in the downtown commercial area and Jim Whitney will handle residential.

6. COMMITTEE REPORTS

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

Councilwoman Amitai reported the Improvement Commission met last night but she was unable to attend due to illness. She knows they are working on the music fair but she is unable to report on same at this time.

7. OLD BUSINESS

A. SOLID WASTE ADVISORY COMMITTEE REPORT (1. M.L. 6/20/13 - Received 6/13/13)

Chairman Michael Kafer, 261 Parsells Lane, thanked the Committee and noted that the report indicates that the Borough has substantially undervalued the Host Community Agreement; and it is costing the taxpayers money. He explained the agreement and noted that same has been valued by the Borough at \$34,000 since this is the low bid from Miele Sanitation to pick up recycling in lieu of the Host Community Fee. Currently the value is less since paper is not being picked up by the contractor but instead by the Department of Public Works. State Law provides for a benefit of no less than 50 cents per ton and the Transfer Station has a permit to receive 145 tons per day, plus another 100 tons of recycling; therefore, the fee would be over \$36,000. State law permits the current agreement which could include a solid waste dumping fee waiver which at present costs \$250,000 which is also the same as the salaries paid to the solid waste employees. Hillsdale, a town similar to Closter, also has a transfer station; and under their agreement the Borough does not pay a dumping fee nor do the churches, synagogues and schools up to \$350,000 per year. Plus the transfer station has to patrol the routes to make sure they are swept. Complaints about truck traffic, odors and truck drippings have been received by Closter; and all issues could be resolved during Host Fee Community discussions. The present agreement is temporary; and he advised that same not be renewed but the value of service could be put out to bid.

Mr. Kafer said that the Host Community Fee is a game changer and is a sustainable and substantial revenue source. Secondly, the Mayor and Council should discuss this matter in public as to the scope of services. He described the methodology used by the Committee noting that a private contract is not dependent on the Borough calendar; and the Borough should make a serious evaluation of the services provided by the Department of Public Works. At this point, the Borough is losing approximately \$200,000 per year by not implementing a Host Community Fee. He said if the Agreement is changed, it should be done now. In answer to questions, Mr. Kafer explained that the current value should be analyzed in addition to the benefit to which the Borough is entitled; and he explained the Committee's calculation of the tonnage upon which the host fee would be computed. Traffic, road conditions, odor complaints and property values should be included in the analysis. If an agreement cannot be reached, the matter could be submitted to the Department of Environmental Protection for a determination. Hillsdale has a larger transfer station; and their agreement calls for a minimum of \$5 per ton up to 600 tons and \$1 over 600 tons and this offsets the increase in recycling. He believed that Hillsdale receives \$350,000 per year plus road sweeping around the station and on the incoming routes.

Carl Olsson, 215 Irving Avenue, said the report was a comprehensive effort; and the fee is a major benefit to the Borough, which should be addressed as soon as possible. He cited the cost elements in financing new garbage trucks. Councilman Barad thanked all the members of the Committee.

Jack Kelly, 132 Herbert Avenue, complained about the odor near the transfer station and noted that 12 years ago he supplied the Hillsdale contract to the Borough but it was ignored.

B. GOAL SETTING FOLLOW UP REPORT OF MEETING HELD 6/8/13 RECEIVED FROM REAGAN BURKHOLDER, SUMMIT COLLABORATIVE ADVISORS, LLC

(6 M.L. 6/20/13 – Received 6/18/13) – In response to Mr. Kashwick’s inquiry, Mr. Sheola agreed that this is an ongoing discussion; the overall goals need to be solidified; he and the staff could write a report; and a Resolution should be adopted establishing the goals; and the item is to be put on the Agenda every 3 months for updates. Mr. Sheola agreed that due to the lack of time for discussion at this meeting, that same is to be carried under Old Business for the next meeting.

C. DISCUSSION RE REQUEST BY ANGELINA’S GIFTS AND GOODIES AT WS 6/12/13 FOR APPROVAL TO HAVE REFRESHMENT STAND AT LABOR DAY ACTIVITIES

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

Joel Zelnik, 65 Chestnut Avenue, noted that he had worked on the Lustron House 10 years ago when he was a Councilman. At that time, it was our desire to preserve old buildings as a building block of identity for the community. Historical does not always mean beautiful but preservation forces neighbors to come together to talk about values. The Lustron House was an innovative solution to post World War II housing for returning veterans. Congress at the time thought it was an insult for veterans to not have a home to return to; and only 1,500 of these homes are left nationwide. Closter has one of the best preserved versions and this was the dream house for Mr. Hess. He noted that the Historic Preservation Commission wanted to use open space funds to purchase the property, but this has not been done; and the house is on the National Register of Historic Homes.

Irwin Latner, 32 Hawthorne Terrace, referred to the random drug testing proposal and voiced his concerns regarding same. Mr. Latner said there are financial consequences for not following the constitutional standards; and he urged the Council to take a position on this matter.

Cheryl Phillip, 5 Laurence Court, voiced her opinion that this is hurting the reputation of the school.

Steve Isaacson, 97 Columbus Avenue, said the testing violates student privacy and that teacher testing should be mandatory. Relative to trash collection, he said the level of service should be discussed; and noted that we pay more tipping fees than Fort Lee who pays \$70 per ton. Mayor Heymann said that different methodologies would be discussed. Mr. Isaacson referred to having a crafts fair on private property and was advised by Paul Demarest that a permit would have to be obtained from the Borough Clerk.

Alissa Levinson, 69 Wilson Place, thanked the Mayor and Council for allowing the public to bring up the drug testing tonight. She expressed concern about the relationship between the children, parents, teachers and administration.

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – JUNE 26, 2013 - 7:30 P.M.

Leslie Ringelstein, 1 County Road, reiterated her past concerns about the designation of the Lustron House and the potential decline in value. She questioned the zoning of the property.

Mayor Heymann expressed her appreciation to the Chairman and Members of the Solid Waste Committee for their hard work.

Mayor Heymann noted that the School Board is asking for money to replace the special education building (The Junction) but she noted that the building has been proposed as an historic home. The group wishes to stay at that location. She suggested a meeting with the School Board to discuss the drug testing. Councilman Glidden expressed support for taking a position and Councilman Barad said that the Council micro-managing the business of the school is not appropriate. The School Board acting unilaterally without community input is a matter for which the Council can have an opinion. It is not our business to tell them how to do things; but how they are taking action can be commented upon by the Council. Councilwoman Latner said we have not been made aware of many of the issues before the 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 9:58 p.m. was made by Councilwoman Amitai, seconded by Councilman Barad and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
on July 3, 2013 for approval at the
Regular Meeting to be held
July 10, 2013

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held July 10, 2013
Consent Agenda Item No. 12b.