

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – JULY 23, 2014 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:53 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

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 Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Police Lieutenant, James Winters
Knickerbocker Hook and Ladder Fire Company President, Joe Talmo

The following persons were absent:

Chief of Police, Dennis Kaine

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 ALTERNATE NO. 2 FOR A 4 YEAR UNEXPIRED TERM (PATRICIA IX) TO 12/31/15

4. MAYORAL PROCLAMATION DESIGNATING WEDNESDAY, 10/15/14, TO COMMEMORATE THE 350TH ANNIVERSARY OF THE FOUNDING AND NAMING OF THE STATE OF NEW JERSEY (4. M.L. 7/10/14)

Mayor Heymann read and so declared.

Tim Adriance pointed out that the father of the founders of Closter was a soldier in the fort at the time of surrender. Mayor Heymann noted that Closter was part of the United States before they were the United States and before it was a Dutch colony.

5a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 6, 7, 17, 18 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.

RESOLUTIONS

- ~~6.~~ POSSIBLE RESOLUTION RE HARDSHIP APPEAL OF TREE FINE – BOROUGH CODE CHAPTER 181:6C – TREES, VENTURINI, 86 WAINWRIGHT AVENUE (16. M.L. 5/22/14) (Public Hearing held 7/9/14) (Adjourned from RM 7/9/14) TO BE PREPARED BY BOROUGH ATTORNEY
- ~~7.~~ RECONSIDERATION OF RESOLUTION AUTHORIZING BOSWELL ENGINEERING TO BID THE HICKORY LANE IMPROVEMENTS & 2014 BOROUGH ROAD PROGRAM WHICH WAS MADE AT THE REGULAR MEETING HELD 6/25/14 (Adjourned to this meeting from RM 7/9/14) TO BE PREPARED BY BOROUGH ATTORNEY

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8. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A: 4-87 FOR THE “FY2014 CLEAN COMMUNITIES GRANT” IN THE AMOUNT OF \$14,275.43 (Received from Temporary CFO 7/15/14)
9. RESOLUTION IMPLEMENTING RETROACTIVE CPI ADJUSTMENTS TO THE LENGTH OF SERVICE AWARDS PROGRAM (LOSAP) FOR THE BOROUGH’S VOLUNTEER FIRE FIGHTERS AND AMBULANCE CORP MEMBERS (Received from Borough Attorney 7/15/14)
10. RESOLUTION MEMORIALIZING THE MOTION OF THE GOVERNING BODY TO AUTHORIZE THE BOROUGH ENGINEER TO DETERMINE THE EXTENT OF THE CONTAMINATION AT THE SWIM CLUB IN ACCORDANCE WITH THE PROPOSAL DATED 7/9/14 AT AN AMOUNT NOT TO EXCEED \$46,500 (Received from Borough Attorney 7/15/14)
11. RESOLUTION MEMORIALIZING THE MOTION OF THE GOVERNING BODY TO AUTHORIZE THE MAYOR TO SUBMIT AN APPLICATION TO GREEN ACRES TO SUBSIDIZE 50% OF THE COST OF THE INVESTIGATION BY THE BOROUGH ENGINEER TO DETERMINE THE EXTENT OF THE CONTAMINATION AT THE SWIM CLUB (Received from Borough Attorney 7/15/14)
12. BOROUGH OF CLOSTER RESOLUTION CORRECTING BASE SALARY FOR 2014 (FOR Construction, Zoning & Land Use - \$30,455.57; Dept. of Public Works Recycling Coordinator / DPW Clerical - \$51,953.41 (Received from Temporary CFO 7/14/14)
13. APPROVING RENEWAL OF *INACTIVE/POCKET* LICENSE SUBJECT TO 12.39 SPECIAL RULING FROM THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL FOR THE 2014-2015 LICENSE TERM FOR O’CONNORS ROSEMARIE, PLENARY RETAIL CONSUMPTION LICENSE NO. 0207-33-006-007 (Special Ruling received from the Director of the Division of Alcoholic Beverage Control on 7/16/14)
14. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A: 4-87 FOR THE “NJ COMMUNITY FORESTRY GRANT” IN THE AMOUNT OF \$3,000.00 (Received from Temporary CFO 7/15/14)
15. RESOLUTION AUTHORIZING THE DPW SUPERINTENDENT TO OBTAIN PROPOSALS FOR THE PURCHASE OF THIRTEEN (13) RADIATORS FOR BOROUGH HALL AT A PRICE NOT TO EXCEED \$20,000.00 AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE ANY REQUIRED DOCUMENTS RELATED TO SAME (Received from Borough Attorney 7/17/14)
16. RESOLUTION TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDED CONTRACT FOR INSTALLATION OF THIRTEEN (13) RADIATORS AT CLOSTER BOROUGH HALL AT A PRICE NOT TO EXCEED \$34,000.00 (Received from Borough Attorney 7/17/14)
- 16a. RESOLUTION APPROVING RENEWAL OF *INACTIVE/POCKET* LICENSE SUBJECT TO 12.39 SPECIAL RULING FROM THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL FOR THE 2014-2015 LICENSE TERM FOR *TOPSIDE INC.*, PLENARY RETAIL CONSUMPTION LICENSE NO. 0207-33-012-006 (Special Ruling received 7/21/14)

MOTIONS

- 17.—— *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	<u>Vacant</u>	_____

- 18.—— *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>	_____	2 Years Unexp. (Pierro) to 12/31/14
	<i>(Janice Pierro reappointed to Member at RM 1/22/14)</i>		

IMPROVEMENT COMMISSION

<u>Not made at ReOrg 1/2/14:</u> Member	<u>Vacant</u>	_____	2 Years Unexp. (Vacant) to 12/31/14
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19. MOTION GRANTING APPROVAL FOR THE 62nd ANNUAL PEARLE ROAD BLOCK PARTY TO BE HELD ON 9/6/14, FROM 2:00 P.M. TO 10:00 P.M.. AND TO SERVE BEER TO THOSE INDIVIDUALS OVER THE AGE OF 21; RAIN DATE: 9/7/14 (7. M.L. 7/17/14)

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – JULY 23, 2014 - 7:30 P.M.

20. MOTION APPROVING THE FOLLOWING MINUTES (ABSTENTION: AMITAI):

- a. REGULAR MEETING HELD 7/9/14 (Distributed 7/17/14)
- b. WORK SESSION HELD 6/25/14 (NO ABSTENTIONS) (Distributed 7/3/14/
Adjourned to RM 7/23/14)
- c. WORK SESSION HELD 7/9/14 (Distributed 7/17/14) - In answer to Councilman

Kashwick, relative to Robert's Rules of Order at the bottom of page 6, Borough Attorney clarified that the mover of the action has to be the one of the supporters of the original resolution and must be done at the same meeting at which the original motion was voted upon. Mayor Heymann said that is why it could not be done at the last meeting but a resolution to rescind can be voted upon at this meeting if we so choose.

20-1. MOTION APPROVING RAFFLES APPLICATION FOR CLOSTER ANIMAL WELFARE SOCIETY (CLAWS), P.O. BOX 172, CLOSTER, NJ 07624, TO CONDUCT OFF-PREMISE 50/50 CASH RAFFLE; DRAWING TO BE HELD AT THE CLOSTER PUBLIC LIBRARY, 280 HIGH STREET, CLOSTER, NJ 07624, ON 12/13/14 AT 12 Noon (Completed application filed and appropriate fees paid 7/21/14)

20-2. MOTION GRANTING APPROVAL FOR CLOSTER CHAMBER OF COMMERCE TO USE THE WALKWAY LOCATED ON CLOSTER DOCK ROAD BETWEEN EMPTY VASE AND CELEBRITY SALON FOR VENDOR SETUP, DJ AND OTHER ENTERTAINMENT DURING THE 2014 SIDEWALK SALE ON THURSDAY, 7/24/14, AND FRIDAY, 7/25/14, FROM 9 A.M. TO 9 P.M. AND SATURDAY, 7/26/14, FROM 9 A.M. TO 6 P.M. (Approval received from Risk Management Consultant 7/22/14)

21. REPORTS

- a. CHIEF OF POLICE – JUNE 2014 (Received 7/9/14)

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

6. ~~POSSIBLE~~ RESOLUTION RE HARDSHIP APPEAL OF TREE FINE – BOROUGH CODE CHAPTER 181:6C – TREES, VENTURINI, 86 WAINWRIGHT AVENUE (16. M.L. 5/22/14) (Public Hearing held 7/9/14) (Adjourned from RM 7/9/14) TO BE PREPARED BY BOROUGH ATTORNEY

Borough Clerk noted that the fine is \$7,350 (which was discussed during the Work Session under Old Business).

Motion of approval was made by Councilman Kashwick, seconded by Councilman Latner and declared carried by Mayor Heymann upon the affirmative vote Councilpersons Glidden, Latner, Kashwick, and Dolson. Councilman Barad voted no. Councilwoman Amitai abstained.

7. ~~RECONSIDERATION OF RESOLUTION (NO. 9) AUTHORIZING BOSWELL ENGINEERING TO BID THE HICKORY LANE IMPROVEMENTS & 2014 BOROUGH ROAD PROGRAM WHICH WAS MADE AT THE REGULAR MEETING HELD 6/25/14 (Adjourned to this meeting from RM 7/9/14) TO BE PREPARED BY BOROUGH ATTORNEY~~

Borough Attorney explained we have one motion to have the Borough Engineer forebear on actions from the original motion, which was a 3-3 tie to go forward as was provided two meetings ago. Tonight there is an option to rescind that resolution which would require a two-thirds vote and then do something new.

Motion to rescind (Resolution No. 9 from the Regular Meeting held 6/25/14) 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.

Councilman Barad said that we would need guidance on this matter and Councilwoman Latner said we would do something along what we discussed such as keeping the winding road and as many accommodations as possible. Borough Engineer said we could include the curbing but it could be removed due to the tree in question. Councilwoman Latner supported keeping the tree as did Councilman Barad; and Councilwoman Amitai supported keeping as many trees as possible. Relative to curbing, Borough Engineer said that Belgian block is an added cost. Councilman Glidden noted that a resident did suggest a Council Committee be formed to discuss this matter. We have been looking at this for a long period of time and by giving the Borough Engineer some type of a road map to get started would be appropriate but he cautioned that we still have the opportunity to look at the cost estimates of the proposed improvements thereafter. Mayor Heymann said even though curbs were not being used when Hickory Lane was set up, paving of roads with blocks was very common. Belgian block curbing is not out of character since it would look like pavers rather than a curb. She said that the Borough Engineer needs instruction on how to proceed and to provide cost estimates on the possibilities. There is no extreme urgency to come to a decision this evening. Councilman Barad noted there is some urgency if we wish to have the job done this year.

The following motion was made by Councilman Barad, seconded by Councilman Glidden:

- 7a. MOTION TO MILL THE ROAD, REPAVE THE ROAD TO THE SAME WIDTH AND INSTALL SLANTED BELGIAN BLOCK CURBS IN MOST AREAS ON THE NORTH AND SOUTH SIDE OF THE ROADWAY, ADDITIONAL INLETS, WITH THE MINIMAL REMOVAL OF TREES, WITH AN ALTERNATE BID TO INSTALL CONCRETE SIDEWALKS ON THE SOUTH SIDE

BEFORE ROLL CALL VOTE and in answer to Councilwoman Amitai relative to the gully idea, Borough Engineer said it is problematic from a maintenance standpoint since same would require small piping under driveways in addition to leaf issues. Councilman Dolson noted that Closter Dock Road had Belgian block gullies when he first moved to town. In answer to Councilwoman Latner, Borough Engineer said he would prepare the plan and submit same to the Council for approval before the project is bid. Relative to flush curbing, as on West Street, Borough Engineer noted that same would not work on Hickory Lane because of the slope.

Said motion was declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Barad and Dolson. Councilpersons Kashwick and Amitai voted no.

Tim Adriance said historically Hickory Lane was a dirt road that was never paved and used by horse and buggies and ox carts. To make the road feasible in 2014 and to preserve history, a compromise is in order. To not widen the road, not change the path, not cut down trees and to retain as much of the fabric, culture and history is a good thing; but to add Belgian block is a compromise that does not negate the history of the road. It is a good compromise to give the residents a road that they will be comfortable with but to save the Borough money by engineering same in such a way that the macadam will stay. The installation of Belgian block is something the historic community can be very comfortable with because an effort is being made to keep everything else as much as possible. He said dark stone Belgian block would look authentic but the cost of same is prohibitive. In answer to Mayor Heymann, he said there would be no difference for a truck to travel over Belgian block curbing than concrete curbing. Relative to chipping from a snow plow, Borough Engineer said you may have to replace a block or two but it does have durability.

22. 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)

Seth Schwinger, 7 Hickory Lane, referred to the sidewalk proposal noting that he is able to walk his dogs from his corner up to Anderson Avenue on the existing sidewalks and questioned the ramifications of the installation of sidewalks on the trees and the surrounding environment. He expressed support for the installation of Belgian block curbing since 90% of the residents consider it a good compromise aesthetically and historically. As far as the water drainage is concerned, one way to alleviate same would be to have the Department of Public Works do a more prudent job of opening the drain on the side of the Maker residence. The residents have removed leaves and snow that causes a major flood at that corner. In answer to Councilwoman Amitai, he said that he did not believe it would be physically possible to install sidewalks in the spaces near the existing sidewalks but noted that presently it is a dangerous street with only half the road paved. Mayor Heymann noted that the Department of Public Works is aware of the encumbrance on the Piermont Road and Hickory Lane intersection of the huge quantities of leaves from the large trees and that leaf collection on Hickory Lane is double than elsewhere in the Borough. Lieutenant Winters noted that the water coming down roadways congregates the leaves at the basin during leaf season; and after each rainstorm, the street sweeper is out clearing off the catch basins. In answer to Councilman Kashwick, Mr. Schwinger said he can walk their dogs on the existing sidewalks; and as a separate project to improve the sidewalks on that side of the street without taking out any trees would be fine; but that should not be a hindrance to the priority of fixing the road. In answer to Councilwoman Amitai, Borough Engineer noted that concrete sidewalks are more durable than the existing asphalt sidewalks. Councilman Barad said if there are residents that wish to express their opinion, they can attend a meeting or send the Council a letter.

Borough Engineer advised that the North Parking Lot was crack sealed this past week; and it is hoped that same would be striped next week or the following week depending on the availability of the stripers. The pot holes have also been filled.

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

Relative to the CGI program, Mayor Heymann said that the company would provide a disclaimer for anything that went on the Borough's website. Councilman Kashwick said he had reviewed same and asked if the Borough Attorney had any concerns. Borough Attorney said that other towns have done it and while there are certain concerns, he did not feel it was prohibitive but he would have to review the contract. Borough Attorney to review same and have a summary at the next meeting.

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – JULY 23, 2014 - 7:30 P.M.

- 23a. Motion approving the following Closed Session Resolution at 9:35 p.m. was made by Councilman Kashwick, seconded by Councilman Glidden and declared carried by Mayor Heymann on the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

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

Mayor Heymann resumed the Regular Meeting at 9:56 p.m.

24. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:56 p.m. was made by Councilman Glidden, seconded by Councilman Kashwick and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on
July 31, 2014 for approval at the
Regular Meeting to be held
August 13, 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 August 13, 2014
Consent Agenda Item No. 21a

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, July 23, 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

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 Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Police Lieutenant, James Winters
Superintendent of Public Works, William Dahle III

The following persons were absent:

Chief of Police, Dennis Kaine

Also Present: Devon Sampson

At this time Mayor Heymann called forward Tim Adriance, Chairman of the Closter Historic Preservation Commission, who recognized Department of Public Works employee, Devon Sampson, and presented him with a certificate for the work he has done at the Auryansen Cemetery. The cemetery holds the remains of Closter's earliest settlers. Councilwoman Latner commended him for his work in keeping the cemetery in pristine condition for the past five years. Councilman Glidden expressed his gratitude on behalf of the families of those buried in the cemetery.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF JULY 10, 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 Borough Attorney; Item No. 11 was removed by Borough Clerk; Item No. 9 was removed by Councilman Barad.

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – JULY 23, 2014 - 7:30 P.M.

Item No. 3: Received 07/03/14 Hand del'd, dated 07/02/14 from Rose Mitchell, Planning Board Coordinator, to Loretta Castano re Certified copy of Resolution of the Planning Board of the Borough of Closter Agreeing to Grant Approval for the Historic Designation of the Closter Borough Hall, 295 Closter Dock Road, Block 1309, Lot 3, Borough of Closter, New Jersey approved at the 7/2/14 Planning Board Meeting (Distributed 7/3/14) Copy to Historic Preservation Commission

Borough Attorney informed he would have a draft Ordinance prepared for the next meeting for the Council's consideration to accept or reject the nomination.

Item No. 11: Received 07/08/14, dated 07/08/14 from Linda Albelli, Closter Chamber of Commerce; c: Colleen Holdsworth re Requesting permission to use the walkway located on Closter Dock Road between Empty Vase and Celebrity Salon for vendor setup, DJ and other entertainment during the 2014 Sidewalk Sale on Thursday, 7/24/14, and Friday, 7/25/14, from 9 a.m. to 9 p.m. and Saturday, 7/26/14, from 9 a.m. to 6 p.m.; (approved @ RM 6/25/14); and informing that all paperwork and list of participants will be submitted to the Borough Clerk and Chief of Police prior to the Sidewalk Sale (Copy to Risk Management Consultant)

Borough Clerk informed approval was received from the Risk Management Consultant and this item has been added to the Agenda this evening as an Addendum item.

Item No. 9: Received 07/07/14, dated 07/07/14 from Neil L. Winter, Jr. (wintern@oru.com), to Loretta Castano re O&R Posts Heat Watch for Tuesday, Advises Wise Electricity Use

Councilman Barad questioned the content of this item. Mayor Heymann informed that when Orange & Rockland expects higher usage or potential emergency situations, they communicate this information to us and we pass them on through the Mail List.

b. MAIL LIST OF JULY 17, 2014 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 9 was removed by Councilman Barad; Item No. 7 was removed by Mayor Heymann; Item No. 11 was removed by Councilman Kashwick; Item No. 4 was removed by Borough Clerk.

Dr. Ted West, (1 McCain Court) made numerous requests from the audience for someone to read Item No. 9 on the July 17, 2014 Mail List; and Councilman Barad voiced his opinion that although Dr. West is out of order, he wished to discuss the item amongst the Council and asked to address same at this time.

Item No. 9: Received 07/14/14, dated 07/14/14 from Edward T. Rogan, Esq., to Loretta Castano re Letter dated 7/9/14 from David M. Watkins to Edward Rogan, Esq. RE: METROPOLITAN FARMS – Removal of “No Left Hand Turn” Southbound on Piermont Road to Hickory Lane/cc: Frank Vastano

Councilman Barad explained this communication represents a letter written to Mr. Rogan by David Watkins requesting removal of the “No Left Turn” sign on Piermont Road going onto Hickory Lane and the intentions to open a portion of the property onto Wendy Lane if same does not occur; and he read the letter into the record. Dr. Barad informed Dr. West that the Council only received this communication recently and has not had the opportunity to discuss same prior this evening's meeting.

Councilwoman Amitai referred to the Borough Attorney and asked for verification that the Agriculture (Development) Board in Hackensack had discussed this issue. Borough Attorney disagreed and explained that Mr. Watkins had commented at the proceeding she is referring to that

his client would like that sign taken down as part of the resolution of the Farm Board's decision but it was specifically excluded from any discussions as the Borough's position was that the Agriculture (Development) Board had no jurisdiction over a street in the Borough's control so it was deliberately not addressed. The Board can govern activities on a farm but cannot tell a municipality what to do as far as their traffic laws.

Dr. Barad voiced his opinion that the Council needs to discuss this issue further and said his initial individual reaction was that the sign was placed by the Borough for the right reasons and he is not inclined to consider changing that. Mrs. Amitai voiced her agreement with Dr. Barad and recalled it has been in place since 1995 or 1996.

Item No. 7: Received 07/14/14, dated 07/14/14 from Raymond G. Zebro, Block Party Committee Member re Request for permission to hold 62nd Annual Pearle Road Block Party and serve beer to individuals over 21 on 9/6/14 from 2 p.m. to 10 p.m.; Rain Date: 9/7/14 from 2 p.m. to 10 p.m. (Copy to Glenn Parsells, Chief Kaine, William Dahle, III)

Mayor Heymann wished to note this is the 62nd annual block party on Pearle Road and she voiced her sentiments that the block has been cohesive and neighborly all of these years and said she believes that's what Closter is all about.

Item No. 11: Received 07/17/14, dated 07/17/14 from Luke Gervase, 9 Wainwright Court, to CSX Transportation; cc: Sophie Heymann, Mayor, Council, Dennis Kaine, Chief of Police, Bill Dahle, DPW Supervisor re Expressing concern and requesting the two (2) railroad crossings be paved and cleaned up due to hazardous conditions including broken tracks, debris, overgrown vegetation, junked cars and boats along the A&P Store before the winter snows begin

Councilman Kashwick questioned if there is anything the Borough can do to assist the resident with this issue. Mayor Heymann informed the Borough has been issuing summonses to CSX; and every once in a very long while something happens. She said Mr. Gervase tried very hard to take photographs of the existing problems; and they are being thoroughly followed through in the Building Department.

Item No. 4: Received 07/11/14, dated 07/08/14 from Anthony Gorga, President, Donald Winters, Secretary, Glenn Parsells, Closter Lions Club re Request to nickname the bottom of Colgate Street as "Toby Lane", to be placed on top of the current Mill Pond Road – Colgate Street sign post to honor Orlando Tobia's 59 years of membership in the Lions Club, his 88th birthday and recognize his lifelong humanitarian service to the Borough

Borough Clerk questioned who would follow through on this type of request and Mayor Heymann informed the Ordinance and Legislative Committee should follow up on same.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of July 23, 2014)

Mayor Heymann asked if any Council member wished to discuss any matter. Borough Attorney asked that Items 6 and 7 be removed for Council discussion. Borough Clerk asked to add Item No. 16a relative to an alcoholic beverage pocket license for Topside Inc. in addition to two motions: 20-1 approving a raffles application for Closter Animal Welfare Society and 20-2 approval of the use of the walkway for vendor set up by the Chamber of Commerce for the Annual Sidewalk Sale.

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – JULY 23, 2014 - 7:30 P.M.

6. *POSSIBLE* RESOLUTION RE HARDSHIP APPEAL OF TREE FINE – BOROUGH CODE CHAPTER 181:6C – TREES, VENTURINI, 86 WAINWRIGHT AVENUE (16. M.L. 5/22/14) (Public Hearing held 7/9/14) (Adjourned from RM 7/9/14) TO BE PREPARED BY BOROUGH ATTORNEY

7. RECONSIDERATION OF RESOLUTION AUTHORIZING BOSWELL ENGINEERING TO BID THE HICKORY LANE IMPROVEMENTS & 2014 BOROUGH ROAD PROGRAM WHICH WAS MADE AT THE REGULAR MEETING HELD 6/25/14 (Adjourned to this meeting from RM 7/9/14) TO BE PREPARED BY BOROUGH ATTORNEY

12. BOROUGH OF CLOSTER RESOLUTION CORRECTING BASE SALARY FOR 2014 (FOR Construction, Zoning & Land Use - \$30,455.57; Dept. of Public Works Recycling Coordinator / DPW Clerical - \$51,953.41 (Received from Temporary CFO 7/14/14)
Mayor Heymann advised that the salary corrections consist of the incorrect calculation for one salary in addition to the typographical transposition of several numbers in another salary.

- 16a. RESOLUTION APPROVING RENEWAL OF *INACTIVE/POCKET* LICENSE SUBJECT TO 12.39 SPECIAL RULING FROM THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL FOR THE 2014-2015 LICENSE TERM FOR *TOPSIDE INC.*, PLENARY RETAIL CONSUMPTION LICENSE NO. 0207-33-012-006 (Special Ruling received 7/21/14)

- 20-1. MOTION APPROVING RAFFLES APPLICATION FOR CLOSTER ANIMAL WELFARE SOCIETY (CLAWS), P.O. BOX 172, CLOSTER, NJ 07624, TO CONDUCT OFF-PREMISE 50/50 CASH RAFFLE; DRAWING TO BE HELD AT THE CLOSTER PUBLIC LIBRARY, 280 HIGH STREET, CLOSTER, NJ 07624, ON 12/13/14 AT 12 Noon (Completed application filed and appropriate fees paid 7/21/14)

- 20-2. MOTION GRANTING APPROVAL FOR CLOSTER CHAMBER OF COMMERCE TO USE THE WALKWAY LOCATED ON CLOSTER DOCK ROAD BETWEEN EMPTY VASE AND CELEBRITY SALON FOR VENDOR SETUP, DJ AND OTHER ENTERTAINMENT DURING THE 2014 SIDEWALK SALE ON THURSDAY, 7/24/14, AND FRIDAY, 7/25/14, FROM 9 A.M. TO 9 P.M. AND SATURDAY, 7/26/14, FROM 9 A.M. TO 6 P.M. (Approval received from Risk Management Consultant 7/22/14)

6. COMMITTEE REPORTS

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

- 1) STATUS REPORT RE CLOSTER WEBSITE
- 2) REPORT - Councilman Dolson reported that property owners and residents have been expressing major concerns that they have not received their tax bills since they have not been mailed out; the cause of which is a delay on the County's end because the State has not finalized the figures. Mr. Dolson informed once the bills are mailed out, there are statutorily 26 days to pay the bill; and he urged everyone to be patient and thanked the public in advance for their cooperation and understanding.

Mayor Heymann thanked Mr. Dolson for making this point and said there have been many residents coming to Borough Hall with the same question. She noted this happens to us quite frequently this time of year and reminded it is an issue on the State and County levels.

6. COMMITTEE REPORTS (Continued)

B. PUBLIC SAFETY - GLIDDEN (LATNER/BARAD)

1) REPORT – Councilman Glidden informed he had no report regarding Public Safety.

Regarding the Recreation Commission, Mr. Glidden noted this week will be the last concert and said he and his family have enjoyed all of the ones they have been able to attend; and he urged the public to come out and enjoy a show.

C. PUBLIC WORKS - LATNER (DOLSON/GLIDDEN)

1) REPORT – Councilwoman Latner wished to bring up some points from the last school board meeting. She said the Interim Superintendent is working and they are in the process of hiring a new Superintendent for next year. In regards to the 1:1 initiative, there will be laptops for all of the kids as this is a big part of the learning curve now. Regarding the topic of Random Drug Testing from last year she was pleased to inform there has been more reporting in the community as far as drug prevention in terms of the programs at the school. She said there is a new freshman curriculum that has been added that did not previously exist. Northern Valley Demarest won the sports honor of the Lou Molino award in terms of recognition of all of the sports teams that have won from the school. She voiced her understanding that Old Tappan was last year's recipient.

Regarding the lightning detection system and comments the Borough Attorney had made, Mrs. Latner informed she inquired about the issue and Lenny (Albanese) had informed they also had problems at the high school. Joannette Femia had said she would follow through because there were times when the system did not work for them either. She wanted all to be aware that the issue is being worked on.

Councilwoman Latner reminded that the Library Generator bids went out again and informed the foregoing concluded her report.

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported the Ordinance Committee had to reschedule yesterday's meeting for tomorrow afternoon. He informed there were some email conversations regarding the peddlers license discussed at the last meeting and the Committee was suggesting increasing the cost to \$500; but there was some talk about that being out of line with other communities; and the Borough Clerk had expressed concern about that increase. The Committee will continue to discuss the issue to make the fee high enough to use as a deterrent to limit the number of peddlers but not to be challenged legally.

2) REPORT – Councilman Barad reported he attended the Ambulance Corps meeting this week and informed the next installation is scheduled to be held 2/7/15. It was mentioned at the meeting that the Palisades Parkway was finally being repaved; and he would like to think the Borough had a part due to the Resolution they sent but noted many municipalities did the same.

E. HUMAN RESOURCES - KASHWICK (DOLSON/LATNER)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick reported the Human Resources Committee will meet one day next week.

6. COMMITTEE REPORTS (Continued)

E. HUMAN RESOURCES - KASHWICK (DOLSON/LATNER) (Continued)

2) REPORT – Councilman Kashwick reported the following:

a. The Environmental Commission discussed the signage at the farm and they are close to having a final draft for that; and they appointed a committee for the Trail Grant we received earlier in the year to develop specs for same.

b. Shade Tree Commission is working on the Fall tree planting schedule to take place in November. Pruning in District 3 will take place in December or January.

c. Historic Preservation Commission does not meet until next week; therefore, he had no report.

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

1) REPORT – Councilwoman Amitai reported on the following:

a. The Improvement Commission met last night and discussed plans for the next music festival tentatively scheduled for the middle of October; and she will report on dates at a future time.

b. The Planning Board is expecting a long-awaited Developer’s Agreement for Closter Plaza because it is in the throes of being finalized.

c. The Building Department Committee will hopefully meet in the next two weeks to interview candidates for Construction Official because a full-time candidate will be needed with the incoming Closter Plaza changes.

7. OLD BUSINESS

- a. FOLLOW UP DISCUSSION RE PUBLIC HEARING HELD AT RM 7/9/14
RE APPEAL OF TREE FINE – BOROUGH CODE CHAPTER 181:63 – TREES,
VENTURINI, 86 WAINWRIGHT AVENUE (Possible action to take place at the
Regular Meeting)

Mayor Heymann said that the family had concerns about the fine and fee that must be paid and at the time there was confusion over the fine. She had studied the documents provided and those of the tree expert were correct. After further review a \$400 fine had been charged for trees that had no value because this type of tree grows rapidly and is a weed more than a tree. The revised amount would be \$7,350. No objections were expressed by Council members.

- b. DISCUSSION RE RECONSIDERATION OF RESOLUTION AUTHORIZING BOSWELL
ENGINEERING TO BID THE HICKORY LANE IMPROVEMENTS & BOROUGH ROAD
PROGRAM (Approved at RM 6/25/14/Discussed at WS 7/9/14 and RM 7/9/14/on RM
Agenda 7/23/14)

Borough Engineer described the choices before the Council: the first would be to do nothing to the roadway; second would be to minimally improve the road as it stands today which would be milling and resurfacing with no drainage improvements or curbing; and thirdly the road could be milled and paved with either Belgian block or concrete curbing in the normal manner or slanted at 15 degrees which a vehicle or truck could ride over without any damage. He said, in his opinion, Belgian block looks better. Another alternative would be to widen the road and install drainage. Relative to drainage, there is only a 3” curb base and would be overtopped in a big rainstorm and erode behind the curb. The curbing would be set in concrete approximately 12”

below the surface of the roadway. Under normal installation, the curb would be installed vertically 6” above the road. For lesser storms, the erosion could be controlled by vegetation; but in a high intensity storm, it would be subject to erosion because of the steep hill and the velocity of the rainwater. Inlets could be installed to reduce the amount of flow. The curbing from Bradley Place to the top of the hill would remain as is; and there would be two choices for the portions along the Metropolitan Farm property. One would be to curb the area minus the portion by the historic structures, which would be determined by the Council.

Councilwoman Amitai said she liked the flat curbing on West Street and Borough Engineer said the curbing retains the pavement but there is no gutter so that the water flows right into the property of the Water Company. He noted also that West Street is flat whereas water flowing at excessive velocity down Hickory Lane would erode the property behind the curb. He recommended the full height curbing but preferably the sloped curbing of either Belgian block or concrete. In answer to Councilwoman Amitai, Borough Engineer said that inlets every 200 to 300 feet are the preferred way of handling drainage but swales and piping under driveways could be installed. Inlets could be turned to have the water flow into the mouth rather than over the grate. He noted that gutter flow is the problem on Hickory Lane causing erosion. Ice is not a problem on the hill. Sloping curb would not create a problem for snow plows; and road reflectors should be installed to provide a location of the curbing. Department of Public Works Superintendent said that sloped curbing would be better.

Borough Engineer described the pictures of various roads with the curbing types that were being discussed. He said he did not see the advantage of installing pre-cast concrete curbing, which would cost more than poured-in-place concrete curbing. Concrete curbing can be colored but does fade over time and Belgian block curbing cannot be obtained colorized. In answer to Councilman Dolson, Borough Engineer said that if there is no straightening or widening of the roadway, there will be a minimal effect on the trees. The roadway by the big tree at 119 Hickory Lane can be skipped completely or a metal plate could be installed such as was done on West Street in several areas. If you skipped that area, you would not have to worry about erosion because of the tree roots. Mayor Heymann said if there is a consensus by the Council, it can be brought up at the Regular Meeting; and with these instructions, the Borough Engineer can prepare a complete plan.

Borough Attorney referred to the shared fuel contracts and noted that there has been some discussion on revising same. He said we would need a consensus of the Council on the preparation of the agreements. In past agreements, participating municipalities would be responsible for a certain percentage of potential repairs. There had been discussion to remove this from the agreement and replace same with a “20 cent per gallon” over cost charge. It was the consensus to revise the agreement to indicate a 20 cent per gallon charge for one year.

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

Seth Schwinger, 7 Hickory Lane, asked the Council not to consider Mr. Watkins’ proposal to remove the No-Left Turn on Hickory Lane since he has been witness to numerous accidents in that

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area. He supported the slanted Belgian block installation, which is a wonderful compromise. He noted that the paving by PSE&G is more of a hazard than a help because many people drive on that half.

Joe Shpigel, 45 Hickory Lane, said there has been a tremendous improvement since the installation of the No-Left Turn sign eliminating the use of the street as a short cut. Closter residents would not benefit from the removal. He also felt it was a terrible idea to open Wendy Lane.

David Garfunkel, 3 Wendy Lane, expressed concern about opening Wendy Lane inasmuch as the houses are much closer to the street and the increased traffic accessing the farm would cause a dangerous situation. He said that the paving and curbing and Ruckman should be inspected since the hill is the same as Hickory Lane.

David Hecht, 51 Hickory Lane, expressed agreement with the Belgian block curbing and he questioned the no-left hand turn request. Borough Attorney said that the Council has the authority over the placement of the sign. Councilwoman Amitai said it was a terrible idea to open Wendy Lane; and neither request should be entertained by the Council. Borough Engineer said that the tax maps indicate that Wendy Lane goes right to the farm's property line; and Borough Attorney said that the Council has jurisdiction over the No-Left Turn sign but the Wendy Lane opening would have to be looked at closely. He said that Mr. Watkins' position is that Wendy Lane is no different than anyone's driveway and that he has a right to install a driveway. Old subdivision maps would have to be reviewed in this matter. Mayor Heymann said that vacation of the street is not the issue but the issue is whether the section of Wendy Lane that goes into the farm is a part of the roadway *or* is it the right of way of the adjoining properties. She noted that Anderson Avenue is a public street and it becomes the right of the Mayor and Council to deal with same. The issue here is not whether it is a public street but is it a right of way; and if it is a right of way, there can be a driveway; but the maps have to be reviewed. Councilman Barad said that all possibilities must be explored; and Councilwoman Latner expressed her opposition to both requests.

Tamar Shpigel, (45) Hickory Lane, said she cannot walk on Hickory Lane without being in danger and does not understand why there are no sidewalks being considered. Traffic should be checked in September - not at this time; and she cited many vehicles making a left turn when it is not allowed. Mayor Heymann said that there are ditches and streams along Hickory Lane and the Department of Environmental Protection will not allow installation of sidewalks in that area. Councilman Barad noted that sidewalks were being considered in other areas of Hickory Lane, but many residents at the last meeting objected to same because of concern for the trees and character of the road. Tonight is an opportunity for the public to advise the Council on what they would like to see. Mrs. Shpigel said we need to compromise and Belgian block curbing would be a compromise. Mayor Heymann said that the Police Department would continue to monitor the traffic and speed on the road; and voiced her understanding that additional stop signs could be installed to lower the speed. Councilman Kashwick suggested a digital sign that detects speed.

Tim Adriance thanked the Mayor and Council for their attentiveness to the residents. He supported a compromise of slanted Belgian block curbing that would maintain the character of the road and improve the quality of life for the residents. He noted that sloped curbs would not necessarily impact the historic character of 119 Hickory Lane and 80 Hickory Lane. Relative to Wendy Lane, it is hoped that it is not a right of way and that a section can be vacated and given to

the two property owners north of the farm property.

Dr. Arthur Goldberg suggested that diagrams and alternatives for the roadway be presented to the Council for review and that a small committee be established to have a consensus. He referred to the historic home near the Temple where a decision had to be made on the proposed roadway; and noted he had the opportunity to travel that road to the Alpine Basin which is similar to Hickory Lane. He said there are trenches on the side of the road with flat stones to accommodate the runoff. Councilman Barad said that the sloped curb would have dirt on the backside where there may be erosion; and he questioned if Dr. Goldberg would be in favor of the gully system being installed on Hickory Lane. Dr. Goldberg said that the Alpine road looked elegant but he did not know which system would be best.

Steve Isaacson, 97 Columbus Avenue, referred to Closter Plaza; and Councilwoman Amitai said we are just about to receive a Developer's Agreement. Mayor Heymann said there was a verbal agreement between the Planning Board and the developer's attorneys as of this afternoon, which means that the agreements must be signed at which time construction would take place. Relative to hawkers and peddlers, Mr. Isaacson questioned if food trucks and vendors are in this category. Councilman Barad said that the hawkers and peddlers that were discussed are licensed to go door to door and a food truck would have its own type of license. Councilwoman Latner said that this was prompted because there were a number of people going door to door in certain areas that was becoming quite a nuisance. Borough Attorney said that these fees do not apply to the Farmers Market. Mr. Isaacson referred to Wendy Lane, which he said stops at the hill but there is a storm drain half way up the hill, and Borough Engineer said it may be a sanitary sewer manhole, which could have a road built over same. Mr. Isaacson referred to vacating a portion of Wendy Lane up until the hill; and Borough Attorney said you theoretically could but all it means is that the property owners would buy a piece of it and the farm is one of the property owners. Borough Engineer said it appears that the end of the Wendy Lane right of way is at the farm and it must be reviewed.

Michelle Mandelblatt, 42 McCain Court, expressed support for the installation of as many sidewalks as possible on Hickory Lane for safety reasons for pedestrians and children. Hickory Lane is dangerous at this point in time.

Ree Hartwell, 1 Bradley Place, said she was glad to see agreement on the No-Left Turn sign on Hickory Lane. She questioned the cost of flush and Belgian block curbing and Borough Engineer said that the sloped Belgian block curb would cost approximately 10% to 20% more than the flush curbing. Ms. Hartwell said she has seen historic homes in the County and noted that none of them have curbing in front including George Washington's Headquarters in Old Tappan.

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 8:51 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
July 31, 2014 for approval at the
Regular Meeting to be held
August 13, 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 August 13, 2014
Consent Agenda Item No. 21b