

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – JANUARY 22, 2014 - 7:30 P.M.

Mayor Heymann called the meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE

Mayor Heymann explained that this evening she would be holding the Regular Meeting first rather than the customary Work Session since a member of the governing body would most likely have to leave the meeting early due to illness.

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 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

At this time, Mayor Heymann asked for a Moment of Silence in memory of former Councilman Gerry Griffin, who passed away last week.

Mayor Heymann also asked for a Moment of Silence for former Councilman Lloyd Carlson.

3. PRESENTATION TO THE FOLLOWING INDIVIDUALS in recognition of their heroic efforts in reviving a CORE Fitness member on 12/7/13 (Requested by Chief Kaine 1/15/14):

- CORE Fitness Employees: Ms. Tyler Williams; Ms. Lisa Knowles
- Closter Police Officers: Christopher Barbieri, Aldo Guerino
- Closter Ambulance Corps Members: ~~Ex-~~ Past Captain Tony Lupardi, Ross Herbert, James Gordon,  
Tom Migliore

At this time, Police Sergeant Dippolito read a letter to Chief Kaine recognizing the following individuals who came together to save a member of CORE Fitness who went into cardiac arrest on December 7, 2013. CORE Fitness employees: Ms. Tyler Williams and Ms. Lisa Knowles; Closter Police Officers Christopher Barbieri and Aldo Guerino; Closter Ambulance Corps Members Past Captain Tony Lupardi, Ross Herbert, James Gordon and Tom Migliore. He recounted the circumstances, which included the administering of CPR, the use of the AED and LUCAS (Chest Compression System) and resulted in the restoration of a pulse to the victim before transportation to the hospital and the ultimate return to home after a brief hospital stay. It was a textbook operation that because of the training received by all involved ended as it should have.

At this time, Mr. Baker thanked the CORE employees, Police Officers and Ambulance Corps members. A demonstration and explanation of the LUCAS equipment, which is located at this time in one police car, was conducted by Past Captain Lupardi.

Mayor Heymann extended her thanks and that of the Council for the wonderful volunteers and police officers. Councilman Glidden extended his thanks for saving the life of his friend. Certificates were presented and the public offered a round of applause.

4. MAYORAL APPOINTMENTS TO THE FOLLOWING BOARDS AND COMMISSIONS (Not made at the Reorganization Meeting held 1/2/14):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ENVIRONMENTAL COMMISSION Associate Member	Bobbie Bouton-Goldberg	_____	1 Year	12/31/14

At this time, in order to expedite the meeting, Mayor Heymann said she would read the Consent Agenda items provided no questions were asked about any listed item.

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Councilwoman Amitai asked if we were going to go to the Work Session; and Mayor Heymann explained she preferred that we continue with the Regular Meeting Agenda.

Therefore, at this time, in answer to Councilwoman Amitai’s questions regarding clarification of the changes requested at the last meeting, Borough Attorney listed the changes made to the ordinance based on discussions from the last meeting as follows: the addition of the Closter Improvement Committee and Historic Preservation Commission to Chapter 173-80; and on the next page, the word “recommendation” was changed to “determination”. Councilman Kashwick explained that paragraph 29-6A relative to signs in the Renaissance Zone would be deleted because, under the new ordinance, the Sign Committee would have the authority not the Improvement Commission. Mr. Rogan added that the ordinance supersedes the By-laws of the Improvement Commission. Councilman Kashwick noted that references to the “Closter Improvement Committee” should read “Commission”; and the Borough Attorney said that this change is diminimus. Relative to 173-84 referencing flags, Borough Attorney said that flags of the United States are permitted and that the proposed sign ordinance would cover the entire town not just one portion. Councilman Kashwick said there are no plans at this time to designate the downtown area as historic.

Mayor Heymann again explained she would be reading the Consent Agenda items; and if anyone wanted any item to be removed, they should request same:

5a. VOTE ON CONSENT AGENDA ITEMS

Note: See the Governing Body vote noted below after Consent Agenda Item No. 21.

ORDINANCES

6. INTRODUCTION OF THE FOLLOWING ORDINANCE - PUBLIC HEARING – 2/26/14 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2014:1153 “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 173, SPECIFICALLY 173-80 TO 173-92 REGARDING SIGNS” (Received from Borough Attorney 1/2/14/Removed from RMA 01/08/14 for additions/Received from Borough Attorney 1/16/14)

RESOLUTIONS

7. RESOLUTION AMENDING APPOINTMENT OF ELEVATOR SUB-CODE OFFICIAL/INSPECTOR (RICHARD F. KEELEY, EFFECTIVE 2/1/14 AT THE RATE OF \$2,600.00 PER ANNUM FOR A SIX (6) HOUR WORK WEEK) (Corrected Resolution received from Administrator 1/15/14)
8. RESOLUTION AMENDING APPOINTMENT OF ELECTRICAL SUB-CODE OFFICIAL & ELECTRICAL INSPECTOR (JAMES C. HOFFMAN, EFFECTIVE RETROACTIVE TO 1/8/14 AT THE RATE OF \$45.00 PER HOUR FOR A FOURTEEN (14) HOUR WORK WEEK) (Corrected Resolution received from Administrator 1/15/14)
9. RESOLUTION REGARDING AMENDING AWARD OF (CONTRACT FOR PROFESSIONAL SERVICES TO THE COUNTY OF BERGEN FOR) ANIMAL CONTROL SERVICES (FOR 2014 WITHOUT COMPETITIVE BIDDING PURSUANT TO N.J.S.A. 40A:11-5 AS A SERVICE BEING PROVIDED BY A GOVERNMENTAL ENTITY) (Corrected Resolution received from Administrator 1/15/14)
10. RESOLUTION MEMORIALIZING THE DECISION OF THE COUNCIL REGARDING THE APPEAL BY THE RESIDENT OF 219 DEMAREST AVENUE OF THE RECOMMENDED FINES AND MITIGATION FOR VIOLATION OF THE TREE ORDINANCE (Received from Borough Attorney 1/17/14)
11. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$1,025.57 TO WILLIAM S. WINTERS, ESQ. FBO HWANG, JEONG WOOK FOR BLOCK 2205 LOT 21 (TCJ RENDERED 12/13/13) (Received from Collector 1/7/14)
12. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$3,666.93 TO WILLIAM S. WINTERS, ESQ. FBO ROSS GROUP HOLDINGS, LLC FOR BLOCK 602 LOT 12 (TCJ RENDERED 12/13/13) (Received from Collector 1/7/14)

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13. ~~POSSIBLE~~ APPOINTMENT(S) OF SALARIED EMPLOYEES (NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/14):  
RESOLUTIONS TO BE PREPARED BY BOROUGH ATTORNEY

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ADMINISTRATOR	Richard J. Sheola	_____	1 Year	12/31/14
BUILDING SUB-CODE OFFICIAL	Joseph Zavarino	<u>Joseph Zavarino</u>	4 Year	TENURE
<i>(Not included in recommendations received from C.O. on 11/18/2013)</i>				
CHIEF MUNICIPAL FINANCE OFFICER	Richard J. Sheola	_____	1 Year	12/31/14
DEPUTY COURT ADMINISTRATOR	Vacant	_____	1 Year	12/31/14
P/T CLERICAL (RECREATION)	Gina Ferraro	_____	1 Year	12/31/14
P/T CODE ENFORCEMENT OFFICIAL	Youngmin Woo	_____	1 Year	12/31/14
QUALIFIED PURCHASING AGENT	Richard J. Sheola	_____	1 Year	12/31/14
TREASURER	Richard J. Sheola	_____	1 Year	12/31/14

13a. RESOLUTION APPROVING AMENDMENT TO RIVERSIDE COOPERATIVE AGREEMENT  
 (Received from Administrator 1/22/14 @ 11:21 a.m.)

MOTIONS

14. ~~POSSIBLE~~ MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS (Not made at the Reorganization Meeting held 1/2/14):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
AFFIRMATIVE ACTION OFFICER	Richard J. Sheola	_____	1 Year	12/31/14
APPROPRIATE AUTHORITY	Richard J. Sheola	_____	1 Year	12/31/14
BOROUGH HISTORIAN	William Cahill	_____	1 Year	12/31/14
NJ MOTION PICTURE/TV COMMISSION Administrator	Richard J. Sheola	_____	1 Year	12/31/14
PARKING RESERVE Administrator	Richard J. Sheola	_____	1 Year	12/31/14

15. ~~POSSIBLE~~ MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS/BOARDS AND COMMISSIONS (Not made at the Reorganization Meeting held 1/2/14):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
BOARD OF HEALTH			4 Years	Unexpired (Neusch)
Member	Mary Neusch	<u>Janice Pierro</u>	to	12/31/14
<i>(from Alt. No. 1 - Requested by Mayor 1/7/14)</i>				
HISTORIC PRESERVATION COMMISSION Alternate No. 2	Francesca Machiavelli	<u>Kurt Haiman</u>	2 Years	12/31/15
<i>(Requested by Mayor 1/7/14)</i>				
IMPROVEMENT COMMISSION Member	Vacant	_____	2 Years	12/31/15
Alternate No. 1	Vacant	_____	2 Years	Unexpired (Slutzky)
Alternate No. 2	Vacant	_____	to	12/31/14
RECREATION COMMISSION Associate Member	None	<u>Dean C. Pialtos</u>	1 Year	12/31/14

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16. ~~POSSIBLE~~ MOTION APPROVING THE FOLLOWING COUNCIL COMMITTEE ASSIGNMENTS FOR 2014 (Not made at the Reorganization Meeting held 1/2/14):

<u>Committee</u>	<u>Incumbent Chairperson Members</u>	<u>Chairperson Members</u>
Finance and Technology	Arthur Dolson Glidden/Kashwick	Arthur Dolson Glidden/Kashwick
Human Resources	John Kashwick Dolson/Latner	John Kashwick Dolson/Latner
Ordinances	David Barad Kashwick/Amitai	David Barad Kashwick/Amitai
Land Use and Construction	Victoria Amitai Barad/Dolson	Victoria Amitai Barad/Dolson
Public Safety	John Glidden Latner/Barad	John Glidden Latner/Barad
Public Works	Alissa Latner Dolson/Glidden	Alissa Latner Dolson/Glidden

17. MOTION GRANTING APPROVAL FOR ISSUANCE BY POLICE DEPARTMENT OF THE FOLLOWING HAWKERS AND PEDDLERS LICENSE FOR CALENDAR YEAR 2014 PER BOROUGH CODE CH. 127 (Received from Chief of Police 1/17/14):

1) PERMIT NO 2014-001 – FOR ANDREW G. MALAFIS, 638 WILDWOOD ROAD, NORTHVALE, NJ 07647, TO OPERATE CATERING TRUCK FOR SALE OF COFFEE, SODAS, SANDWICHES, SUBJECT TO APPROVAL BY THE BOARD OF HEALTH

18. MOTION APPROVING THE FOLLOWING APPLICATION AS NEW MEMBER OF THE KNICKERBOCKER HOOK AND LADDER COMPANY (Completed application received 1/8/14):  
 MICHAEL P. METZDORF

19. ~~46.~~ MOTION APPROVING THE FOLLOWING MINUTES – ABSTENTION: NONE  
 (Distributed 1/10/14 & 1/17/14):

- a. SINE DIE MEETING HELD 1/2/14
- b. REORGANIZATION MEETING HELD 1/2/14
- c. REGULAR MEETING HELD 1/8/14
- d. WORK SESSION HELD 1/8/14

- 19-1. MOTION APPROVING RAFFLES APPLICATION FOR NJ AXEMEN BASEBALL ASSOCIATION TO CONDUCT ON-PREMISE CASINO NIGHT AT CLOSTER ELKS CLUB, 148 RAILROAD AVENUE, ON FRIDAY, 2/21/14, FROM 6:00 P.M. TO 12 P.M. (Completed Application filed and appropriate fees paid 1/22/14)

20. ~~49.~~ REPORTS

- a. CHIEF OF POLICE – DECEMBER 2013 (Received 1/9/14)
- b. FIRE CHIEF – NOVEMBER 2013 (Received 1/9/14)

At this time, Mayor Heymann read the following Resolution which had been provided to her earlier in the meeting by the Administrator:

21. RESOLUTION AUTHORIZING THE APPOINTMENT OF BOROUGH CLERK LORETTA CASTANO AS ACTING BOROUGH ADMINISTRATOR WITHOUT ADDITIONAL COMPENSATION FROM FEBRUARY 13, 2014 TO FEBRUARY 19, 2014

Motion approving the Consent Agenda minus Item No. 13 was made by Councilman Barad, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

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5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

13. POSSIBLE APPOINTMENT(S) OF SALARIED EMPLOYEES (NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/14): RESOLUTIONS TO BE PREPARED BY BOROUGH ATTORNEY

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ADMINISTRATOR	Richard J. Sheola	_____	1 Year	12/31/14
BUILDING SUB-CODE OFFICIAL	Joseph Zavarino	<u>Joseph Zavarino</u>	4 Year	TENURE
<i>(Not included in recommendations received from C.O. on 11/18/2013)</i>				
CHIEF MUNICIPAL FINANCE OFFICER	Richard J. Sheola	_____	1 Year	12/31/14
DEPUTY COURT ADMINISTRATOR	Vacant	_____	1 Year	12/31/14
P/T CLERICAL (RECREATION)	Gina Ferraro	_____	1 Year	12/31/14
P/T CODE ENFORCEMENT OFFICIAL	Youngmin Woo	_____	1 Year	12/31/14
QUALIFIED PURCHASING AGENT	Richard J. Sheola	_____	1 Year	12/31/14
TREASURER	Richard J. Sheola	_____	1 Year	12/31/14

Councilwoman Amitai questioned the appointment of the Building Sub-Code Official at this time noting that this was not discussed in Committee. Borough Attorney said nothing prohibits the governing body from hiring a new construction official; and the only policy question is whether or not the Council would envision a new construction code official having more hours and possibly doing both. This appointment would give tenure as noted on the Consent Agenda. Mrs. Amitai explained they had advertised for both positions and they don't know how it is going to play out she questioned making this appointment at this time. Borough Clerk explained that when the original draft appointment list was prepared, this appointment was overlooked and also was not provided by the Construction Official. When discovered, it was noted that same was a 4-year appointment with an expiration of 12/31/13; and she took responsibility for the oversight. Councilman Kashwick noted that the proposed appointment would tie our hands financially if it was decided to incorporate same into a full-time position. Mayor Heymann noted that the Borough has more than one sub-code official in several areas and the Borough Attorney said there is no conflict; but as he is hearing it, it is a funding issue. The proposed appointment would not prevent the hiring of a Construction Official. Ms. Amitai said it also included a Building Sub Code Official and was advertised in The League of Municipalities on line. Councilman Barad suggested referring the appointment to the Construction Committee; and Councilman Glidden expressed his support.

Mr. Glidden called the question.

Motion to end the debate was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by the Mayor upon unanimous voice vote of the Council.

Motion was made by Councilman Kashwick, seconded by Councilman Barad to carry the appointment of the Building Sub-Code Official to the next meeting. Said motion was declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

21. OPEN MEETING TO PUBLIC FOR ANY MATTER, PER N.J.S.A. 10:4-12 (a)  
 20. (Subject to 5-minute limit per By-Laws General Rule No.11)

Joe Zavarino, Sub-Code Official, expressed surprise at the outcome of his appointment noting that he has been with the Borough for 24 years during which time he has done all the fire and building review in addition to inspections. He was also the Construction Official for 6 years on a part time basis. He explained that Mr. Sager was hired as Construction Official thereafter but not Building Sub-Code Official at that time. He explained the difference between the two official designations which are totally different jobs with different licenses. In 2009 he took over the Construction Official job and Sub-Code Official on a temporary basis; and after 4 months, Mr. Sartori was hired as Construction Official. In 2010 he was appointed to a 4-year term as Building Sub-Code Official, which expired December 31, 2013. He has the position of Building Sub-Code Official and his evaluations have been excellent. As far as combining officials, monetarily it makes more sense to have part time officials. Not reappointing him is most upsetting to him and wrong. He said by keeping his mouth closed about the appointment, he would have had tenure; but he felt that was the wrong thing to do since it was an error that his appointment was not included in the agenda, which he brought to the attention of the Borough Clerk. By law the Mayor and Council should have given him a month's notice prior to their action; and by his doing the right thing, he is being penalized after 24 years of service. He said he would be glad to sit down with any member of the Council and noted that there is plenty of work in the Department for a full-time Construction Official. Councilwoman Amitai apologized noting that this is not a slur on his performance.

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Giuseppe LaMastra, Plumbing Sub-Code Official spoke on behalf of Mr. Zavardino explaining he felt he was one of the finest sub-code officials in Bergen County. He said that their decision should be reconsidered; and if a full-time position is being considered, you have someone who has been here over 20 years.

At this time, Councilman Kashwick asked that the tree issue, referred to in the Work Session as Item No. 7 “OLD BUSINESS” “a. DISCUSSION RELATIVE TO MR. SHEMTOV’S APPEAL RE TREE CUTTING AT 25 WESTERVELT AVENUE – discussed at WS 1/8/14 – supporting information was requested at this meeting” be acted upon during this portion of the meeting.

Mr. Kashwick referred to Work Session Item No. 7, “OLD BUSINESS” “b. HAROLD HESS LUSTRON HOUSE (requested by Mayor 1/17/14)” and asked that action be taken on this item.

In response to Mayor Heymann’s request, no objections were voiced to the Mayor addressing these Work Session Items. In response to the Borough Attorney’s request, Borough Clerk suggested referring to the following portion of the meeting on the Agenda.

In reference to Work Session Item No. 7 “OLD BUSINESS” “a. DISCUSSION RELATIVE TO MR. SHEMTOV’S APPEAL RE TREE CUTTING AT 25 WESTERVELT AVENUE – discussed at WS 1/8/14 – supporting information was requested at this meeting” be acted upon during this portion of the meeting, the following discussion was held:

Ilan Shemtov, 3 Laurence Court, referred to 25 Westervelt Avenue and the information that he had e-mailed to the Borough. The Borough Administrator said he is awaiting information from Mr. Fuchs and Mayor Heymann supplied additional background information in addition to information from Leslie Weatherly and Jim Whitney. In answer to Councilman Kashwick, Mr. Shemtov said the total plan was some \$40,000, with the trees costing \$12,000 to \$15,000, which included the soil for planting and landscaping. Mayor Heymann noted that the e-mail included the cost of \$3,900 for the trees. Councilman Kashwick noted the number and species that were planted. Mayor Heymann explained that the matter could wait until the next meeting; and the Borough Attorney recommended that we wait to hear from Mr. Fuchs. Mr. Shemtov noted that the report indicates 12 trees but there are really only seven (7) since there are trees that were not taken down which included three (3) trees that are in poor condition and one 3 foot maple tree. Mayor Heymann said the fine is less than what is mandated in the ordinance; and the Council has the right to wait for additional information. Mr. Shemtov said the removal was done by mistake but we have given a better product than what was taken away in addition to more trees. He is requesting that the fine be reduced to \$5,000 and the remainder of the \$12,000 be returned to him.

- 21a. MOTION TO DENY THE APPEAL TO REDUCE THE FINE was made by Councilman Kashwick, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

Mr. Shemtov questioned if the fine included the replacement costs; and Mayor Heymann said that same were not included. Borough Attorney said that this matter would have to be addressed by Mr. Fuchs.

22.

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

In reference to Work Session Item No. 7, “OLD BUSINESS” “b. HAROLD HESS LUSTRON HOUSE (requested by Mayor 1/17/14)” the following action was taken:

- 22a. MOTION REQUESTING THE BOROUGH ATTORNEY TO PREPARE A RESOLUTION FOR THE NEXT MEETING TO NOT DESIGNATE THE LUSTRON HOUSE FOR THE DURATION OF 2014 was made by Councilman Kashwick, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

- 22b. Motion approving the following Closed Session Resolution at 9:00 p.m. was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor Heymann on an affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai:

OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(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 items in the closed meeting would be disclosed to the public at the conclusion of the matters which should be within 12 weeks.

Mayor Heymann resumed the Regular Meeting at 10:07 p.m.

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At this time, the following actions were taken by the Governing Body:

13. MOTION TO REAPPOINT JOSEPH ZAVARDINO AS BUILDING SUB-CODE OFFICIAL WITH TENURE was made by Councilwoman Amitai, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

Councilman Glidden made the following motions:

- 22c. MOTION PROMOTING PATROLMAN JAMES BUCCOLA TO THE RANK OF SERGEANT was made by Councilman Glidden, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.
- 22d. MOTION AUTHORIZING POLICE CHIEF TO BEGIN THE PROCESS OF HIRING A REPLACEMENT FOR SERGEANT TIMOTHY CONWAY was made by Councilman Glidden, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.
- 22e. MOTION AUTHORIZING POLICE CHIEF TO BEGIN THE PROCESS OF ADVERTISING FOR THE HIRING OF TWO (2) POLICE OFFICERS FROM THE ACADEMY AND/OR PTC CERTIFIED AND 10 YEAR PROJECTED BUDGET ANALYSIS was made by Councilman Glidden, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

23.  
~~22.~~ ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:09 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  
January 30, 2014 for approval at the  
Regular Meeting to be held  
February 12, 2014

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held February 12, 2014  
Consent Agenda Item No. 23a

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WORK SESSION NOTES – JANUARY 22, 2014 - 7:30 P.M.

Mayor Heymann called the meeting to order at 10:10 p.m.

~~1.~~ PLEDGE OF ALLEGIANCE

Previously addressed during the Regular Meeting held before this meeting.

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 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

The following persons were present:

Mayor Sophie Heymann  
Councilpersons 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

The following persons were not present:

Councilman John C. Glidden, Jr.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF JANUARY 9, 2014 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Borough Clerk removed Item Nos. 3.d.I. and 7.

Item No. 3.d.I.: Received 01/08/14, dated 01/08/14 from William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Borough Clerk re Important PERC Decision re: Step Increases

Borough Clerk noted this item was referred to the Borough Attorney.

Item No. 7: Received 01/09/14, dated 01/06/14 from Daniel B. Shapiro, Law Office of Daniel B. Shapiro, to Loretta Castano, RMC, Borough Clerk, c: Edward Rogan & Associates, LLC, Joseph Andresini, Judge Tax Court of New Jersey re Guia v. Borough of Closter; Docket No. C-318-12 – Application for Apportionment of Taxes – letter only! (Copy to Assessor – letter only!)

Borough Attorney offered to invite Mr. Shapiro to a Council meeting; and it was decided to ask if he could attend the second meeting in February (2/26/14).

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b. MAIL LIST OF JANUARY 16, 2014 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Councilwoman Amitai referred to Item Nos. 2, 8, 10, 11 and 14; Councilman Barad removed Item No. 3; Borough Clerk removed Item Nos. 7e. and 9.

Mail List Items re "...Certified copy of Resolution adopted... supporting Fire Department Interborough Mutual Aid including the following towns: Alpine, Bergenfield, Closter, Cresskill, Demarest, Dumont, Harrington Park, Haworth, New Milford, Northvale, Norwood, Old Tappan, Rockleigh and Tenafly (Copy to Chief Pierro)"...

Item No. 2: Received 01/10/14, dated 01/10/14 from Susan Connelly, RMC, Municipal Clerk, Borough of Dumont, to [closterboroughclerk@yahoo.com](mailto:closterboroughclerk@yahoo.com);

Item No. 8: Received 01/15/14, dated 01/15/14 from Ann H. Bistriz, Borough Clerk, Borough of Harrington Park, to [closterboroughclerk@yahoo.com](mailto:closterboroughclerk@yahoo.com);

Item No. 10: Received 01/16/14, dated 01/16/14 from Lorraine L. McMackin, Borough Clerk, Borough of Norwood;

Item No. 11: Received 01/16/14, dated 01/16/14 from Barbara Nasuto, Borough Clerk, Borough of Cresskill, to [closterboroughclerk@yahoo.com](mailto:closterboroughclerk@yahoo.com);

Item No. 14: Received 01/16/14, dated 01/16/14 from Marcella Giampiccolo, Borough Clerk, Borough of Rockleigh, to [closterboroughclerk@yahoo.com](mailto:closterboroughclerk@yahoo.com)

Councilwoman Amitai noted she has seen a lot of these Resolutions lately and asked for additional details. The Borough Administrator explained the "mutual aid" process and noted often the agreements are renewed annually. In answer to Mayor Heymann, he informed Closter had not renewed their agreement yet this year; and the Mayor asked for same to be placed on the Agenda (for 2/12/14).

Item No. 3: Received 01/10/14, dated 01/08/14 from Robert Laux, Executive Director, Bergen County Utilities Authority, to Mr. Richard Sheola, c: Mayor and Council, Municipal Recycling Coordinator re Certified Recycling Professional Tonnage Grant Assistance Program; offering to extend the free service of a Certified Recycling Professional (CRP) to sign and submit the Annual Tonnage Recycling Report to the NJDEP on or before April 30 of each year per Service Agreement attached to be submitted to the Director of Solid Waste on or before 3/14/14 (Copy to Carole Dacey, William Dahle, III)

In answer to Councilman Barad, the Administrator explained this was a service being offered to municipalities in the event they did not have a Certified Recycling Professional; and informed our Recycling Coordinator, (Carole Dacey), is certified.

Item No. 7e: Received 01/15/14, dated 01/15/14 from William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Borough Clerk re Appellate Division Decision Clarifies OPRA's Impact on LPCL

The Borough Clerk wished to note this item was referred to the Borough Attorney.

Item No. 9: Received 01/18/14, dated 01/18/14 from David L. Ganz, Freeholder Chairman, Bergen County Board of Chosen Freeholders, to Borough Clerk re Informing of Bergen County Discount Card programs and requesting a copy of the town's licensed cat and dog owners to provide information regarding the "Pet Discount Card" (Copy to Vi Caputo 1/8/14; copy to FAB)

The Borough Clerk informed this message was previously circulated to our Health Officer and Board of Health Secretary to advertise these programs at the County's request and informed a copy was also provided to the Food & Assistance Board.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of January 22, 2014)

The Regular Meeting preceded the Work Session; therefore, no discussion was held regarding the Consent Agenda Items.

6. COMMITTEE REPORTS

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

1) STATUS REPORT RE CLOSTER WEBSITE  
2) REPORT – Councilman Dolson reported the initial steps have been taken and a planning session has been held to assemble the 2014 Budget; and noted it is too soon to make any firm statement regarding same at this time. Mr. Dolson informed this concluded his report.

B. PUBLIC SAFETY - GLIDDEN (LATNER/BARAD)

1) REPORT – Mayor Heymann reported we took care of this item during the Regular Meeting with the presentation given earlier this evening.

C. PUBLIC WORKS - LATNER (DOLSON/GLIDDEN)

1) REPORT – Councilwoman Latner reported the new surveillance system was installed at the Library which allows them to see outside as well as inside the building. She informed the Zinnio site is now set up to receive digital periodicals free of charge.

Mrs. Latner reported that the Northern Valley Regional School Board is holding their public meeting and vote on the Random Drug Testing policy (RDT) this Monday (1/27/14 @ 7:30 p.m. in the NVRHS Auditorium). She voiced her opinion that in the event this is voted down, they will encourage the Board to do something else like Wellcore or a similar program for education.

At this time, Dr. Barad asked if Mrs. Latner has received phone calls from Michael Kafer regarding recycling and inquiring if we have been formulating a plan to manage garbage collections; and Dr. Barad had offered to get an update on same. Mrs. Latner reported they spoke about it at the last DPW Committee meeting; and they will try to come to some decision at the February meeting to bring to the Council. Mayor Heymann reminded the last time we went out to bid, we had too many options; and it was confusing for us and the public to understand and select so we ended up not doing anything. She suggested discussing the options in a public session to let the residents have input as well. Dr. Barad voiced his understanding that a proposal will come from the DPW Committee, which will then be discussed in public session and input received; and this will be the basis of our policy which will then go out to bid; and Mrs. Latner affirmed same. In answer to Mrs. Amitai, she affirmed the Committee has been and will continue to refer to the Subcommittee’s report prepared last year in making any determinations.

Regarding Mrs. Lukach’s request at prior meetings, she informed she would raise the issue for discussion at the next committee meeting. Mayor Heymann informed she spoke to Bill (DPW Superintendent) regarding Mrs. Lukach’s concerns; and she is apparently under the impression that yard waste is everything other than big stick waste; and that is not the case. The Mayor explained it is primarily grass clippings and weeds; anything larger than that falls into the pickup of shrubs; and she does not think it is widely known. Dr. Barad requested doing more to get the information out to the public and that ongoing reports be provided to keep the public informed.

6. COMMITTEE REPORTS (Continued)

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad informed he had no report this evening.

E. HUMAN RESOURCES - KASHWICK (DOLSON/LATNER)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick reported the Human Resources Committee met earlier this month and deferred to the Administrator and Attorney as to when a draft of the proposed Personnel Manual would be ready. Mr. Sheola informed he has a clean copy, which the employees would get; he would like to read through completely to make sure he didn't miss anything. He anticipates sending the draft to the Council on Monday or Tuesday of next week with the hopes of having a Resolution for the February 12 meeting to adopt the revised manual. Mr. Kashwick noted there needs to be discussion with the rest of the Council prior to adoption of the manual; and Mr. Sheola informed he would try to compile a list of changes that have been made.

2) REPORT – Councilman Kashwick reported the Shade Tree Commission adopted the completed and adopted 5 Year Community Forestry Plan; and it was sent to the State for approval.

Councilman Kashwick reported the Historic Preservation Commission will meet next week; and the Environmental Commission did not meet last night due to the snow.

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

1) REPORT – Councilwoman Amitai informed she had no report this evening.

7. OLD BUSINESS

a. DISCUSSION RELATIVE TO MR. SHEMTOV'S APPEAL RE TREE CUTTING AT 25 WESTERVELT AVENUE - Discussed at WS 1/8/14 – supporting information was requested for this meeting – Mayor Heymann informed this item was resolved during the Regular Meeting held prior to the Work Session.

b. HAROLD HESS LUSTRON HOUSE (requested by Mayor 1/17/14) – Mayor Heymann informed this item was resolved during the Regular Meeting held prior to the Work Session.

8. NEW BUSINESS

Mayor Heymann adjourned the following Agenda item to the Work Session of 2/12/14 due to time constraints:

a. POSSIBLE PARTICIPATION IN SUBURBANITE PARTNERSHIP PROPOSAL FOR BOROUGH OF CLOSTER COMMUNITY GUIDE 2014 (Requested by Mayor 1/17/14)

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

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – JANUARY 22, 2014 - 7:30 P.M.

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 10:24 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 January 30, 2014 for approval  
at the Regular Meeting to be held  
February 12, 2014

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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 February 12, 2014  
Consent Agenda Item No. 23b