

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – OCTOBER 23, 2013 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:32 p.m.

1. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was published in The Record and the Star Ledger issues of January 8, 2013, was posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

2. ROLL CALL

The following persons were present:

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

3. MAYORAL APPOINTMENTS (NON-SALARIED) TO THE FOLLOWING BOARDS/COMMISSIONS:

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ENVIRONMENTAL COMMISSION			
Alt. No. 2	_____	2 Years	12/31/14

4a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 6, 17, 19 and 20 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.

RESOLUTIONS

5. RESOLUTION AUTHORIZING PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 0207-33-005-003 (*INACTIVE/POCKET*) FROM MODERN BAR, LLC TO 540 YOUNG LIMITED LIABILITY COMPANY
6. RESOLUTION AUTHORIZING THE ONE-YEAR EXTENSION OF THE CONTRACT BETWEEN MIELE SANITATION COMPANY AND THE BOROUGH OF CLOSTER FOR SOLID WASTE TRANSFER SERVICES TO EXPIRE ON DECEMBER 31, 2014 (Received from Borough Attorney 10/10/13)
7. RESOLUTION AUTHORIZING THE RENEWAL OF THE RECYCLING AGREEMENT WITH MIELE SANITATION COMPANY (Received from Borough Attorney 10/10/13)
8. RESOLUTION AUTHORIZING TAX COLLECTOR TO CANCEL TAXES RECEIVABLE FOR FINAL TAX 2013 IN THE AMOUNT OF \$4,007.86 AND PRELIMINARY TAX 2014 IN THE AMOUNT OF \$3,973.83 ASSESSED TO VAN SCIVER CORP, 1 RAILROAD AVENUE, AS PART OF PILOT PROGRAM (Received from Tax Collector 10/10/13)
9. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEAR 2012: JEONG WOOK HWANG V. CLOSTER FOR BLOCK 2205 LOT 21, 55 TAYLOR DRIVE (Received from Borough Attorney 10/10/13)
10. BOROUGH OF CLOSTER RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEAR 2012: ROSS GROUP HOLDINGS, LLC V. CLOSTER FOR BLOCK 602, LOT 12, 149 DURIE AVENUE (Received from Borough Attorney 10/10/13)
11. RESOLUTION APPOINTING LORETTA CASTANO AS ACTING BOROUGH ADMINISTRATOR WITHOUT ADDITIONAL COMPENSATION FROM NOVEMBER 14, 2013 TO NOVEMBER 25, 2013 DUE TO THE ABSENCE OF THE BOROUGH ADMINISTRATOR (Received from Administrator 10/16/13)

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12. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR THE 2013 TONNAGE GRANT IN THE AMOUNT OF \$15,479.05 (Received from Administrator 10/16/13)
13. RESOLUTION AWARDING CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES (TO BOSWELL MCCLAVE ENGINEERING IN CONJUNCTION WITH THE REMEDIATION OF CONTAMINATION AT THE DPW FACILITY (110 RUCKMAN ROAD) PER PROPOSAL DATED 10/9/13 FOR AN AMOUNT NOT TO EXCEED \$23,800.00) (Received from Administrator 10/16/13)
14. RESOLUTION AUTHORIZING MAYOR TO SIGN AGREEMENT RE E-TICKETING TURNKEY SYSTEM (FROM GOLD TYPE BUSINESS MACHINE, INC.) (Received from Administrator 10/16/13)
15. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$154,264.03 AND ISSUE A RETURN OF PREMIUM FROM ESCROW IN THE AMOUNT OF \$52,500.00 TO US BANK CUST FOR SASS MUNI VI DTR FOR THE REDEMPTION OF TAX SALE CERTIFICATE #10-00007 EFFECTED 10/16/13 FOR PROPERTY LOCATED AT 626 CLOSTER DOCK ROAD, BLOCK 2404, LOT 18, SOLD AT THE MUNICIPAL TAX SALE HELD ON 9/29/10 FOR 2009 DELINQUENT TAXES (Received from Tax Collector 10/16/13)
16. RESOLUTION TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDING CONTRACTS FOR CERTAIN CONTRACTS AWARDED IN THE BOROUGH OF CLOSTER FOR THE FOLLOWING POSITIONS: BOROUGH ATTORNEY, BOROUGH BOND ATTORNEY, BOROUGH APPRAISER – COMMERCIAL PROPERTIES, BOROUGH APPRAISER – RESIDENTIAL PROPERTIES, BOROUGH PUBLIC DEFENDER, BOROUGH PROSECUTOR, BOROUGH ALTERNATE PROSECUTOR, ATTORNEY TO THE PLANNING BOARD, ATTORNEY TO THE BOARD OF ADJUSTMENT, BOROUGH PLANNER (MASTER PLAN REEXAMINATION), COAH PLANNER, BOROUGH AUDITOR, BOROUGH ENGINEER; INCLUDING PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT, RISK MANAGER, DULY LICENSED PERSONNEL TO CARRY OUT THE FOLLOWING PUBLIC HEALTH ACTIVITIES (a) PUBLIC HEALTH ADMINISTRATION: HEALTH OFFICER, ELECTRONIC INFORMATION NOTIFICATION (LINCS), HEALTH EDUCATION (b) ENVIRONMENTAL HEALTH SERVICES – REGISTERED ENVIRONMENTAL HEALTH SPECIALIST (24 Hours per week) – ALL SERVICES IN (a) & (b) SHALL MEET “PUBLIC HEALTH PRACTICE STANDARDS OF PERFORMANCE FOR LOCAL BOARDS OF HEALTH IN NEW JERSEY” (Received from Borough Attorney 10/16/13)
- ~~17.~~ POSSIBLE RESOLUTION AWARDING BID TO _____ FOR THIRD PARTY PAYROLL SERVICES FOR 2014-2015 CALENDAR YEAR (Opening held 10/11/13 @ 11 a.m.) TO BE PREPARED BY ADMINISTRATOR/CFO
- 17a. RESOLUTION APPROVING ISSUANCE OF 2013 CERTIFICATE OF COMPLIANCE FOR ROAD STAR LIMOUSINE SERVICES FOR THE FOLLOWING LIMOUSINE: 2012 CHEVROLET SUBURBAN VIN# 1GNSKJE76CR320039 (Completed application filed, appropriate fees paid and approvals received from Borough professionals on 10/22/13)

MOTIONS

18. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 10/18/13)
 NO ABSTENTIONS:
 - a. REGULAR MEETING HELD 10/9/13
 - b. WORK SESSION HELD 10/9/13
- ~~19.~~ MOTION APPROVING APPOINTMENTS TO THE FOLLOWING BOARDS/COMMISSIONS:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
<u>BOROUGH</u>				
HISTORIAN	<u>William Cahill</u> (non-acceptance)	_____	1 Year	12/31/13
<u>IMPROVEMENT COMMISSION</u>				
Member/HP Liaison	<u>Irene Stella</u> (resigned)	_____	2 years unexp. (Stella) to	12/31/13
Member	<u>Tina Stratton</u> (non-acceptance)	_____	2 Years	12/31/14
Member	<u>(Cherylin Clarke)</u> (resigned)	_____	2 Years unexp. (Clarke) to	12/31/13
Alt. No. 1	<u>Shiran Slutzky</u> (resigned)	_____	2 Years unexp. (Slutzky) to	12/31/13
Alt. No. 2	<u>Wilson Reimers</u> (non-acceptance)	_____	2 Years	12/31/14

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~~20.~~ MOTION GRANTING APPROVAL FOR CLOSTER RECREATION COMMISSION TO CLOSE “PLAYING FIELDS (GRASSY AREA)” AT MEMORIAL PARK COMMENCING 11/10/13 AND RUCKMAN PARK COMMENCING 11/4/13 WITH TENTATIVE DATE FOR REOPENING (WEATHER PERMITTING) ON 4/20/13 (4. M.L. 10/17/13)

21. MOTION APPROVING RAFFLES APPLICATION FOR TEMPLE EMANUEL OF CLOSTER TO CONDUCT ON-PREMISE CASINO NIGHT AT 180 PIERMONT ROAD ON THURSDAY, 11/14/13, FROM 7:30 P.M. TO 11:30 P.M. (Completed Application filed and appropriate fees paid)

22. REPORTS

- a. CHIEF OF POLICE – SEPTEMBER 2013 (Received 10/9/13)
- b. ZONING BOARD OF ADJUSTMENT - 2011-2012 MERGED ANNUAL REPORT (Received 10/18/13)

4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

6. RESOLUTION AUTHORIZING THE ONE-YEAR EXTENSION OF THE CONTRACT BETWEEN MIELE SANITATION COMPANY AND THE BOROUGH OF CLOSTER FOR SOLID WASTE TRANSFER SERVICES TO EXPIRE ON DECEMBER 31, 2014 (Received from Borough Attorney 10/10/13)

Councilman Barad asked for clarification of the wording relative to the length of the contract; and Borough Attorney said that originally it was a three-year contract with two-one year options to renew at the Borough’s discretion. This contract would also memorialize the change in the tipping fees from \$74 to \$70 (per ton); and the renewal of the contract would be January 1st for the year 2014. Mayor Heymann noted that in order to make any major changes, the Borough would have to go out for bid; and at this time, there isn’t sufficient time to do so; but it could be done in the coming year. Borough Attorney noted that this isn’t solely for the purposes of dumping of our trash; and if the Borough would opt next year to go private and the carter wished to dump the trash elsewhere, it would be part of that contract. This contract basically provides the Borough with a continuation of location where our solid waste has been dumped and it leaves the Borough with options for privatization in the coming year as noted in paragraph 7.

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

~~20.~~ MOTION GRANTING APPROVAL FOR CLOSTER RECREATION COMMISSION TO CLOSE “PLAYING FIELDS (GRASSY AREA)” AT MEMORIAL PARK COMMENCING 11/10/13 AND RUCKMAN PARK COMMENCING 11/4/13 WITH TENTATIVE DATE FOR REOPENING (WEATHER PERMITTING) ON 4/20/13 (4. M.L. 10/17/13)

Councilman Barad said he would be most comfortable with saying “specified grassy areas on the playing fields”. No objections were expressed by Council members. The amended Motion to read as follows:

20. MOTION GRANTING APPROVAL FOR CLOSTER RECREATION COMMISSION TO CLOSE SPECIFIED GRASSY AREAS IN THE PLAYING FIELDS AT MEMORIAL PARK COMMENCING 11/10/13 AND RUCKMAN PARK COMMENCING 11/4/13 WITH TENTATIVE DATE FOR REOPENING (WEATHER PERMITTING) ON 4/20/13 (4. M.L. 10/17/13)

Motion of approval, as amended, 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.

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. No one wishing to be heard, Mayor Heymann closed the meeting to the public.

23a. Motion approving the following Closed Session Resolution at 8:45 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, Dolson and Amitai.

OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION, authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A.10:4-12(b)(7), “Pending or anticipated litigation or contract negotiations relative to tax appeal matters, open space and construction contracts” and N.J.S.A. 10:4-12(b)(8), “Two matters involving public employees” and the items under discussion in the closed meeting would be disclosed to the public at the conclusion of these matters which should be within 12 weeks.

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Mayor Heymann resumed the Regular Meeting at 9:35 p.m.

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

25. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:35 p.m. was made by Councilman Kashwick, seconded by Councilwoman Latner and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on
October 31, 2013 for approval at the
Regular Meeting to be held
November 13, 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 November 13, 2013
Consent Agenda Item No. 16a.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – OCTOBER 23, 2013 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session Meeting on Wednesday, October 23, 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 (7:45 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 (7:55 p.m.)

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF OCTOBER 10, 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 Councilwoman Amitai; Item No. 12 was removed by Borough Clerk.

Item No. 4: Received 10/04/13, dated 10/04/13 from egg@dca.state.nj.us to closterboroughclerk@yahoo.com re Link to P.L. 2013, c. 107 Amending Municipal Land Use Law signed by Governor Christie on 8/7/13; allows certain structures to be elevated and repaired without a zoning variance or other developmental approvals (Copy to Land Use Coordinator/Planning, Land Use Coordinator/Zoning, Zoning Officer)

In answer to Councilwoman Amitai, the Borough Attorney voiced his understanding that this does not affect Closter but it is geared more towards the shore municipalities which were required to be raised on pillars. He explained this is a Sandy-related litigation where it was required that before a house was rebuilt, it had to be placed on stilts; and Governor Christie is trying to address it to make it easier for those people to get their insurance money to rebuild.

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Item No. 12: Received 10/09/13, dated 10/07/13 from David N. Grubb, MEL Executive Director, to Member Municipalities & Authorities, Municipal Excess Liability Joint Insurance Fund re Elected Officials' Training Seminars at the 2013 League of Municipalities – 11/19/13 @ 3:45 p.m. – Taj Mahal Diamond Room A/B; 11/20/13 @3:45 p.m. – Atlantic City Convention Center Room 302 (Note: The MEL will reduce each member's 2014 liability claims premium by \$250 for each municipal elected official who completes the course by 5/1/14)

The Borough Clerk wished to remind all that for each elected official that attends this course, the MEL will reduce each member's 2014 liability claims premium by \$250 if completed by 5/1/14; and she noted this item is on the Best Practices Inventory. Mayor Heymann noted that since so few members will be attending the League Conference, she has asked the JIF to schedule a meeting here in the Northern Valley and they will give us a date.

b. MAIL LIST OF OCTOBER 17, 2013 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 6 was removed by Councilwoman Amitai; Item No. 9 was removed by the Borough Clerk.

Item No. 6: Received 10/15/13, dated 10/11/13 from Edward B. Baker, Project Manager, Ensafe, to Loretta Castano re Informing that pursuant to New Jersey Administrative Code Administrative Requirements for the Remediation of Contaminated Sites (ARRCS) 7:26C(h)(2)(iii), Weyerhaeuser has chosen to change the method of public notification for the Former Weyerhaeuser Facility, 10 Railroad Avenue, to the posting of a sign in lieu of letter notification; copy of sign attached (Copy to Board of Health, Construction Official, Environmental Commission)

Councilwoman Amitai asked if this type of notification is in conformance with the law as it seems unfair to the residents to do it this way. The Borough Attorney offered to look into the matter further and report back but voiced his understanding that it is in conformance. Councilwoman Amitai voiced her opinion it would be better for these properties to send a letter notification and thanked the Borough Attorney for looking into the matter.

Item No. 9: Received 10/17/13, dated 10/17/13 from Paul Demarest, Coordinator, Zoning Board of Adjustment, to Governing Body, Planning Board re 2011 & 2012 Merged Annual Report (per N.J.S.A. 40:55D-71)

The Borough Clerk explained this item is a report that is to be received annually and noted this is a merged report for 2011-2012. She asked for guidance if the Governing Body wished to have this item on a future Agenda for discussion; and the Borough Attorney affirmed same. Mayor Heymann said this could be an item for the Joint Boards but it certainly deserves a considerable amount of discussion. The Borough Attorney explained this is required by Statute; and it is a very good procedure because the Zoning Board sees the actual problems and reports to the Governing Body what they perceive to be problems. There could then be an ordinance to eliminate or at least address those issues. Mr. Rogan suggested that everyone review the report before the next meeting and advised they should have a detailed discussion on it at that time. The Borough Attorney voiced his opinion that some of the suggestions in the report are very good. Councilman Dolson informed he had a brief discussion relating to zoning issues; and one that came up, was the recent revision to the inspections. He said this report is almost two years old; and it would be more helpful for us to do our jobs if it were received in a more timely fashion. The Borough Attorney advised he wished to remind the Zoning Board of Adjustment that this report is required annually; theoretically required by the end of each year.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of October 23, 2013)

Mayor Heymann asked if anyone wished to remove any item for discussion. Borough Administrator referred to Item No. 17; Councilwoman Amitai referred to Item No. 6; Borough Clerk referred to Addendum No. 1 - Item No. 17a; Councilman Kashwick referred to Item No. 20.

Councilman Barad entered the meeting at 7:45 p.m.

6. RESOLUTION AUTHORIZING THE ONE-YEAR EXTENSION OF THE CONTRACT BETWEEN MIELE SANITATION COMPANY AND THE BOROUGH OF CLOSTER FOR SOLID WASTE TRANSFER SERVICES TO EXPIRE ON DECEMBER 31, 2014 (Received from Borough Attorney 10/10/13)

Councilwoman Amitai referred to the above noted item and recalled that some alternatives were being investigated. The Borough Attorney reminded that Solid Waste requires 60 days notification; and it was agreed at the last meeting to place this item on the Agenda for approval in the interim. The DPW Committee recommended waiting until 2014 to allow the appropriate amount of time for the process to be completed.

17. ~~POSSIBLE~~ RESOLUTION AWARDDING BID TO _____ FOR THIRD PARTY PAYROLL SERVICES FOR 2014-2015 CALENDAR YEAR (Opening held 10/11/13 @ 11 a.m.) TO BE PREPARED BY ADMINISTRATOR/CFO

The Borough Administrator requested this item be adjourned to the November 13, 2013 Regular Meeting.

17a. RESOLUTION APPROVING ISSUANCE OF 2013 CERTIFICATE OF COMPLIANCE FOR ROAD STAR LIMOUSINE SERVICES FOR THE FOLLOWING LIMOUSINE: 2012 CHEVROLET SUBURBAN VIN# 1GNSKJE76CR320039 (Completed application filed, appropriate fees paid and approvals received from Borough professionals on 10/22/13)

The Borough Clerk informed this item was added on Addendum No. 1 because the owner of the vehicle would have had to wait three additional weeks until the next meeting for approval to be able to continue his business.

20. MOTION GRANTING APPROVAL FOR CLOSTER RECREATION COMMISSION TO CLOSE "PLAYING FIELDS (GRASSY AREA)" AT MEMORIAL PARK COMMENCING 11/10/13 AND RUCKMAN PARK COMMENCING 11/4/13 WITH TENTATIVE DATE FOR REOPENING (WEATHER PERMITTING) ON 4/20/14 (4. M.L. 10/17/13)

Councilman Kashwick referred to this item to ensure Councilman Barad was comfortable with the wording of the request as he has done in the past. In answer to Mayor Heymann, Councilman Barad said the wording is misleading and should only include "grassy area" and not "playing fields". He requested the parenthesis be removed because it would clarify what the intent is; and Councilman Glidden affirmed same stating that he believes the modified wording would accomplish the intent of the Recreation Commission. The intent is to close the grassy playing field and not the entire park.

The Borough Attorney advised that it could be verbally stated in the record for this evening that the parenthesis would be removed prior to a vote being taken.

6. COMMITTEE REPORTS

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

- 1) STATUS REPORT RE CLOSTER WEBSITE
- 2) REPORT – Councilman Dolson referred to Consent Agenda No. 15

“RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$154,264.03 AND ISSUE A RETURN OF PREMIUM FROM ESCROW IN THE AMOUNT OF \$52,500.00 TO US BANK CUST FOR SASS MUNI VI DTR FOR THE REDEMPTION OF TAX SALE CERTIFICATE #10-00007 EFFECTED 10/16/13 FOR PROPERTY LOCATED AT 626 CLOSTER DOCK ROAD, BLOCK 2404, LOT 18, SOLD AT THE MUNICIPAL TAX SALE HELD ON 9/29/10 FOR 2009 DELINQUENT TAXES (Received from Tax Collector 10/16/13)”

He informed a resident had complained about the condition of properties on Closter Dock Road; and this item reflects one of those properties, referred to as “the Alamo”. He noted close to \$200,000 is being redeemed for 2009; but 2010, 2011, 2012 and 2013 still need to be caught up on. Mr. Dolson voiced his understanding that this is an indication that it is moving forward and coming out of bankruptcy and will be renovated and occupied. He believes we will get the best of both worlds in that it is happening; and it won’t continue to be an eyesore to people traveling through this town because it’s a main road. He noted the application was recently approved by the Zoning Board so this project will move forward.

Councilman Dolson reported he reviewed the past 9 months of financial statements they all receive copies of; and said we seem to be right on target with the budget. He noted the collections for taxes in arrears are a little over 80% which is nice in addition to current taxes being collected. Mr. Dolson reminded that taxes are due 11/1/13. Mayor Heymann informed that tax payments are coming in early.

Councilman Dolson reported the Board of Health did not meet this month for lack of an Agenda; and because of that, they are discussing only meeting every other month. He explained he was not sure of the best way to approach it because if you schedule and advertise them every month, you can always cancel; but if you schedule them every other month, if they need to meet, they will have to hold a Special Meeting. Mayor Heymann voiced her understanding the Board wants to change their ordinance.

The Borough Attorney advised it would be best to advertise for every month and then cancel a meeting if need be. He said the room for error is too great if you have to keep calling Special Meetings in terms of complying with the requirements of the Open Public Meetings Act. Therefore, Mr. Rogan advised it would be much better practice to publish the dates for the entire year and then cancel as necessary so they would be covered for the year.

In answer to Mayor Heymann, Mr. Dolson informed he thinks they should respond to the (Special Meeting Notice) notification they received from the Board of Health advising them that it would be more practical to publish for the entire year and cancel when needed, as they have already done so this year.

Councilman Barad reminded the Code states the Board of Health shall meet every month so they are obligated to do so; and he suggested recommending to the Board that they publish for every month and cancel meetings as needed to comply with the Code. The Borough Clerk noted the complications regarding passage of ordinances by the Board of Health if the schedule were to be changed. The Borough Attorney suggested simply changing “shall meet” to “shall schedule”; Mayor Heymann explained there would still be a major cost involved to codify the ordinance to change one word. Mr. Dolson said he would speak with the Board about this at the next meeting.

6. COMMITTEE REPORTS (Continued)

B. PUBLIC SAFETY - GLIDDEN (LATNER/BARAD)

1) REPORT – Councilman Glidden informed he had nothing new to report regarding Public Safety.

Councilman Glidden reported the Recreation Commission had discussions regarding installation of cameras at the fields so he asked them to come up with some ideas for the Council to review. He reminded the Halloween Parade is October 27, 2013 at 12:30 p.m.

C. PUBLIC WORKS - LATNER (DOLSON/GLIDDEN)

1) REPORT – Councilwoman Latner reported the Library held a book sale and raised almost \$4,000; and she thanked all involved with making the sale a success. She informed there will be a new app offered through the Library for magazines so if one has an iPad or Android etc., the Library purchased a new app that you will be able to access a database of current periodicals and magazines. Using your Library Card you will be able to download the app and access the information.

Councilwoman Latner reported the DPW Committee discussed the Resolutions that are on the Agenda this evening in addition to the Green Team’s request for recycling receptacles. She noted they do not want to lose sight of the request; and informed they would be holding further discussions. The Borough Administrator informed he was shown a catalog by the Mayor which had “twin cans”; one for recyclables/the other for other recycling materials, which did not seem to be overly expensive at \$230 apiece, and he thinks would look good in the downtown area. He said he would speak with Bill Dahle in the next few days regarding same. Mrs. Latner affirmed this would be in addition to the regular trash cans already in the downtown area and two or three near eateries would be sufficient.

Chief Kaine entered the meeting at 7:55 p.m.

Councilwoman Latner reported the Board of Education at the High School has received a lot of press regarding the RDT issue. She informed the next meeting is next Tuesday instead of Monday so the Policy Committee could meet.

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported the Ordinance Committee met yesterday and discussed the ordinance regarding the North Borough Parking Lot. He informed the limit would be 2 hour parking in the area close to the stores with no overnight parking from 2 a.m. to 6 a.m. Although the ordinance does not specifically address the wording, they will have to discuss the signage that will go up regarding the regulations. Dr. Barad reminded there have been many people from different Borough groups working on the sign ordinance for the past two years; and they have something that is coming near to completion. They hope to be able to introduce it sometime this year; but it would not be in place until next year. Councilman Barad reported the next Ordinance Committee meeting is scheduled for 11/12/13.

2) REPORT

6. COMMITTEE REPORTS (Continued)

E. HUMAN RESOURCES - KASHWICK (DOLSON/LATNER)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick reported the Human Resources Committee met a couple of times this month regarding evaluations of the senior leadership in the Borough. We will meet again in the next few weeks to discuss 2014 evaluations. Councilman Kashwick reported some changes need to be made to the Personnel Manual; and said he was not sure where the process would start. All were in agreement that the HR Committee should make recommendations and then present them to the Ordinance Committee for follow-through to be brought to the Council. In answer to Dr. Barad, Mr. Kashwick noted these are just changes to the Manual; not the ordinance itself.

2) REPORT – Councilman Kashwick reported the Shade Tree Commission met last week and they spent the majority of the meeting discussing the 5 Year Community Forestry Management Plan which is being prepared by Paul Cowie. The report should be finished in the next few weeks; and we should have certification before the end of the year.

Councilman Kashwick reported the Environmental Commission is holding the annual Harvest Festival this Saturday, 10/26/13 from 3 p.m. to 5 p.m. at the MacBain Farm and the rain date is Sunday.

Councilman Kashwick reported he was unable to attend the Historic Preservation Commission meeting but noted that the “Talks with Toby” series starts up again today for its new season.

At this time, Councilwoman Amitai questioned if the Borough Engineer had brought along the tax maps for the intersection of Homans Avenue and Herbert Avenue so they could discuss trees in that location; to which he affirmed same. Councilwoman Amitai referred the maps to Mr. Kashwick for discussion by the Shade Tree Commission.

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

1) REPORT – Councilwoman Amitai reported the Planning Board has been meeting diligently regarding the application for Closter Plaza; and it appears that before the end of the year, some decision will be made. In answer to Mrs. Latner, she informed all of the testimony has been heard from the Applicant’s witnesses and they hope to come to a conclusion shortly.

Councilwoman Amitai reported the Closter Improvement Commission plans to hold a bigger and better music festival next year, tentatively scheduled for 9/18, 9/19, 9/20 and 9/21, 2014. The Commission had discussed having a sort of “spring fling” or carnival. Mrs. Latner informed she had a musician she would like to refer to the Commission who would be interested in helping out for next year’s event if it’s going to be of a musical nature again. The Commission discussed possibly holding a carnival or art fair in conjunction with other established entities; and they hope to finalize a plan at their next meeting.

Councilwoman Amitai reported the Building Department has been busy with some new construction and renovations. She said it appears in addition to Vantage getting Gold LEED Certification, there is a home on Carlson Court about to receive Silver LEED Certification. Mrs. Amitai informed the Electrical Inspector is out sick and they are in need of a temporary replacement. She reported Construction Official Mike Sartori has been making great strides in the box of old CCO’s in the Building Department.

7. OLD BUSINESS

Borough Engineer reminded that he had circulated a proposal for the Swim Club and questioned if the governing body would be going forward with same. Borough Administrator advised that there was a meeting with the Environmental Engineer yesterday; and we received a response they are seriously considering covering it but it still must be discussed with the EJIF. He said that he had forwarded the proposal, submitted by the Borough Engineer two years ago, to the EJIF engineer and indicated that there could be an increase in the proposal.

8. NEW BUSINESS

Mayor Heymann announced that our roads look much better upon completion of the road program. There are white line borders on Ruckman Road in lieu of curbs, a good section of Hickory Lane was done by PSE&G and there was an item in the Northern Valley Press submitted by the farm on Hickory Lane that was complementary with attractive photographs.

Mayor Heymann also announced that the Borough has independent COAH units consisting of three apartments that were built as part of the builder's obligation. Two will be available at 172 Closter Dock Road and one in the Kubitis Building. We are not investigating the best way to administer the units; and she outlined several ways of doing so: one would be hiring a specialist who would charge a flat fee plus a fee for each apartment, another would be a housing authority as part of a shared service and finally would be to administering the units in house, which was recommended by Keith Henderson of COAH.

Mayor Heymann reminded everyone about the Halloween Parade on Sunday and the Drug Collection on Saturday between 10 a.m. and 2 p.m. Chief Kaine said that the collection would be held at the Police Garage and used or unused prescription drugs can be dropped off but needles would not be collected. Relative to the drug use at Northern Valley, Mayor Heymann said one way to combat same is to increase education and Bergen County Health Services is promoting Drug Free Healthy Me from October 23rd to October 30th.

Councilman Barad questioned if the persons in charge of the Nativity Creche have been in touch with the Borough; and Councilman Glidden said that Nick D'Amico is in charge and he would continue to try and contact him.

9. OPEN MEETING TO THE PUBLIC FOR ANY MATTER PER NJSA 10:4-12(A)
(SUBJECT TO A 5-MINUTE LIMIT PER GENERAL RULE NUMBER 11) EXCEPT
FOR ITEMS SCHEDULED FOR PUBLIC HEARING AT THE REGULAR MEETING

Steve Isaacson, 97 Columbus Avenue, questioned the length of the contract for recycling relative to Item No. 7 on the Consent Agenda and Borough Attorney noted that same would be one year including paper collection. Mr. Isaacson referred to closing the fields and questioned the wording of the proposed resolution. Mayor Heymann said only portions of the playing fields would be closed, not the entire field, and barriers would be installed. Councilman Barad said that the infield areas would be closed off, not the entire field. Mr. Isaacson referred to the letter in the Suburbanite from the woman who was the litigant in the case relative to random drug testing and noted that this is the premise being used by the School District.

Mr. Isaacson advocated administering the COAH apartments in house noting that it was a simple operation. Relative to the Halloween Parade, Mayor Heymann noted that there are two separate events 15 minutes apart one sponsored by Recreation and one by the Farmers Market.

Leslie Ringelstein, 1 County Road, asked for an update on the Durie Avenue grant proposal. Borough Administrator said that same is currently being reviewed by Bergen County Open Space Historic Preservation Committee and there should be a decision in about a month. Ms. Ringelstein noted that the property has been on the market since the house was not designated and there has been very little activity. An interested buyer contacted the Borough Hall about tearing down the house; and the person responding said the Mayor was not available but that the house could possibly be torn down but same could be stopped by the Borough. Borough Administrator said he told the caller that there is a process that he was not completely familiar with but was outlined in the Administrative Code for demolition. He said he has seen letters from the Construction Official on demolition requests that were sent to different advisory boards and the Construction Official should be contacted on same. Ms. Ringelstein said she believes builders foresee problems with a request to demolish the house. She expressed appreciation for the support received from the Council and questioned what she should tell a prospective buyer about demolition. Borough Administrator said a prospective buyer should be told to read the Borough Code and contact the Construction Official for guidance.

Donald Schmidt, 162 Closter Dock Road, said he was a neighbor to the COAH units and noted that this matter was before the Zoning Board for a number of years but there is a taxpayer that does not believe in the Closter Code or the Hackensack Courts. He said the Mayor has indicated that everything is under control; but tonight he heard that there is no committee on same and expressed concern about the safety item of his appeal noting that he did not appeal the site plan within the 45 day time period. Mayor Heymann said that COAH has been under control up to this point relative to the funds coming in and being passed on which was our mandate. She noted that no one would be moving into a unit without a Certificate of Occupancy. Mr. Schmidt described the improvements being done under the auspices of constructing offices with bathrooms and kitchens, which indicates that many years ago they knew they are going to have apartments. He cited safety considerations, which were not contained in the resolution, and noted that enforcement of the Borough Code leaves something to be desired.

Joe Bianco, 7 MacArthur Avenue, congratulated the Mayor and Council for their activities concerning COAH housing in the past; and he gave his background in building over 2,000 COAH units. He said the formula being used in Closter is correct including rejuvenating downtown and without having high-density units. He also congratulated the Police Department relative to a break-in across from his home. They worked fantastically and were very thorough and are worth what we pay them. He congratulated Chief Kaine and Officers Ruiz, Sarubbi and Aiello.

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

12. ADJOURNMENT

Motion to adjourn the Work Session at 8:30 p.m. was made by Councilman Kashwick, seconded by Councilwoman Latner and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council
on October 31, 2013 for approval
at the Regular Meeting to be held
November 13, 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 November 13, 2013
Consent Agenda Item No. 16b.