

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MAY 8, 2013 - 7:30 P.M.

Mayor Heymann called the meeting to order at 9:07 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 and Arthur Dolson
Borough Administrator, Richard Sheola
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine

The following persons were absent:

Councilwoman Victoria Amitai

At this time, Mayor Heymann explained that the Governing Body would address the Consent Agenda items first and would then go into Closed Session; and upon return from the Closed Session, she would proceed with the Public Hearings of the five (5) ordinances.

At 9:11 p.m. the Governing Body approved the Consent Agenda and adopted a Resolution to enter into Closed Session at 9:12 p.m.

At 9:37 p.m. Mayor Heymann returned to the Regular Meeting and extended congratulations to 16 year old Closter resident Leena Woo who won a major piano competition at Lincoln Center.

Mayor Heymann asked for a moment of silence to commemorate the memory of Aldo Zampolino who passed away last Saturday. She explained he served our country in WW II and provided lifelong service in Closter as a member of the Fire Department and the Ambulance Corps.

At this time, Mayor Heymann continued the Regular Meeting and addressed the following Public Hearings:

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

a. The following Ordinances were introduced at the Regular Meeting held April 10, 2013 and were published in The Record on April 17, 2013 as stated in the Borough Clerk's affidavits and newspaper's affidavit of publication. Reprint of these Ordinances were posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public:

- 1) ORDINANCE NO. 2013:1140 - "AN ORDINANCE TO DETERMINE THE BASE RATE, AMOUNT, SALARIES, WAGES, COMPENSATION, AND THE METHOD OF PAYMENT THEREOF TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF CLOSTER"

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. 2013:1140 was made by Councilman Glidden, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

- 2) BOND ORDINANCE NO. 2013:1142 - "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$1,363,000 THEREFOR, AND PROVIDING FOR

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – MAY 8, 2013 - 7:30 P.M.

THE ISSUANCE OF \$1,294,850 IN BONDS OR NOTES OF THE BOROUGH OF
CLOSTER TO FINANCE THE SAME”

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. 2013:1142 was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

- 3) ORDINANCE NO. 2013:1144 - “ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL EQUIPMENT BY THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, AND APPROPRIATING \$18,000 THEREFOR FROM CAPITAL SURPLUS OF THE BOROUGH”

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. 2013:1144 was made by Councilman Kashwick, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

- 4) ORDINANCE NO. 2013:1145 – “ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL EQUIPMENT BY THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, AND APPROPRIATING \$8,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH”

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. 2013:1145 was made by Councilman Glidden, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

- b. The following Ordinance was introduced at the Regular Meeting held April 10, 2013 and was published in The Record on April 20, 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. 2013:1143 - “AN ORDINANCE APPROPRIATING \$262,500 FROM THE CLOSTER OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS”

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. 2013:1143 was made by Councilman Kashwick, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

4a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda at 9:11 p.m. minus Item No. 19 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 and Dolson.

RESOLUTIONS

5. BILL RESOLUTION – MAY 15, 2013
(Received from Deputy Treasurer 5/3/13)
6. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEARS 2012 & 2013: NYFENGER V. CLOSTER (Received from Borough Attorney 4/25/13)
7. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEARS 2012 & 2013: SABOT V. CLOSTER (Received from Borough Attorney 4/25/13)

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – MAY 8, 2013 - 7:30 P.M.

8. RESOLUTION MEMORIALIZING THE AWARDING OF A CONTRACT TO SUMMIT COLLABORATIVE ADVISORS, LLC, 27 ARGYLE COURT, SUMMIT, NJ 07901, FOR THE PURPOSES OF CONSULTING AND GOAL SETTING, FOR AN AMOUNT NOT TO EXCEED \$2,000.00 (Received from Borough Attorney 5/2/13)
9. RESOLUTION SUPPORTING SUSTAINABLE STATE FUNDING FOR PRESERVATION AND STEWARDSHIP OF OPEN SPACE, PARKS, FARMLAND AND HISTORIC SITES IN NEW JERSEY (5b. M.L. 4/25/13)
10. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING TO PROVIDE ENGINEERING SERVICES FOR THE 2013 ROAD PAVING PROJECTS FOR AN AMOUNT NOT TO EXCEED \$54,000.00 (Received from Administrator 5/1/13)
11. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING TO PROVIDE ENGINEERING SERVICES IN CONJUNCTION WITH A 2013 NJDOT LOCAL AID PROJECT GRANT FOR RUCKMAN ROAD AND OAKLAND STREET IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$26,000.00 (Received from Administrator 5/1/13)
12. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING TO PROVIDE ENGINEERING SERVICES FOR ZONING MAP REVISIONS FOR AN AMOUNT NOT TO EXCEED \$1,500.00 (Received from Administrator 5/1/13)
13. RESOLUTION AUTHORIZING THE PREPARATION OF PLANS FOR PROJECT KNOWN AS RUCKMAN ROAD, PERRY STREET, OAKLAND AVENUE, FIRE DEPARTMENT ENTRANCE RAMP AND BOROUGH HALL PARKING LOT IMPROVEMENTS, 2013 ROAD IMPROVEMENTS, & RUCKMAN PARK WALKING PATH (Received from Administrator 5/2/13)
14. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO RELEASE AND RETURN REMAINING ZONING BOARD OF ADJUSTMENT LEGAL ESCROW FEES IN THE AMOUNT OF \$1,102.00 TO APPLICANT: JOHN AND MAUREEEN GALDI, FOR BLOCK 1704 LOT 17, 343 CLOSTER DOCK ROAD (Received from Deputy Treasurer 5/1/13)
15. RESOLUTION AUTHORIZING THE CONSUMPTION OF ALCOHOLIC BEVERAGES DURING CERTAIN RECREATION COMMISSION ACTIVITIES PURSUANT TO CHAPTER 67 OF THE CLOSTER CODE (Received from Borough Attorney 5/2/13)
16. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$189.14 TO WELLS FARGO FOR TAX OVERPAYMENT DUE TO AN ERROR CREATED BY CLOSING ATTORNEY IN 3RD QUARTER 2012 TAX ACCOUNT (Received from Tax Collector 5/2/13)
17. RESOLUTION MEMORIALIZING THE MOTION ACCEPTING THE HISTORIC PRESERVATION COMMISSION'S RECOMMENDATION DESIGNATING 1 STATION COURT AND REFERRING THEIR REPORT TO THE PLANNING BOARD (Received from Borough Attorney 5/2/13)
18. RESOLUTION MEMORIALIZING THE MOTION ACCEPTING THE HISTORIC PRESERVATION COMMISSION'S RECOMMENDATION DESIGNATING 421 DURIE AVENUE AND REFERRING THEIR REPORT TO THE PLANNING BOARD (Received from Borough Attorney 5/2/13)
- ~~19.~~ AT APPROXIMATELY 9:00 P.M. - OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION EXCLUDING THE PUBLIC IN ORDER TO PERMIT THE GOVERNING BODY TO DISCUSS IN EXECUTIVE SESSION PER N.J.S.A. 10:4-12 (b) (8), A DPW PERSONNEL MATTER (Rice Notice mailed/via regular and certified mail on 4/30/13)

MOTIONS

20. MOTION APPROVING THE FOLLOWING MINUTES – NO ABSTENTIONS (Distributed via e-mail 5/3/13):
 - a. REGULAR MEETING HELD 4/24/13
 - b. WORK SESSION HELD 4/24/13
21. MOTION GRANTING APPROVAL FOR THE RECREATION COMMISSION AND CLOSTER PBA TO CONDUCT THE ANNUAL FISHING CONTEST AT RUCKMAN POND ON 5/11/13 FROM 9:00 A.M. UNTIL 12 NOON (5. M.L. 5/2/13)
22. REPORTS
 - a. CONSTRUCTION OFFICIAL – APRIL 2013 (Received 5/1/13)

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – MAY 8, 2013 - 7:30 P.M.

4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

19. AT APPROXIMATELY 9:00 P.M. - OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION EXCLUDING THE PUBLIC IN ORDER TO PERMIT THE GOVERNING BODY TO DISCUSS IN EXECUTIVE SESSION PER N.J.S.A. 10:4-12 (b) (8), A DPW PERSONNEL MATTER (Rice Notice mailed/via regular and certified mail on 4/30/13)

Motion approving the following Closed Session Resolution at 9:12 p.m. was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(8), “A matter involving public employees”; and that the item(s) under discussion in the closed meeting would be disclosed to the public at the conclusion of the matter which should be within 6 weeks.

Mayor Heymann resumed the Regular Meeting at 9:37 p.m. and proceeded with the Public Hearings listed on the Agenda as Item Nos. 3a. 1), 2), 3), 4) and b).

23. 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 Ringlestein, 1 County Road, said that the Lustron property has to be sold and United Way has shown an interest in the property. The organization could bring in people with disabilities who need housing. There is a lot of benefit but she is concerned about the present and future restrictions on the house. She questioned how the disabled are going to be accommodated within the house because of the size of the entrance doorways which would have to be altered structurally. She said that no one has been interested in preserving the house; and questioned if preserved, how would it be used. At this stage the house is impossible to market.

- 23a. Motion approving the following Closed Session Resolution at 9:45 p.m. was made by Councilman Glidden, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(7), “Pending or anticipated litigation or contract negotiations and N.J.S.A. 10:4-12(b)(8), “A matter involving public employees”; and that the item(s) under discussion in the closed meeting would be disclosed to the public at the conclusion of the contract negotiations, litigation and matter which should be within 12-16 weeks.

Mayor Heymann resumed the Regular Meeting at 10:27 p.m.

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

25. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:27 p.m. was made by Councilman Kashwick, seconded by Councilman Glidden and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on
May 17, 2013 for approval at the
Regular Meeting to be held
May 22, 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 May 22, 2013
Consent Agenda Item No. 21a

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – MAY 8, 2013 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session at Borough Hall on Wednesday, May 8, 2013. Mayor Heymann called the meeting to order at 7:32 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 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.

3. ROLL CALL

The following persons were present:

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

The following persons were not present:

Councilwoman Victoria Amitai

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF APRIL 25, 2013 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 7 was removed by Councilman Glidden; Item No. 5c. was removed by the Borough Clerk and Item No. 8 was removed by Councilman Barad.

Item No. 5c: Received 4/23/13, dated 4/23/13 from William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Borough Clerk re Washington Watch Fax Advisory re: U.S. Department of Justice Announces Open Application Period for COPS Grants (Copy to Chief Kaine)

Borough Clerk noted this was a grant opportunity if anyone was interested. Mayor Heymann voiced her understanding that for municipalities like Closter there are no funds available; and Chief Kaine affirmed same.

Item No. 7: Received 4/24/13 hand del'd, dated 4/21/13 from Isabelle Lee, Rachel T., and Sophie Han, to Town Council (Read to Council by Isabelle Lee at Work Session held 4/24/13) re Letter reminding of the harm caused by not recycling plastic water bottles on the environment and encouraging the town to allow the recycling truck to come to Hillside School to pick up recycling (Copy to William Dahle, III, Carole Dacey)

Councilman Glidden asked if this letter would be responded to in writing and Mayor Heymann reminded a response was provided when the girls were present at the last meeting. Councilman Glidden noted that regarding the request for a truck to go to Hillside School to pick up recycling, he confirmed with

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MAY 8, 2013 - 7:30 P.M.

Billy Dahle this evening that is already being done. Councilman Kashwick suggested recommending to the School Board that water bottles not be sold anymore; and the Mayor invited him to present same to them for consideration as that was the point the girls were trying to make in their letter. Mayor Heymann informed the Recreation Commission gives out permanent water bottles for exactly this reason.

Item No. 8: Received 4/25/13, dated 4/25/13 from Susan Parducci, Administrative Assistant to the Business Administrator, Northern Valley Regional High School District Administration Offices, to Borough Clerk re SPECIAL MEETING NOTICE: NORTHERN VALLEY REGIONAL HIGH SCHOOL BOARD OF EDUCATION SPECIAL MEETING scheduled to be held Monday, May 6, 2013 @ 7:30 p.m. in the Old Tappan High School Auditorium, 100 Central Avenue, Old Tappan; the Board will have a presentation and discuss a referendum for various building projects; Meeting open to the Public – Posted 4/25/13

Councilman Barad asked if anyone was able to attend this meeting. Councilwoman Latner informed she attended part of the meeting and found it to be very interesting. She explained that the only information we have been hearing was about facilities and turf fields; but there is also included a proposal to construct a building for the Junction over 18 program and she had no idea about that. The Board reviewed the proposal and presented pictures of the items that are in need of being done as well as maintenance expectations and projected costs. Mrs. Latner addressed the Board at one point expressing that not a lot of information has been available about the project despite requests for same. She said she found the reasons for doing the Junction building to be compelling because if they owned instead of rented, they would be able to take in other students from out of district and they would be able to implement a handicapped preschool to help subsidize the costs. They feel whatever they take in would cover the expense of what it costs to build. Mrs. Latner reiterated that it was not widely known that the project consisted of another component aside from turf fields and encouraged the Board to get more information out for the entire project.

Speaking as Liaison to the Board of Education, Councilman Barad voiced his opinion that the school needs to do a better job of advertising these projects because all of the details are not completely understood. Councilwoman Latner agreed and reported that the High School Board held a meeting the previous week regarding school safety and it was very poorly attended. She said it was very informative and detailed about the new safety measures and teacher education on the subject. She voiced her understanding that it is difficult to get the word out to the public and she feels they need to do a better job in doing so. Dr. Barad agreed and voiced his frustration that they had been invited to come to visit us and they could have used that opportunity to present same but they chose not to. He believes other governing bodies would welcome a presentation as well. Mayor Heymann said she feels there is a major breakdown in communications because when they originally presented the bond for the project there was no mention of redoing the Junction and she agreed that it is a wonderful program. Mrs. Latner explained she voiced her frustration to the Board that she is a Council Member and this was the first time she was hearing about the Junction Project.

The Mayor said she feels this is a very valid issue as the Junction building is rented and the owner may want it back at some point and the argument isn't really just about turf fields. Regarding the safety meeting, she said it was mind-opening for her because a film made by Mollinelli with seized drug money was shown depicting a realistic view of a lockdown situation for good cause. She voiced her opinion that it was very scary to look at but is pleased our school system is on top of this. Chief Kaine said the Superintendents of the schools have seen the administration version of the video.

On another note, Mayor Heymann said she just received a notice that the elementary schools are going to be expending a considerable amount of money on safety locks. She said maybe other people know better than she does but she feels that some of the things are unreasonable expenditures. She invited anyone with additional information to relay same. Chief Kaine informed that Detective Aiello has been trained by Homeland Security and the Prosecutor's Office on school security assessment, and he will be attending the schools to do an assessment and will submit a report to the Superintendent. Mayor Heymann said she feels like some of these things are overkill and the taxpayers are footing the bill.

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MAY 8, 2013 - 7:30 P.M.

b. MAIL LIST OF MAY 2, 2013 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 12 was removed by Councilman Kashwick; Item Nos. 3, 6 and 9 were removed by Borough Clerk; Item No. 10 was removed by Councilman Barad.

Item No. 12: Received 5/2/13, dated 5/2/13 from Sean Thompson, Acting Executive Director, State of New Jersey Council on Affordable Housing, to The Honorable Sophie Heymann re Municipal Affordable Housing Trust Fund Current Balance

In answer to Councilman Kashwick, the Mayor explained the letter states by May 22, 2013 we have to pledge all of the funds we now have in our COAH fund; and any unexpended monies that were due to be spent by the end of 2009 must be returned to the State. The letter requires the Mayor to sign affirming it is bona fide and requesting the money be sent back; but she said she doubts she will sign it by May 22nd. Mayor Heymann explained the issue is still in court and there are a lot of glitches. One such argument being made by the League is that nobody could have met the requirements because there was nobody in the COAH office to reach at that time. She informed she has been working diligently to assure that rather than give the money back to the State for their general use, that it be spent on affordable housing in Closter. At this time, Mayor Heymann requested a Closed Session to further discuss the issue. In answer to Mr. Kashwick, the Borough Attorney advised they should be sending back some kind of response by May 22nd to inform them the funds have been allocated.

Item No. 3: Received 4/29/13, dated 4/29/13 from mayor@closterboro.com to boroclerk@closterboro.com re Forwarded message from Assemblywoman Holly Schepisi re Municipal Aid Grants and Transportation Enhancement (TE) Awards for FY2013 and congratulating recipient municipalities (Closter Borough – Ruckman Road and Oakland Avenue Roadway Preservation - \$150,000)

Borough Clerk informed this was notification of a grant the Borough has been awarded and the Mayor noted there is a Resolution on the Agenda this evening to enable same.

Item No. 6: Received 4/29/13, dated 4/29/13 from Cathy Santo, Co-Chair and Marlena McMahon, Co-Chair, Norwood Public School PTO Inc. re Requesting permission to place temporary 48-in. x 48-in. wooden or hung Carnival signs for a temporary period from late May through the end of the Carnival (6/15/13) at the Piermont Road and Homans Avenue intersection AND requesting permission to hang 11-in. x 17-in. posters on telephone poles in some of the major intersections in town (Copy to Zoning Officer, Construction Official, Glenn Parsells, Chief of Police)

Borough Clerk explained this was a request to place temporary signs and the Mayor asked if anyone other than herself read this questioningly as this was an unusual request to receive. Borough Administrator did not recommend approval of this request. In answer to Councilman Dolson, the Borough Attorney advised the Borough does not have jurisdiction to grant permission to place signs on utility poles, only on Borough property, but agreed they may be pursuing same and are just politely asking the Borough for permission. Councilman Barad suggested responding that subject to the group receiving permission from the proper utility what the Borough's position is. Mayor Heymann said she doesn't oppose the signs but she takes issue with the big banner. Dr. Barad noted there needs to be specific addresses; and the Borough Clerk informed a Certificate of Insurance and Hold Harmless Agreement are also required. The Borough Attorney affirmed the requirements and advised they could agree with only the posters with permission from the utility company and subject to receipt of the required insurance. The issue could be voted on at the next Regular Meeting if the requirements are met.

Item No. 9: Received 4/30/12 rec'd open, dated No Date from Jeff Nadler, Jewish Family Service, to Mayor re Request for permission to conduct third annual "JFS Wheels for Meals" bike event on Sunday, 6/16/13, partially through the Borough from 8:00 a.m. to 12:30 p.m. and requesting return of Acknowledgement Form upon approval; copy of form attached with maps of proposed route Certificate of Insurance approved by Risk Management Consultant 1/3/13 – NO HOLD HARMLESS AGREEMENT RECEIVED!! (Copy to Chief Kaine, Glenn Parsells, Chief Pesce, Capt. Andrew Galinac)

Borough Clerk informed we have received a Certificate of Insurance, which has been approved but we have not received the Hold Harmless Agreement.

Item No. 10: Received 5/1/13, dated 4/26/13 from Jody B. Shilan, Executive Director, New Jersey

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MAY 8, 2013 - 7:30 P.M.

Landscape Contractors Association re Informing municipalities are still unclear as to language and enforcement of the “Contractor’s Registration Act” and clarifying certain provisions with copy of Statute (N.J.S.A. 56:8-147, “Supersedure of municipal ordinance, regulation” (Copy to Construction Official)
Councilman Barad questioned the Borough’s status and the Borough Attorney advised we are good.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of May 8, 2013)

Mayor Heymann asked if any Member of the Council wished to discuss any item on the Consent Agenda or provide any comments. Nos. 10, 11 and 12 were removed by Councilman Glidden; No. 13 was removed by the Mayor; Nos. 6 and 7 were removed by Borough Attorney and No. 18 was removed by Councilman Barad.

6. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEARS 2012 & 2013: NYFENGER V. CLOSTER (Received from Borough Attorney 4/25/13)
The Borough Attorney wished to clarify that this settlement amounts to approximately \$1,000.00 and was previously circulated to the Mayor and Council. The outcome is based on confirmation of comparative sales provided to the Borough Appraiser and agreed they justified the reductions.
7. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEARS 2012 & 2013: SABOT V. CLOSTER (Received from Borough Attorney 4/25/13)
The Borough Attorney wished to clarify that this settlement amounts to approximately \$2,000.00 and was previously circulated to the Mayor and Council.
10. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING TO PROVIDE ENGINEERING SERVICES FOR THE 2013 ROAD PAVING PROJECTS FOR AN AMOUNT NOT TO EXCEED \$54,000.00 (Received from Administrator 5/1/13)
11. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING TO PROVIDE ENGINEERING SERVICES IN CONJUNCTION WITH A 2013 NJDOT LOCAL AID PROJECT GRANT FOR RUCKMAN ROAD AND OAKLAND STREET IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$26,000.00 (Received from Administrator 5/1/13)
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13. RESOLUTION AUTHORIZING THE PREPARATION OF PLANS FOR PROJECT KNOWN AS RUCKMAN ROAD, PERRY STREET, OAKLAND AVENUE, FIRE DEPARTMENT ENTRANCE RAMP AND BOROUGH HALL PARKING LOT IMPROVEMENTS, 2013 ROAD IMPROVEMENTS, & RUCKMAN PARK WALKING PATH (Received from Administrator 5/2/13)
In response to Councilman Glidden’s inquiry, Borough Administrator explained the proposals cover the 2013 Road Program and 2013 NJDOT Local Aid Project, plus the change in the zoning map overlay due to the addition of the Conservation Zone.

In response to the Mayor’s inquiry, Mr. Sheola voiced his understanding that Nos. 10, 11 and 12 are authorizing entering into the contracts and No. 13 is authorizing the preparation of the plans for the project. The Borough Engineer clarified that oftentimes there is confusion regarding same but there has to be a separate Resolution authorizing the preparation of the bid specifications for the projects and though it is not worded that way, Item 13 is authorizing Boswell to prepare the bid specs. This is a customary procedure that often comes across as redundant. He said the reason it is done at the same meeting so in the

event they are ready to go to bid, they don't have to wait for another meeting to come up to authorize same.

18. RESOLUTION MEMORIALIZING THE MOTION ACCEPTING THE HISTORIC PRESERVATION COMMISSION'S RECOMMENDATION DESIGNATING 421 DURIE AVENUE AND REFERRING THEIR REPORT TO THE PLANNING BOARD (Received from Borough Attorney 5/2/13)

The Borough Attorney explained this is just a memorialization of a vote that was taken at the last meeting verbally. There was only a voice vote; so in order for it to be forwarded to the Planning Board, a written Resolution is required. In answer to Councilman Kashwick, the Borough Attorney explained the timing is 180 days; and the Planning Board has 60 days from receipt of the recommendation to provide a report.

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

1) REPORT – The Borough Attorney reported the Cell Tower Bid Package is 90% complete. He said there have been some conflicting comments on some of the recommendations and he reminded the Council we are up against a time table. He suggested proceeding with the initial bidding instead of holding it up just to see what we get because the longer we hold it up, the closer we get to the expiration date. In answer to Dr. Barad he explained one suggestion made by the Mayor was to bid directly to providers whereas in the past we would have someone "overseeing" the tower; and that would be a major change to these bid specs. Mr. Rogan voiced his concern that taking this approach would incur additional work by somebody at Borough Hall to oversee the process; and right now we have Crown Castle handling this aspect on our behalf.

Mayor Heymann voiced her understanding that Haworth is bringing in more revenue than we are by utilizing this approach. Dr. Barad disagreed and said it comes at a higher cost on our part and if you break even then you haven't gained anything. The Borough Attorney clarified that his concern is the timing. We are quickly approaching the expiration and could easily go back and forth for several months. In answer to Mayor Heymann's comment, he explained that Haworth had it set up from the beginning as directly working with the providers. In answer to Dr. Barad, he informed the original plan was to get the bid specs out by June; but if they have to be completely redone, that is not going to be possible. He said that we will be up against a deadline trying to get the specs out and risk the possibility of having to reject all of the bids and having to redo them anyway. In response to Mr. Kashwick, Borough Attorney advised that we would essentially become the landlord and we would be liable if someone were to be injured or if the tower needs to be replaced and requires maintenance. The way we have been doing it basically turns ownership over to the Borough; but Crown Castle is the tenant under a triple net lease so anything that went wrong with the tower or repairs would be their responsibility; and all we do is sit back and collect rent. We currently collect close to \$80,000 annually in rent and that could potentially be doubled according to the figures received from Haworth. Mr. Kashwick said he feels this would be more of a headache than it's worth to try to do. The Borough Attorney informed that during the meeting they had with Crown Castle their contention was that they do not have that big of an earning from this arrangement.

Mr. Rogan reported there is a scheduled Personnel Closed Session specifically at 9:00 p.m. tonight; and we will have to interrupt the meeting pursuant to a Rice Notice.

The Borough Attorney informed he circulated an ASCAP Agreement for consideration along with an article from the Bergen Record that ran last year discussing municipalities that received a number of lawsuits. A question had arisen at one of the meetings as to whether the municipality pursued a similar type of agreement. He said although it seems somewhat like extortion and some of the songs that are usually considered public domain could give rise to a copyright claim but they do pursue it. Mr. Rogan said the annual fee is about \$327.00 and although it is not on the Agenda this evening he has a Resolution prepared for the next meeting because they had discussed this in the past but he was not authorized to take action at that time.

6. PROFESSIONAL REPORTS (Continued)

A. BOROUGH ATTORNEY (Continued)

Mr. Rogan reported there are 101 tax appeals filed for 2012 tax year which is less than the 130 filed the year before. The bulk of these are County Board Petitions which will start to be heard at the end of May. May 20th is the first day of hearings. County Board Petitions are most often filed pro-se by the homeowner themselves to see if there will be some adjustment by the hearing officer. Some of them could end up in Tax Court but most do not. The bulk of the appeals filed this year are residential as opposed to commercial. There are 19 direct appeals to the tax court; and these are the ones that skip the County Board because usually the homeowners feel they have a stronger case or they are sending a message to the Borough that they are willing to spend money on an appraiser or litigation. Of these appeals, 8 are commercial and 11 are residential. Last year we had 36 filed directly with 11 resolved or dismissed. Closter's numbers are very good compared to most towns in Bergen County because of the foresight and the timing that was chosen to do the revaluations. Mr. Rogan said fortunately the prices are starting to go up or at least stabilize and that will assist us next year.

The Borough Attorney reported he took part in DPW negotiations and met with the Public Safety Committee and he has 2 items for Closed Session regarding contract negotiations.

B. BOROUGH ENGINEER

- 1) STATUS REPORT RE HERBERT AVENUE SECTION 5 & BLANCH AVENUE IMPROVEMENTS, 2012 ROAD IMPROVEMENTS, & SCHAUBLE FIELD WALKING PATH - Awarded to AJM Contractors, Inc./\$445,911 RM 6/27/12

2) REPORT – The Borough Engineer asked that if the contracts for the paving program are awarded to Boswell this evening to add those to his report.

The Borough Engineer reported there was a meeting between the Borough and the NRCS – National Resource Conservation Service for a fund program for stream improvements. We submitted an application about a month ago and they came to meet with us on Monday regarding Anderson Brook erosion and a stream tributary on Ruckman Road. They met at both of those locations and indications are that there is a 50/50 chance of us getting a grant and they said most likely if you get one you will get both but they won't know for a couple more days. He explained that the grant will fund approximately 75% of the project; and the Borough would only have to pay the other 25% plus soft costs. He said he will keep everyone informed as they go forward.

7. REPORTS

A. BOROUGH ADMINISTRATOR

- 1) STATUS REPORT RE MEETING HELD WITH SWIM CLUB REPRESENTATIVES RE *POSSIBLE* ACQUISITION (W.S. 6/27/12) Committee members: Borough

Attorney/Administrator/Dr. Barad – The Borough Administrator reported that we were deeded the property a while back and he is in receipt of a letter received this morning from the Borough Engineer regarding potential uses for the parcel but he has not had the time to review same.

- 2) STATUS REPORT RE APPRAISAL OF LADDER TRUCK (Discussed at WS 8/22/12)

Mr. Sheola reported he received four signed contracts back from the Oak Island, North Carolina Fire Department. Once the contract is executed by the Borough, the check will be deposited and the truck will be off to the repair shop with anticipated resolution within 45 days at which time we will receive the balance of \$30,000.

- 3) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S):

a) Mail List requests:

1. Recreation Commission Labor Day Festivities 2013 (1b. M.L. 4/25/13)
2. Norwood PTO request for temporary Carnival signs (6. M.L. 5/2/13)
3. Jewish Family Service “JFS Wheels for Meals” (9. M.L. 5/2/13)

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

4) REPORT – The Borough Administrator reported we are scheduled to have three Senior Service students start in a couple of weeks and he received the Certificate of Insurance from the High School for same.

Mr. Sheola reminded the Memorial Day Parade will take place on Monday, 5/27/13, starting at 10:30 a.m. He extended credit to Leslie Weatherly, the Closter Elks and the American Legion for coming together and putting the parade together when it didn't look like it was going to happen. He realizes he is leaving out quite a few people but wished to thank them as well.

At this time, Councilman Glidden asked for a status report on the park bathroom projects. Mr. Sheola reminded that at the last meeting there was a motion to resolve the payment dispute with the architect. He said Mr. Glidden spearheaded the effort in resolving the issue in his absence. The Plumbing Inspector denied the permit for the building because it was four inches too small for compliance with ADA requirements. He said the architect has been made aware and promised a redrawn version rather quickly. Mr. Sheola requested a Closed Session to discuss this contract for the project going forward.

At this time, Mayor Heymann asked if the Administrator had any comments regarding the Recreation Commission's request for Labor Day Activities. Mr. Sheola informed he reviewed them today and hopes to have them for approval at the next meeting.

B. BOROUGH CLERK

1) STATUS REPORT RE 2013 APPOINTMENTS – Borough Clerk informed she would include this item with the second one as Arlene, her Deputy, has returned and has updated the numbers.

2) STATUS REPORT RE 2013 OATHS OF OFFICE – Ms. Castano reported of the 132 appointments made at the Reorganization Meeting, 122 Oaths have been received and 10 are outstanding; of the 16 appointments made after the Reorganization Meeting, 8 have been received and 8 are outstanding; of the 58 Citizen Leadership Oaths sent 39 have been received and 19 are outstanding. She will inform the Liaisons to enable them to follow through with their respective boards and commissions.

3) STATUS REPORT RE 2013 LICENSES – The Borough Clerk reported the following:
a. Annual Licenses – Current with the exception of one which is being held out pending appearance before the Mayor and Council for consideration of a reduction in the Live Entertainment fee; and no request for same has been received as of yet.

b. Liquor License Renewals – We have 13 Licensees in the Borough and this year the Division of Alcoholic Beverage Control is requiring complete 12-page applications for renewal of Licenses for July 1, 2013 - June 30, 2014. Most of the Licensees are confused and think that her office is requiring this application to punish them but she has explained that this is a requirement of the State that they customarily do every 6 or so years. This year three Licensees require a Special Ruling prior to renewal: RoseMarie O'Connors/formerly Ondine's; Modern Bar, LLC/formerly Closter Rec. on Durie Avenue; and Topside/formerly Korea Palace on Piermont Road. She explained that this Special Ruling requires the applicant to prove they have made every possible effort to obtain a purchaser for the license but have been unsuccessful.

4) STATUS REPORT RE 2013 MEETING DATES – Ms. Castano reported Meeting Dates are current.

5) STATUS REPORT RE FINANCIAL DISCLOSURE STATEMENTS - The Borough Clerk reported she has received Local Finance Notice 2013-13 (issued 3/26/13) and 2013-14R (issued 4/16/13) from the Local Finance Board indicating a new procedure to be followed regarding electronic submission of Financial Disclosure Statements. She explained that after several attempts, she was successful in transmitting her statement adding that it is a new adventure that she thinks everyone will find to be less painful. The Board of Ethics will no longer have to review paper statements for completeness. The new process requires the LGO (Local Government Officer) to fill out the form and submit it electronically. The only item her office will receive is an Electronic Filing Receipt containing the date, receipt number and the filer's signature, not a copy of the form itself. Ms. Castano added that the Local

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

Finance Board issued directives that if a municipality has a local Ethics Board, they are the Agency responsible for dissemination of the information to the appropriate individuals. In response to the Administrator, Ms. Castano informed the “LGA (Local Government Agency) E-mail address” requested on the form should be filled in with the Borough Clerk’s e-mail address: boroclerk@closterboro.com. She reminded that tomorrow is the Board of Ethics meeting which the Borough Attorney will be attending; and offered to provide any contact information the Board would need to circulate the information.

6) REPORT RE FOLLOW UP FOR PROFESSIONAL CONTRACT

POSITION/ALTERNATE PROSECUTOR – Ms. Castano reported appointments were finally made for two Alternate Prosecutors: Andrew Cimiluca and Elsbeth Cruscius at the Regular Meeting held 4/24/13.

7) REPORT RE Elections - Ms. Castano reported the following:

a. Preparations for Primary - Two incumbent candidates filed applications for Republican Council which were submitted to the Board of Elections by deadline of 4/10/13: John C. Glidden, Jr. and Victoria Roti Amitai; No candidate’s names were filed for the Democratic Party; the Sample ballot was received from the County Clerk’s office on 4/25/13 which she approved and returned on 4/29/13. She explained that the County Clerk’s office is attempting to accomplish more electronically and so far it has worked well.

Our office will be open to the public on Tuesday, 5/14/13, from 9 a.m. to 9 p.m. in order to register voters for the Primary Election. The Deadline for filing of Vote by Mail Ballot for the Primary Election is 5/28/13.

b. Request for consideration for change in polling places – As requested by the Mayor and Council on 4/24/13, Ms. Castano faxed a letter to Eileen DeBari’s office, Board of Elections, asking for review and recommendation of alternate polling places other than the two schools. Districts 1, 3 and 5 are at Tenakill School and Districts 2, 4 and 6 are at Hillside School. She suggested the Closter Public Library (Community Room) and Closter Senior Citizens Center respectively. At this time, she is awaiting response from the Chairperson of the Board of Elections.

8) REPORT – The Borough Clerk reported she and Arlene attended a Bergen County Clerk’s Association luncheon/seminar on Paperless Packets on 4/18/13; and of the 70 municipalities present that were asked who utilized paperless packets, approximately 5-7 responded affirmatively. She voiced her opinion that we are really making progress and thanked Wanda Worner (Northvale Borough Clerk/Office Manager) and Arlene Corvelli.

C. CHIEF OF POLICE

1) REPORT – Chief Kaine reported that last Saturday they successfully hosted the prescription drug buy-back program and filled up 4 garbage cans of unused and expired medications.

Chief Kaine reported they had the Bergen County Sheriff’s Department Inmate Work Release Program in town last month and they painted at the DPW and cleaned up the parks.

The Chief reiterated what he reported earlier that Detective Aiello was trained for school safety assessment; and they can offer their services to the Temples and Churches in town.

Chief Kaine reported that tomorrow he is attending the State Board of Police Chiefs for final approval of reaccreditation for the next 3 years.

The Chief reported the Borough applied for a Click-It or Ticket Grant but was denied because funding ran out. He was told they would be given priority for the Dry, Sober, Pull Over Program in September once they apply for it. This would be in coexistence with the DWI enforcement fund we already have. He reported the Police Department has already started DWI details due to the upcoming prom season.

7. REPORTS (Continued)

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED

1. NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM SUPPORTING THE DESIRE OF THE ENVIRONMENTAL COMMISSION TO OBTAIN A GRANT IN A MAXIMUM AMOUNT OF \$25,000 TO FUND THE EXTENSION OF THE CROSS CLOSTER TRAIL PROJECT; SAID GRANT PROGRAM REQUIRES A CASH MATCH OF 20% OF THE AMOUNT AWARDED OR A MAXIMUM AMOUNT OF \$6,250.00 (Authorized RM 2/8/12)
2. 2013 ROID GRANT (REC OPPTS FOR INDIVIDUALS WITH DISABILITIES DIFFERENTLY ABLED CHALLENGER RECREATION PROGRAM - \$10,000) Authorization for application RM 6/13/12
3. 2013 CDBG GRANT APPLICATION IN THE AMOUNT OF \$326,300 TOWARDS POTENTIAL \$435,000 RENOVATION/REHABILITATION PROJECT FOR THE EXTERIOR OF BOROUGH HALL (Authorized RM 9/24/12) – Mayor Heymann reported

we applied for \$326,000 and received only \$10,000 to pay for automatic doors in Borough Hall. In response to Councilman Glidden’s inquiry, the Administrator affirmed that we did budget for an amount of \$180,000 in the Open Space/Historic Preservation Ordinance that is up for public hearing this evening. This amount is just to start the exterior renovations of Borough Hall and will only cover a small portion of it as the entire job is estimated to cost between \$450,000 to \$460,000. He said that Community Development determined that the building is not historic and that is why we received only \$10,000 for the handicap accessible doors.

b. AWARDED

1. 2011 BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND GRANT – LAND ACQUISITION IN THE AMOUNT OF \$283,000 FOR THE PURCHASE OF BLOCK 1805, LOT 1, COMMONLY KNOWN AS THE CLOSTER SWIM CLUB AT BLANCH AVENUE (RM 8/10/11)/Awarded \$283,000 (7. M.L. 6/14/12)

c. TO BE FILED - To be announced by Mayor

- 2) REPORT - Mayor Heymann reported there have been issues with the air conditioning in Borough Hall and they will be doing something to take care of it posthaste because it has been creating dissention among the staff; some who are always cold and some who are too warm.

Mayor Heymann informed she was a guest at the Chamber of Commerce and she feels it was a good meeting where she had the opportunity to tell them what the Borough is doing to encourage retail activity in the Borough and she took notes of some suggestions. It was noted some of those things are already in progress and she feels that we are working very well with them.

The Mayor reported that Closter Plaza had promised to have plans in on Monday but as of yet, they have not been received. If they come in this week, they will be looking for perfection from the Planning Board in June. Also at the June meeting, there is scheduled to be a report by Borough Planner, Frank Banisch and she encouraged everyone to attend on the first Wednesday in June (6/5/13).

Mayor Heymann reminded that last year a considerable amount of time was spent discussing maintenance on vacant homes; and she wished to bring to their attention some recent articles in The Record. She reported that in March they were provided with a report from Property Maintenance Officer Jim Whitney as to a status and she thinks there will be more additions to that list at this point. She suggested that the Public Works Committee take up discussion on the issue to determine how they want to proceed. The Borough Attorney advised they need to identify the status of the homes – for example how far into the process the home is. If it has already been purchased by the bank, they have had some success in the past working through them to get the issues taken care of. If the house is listed as in foreclosure, it could be at the very beginning of the process; and that is when the problem arises regarding locating the homeowner who has abandoned the property when the bank does not yet own it. The Borough Attorney advised that from a fiscal standpoint, it would be worthwhile to find out if the properties are under water because the only way to collect the costs incurred for maintenance is at the time the property is sold. If the mortgage is higher than the selling price, we would not get back any money we have spent; and that is a

7. REPORTS (Continued)

D. MAYOR (Continued)

2) REPORT (Continued)

policy decision the Governing Body has to consider. If there is some equity in the house, it would be an easier call because at some point in the 1 to 2 years following, the money due could be collected; but if there is no equity, our tax lien could potentially be exposed. In answer to the Mayor, he clarified that a lien is an added assessment. He noted the DPW Superintendent had some concerns about taking up DPW time to complete these tasks because some of these properties had gotten very involved rather than just cutting grass. Mr. Rogan advised that it be discussed through a committee with Billy Dahle's input; and a policy decision should be made to either expend funds or utilize the DPW staff.

At this time, Mayor Heymann asked the Council for consideration regarding the Bond Ordinance up for public hearing tonight for the roads in the Borough. She wanted to point out part of the bond is to repair the parking lot for the Borough, which as everyone knows is in really bad shape. On the other hand, there is a small possibility that they would improve the parking for commercial purposes throughout the Borough; and the parking lot would have to be redone at that point. Another possibility is to improve the aesthetics of the Borough by working on curbing instead. The curbs on High Street are pretty badly damaged and a repair to those would greatly improve the appearance of the town to people passing through and make the town look spiffier. She asked for any comments on this issue.

In answer to Mrs. Latner, the Mayor explained the bond issue is pretty high; and if we spend it all, we are putting ourselves into debt for over \$1 million. She said there is good reason for it right now as interest rates are very low and some of the products we need to use, such as asphalt, are still at a low cost. On the other hand, if we decide to proceed with the program as is, and passing the bond issue doesn't necessarily mean that they will, she just wanted everyone to be able to express themselves as to how they want the money spent in that regard. Mr. Glidden voiced his opinion that he would like to take some time to review the alternatives the Mayor presented. Mayor Heymann said one alternative is to not do any of them and keep the bonds lower. Ruckman Road and Oakland Avenue are being done as part of the \$150,000 grant we received but it is included in the bond issue also because we have to pay the money up front before we are reimbursed. The Borough Engineer said the other pieces of these projects include Perry Street, the Fire House driveway, walking path at Ruckman Park and parking lot behind Borough Hall. The Mayor said one alternative is to skip the parking lot and keep overall spending lower, or to replace that with an equal amount of curbing or anything else they may choose. Mr. DeNicola informed they could complete roughly 5,000 linear feet or almost one mile of curbing with that money. Mr. Glidden asked that they be able to think about it and come back at a later time as this is the first mention of alternatives to the project.

Mayor Heymann informed there will finally be a meeting of the Local Emergency Planning Committee next week but she does not think she will be able to attend as it may be a Jewish holiday.

The Mayor informed that she has been having conversations with the Mayor of Haworth regarding sharing the Senior Bus with Closter. Presently we have an arrangement with Northvale that is not as adequate as the Seniors would like it to be; and the thought is that there may be better service with Haworth. In response to Dr. Barad, she explained that the bus will bring the Seniors to the Senior Meeting; and if they give enough notice, they will take them to doctor appointments. She said the Haworth bus takes them shopping in addition.

Mayor Heymann informed that the final meeting on the lightning detector proposition will be held in Harrington Park on 5/21/13.

At this time, Mayor Heymann requested a Closed Session to discuss Housing Trust Fund issues.

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MAY 8, 2013 - 7:30 P.M.

8. OLD BUSINESS
9. NEW BUSINESS
10. 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

Mayor Heymann opened the meeting to the public.

Leslie Ringlestein, 1 County Road, Closter, recapped the status of the sale of the Lustron property and noted that there are no offers or interest in the property after 4 months. She questioned the status of the Borough purchasing the property noting that designation would make the property worth \$250,000 whereas it is on the market today for \$389,000. Borough Attorney explained that the possibility of purchasing the property would be a matter under discussion in Closed Session first; and if there is an interest, the owners would be contacted. Ms. Ringlestein noted that her realtor has been approached by United Way on the property and she would need direction inasmuch as an appraiser would be visiting the property on Monday. Mr. Rogan advised that nothing has happened as yet; therefore, the Council could not offer any guidance.

In answer to Re Hartwell, 1 Bradley Place, Borough Attorney advised that the deadline for the cell tower is at the end of the year; and Mayor Heymann said there have been ongoing discussions on the matter including the formation of a committee. Ms. Hartwell referred to the Closter Plaza and questioned when a decision on the matter has to be made. Mayor Heymann noted that the Plaza is private property; therefore, the Borough has no input except to make a decision on the plans that would be submitted. She said at this point, the 50% owner intends to appear before the Planning Board with new plans, hopefully, at the Board meeting to be held on 6/1/13.

Relative to Metropolitan Plant Farm, the Borough Attorney said that the Agricultural Board and State Statute determine the difference between commercial property and farmland. A farm has a definition in the statutes from the perspective of the State. As to complying with other regulations, there may be violations that prevent the activity; and action would have to be taken at the time of the violation on Hickory Lane. Mr. Rogan noted that most farms are in residential areas and are a permitted use in any area of Closter.

Raymond Cywinski, Mayor of Demarest, and employed by United Water New Jersey appeared before the Council. He made a presentation on a wetlands mitigation project to be undertaken by the Port Authority of New Jersey on Lake Shore Drive which consists of 14½ acres and fits the criteria for the project. He said they are awaiting final permits from the DEP and the Army Corps of Engineers. The project consists of removing invasive plant species, planting native trees and shrubs and installing a deer fence to allow the trees and shrubs to grow. In addition, amendment to the Agreement has been discussed to include an adjacent 29 acres for wetlands mitigation. This would also be an opportunity to accomplish some forest stewardship and restore the property that was devastated during Superstorm Sandy. The plan requires the Green Vest Company to monitor and replace plants for the next five years and would overlay on the present conservation easement. No trees would be removed under the mitigation project, only vegetation. The area, which is totally fenced in, is open to Recreation Programs such as fishing, hiking and bird watching and is accessed from Lake Shore Drive. Some herbicides and pesticides approved by the DEP would be used on the invasive vegetation; but the ground water would be monitored after a baseline survey is accomplished; and after the permits are received, the work should be completed in the Fall. He noted that the adjacent 29 acres are mostly in the north and east of Closter and is only a proposal at this time.

Re Hartwell, 1 Bradley Place questioned if the meeting could be opened to the public in the beginning. Mayor Heymann said that this matter has been discussed and seems to work best for all involved.

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MAY 8, 2013 - 7:30 P.M.

Jesse Rosenblum, 65 Knickerbocker Road, referred to the United Water Company project and questioned how many acres would be turned into wetlands. Mr. Cywinski noted that it is a wetlands enhancement project and there would be no creation of bodies of water on this property. There should not be any mosquito control problems since there would be no standing bodies of water. Relative to drainage, the Borough Engineer cited the areas on the map provided by United Water.

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

Motion to adjourn the Work Session at 9:05 p.m. was made by Councilman Glidden, seconded by Councilwoman Latner and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
on May 17, 2013 for approval
at the Regular Meeting to be held
May 22, 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 May 22, 2013
Consent Agenda No. 21b