

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – AUGUST 27, 2014 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:55 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 Annual Notice of Meetings which published in The Record and the Star Ledger on January 6, 2014, 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

Those present were as follows:

Mayor Sophie Heymann
Councilpersons John Kashwick, David Barad, Arthur Dolson and Victoria Amitai
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer Nick DeNicola
Chief of Police Dennis Kaine

The following persons were absent:

Councilman John C. Glidden, Jr.
Councilwoman Alissa Latner

3. POSSIBLE MAYORAL APPOINTMENTS TO THE FOLLOWING BOARDS:

a. PLANNING BOARD:

- 1) _____ AS CLASS IV MEMBER FOR A 4 YEAR UNEXPIRED TERM (LIGNOS) TO 12/31/17 (5. M.L. 2/27/14)
- 2) _____ AS ALTERNATE NO. 2 FOR A 2 YEAR UNEXPIRED TERM (PEREIRA) TO 12/31/15 (9.M.L. 5/8/14)

b. SHADE TREE COMMISSION:

- 1) _____ AS MEMBER/ENVIRONMENTAL COMMISSION LIAISON FOR A 5 YEAR UNEXPIRED TERM (SCHOLZ) TO 12/31/16 (2. M.L. 7/31/14)
- 2) _____ AS ALTERNATE NO. 2 FOR A 4 YEAR UNEXPIRED TERM (PATRICIA IX) TO 12/31/15

c. ENVIRONMENTAL COMMISSION:

- 1) _____ AS MEMBER/SHADE TREE COMMISSION LIAISON FOR A 3 YEAR UNEXPIRED TERM (SCHOLZ) TO 12/31/14 (2. M.L. 7/31/14)

4a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 5, 9, 15, 19 and 20 was made by Councilman Barad, seconded by Councilwoman Amitai and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Kashwick, Barad, Dolson and Amitai.

ORDINANCES

5. INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING AND ADOPTION – 9/24/14 @ 8 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2014:1174, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS, SPECIFICALLY FOR THE BOROUGH CLERK, HAWKERS, PEDDLERS AND STREET VENDORS” (Received from Borough Attorney 7/24/14)

RESOLUTIONS

6. RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CREDIT THE FOLLOWING ACCOUNT FOR TAX YEAR 2014 DUE TO RECIPROCAL EASEMENT AGREEMENT WITH THE BOROUGH WHICH STIPULATED A PROPORTIONAL 22% TAX ABATEMENT ON THE LAND VALUE FOR PROPERTY USED BY THE BOROUGH IN THE AMOUNT OF \$1,162.05 TO CAEA, LLC (Charles & Elaine Amorosso), BLOCK 1302 LOT 21 (Received from Tax Collector 8/8/14)

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7. RESOLUTION AUTHORIZING TAX COLLECTOR TO CANCEL THE FOLLOWING AMOUNTS FROM THE TAX RECORDS FOR THE YEARS 2014/2015 DUE TO A RECIPROCAL EASEMENT AGREEMENT (SECTION 13C) FORMULATED IN SEPTEMBER 1994 FOR THE TROKHAN LAND GROUP, LLC, FOR BLOCK 1302 LOT 13, 3RD AND 4TH QUARTERS 2014, IN THE AMOUNT OF \$2,778.00 AND 2015 PRELIMINARY TAX TOTALING \$2,743.22 (Received from Tax Collector 8/12/14)
8. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEARS 2013 & 2014: FERMANO V. CLOSTER (Received from Borough Attorney 8/19/14)
9. ~~POSSIBLE~~ RESOLUTION REJECTING SOLE PROPOSAL FOR INSTALLER - THIRTEEN (13) RADIATORS AT BOROUGH HALL RECEIVED AT THE OPENING HELD 8/22/14 AT 11:30 A.M.
OR
AWARDING CONTRACT TO _____ IN AN AMOUNT NOT TO EXCEED _____ TO BE PREPARED BY BOROUGH ATTORNEY
10. RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT WITH THE COUNTY OF BERGEN TO SUPERCEDE THE COOPERATIVE AGREEMENT DATED JULY 1, 2000 AND AMENDMENTS THERETO ESTABLISHING THE COMMUNITY DEVELOPMENT PROGRAM (9. M.L. 8/14/14) (Received from Borough Attorney 8/20/14)
11. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN REMAINING ZONING BOARD OF ADJUSTMENT LEGAL/ENGINEERING/INTEREST ESCROW FEES IN THE AMOUNT OF \$9,074.72 TO VAN SCIVER CORP. FOR SUCCESSFUL COMPLETION OF SERVICES RENDERED FOR APPLICATION AT BLOCK 1104 LOT 18, 1 RAILROAD AVENUE (Received from Deputy Treasurer 8/19/14)
12. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN REMAINING PLANNING BOARD OPRA REQUEST ESCROW FEES IN THE AMOUNT OF \$35.36 TO DAVID M. WATKINS, ATTORNEY BUSINESS ACCOUNT PER EMAIL DATED 8/4/14 FROM THE PLANNING BOARD FOR PROPERTY LOCATED AT BLOCK 1205 LOT 8, 10 RAILROAD AVENUE (Received from Deputy Treasurer 8/19/14)
13. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$57,960.75 AND ISSUE A RETURN OF PREMIUM FROM ESCROW IN THE AMOUNT OF \$25,000.00 TO US BANK CUST/SASS MUNI VI DTR FOR THE REDEMPTION OF TAX SALE CERTIFICATE #11-00002 FOR PROPERTY LOCATED AT 31 MAYCOCK COURT, BLOCK 606, LOT 18, SOLD AT THE MUNICIPAL TAX SALE HELD ON 6/30/11 FOR 2010 DELINQUENT TAXES (Received from Tax Collector 8/20/14)
14. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$18,618.27 AND ISSUE A RETURN OF PREMIUM FROM ESCROW IN THE AMOUNT OF \$56,600.00 TO TWR CUST FOR EBURY FUND 1 NJ LLC FOR THE REDEMPTION OF TAX SALE CERTIFICATE #14-00002 FOR PROPERTY LOCATED AT 31 MAYCOCK COURT, BLOCK 606, LOT 18, SOLD AT THE MUNICIPAL TAX SALE HELD ON 6/26/14 FOR 2013 DELINQUENT TAXES (Received from Tax Collector 8/20/14)
15. ~~RESOLUTION~~ SUPPORTING A-900 LOOSENING REGULATIONS FOR STREAM CLEANING (Received from Borough Attorney 8/21/14)
16. RESOLUTION SUPPORTING THE MAYOR'S WELLNESS CAMPAIGN (Received from Borough Attorney 8/21/14)
17. RESOLUTION RE RFP FOR LANDSCAPERS TO EFFECT THE MAINTENANCE OF FORECLOSED OR ABANDONED PROPERTIES (RM 6/25/14/WS 7/9/14)
~~TO BE PREPARED BY BOROUGH ATTORNEY~~ (Received from Borough Attorney 8/25/14)
18. ~~POSSIBLE~~ RESOLUTION AUTHORIZING THE CONSUMPTION OF ALCOHOLIC BEVERAGES DURING CERTAIN LABOR DAY ACTIVITIES PURSUANT TO CHAPTER 67 OF THE CLOSTER CODE - ~~TO BE PREPARED BY BOROUGH ATTORNEY UPON RECEIPT OF APPROVAL FROM RISK MANAGEMENT CONSULTANT OF REQUIRED INSURANCE FROM COACHES ASSOCIATION~~ (Approval received from Risk Management Consultant 8/25/14/Resolution received from Borough Attorney 8/25/14)

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MOTIONS

19. ~~POSSIBLE MOTION APPROVING THE FOLLOWING APPOINTMENT(S) OF SALARIED EMPLOYEES FOR A 1 YEAR TERM TO 12/31/14 (NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/14):~~

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>
DEPUTY COURT ADMINISTRATOR	Vacant _____	_____

20. ~~POSSIBLE MOTION APPROVING THE FOLLOWING NON-SALARIED APPOINTMENTS:~~

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM EXPIRATION</u>
BOARD OF HEALTH Alternate No. 1	<u>Janice Pierro</u> <i>(Janice Pierro reappointed to Member at RM 1/22/14)</i>	_____	2 Years Unexp. (Pierro) to 12/31/14
IMPROVEMENT COMMISSION <u>Not made at ReOrg 1/2/14:</u>			2 Years Unexp. (Vacant)
Member	<u>Vacant</u>	_____	to 12/31/14
Member	<u>Vacant</u>	_____	2 Years 12/31/15

21. MOTION APPROVING THE FOLLOWING MINUTES (Borough Attorney to advise of abstentions):

- a. REGULAR MEETING HELD 8/13/14 (Distributed 8/21/14)
- b. WORK SESSION HELD 8/13/14 (Distributed 8/21/14)

22. MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO THE SIGN REVIEW COMMITTEE IN ACCORDANCE WITH ORDINANCE NO. 2014:1163: YASEMIN SARIER, WAYNE SAPPER, IRENE STELLA, AND JEANNE STELLA (WS 8/13/14)

23. MOTION GRANTING APPROVAL FOR THE ANNUAL BLOCK PARTY TO BE HELD ON WHITNEY STREET ON SUNDAY, 9/28/14, FROM 1 P.M. TO 7 P.M.; RAIN DATE: SUNDAY, 10/12/14; AND FOR BLOCKADES BE PLACED AT BOTH ENDS OF WHITNEY STREET (BETWEEN HIGH STREET AND DEMAREST AVENUE) 10. M.L. 8/21/14

24. MOTION GRANTING APPROVAL FOR CLOSTER LIONS CLUB TO CONDUCT ON-PREMISE 50/50 CASH RAFFLE AT THE 7TH ANNUAL CHARITABLE FOUNDATION CAR, TRUCK & MOTORCYCLE SHOW TO BE HELD AT THE CLOSTER COMMONS, 370 PIERMONT ROAD, ON SUNDAY, 9/28/14, FROM 11 A.M. TO 3 P.M.; DRAWING TO BE HELD AT 3 P.M. (RAIN DATE: SUNDAY, 10/5/14) Application received and fees paid 8/22/14

24a. MOTION GRANTING APPROVAL FOR THE FOLLOWING LABOR DAY ACTIVITY IN CELEBRATION OF CLOSTER DAY, MONDAY, 9/1/14; RAIN DATE: SATURDAY, 9/6/14: ECHO LAKES STABLE (Approval received from Risk Management Consultant 8/27/14)

24b. MOTION GRANTING APPROVAL FOR VOLUNTEER CENTER OF BERGEN COUNTY INC. TO CONDUCT THE 19TH ANNUAL BERGEN BIKE TOUR PARTIALLY THROUGH THE BOROUGH ON SUNDAY, 9/28/14, FROM 7:30 A.M. TO 1:00 P.M. (3. M.L. 8/7/14 - Approval received from Risk Management Consultant 8/27/14)

25. REPORTS

None received at the time of preparation of the Agenda.

At this time, Borough Attorney noted a correction to the Minutes of the Work Session of August 14th under his report where the address should be 416 Piermont Road instead of 460 Piermont Road.

In answer to Councilwoman Amitai, Borough Attorney said the only change to proposed Ordinance No. 2014:1174 was the dollar amount to be charged; and the Farmers Market is not charged a fee - only the door to door vendor. The street vendor selling coffee and hot dogs would have an increased fee. It was decided to remove the ordinance from the Consent Agenda and refer same to the Ordinance Committee.

4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA
RE

9. ~~POSSIBLE RESOLUTION REJECTING SOLE PROPOSAL FOR INSTALLER - THIRTEEN (13) RADIATORS AT BOROUGH HALL RECEIVED AT THE OPENING HELD 8/22/14 AT 11:30 A.M. OR~~ AWARDED CONTRACT TO Reiner Heating Air Conditioning IN AN AMOUNT NOT TO EXCEED \$34,000.00 ~~TO BE PREPARED BY BOROUGH ATTORNEY~~ (Received from Borough Attorney 8/25/14)

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Councilman Barad felt that the Council should move forward on this resolution since rebidding could take at least a month. Mayor Heymann noted that closing up the holes is part of the architectural bid and this resolution is to authorize installation of the radiators. Borough Attorney said that at the time he first heard about this issue he talked to the architect who said he was very specific that their bids were only for the exterior portion of the building and nothing interior. He said that the architect informed him that the work can continue around the exterior part of the building where the radiators are to be installed. Mayor Heymann said that concrete blocks are being prepared that would be fitted into the area where the radiators are being pulled so that the building would be secured before the radiator removal and installation. Councilman Dolson said currently it is a combination air conditioning and radiator and therefore it needs a vent for the air conditioning part and since we are no longer having this type, the vent is not needed.

Motion approving Item No. 9 was made by Councilman Barad, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Kashwick, Barad, Dolson and Amitai.

15. RESOLUTION SUPPORTING A-900 LOOSENING REGULATIONS FOR STREAM CLEANING
(Received from Borough Attorney 8/21/14)

Motion to adjourn this Resolution to the next agenda was made by Councilman Kashwick, seconded by Councilwoman Amitai and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Kashwick, Dolson and Amitai. Councilman Barad voted no.

26. 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.

26a. Motion approving the following Resolution at 9:20 p.m. was made by Councilwoman Amitai seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Kashwick, Barad, Dolson and Amitai.

OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(5) "A matter involving the expenditure of public funds for the acquisition of real property", 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 matters which should be within 8 weeks.

Mayor Heymann resumed the Regular Meeting at 10:20 p.m.

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

27a. Mayor Heymann appointed Joe Zavarino as Construction Official for the Borough of Closter at an annual salary of \$27,000 as sub code official plus \$93,000.00 as Construction Official - terms: annual salary \$27,000 plus \$93,000 full time with shared services agreement with Harrington Park. The Harrington Park contribution would be \$25,000.

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

27b. At this time, Borough Attorney asked for a verbal resolution authorizing body repair work to the Borough sewer truck and awarding a contract pursuant to the-NIPA (National IPA) contract (with Jack Doheny Company of Wharton, New Jersey, for repairs not to exceed \$69,787.69, pending verbal approval tonight by the Mayor and Council. A written memorialization of that resolution to be prepared for the next meeting agenda.

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

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28. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:24 p.m. was made by Councilman Kashwick, seconded by Councilman Dolson and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on
September 4, 2014 for approval at the
Regular Meeting to be held
September 10, 2014

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held September 10, 2014
Consent Agenda Item No. 20a.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – AUGUST 27, 2014 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, August 27, 2014. 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 Annual Notice of Meetings which was published in The Record and the Star Ledger on January 6, 2014, was posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

3. ROLL CALL

Those present were as follows:

Mayor Sophie Heymann
Councilpersons John Kashwick, David Barad, Arthur Dolson and Victoria Amitai
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine

The following persons were absent:

Councilman John C. Glidden, Jr.
Councilwoman Alissa Latner

At this time, Mayor Heymann announced that Piermont Road is open again but Old Hook Road from Schraalenburgh Road into Harrington Park is closed for repaving. She also advised that 201 Magazine has lauded Rudy's in Closter as one of the best pizza parlors in the County. She reminded all that the 9/11 Committee has prepared a 9/11 Remembrance Service for Thursday September 11th at 8:30 a.m.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF AUGUST 14, 2014 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 1 was removed by Councilman Barad.

Item No. 1: Received 08/08/14, dated 08/07/14 from Joong E. Kim, One Ruckman Road re Request for waiver to rent 2nd floor of his building at One Ruckman Road to a physical therapist and an educational/consulting firm (both businesses do not conform to current zoning requirements and the developer's agreement)

Mayor Heymann reminded that Mr. Kim appeared at the Work Session held 8/13/14. Councilman Barad questioned why we were getting the letter now; the Borough Clerk explained it came in too late for the Mail List as he provided it the Friday after the mail list had been prepared; and Dr. Barad recalled they advised Mr. Kim they were unable to assist him with this matter.

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b. MAIL LIST OF AUGUST 21, 2014 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 3 was removed by Councilwoman Amitai; Item Nos. 8 and 4 were removed by Borough Attorney; Item No. 9 was removed by Borough Clerk.

Item No. 3: Received 08/14/14, dated 08/14/14 from Heather A. Mailander, Village Clerk, Village of Ridgewood, to Loretta Castano re Certified copy of Resolution designating Village of Ridgewood a Stigma-Free Zone

Councilwoman Amitai asked for clarification of what a “stigma-free zone” is and Mayor Heymann explained it referred to the stigma attached to mental illness. She explained there is a campaign to enlist all of the communities in working this out. She said she knows one of the people involved with same; and though she had intended to bring that person to Closter to speak, the Mayor does not feel it is appropriate for Closter at this time. Councilwoman Amitai voiced her understanding that Closter was already stigma-free and the Mayor said that we hope to be. Several Councilpersons voiced their opinion that Closter already is by virtue of our actions past and present that we maintain a stigma-free Borough. Mayor Heymann said that Paramus and Ridgewood have already participated; and in answer to Councilman Barad, she affirmed that would require the posting of signs throughout town designating the Borough as Stigma-Free, to which she does not agree.

Item No. 8: Received 08/20/14, dated 08/18/14 from Richard D. Loccke, Loccke, Correia, Linsky & Bukosky re Advising that their firm has been retained to represent the Closter PBA and requesting that the Borough begin negotiations at an early date and directs communications with their office (current agreement expires 12/31/14) Copy to Chief Kaine

Borough Attorney explained the contract for the Police does expire at the end of this year and they are required to notify us of same. He advised he would speak with Councilman Glidden when he returns from vacation to schedule a preliminary meeting with Mr. Loccke and the PBA Representatives.

Item No. 9: Received 08/20/14, dated 08/18/14 from Kathleen A. Donovan, County Executive, County of Bergen, to Municipal Clerk re Invitation to nominate two volunteers and participate in County Executive’s Volunteer of the Year Recognition Ceremony; nominations to be received by Friday, 9/12/14; Ceremony to be held Wednesday, 10/8/14 at Bergen County Technical High School in Paramus starting at 6:30 p.m.

Borough Clerk asked if the Mayor had any nominees this year. Mayor Heymann explained that she had nominated several people in the past; but when she found out it was handled so casually, she stopped making nominations; but she offered to do so this year if anyone wished. The Mayor said she feels we have more than two to nominate and was discouraged by the casual process.

Item No. 4: Received 08/15/14, dated 08/15/14 from Michele Popkin, Executive Assistant, Bergen County Division of Community Development, to Loretta Castano re Copy of NEW three-year cooperative agreement required by HUD to be completed no later than 9/17/14 (see also 9. M.L. 8/14/14)

Borough Attorney explained the Council approved the Mayor’s execution of the Community Development Agreement back in 2000, This is an amendment which he has reviewed and approves the Mayor to sign. This guarantees the Borough will apply for grants through the County and prohibits us from applying for Small Cities or State CDBG programs which he does not believe we do anyway. Mr. Rogan informed he does not feel there is anything that would negatively impact the Borough in addition to the fact that historically Community Development has been very beneficial to us. He informed this item is on the Agenda for approval this evening. In answer to the Mayor, Borough Attorney explained this change including prohibitions for other grants was the only thing that stood out when he reviewed the contract revisions. In answer to Councilman Barad, Mr. Rogan informed it has an automatic renewal and this one will expire in 2017.

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5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of August 27, 2014)

Mayor Heymann asked if any member of the Council wished to address any of the Consent Agenda items. Item No. 15 was removed by Councilman Kashwick. Borough Clerk clarified that the following Resolutions listed as Item Nos. 9, 17 and 18 had been received after the Agenda had been prepared and distributed; she further asked that two Addendum Items, which were Motions to be added as Consent Agenda Item Nos. 24a. and 24b. as last second approvals had been received.

9. ~~POSSIBLE RESOLUTION REJECTING SOLE PROPOSAL FOR INSTALLER - THIRTEEN (13) RADIATORS AT BOROUGH HALL RECEIVED AT THE OPENING HELD 8/22/14 AT 11:30 A.M.~~
OR
AWARDING CONTRACT TO Reiner Heating Air Conditioning IN AN AMOUNT NOT TO EXCEED \$34,000.00 ~~TO BE PREPARED BY BOROUGH ATTORNEY~~ Received from Borough Attorney 8/25/14

Councilman Dolson questioned the cost of the project and Borough Attorney said that this was the only bid that was received. Councilman Dolson expressed his concern over the costs just for installation. Mayor Heymann said that the cost was more than she had anticipated. If not installed, there could be no heat in October or November. Councilman Kashwick voiced his concern over the cost for installation on top of the cost for the radiators themselves. Presently on the first floor there is a combination of heating and air-conditioning units but they only work for heating since central air conditioning was installed. Borough Clerk reminded of the complications regarding the timing of rebidding the project. Councilman Dolson said he does not think it would be worth going through the process again but wanted to voice his opinion that the cost is unconscionable. Councilman Barad expressed his concern about the delay citing the need for heat for the employees. This item is to be removed from the Consent Agenda during the Regular Meeting for an individual vote.

15. RESOLUTION SUPPORTING A-900 LOOSENING REGULATIONS FOR STREAM CLEANING
(Received from Borough Attorney 8/21/14)

Councilman Kashwick reiterated his opinion that he did not think that weakening the regulations was a good idea especially since Closter is downstream and would increase our flooding. Councilwoman Amitai expressed her agreement especially since she had lived near a brook that experienced erosion. Mayor Heymann said this legislation would prohibit that kind of situation happening as readily in the future and the legislation has a lot to do with the strictness of the permitting process. The Department of Environmental Protection has hindered us from making any kind of corrections in Closter. It is the consensus of the community that this will help us deal with flooding and debris. Borough Engineer said the legislation would be a benefit noting that the Borough would be paying less and we would be able to do the job more efficiently. Councilman Barad noted that there is a balance in putting the power in a blanket statute and trusting municipalities to make wise decisions. We would still have to approve individual projects. Mayor Heymann said other Northern Valley communities that have endorsed this legislation have as many environmental issues and have strongly that this kind of bill is needed. Councilwoman Amitai said the decisions of the Planning Board permitting development have often times created runoff from the property even though precautions have been taken and this impacts properties downstream. This resolution is to be removed from the Consent Agenda during the Regular Meeting for an individual vote.

17. RESOLUTION RE RFP FOR LANDSCAPERS TO EFFECT THE MAINTENANCE OF FORECLOSED OR ABANDONED PROPERTIES (RM 6/25/14/WS 7/9/14)
~~TO BE PREPARED BY BOROUGH ATTORNEY~~ Received from Borough Attorney 8/25/14

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18. POSSIBLE RESOLUTION AUTHORIZING THE CONSUMPTION OF ALCOHOLIC BEVERAGES DURING CERTAIN LABOR DAY ACTIVITIES PURSUANT TO CHAPTER 67 OF THE CLOSTER CODE – TO BE PREPARED BY BOROUGH ATTORNEY UPON RECEIPT OF APPROVAL FROM RISK MANAGEMENT CONSULTANT OF REQUIRED INSURANCE FROM COACHES ASSOCIATION (Approval received from Risk Mgt. Consultant 8/25/14) Resolution received from Borough Attorney 8/25/14)
- 24a. MOTION GRANTING APPROVAL FOR THE FOLLOWING LABOR DAY ACTIVITY IN CELEBRATION OF CLOSTER DAY, MONDAY, 9/1/14; RAIN DATE: SATURDAY, 9/6/14: ECHO LAKES STABLE (Approval received from Risk Management Consultant 8/27/14)
- 24b. MOTION GRANTING APPROVAL FOR VOLUNTEER CENTER OF BERGEN COUNTY INC. TO CONDUCT THE 19TH ANNUAL BERGEN BIKE TOUR PARTIALLY THROUGH THE BOROUGH ON SUNDAY, 9/28/14, FROM 7:30 A.M. TO 1:00 P.M. (3. M.L. 8/7/14 - Approval received from Risk Management Consultant 8/27/14)
6. COMMITTEE REPORTS
 - A. FINANCE AND TECHNOLOGY - DOLSON (GLIDDEN/KASHWICK)
 - 1) STATUS REPORT RE CLOSTER WEBSITE
 - 2) REPORT – Councilman Dolson reported at the last Council meeting there was a discussion and information circulated about the dissatisfaction and poor performance of the current payroll processing service. They interviewed a prior provider who we were pleased with and they have lowered their price and will submit a proposal for review. The Finance Office is very satisfied with the performance of the previous provider. The current provider uses “the Cloud” and our information is just out there in limbo and it changes all by itself. The program is not correctly processing the deductions. In his opinion, we should have something more secure on a server in our building and not out on the internet somewhere. Mr. Dolson will circulate the proposal once it is received; and they hope to have all of the issues corrected once a change is made.
 - B. PUBLIC SAFETY - GLIDDEN (LATNER/BARAD)
 - 1) REPORT – In the absence of Councilman Glidden, Chief Kaine reported that Piermont Road is open and the Police Department is set for Labor Day activities.
 - C. PUBLIC WORKS - LATNER (DOLSON/GLIDDEN)
 - 1) REPORT – In the absence of Councilwoman Latner, no report was provided.
 - D. ORDINANCES - BARAD (KASHWICK/AMITAI)
 - 1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported the Ordinance Committee met yesterday and will meet again on 9/23/14. They have had a short agenda over the Summer but there is an issue he would like to discuss in Closed Session regarding personnel. Additionally, they have been discussing a noise ordinance that they plan to introduce at the next meeting limiting the noise to 90 decibels (db). For reference, he showed an application on his phone that measures decibels and informed the meeting was reading at 50-60 db. Dr. Barad explained 90 db is about factory machinery at 3 feet; a train is about 100 db and rock music is about 110 db; so they felt 90 was a good spot. We would need to have a calibrated machine and a trained operator to use it if we decide to enforce the ordinance. He said it is possible to obtain a sense where the level is at with a handheld machine and a warning could be issued so it would be enforceable. He invited feedback regarding same and advised they would not go below 90 db. The Committee discussed trees and something will be coming to the Council soon. Councilwoman Amitai questioned if Code Enforcement Officer Whitney was consulted regarding the noise ordinance and Mayor Heymann said it was discussed previously.

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6. COMMITTEE REPORTS (Continued)

E. HUMAN RESOURCES - KASHWICK (DOLSON/LATNER)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick reported the Human Resources Committee met and discussed changes to the vacation policy and the email policy.

2) REPORT - Councilman Kashwick reported on the following:

a. Environmental Commission met last week and they discussed the trail. He went out with several members of the Commission regarding the \$24,000 grant that was received for trail improvements. They are working on drafting specs for the work to get done. They had an extensive discussion on the deer issue brought up earlier in the year by a resident and the members have been looking into it to find a balanced approach with non-lethal aspects of deer control. The MacBain Farm is having a successful year and they were discussing how to better control non-residents harvesting vegetables.

Councilman Barad questioned the number of non-residents harvesting at the Farm and Councilman Kashwick voiced his understanding that there are quite a few. The current policy is that if non-residents want to harvest, they have to agree to volunteer at the Farm otherwise they should not be doing so. Dr. Barad questioned if it was public farmland, would be able to regulate that. Mr. Kashwick noted that access is public but harvesting could be regulated. In answer to Councilwoman Amitai, Dr. Barad informed residents and volunteers sign in with their address when they arrive at the Farm. Dr. Barad voiced his opinion that the Farm looks beautiful; and Mayor Heymann voiced her appreciation that it has never looked so good; and said there is an enormous amount to be picked. Mrs. Amitai said she went to the Farm for the first time about 10 days ago and saw a large vegetable hanging from the fence; and asked Bobbie Bouton-Goldberg what it was and she said she thought some kind of Italian squash. Mrs. Amitai did some research and found it is called a “cucuzza” which is Sicilian for squash and recalled her Grandmother calling her a similar name and Louie Prima did a song about it. Mayor Heymann said she likes to slice it thin and eat it raw with salt.

b. Shade Tree Commission does not meet in August, therefore, he had no report.

c. Historic Preservation Commission did not have a quorum: therefore, he had no report.

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

1) REPORT RE INTERVIEWS FOR CONSTRUCTION OFFICIAL
(Requested by Mayor Heymann WS 8/13) – Councilwoman Amitai reported the Building Department will be meeting next week to discuss the appointment of a Construction Official.

2) REPORT RE STATUS OF DISCUSSION IN SUBCOMMITTEE RE CHANGE IN ZONE 5 (Requested by Mayor Heymann WS 8/13/14) – Mrs. Amitai informed she sent an email today regarding the Planning Board subcommittee for zoning and she is waiting for a response from the Mayor.

3) REPORT – Councilwoman Amitai reported the full Improvement Commission has not met but a subcommittee did meet; and they are working on the music festival which brings about the question of insurance requirements and who is responsible for providing same.

7. OLD BUSINESS

a. POSSIBLE FOLLOW THROUGH RE CONTRACT WITH CGI COMMUNICATIONS, INC. FOR 2014 COMMUNITY SHOWCASE VIDEO PROGRAM (Discussion held at WS 6/25/14)

Mayor Heymann said the kind of showcase that we are looking for would be provided at no cost and the merchants would be approached to be added to the video story. There would be a disclaimer included. Councilwoman Amitai said the only people who would use that service would be those who could afford to pay for the service; therefore, it would not be indicative of what the whole town looks like. Mayor Heymann said the video would be of the town and the sales efforts would be separate. Councilwoman Amitai said that Closter has many talented people who can prepare a video and she said she would discuss

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same with the CIC Committee. Mayor Heymann said that she would contact the Chamber of Commerce on the matter.

b. **HIRING OF ACCLAIM INVENTORY LLC TO CONDUCT FIXED ASSETS INVENTORY FOR THE BOROUGH (Discussed at WS 8/13/14)**

Mayor Heymann noted that the inventory was last done in 2011 and it was an item noted by the Borough Auditor in the last audit. She said that the firm would be able to work with the Borough in October at a cost of \$2,500. In answer to Councilman Dolson, Mayor Heymann noted that the previous inventory was supposed to interface with Edmunds but it did not. The previous inventory was given to Edmunds for input into the system and she felt that this time it should be kept out of Edmunds. None of the current inventories in her office are accurate. Councilman Kashwick said it is necessary to have an accurate inventory now but the goal should be to use the Edmunds system correctly to input the inventory. If we had a system to interface with Edmunds, it would negate the need for anyone to enter same. Mayor Heymann said that she would follow through with Edmunds.

8. **NEW BUSINESS**

a. **REPAIRING OF MAIN STREET SIDEWALKS (WS 8/13/14/Requested by Mayor 8/19/14)**

In answer to Councilwoman Amitai, Mayor Heymann said that the Shade Tree Commission would advise about the type of tree which would be those that do not shed branches or lift up sidewalks. Councilman Kashwick said that Open Space funds cannot be used for street trees. He questioned if warnings and citations have been given to property owners as outlined in the Borough Code; and Councilwoman Amitai said she would follow up on same with the Building Department.

Mayor Heymann said we are responsible for the sidewalks in front of Borough Hall but the Borough is responsible for trees in the Borough right of way. Councilman Kashwick felt there would be problems if the Borough removed the trees on Main Street and he questioned if the sidewalks could be repaired without removing the trees. The Shade Tree Commission has indicated that these trees have another 5 years; and if the sidewalks are repaired now, there could be problems from the trees in 5 years. The trees have been pruned consistently; and when people wished to fix their sidewalk, permission was given by the Shade Tree Commission. The property owner would lift the sidewalk and grind the root before replacing the sidewalk. Councilman Barad said the Borough should fix our sidewalk before others are asked to; and that if dangerous conditions exist, property owners should be cited. Councilman Barad suggested that the Property Maintenance Officer make an assessment of the problem areas so that a decision could be made on a course of action.

b. **AUTHORIZING APPRAISALS OF POTENTIAL ACQUISITIONS FOR THE BOROUGH (WS 8/13/14/Requested by Mayor 8/19/14)**

Mayor Heymann said that she needed permission from the Council to obtain appraisals on some properties being considered for Open Space purchases or to address parking. Potential purchases should be discussed in Closed Session.

c. **REPAIR OF SEWER TRUCK (Requested by Mayor 8/19/14)**

Mayor Heymann noted that same was listed in Ordinance No. 2014:1164. It is a major repair but there is a company that provides a national contract to repair same at a cost of \$69,787.69 whereas a new one would cost many times that amount. The body of the truck is fine and a number of tools are built in the truck. Councilman Dolson noted that there would be additional costs over the original estimate as noted. Mayor Heymann said the remainder of the bond issue could be used for a generator in the Fire House but Councilman Dolson noted that same should not be authorized until the sewer truck repair is completed. Councilman Barad expressed his agreement with this procedure. Mayor Heymann noted that when repaired, the sewer truck should last for another 10 years. This item is to be added to the Consent Agenda during the Regular Meeting.

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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

Jesse Rosenblum, 65 Knickerbocker Road, said the sewer truck has been used around town and the exact usage locations should be obtained from the Superintendent of Public Works. Mayor Heymann said the truck is used in residential and commercial areas. Borough Engineer said it is used on clogged pipes anywhere from 8” to 24”. Mr. Rosenblum expressed his objection to the CGI project and cited a former tape he saw on Cablevision. Borough Attorney noted that the former Mayor and Administrator had entered into a contract with CGI without authorization and the contract was voided. Mr. Rosenblum referred to the radiators and it was noted that it is a self contained unit.

Steve Isaacson, 97 Columbus Avenue, questioned the status of the parking lot at Closter Plaza; and Mayor Heymann voiced her understanding that the Developers Agreement has been signed and should come to the Council at the next meeting. Mr. Isaacson cited the 90 decibel sound ordinance and noted that trains are at 100 decibels; and questioned if the ordinance would cover same. Mayor Heymann said that the railroads are separate. Mr. Isaacson questioned the fees for hawkers and Councilman Barad said that originally it was for door to door vendors and this ordinance may cover street vendors, which would be determined by the Borough Attorney.

At this time, Borough Engineer noted that Local Aid grants are available for next year; and after discussion with the Superintendent of Public Works, it is suggested that Cedar Lane from Knickerbocker Road west to Carr Place be included. Mr. DeNicola said a Resolution would come before the Council shortly in support of the 2015 Local Aid Grant application.

Borough Engineer called attention to the repair letter from the County Engineer (2. M.L. 8/14/14) citing a bridge scour issue near the Harrington Avenue Bridge. He explained there is a container at Memorial Field with erosion at the bank under the container and the fence is falling into the brook. The County is requesting that it be fixed at some point in time; and he wanted to make all aware of the issue. In answer to Mrs. Amitai, he agreed it would be a bigger issue in the future if it is not addressed soon. Mr. DeNicola suggested the container be moved farther away from the bank. He said he is not sure who owns it but Closter uses it for what he believes to be field equipment, located behind the field house. In answer to Mr. Dolson he said Closter is responsible because it is on our property. Mr. DeNicola said there are pictures and the Borough Clerk circulated the original mail list item as the copies are hard to distinguish. He asked if they preferred for the DPW to take corrective action. In answer to Mayor Heymann, he said the Borough is not required to do so but he suggests they do so at the request of the NJDOT although there is no consequence to not fixing it. The container is our issue and it should be fixed. Mrs. Amitai suggested they mention it to Bill Dahle in case he didn’t see the letter from the County and the Borough Engineer agreed.

10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

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

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12. ADJOURNMENT

Motion to adjourn the Work Session at 8:50 p.m. was made by Councilman Kashwick, seconded by Councilwoman Amitai and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on
September 4, 2014 for approval at the
Regular Meeting to be held
September 10, 2014

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held September 10, 2014
Consent Agenda Item No. 20b.