

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – JUNE 11, 2014 - 7:30 P.M.

Mayor Heymann called the meeting to order at 10:13 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 Administrator, Richard Sheola  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Chief of Police, Dennis Kaine  
Superintendent of Public Works, William Dahle III

Mayor Heymann read the following Proclamation during the Work Session:

3. MAYORAL PROCLAMATION HONORING LOUISE UNGAR'S DEVOTED SERVICE TO THE BOROUGH OF CLOSTER (Requested by Mayor Heymann 6/5/14)

4. *POSSIBLE* MAYORAL APPOINTMENTS TO PLANNING BOARD:

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

5. MAYORAL APPOINTMENTS TO COMMUNITY DEVELOPMENT FOR A 1-YEAR TERM FROM 7/1/14 TO 6/30/15:

- a. RESOLUTION APPOINTING MAYOR SOPHIE HEYMANN AS COMMUNITY DEVELOPMENT REPRESENTATIVE FOR A 1-YEAR TERM TO 6/30/15
- b. RESOLUTION APPOINTING JOHN C. GLIDDEN, JR. AS MAYOR'S ALTERNATE TO COMMUNITY DEVELOPMENT FOR A 1-YEAR TERM TO 6/30/15

5-1 MAYORAL APPOINTMENT OF THE FOLLOWING INDIVIDUAL TO THE SHADE TREE COMMISSION:

- a. PATRICIA IX, MEMBER - 5 YEAR UNEXPIRED TERM (UNGAR) TO 12/31/16 (Requested by Councilman Kashwick 6/10/14)
- b. Vacant \_\_\_\_\_ ALTERNATE NO. 2 FOR A 4-YEAR UNEXPIRED TERM (PATRICIA IX) TO 12/31/15

6a. VOTE ON CONSENT AGENDA ITEMS

Motion to approve the following Consent Agenda items minus Item Nos. 12, 15, 16, 18, 21, 24, 26, 32, 33 and 34 was made by Councilman Kashwick, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden (voted yes except for Item No. 19), Latner, Kashwick, Barad, Dolson and Amitai.

ORDINANCES

7. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING AND ADOPTION 7/9/14 @ 8 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2014:1170, "AN ORDINANCE ACCEPTING BLOCK 1805, LOT 1, COMMONLY KNOWN AS CLOSTER SWIM CLUB" (Received from Borough Attorney 6/5/14)

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RESOLUTIONS

8. BILL RESOLUTION – JUNE 15, 2014  
(Received from Deputy Treasurer 6/5/14)
9. RESOLUTION APPOINTING VICTORIA AMITAI AS COMMUNITY DEVELOPMENT GOVERNING BODY REPRESENTATIVE FOR A 1-YEAR TERM TO 6/30/15
10. RESOLUTION APPOINTING JOHN KASHWICK AS COMMUNITY DEVELOPMENT GOVERNING BODY ALTERNATE REPRESENTATIVE FOR A 1-YEAR TERM TO 6/30/15
11. RESOLUTION APPOINTING MAYOR SOPHIE HEYMANN AS MUNICIPAL REPRESENTATIVE TO PARTICIPATE IN BERGEN COUNTY OPEN SPACE TRUST REGIONAL COMMITTEE (PER ORDINANCE NO. 1999:811) FOR A 1-YEAR TERM TO 6/30/15
- ~~12.~~ RESOLUTION MEMORIALIZING THE BOROUGH'S VEGETATIVE WASTE PICK UP SCHEDULE AND CERTAIN RELATED PROCEDURES (APPROVED AT RM 5/28/14)  
(Received from Borough Attorney 6/4/14)
13. RESOLUTION SETTING FEE OF \$829.00 FOR SEWER SERVICE TO ALPINE PROPERTIES FOR CALENDAR YEAR 2014 (Received from Administrator 6/3/14)
14. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 FOR MASON DUMP TRUCK WITH PLOW AS FOLLOWS: Commodity/Service: One (1) Ford F450 Mason Dump; Vendor: Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07936; State Contract #: A83560; Max Amt: \$46,265.00; Period: 2/13/13 to 8/12/14 (Received from Administrator 6/3/14)
- ~~15.~~ RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 FOR CAB CHASSIS & OPTIONS FOR BUCKET TRUCK AS FOLLOWS: Commodity/Service: One (1) Ford F550 Cab & Chassis with options for bucket truck; Vendor: Ditschman/Flemington Ford, 215 Routes 202 & 31, Flemington, NJ 08822; State Contract #: A-79113; Max Amt: \$91,347.00; Period: 2/13/13 to 6/6/14 (Received from Administrator 6/3/14)
- ~~16.~~ RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a FOR PORTABLE RADIOS FOR CLOSTER POLICE DEPARTMENT AS FOLLOWS: Commodity/Service: Portable Radios; Vendor: Motorola Solutions, 5 Paragon Drive, Montvale, NJ 07645; State Contract #: A83909; Max Amt: \$54,947.85 (Received from Administrator 6/3/14)
17. RESOLUTION AUTHORIZING BOROUGH ADMINISTRATOR TO DEVELOP SPECIFICATIONS FOR EMERGENCY GENERATOR WITH AUTOMATIC TRANSFER SWITCH FOR THE CLOSTER PUBLIC LIBRARY (Received from Administrator 6/3/14)
- ~~18.~~ RESOLUTION AUTHORIZING BOROUGH ADMINISTRATOR TO BID FOR RENOVATIONS AND IMPROVEMENTS TO THE CLOSTER POLICE FIRING RANGE (Received from Administrator 6/3/14)
19. RESOLUTION AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH THE BERGEN COUNTY IMPROVEMENT AUTHORITY'S BERGEN MUNICIPAL BANC PROGRAM BY THE MAYOR AND BOROUGH CLERK (Received from Administrator 6/3/14)
20. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR THE 2014 MUNICIPAL AID PROGRAM FOR HICKORY LANE IN THE AMOUNT OF \$149,000.00 (Received from Temporary CFO 5/29/14)
- ~~21.~~ RESOLUTION FIXING BASE SALARIES FOR 2014 (Received from Administrator 6/3/14)
22. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEAR 2013: KAHN V. CLOSTER (Received from Borough Attorney 6/3/14)
23. RESOLUTION NO. 1 RENEWING (8 of 13) 2014-2015 LIQUOR LICENSES
- ~~24.~~ *POSSIBLE* RESOLUTION AUTHORIZING BOSWELL ENGINEERING TO BID THE HICKORY LANE IMPROVEMENTS & 2014 BOROUGH ROAD PROGRAM (Received from Administrator 4/30/14)
25. RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REIMBURSE \$7,393.12 TO THE BANKRUPTCY TRUSTEE OF KIM'S PROVISIONS (Received from Borough Attorney 6/4/14)

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26. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 FOR POLICE PATROL VEHICLES AS FOLLOWS: Commodity/Service: Two (2) Ford Police Interceptor SUV; Vendor: Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034; State Contract #: A82925; Max Amt: \$27,250.00; Period: 10/25/12 to 10/24/14 (Received from Administrator 6/4/14)
27. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 FOR AUTOMATIC LICENSE PLATE READER AS FOLLOWS: Commodity/Service: One (1) Automatic License Plate Reader; Vendor: GTMB, 351 Paterson Avenue, East Rutherford, NJ 07073; State Contract #: A-75583; Max Amt: \$19,209.50; Expires: 8/31/14 (Received from Administrator 6/4/14)
28. RESOLUTION AUTHORIZING THE HIRING OF TWO DPW EMPLOYEES: NICK FOLKER, PROBATIONARY DRIVER COLLECTOR, TIER 2, WITH CDL, AT A SALARY OF \$49,044 PER ANNUM; AND DOUG GISMOND, PROBATIONARY DRIVER COLLECTOR, TIER 2, AT A SALARY OF \$41,354 PER ANNUM PURSUANT TO COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOROUGH AND LOCAL 125 TEAMSTERS, EFFECTIVE 7/1/14 (Received from Borough Attorney 5/22/14/Carried from RM 5/28/14/Revised received from Administrator 6/5/14)
29. RESOLUTION APPOINTING TRAVIS BRUECK AS TEMPORARY LABORER IN THE DEPARTMENT OF PUBLIC WORKS, STREETS & ROADS DIVISION, AT A RATE OF \$14.00 PER HOUR, EFFECTIVE JUNE 23, 2014 (Received from Administrator 6/5/14)
30. RESOLUTION APPROVING RECREATION SUMMER CONCERT SERIES FOR JUNE (Received from Administrator 6/5/14)
31. RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO AWARD CONTRACT UNDER THE NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT FOR ONE (1) INTERNATIONAL 7500 CAB & CHASSIS, GVWR 44,000 LBS., 4 X 2 DRIVETRAIN, WITH HELI PT100 20 CUBIC YARD REAR LOAD PACKER BODY (Received from Administrator 6/6/14)

MOTIONS

32. 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>	_____

33. POSSIBLE MOTION APPROVING THE FOLLOWING NON-SALARIED APPOINTMENTS:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
<b>BOARD OF HEALTH</b>			2 Years Unexp. (Pierro)	
Alternate No. 1	<u>Janice Pierro</u>	_____	to	12/31/14
	<i>(Janice Pierro reappointed to Member at RM 1/22/14)</i>			

**IMPROVEMENT  
 COMMISSION**

<i>Not made at ReOrg 1/2/14:</i>			2 Years Unexp. (Vacant)
Member	<u>Vacant</u>	_____	to 12/31/14

34. POSSIBLE MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO FILL THE FOLLOWING NON-SALARIED APPOINTMENTS MADE AT THE REORGANIZATION MEETING HELD ON 1/2/14 (Which have not been accepted as of the time of preparation of this Agenda):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
<b>RECREATION            COMMISSION</b>			1 Year	
Associate Member	<u>Wendy Nigro</u>	_____	to	12/31/14

35. MOTION APPROVING THE FOLLOWING MINUTES (ABSTENTION: AMITAI):
- a. REGULAR MEETING HELD 5/28/14 (Distributed 6/5/14)
  - b. WORK SESSION HELD 5/28/14 (Distributed 6/5/14)

36. REPORTS

- a. CONSTRUCTION OFFICIAL – MAY 2014 (Received 6/3/14)
- b. FIRE CHIEF – MAY 2014 (Received 6/6/14)

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6b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

12. RESOLUTION MEMORIALIZING THE BOROUGH'S VEGETATIVE WASTE PICK UP SCHEDULE AND CERTAIN RELATED PROCEDURES (APPROVED AT RM 5/28/14)  
(Received from Borough Attorney 6/4/14)

Borough Attorney explained that the resolution is amended to indicate under the second "Whereas the first and third Wednesday of the months of June, July, August and *September*".

Motion of approval 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.

15. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 FOR CAB CHASSIS & OPTIONS FOR BUCKET TRUCK AS FOLLOWS: Commodity/Service: One (1) Ford F550 Cab & Chassis with options for bucket truck; Vendor: Ditschman/Flemington Ford, 215 Routes 202 & 31, Flemington, NJ 08822; State Contract #: A-79113; Max Amt: \$91,347.00; Period: 2/13/13 to 6/6/14  
(Received from Administrator 6/3/14)

Borough Attorney explained that the resolution is amended to indicate on the reference Cooperative Pricing Systems Contract Vendors pursuant to the extended price period offer as per attached written confirmation of extension to be provided by the Borough Administrator.

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

16. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a FOR PORTABLE RADIOS FOR CLOSTER POLICE DEPARTMENT AS FOLLOWS: Commodity/Service: Portable Radios; Vendor: Motorola Solutions, 5 Paragon Drive, Montvale, NJ 07645; State Contract #: A83909; Max Amt: \$54,947.85  
(Received from Administrator 6/3/14)

Borough Attorney explained that the resolution is amended under "Be It Further Resolved" to correct the Ordinance number to reflect "Ordinance No. 2014:1164" and on the second page, the referenced State Contract Vendor to reflect "21 Portable Radios and radio accessories".

Motion of approval 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.

26. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 FOR POLICE PATROL VEHICLES AS FOLLOWS: Commodity/Service: Two (2) Ford Police Interceptor SUV; Vendor: Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034; State Contract #: A82925; Max Amt: \$27,250.00; Period: 10/25/12 to 10/24/14 (Received from Administrator 6/4/14)

Borough Attorney explained that the resolution is amended to reflect "\$27,250.00 *each*" for the purchase of two Ford Police Interceptors.

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

21. RESOLUTION FIXING BASE SALARIES FOR 2014 (Received from Administrator 6/3/14)

Mayor Heymann referred to the part-time position in the Finance Office, which is paid an hourly wage of \$17 per hour and at an increase of 2% is paid an additional 34 cents per hour. The position requires more responsibilities and the wage is less than other positions, which is inappropriate. She requested that the hourly rate for that position be increased to \$19 per hour. Borough Administrator noted that the work being done in that position is being done admirably and the position warrants the increase. The number of hours worked per week is 20 hours up to 25 hours during tax time and there are sufficient funds in salary adjustment account to cover the increase.

Motion to approve the amendment 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.

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Motion to approve Resolution No. 21, as amended, was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

37. 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.

Motion approving the following Resolution at 10:35 p.m. was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

37a. OMNIBUS 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 12 weeks.

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

Mayor Heymann resumed the Regular Meeting at 10:47 p.m.

39. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:47 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  
June 19, 2014 for approval at the  
Regular Meeting to be held  
June 25, 2014

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held June 25, 2014  
Consent Agenda Item No. 19a

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION NOTES – JUNE 11, 2014 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Regular Meeting at Borough Hall on Wednesday, June 11, 2014. Mayor Heymann called the meeting to order at 7:30 p.m.

1. PLEDGE OF ALLEGIANCE

Mayor Heymann invited all to join in the Pledge of Allegiance.

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the 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 (7:48 p.m.),  
Arthur Dolson and Victoria Amitai  
Borough Administrator, Richard Sheola  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Chief of Police, Dennis Kaine  
Superintendent of Public Works, William Dahle III

Also present:

Maria Passafaro, Temporary Chief Financial Officer/Tax Collector  
Jim Oettinger, Director, Recreation Commission

At this time, Mayor Heymann recognized the 8<sup>th</sup> Grade Bergen Traveling Basketball Team, who earned the Championship of the Bergen Travel Basketball League, and presented certificates to each member of the team and their coaches.

At this time, Mayor Heymann read the following Proclamation which is on the Regular Meeting Agenda for June 11, 2014:

**MAYORAL PROCLAMATION HONORING LOUISE UNGAR'S DEVOTED SERVICE TO THE BOROUGH OF CLOSTER (Requested by Mayor Heymann 6/5/14)**

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF MAY 29, 2014 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 2 was removed by Councilman Glidden.

Item No 2: Received 05/23/14, dated 05/20/14 from Gayle A. Krygier, Assistant Financial Manager, NJS League of Municipalities, to Mayor Heymann re Acknowledging receipt of the Mayor's nomination of Edward T. Rogan, Esq. for the Michael A. Pane Award

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Councilman Glidden asked what the Pane Award is for. Mayor Heymann explained this award is for a public servant who has been particularly outstanding in preserving ethics in the administration of municipal government. She reminded we have nominated Edward Rogan, Esq. in the past and we are repeating that nomination. All agreed with the nomination of the Borough Attorney for the Michael Pane Award.

b. MAIL LIST OF JUNE 5, 2014 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 5 was removed by Councilman Kashwick; Item Nos. 6 and 12 were removed by Borough Clerk.

Item No. 5: Received 05/30/14, dated 05/28/14 from Stuart D. Liebman, Wells, Jaworski & Liebman, LLP, to Loretta Castano; c: Edward T. Rogan, Esq., Leonard Sinowitz, James Crimmins re Letter requesting response to letter dated 4/29/14 (see also 9. M.L. 5/1/14) and notification of scheduled discussion with the Governing Body re Request for Zoning Amendment re: A portion of John Street, Lots 1, 2, 3, 4, 5, 6, 7, Block 1203, Borough of Closter on behalf of the owner of Block 1203, Lot 5 with enclosed draft Ordinance for review prepared by Burgis Associates entitled “An Ordinance to Amend, Supplement and Revise the Code of the Borough of Closter, Zoning, Chapter 200” to create proposed new “District No. 2A, Residence Area C” (Copy to Planning Board) – Discussed at W.S. 5/14/14!!

In answer to Councilman Kashwick Mayor Heymann affirmed she has already responded to this letter.

Item No. 6: Received 05/30/14, dated 05/27/14 from Linda Albelli, Closter Chamber of Commerce re Request for permission to conduct 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.; AND requesting the permit fees for same be waived; Hold Harmless Agreement and Certificate of Insurance attached; **ALSO** requesting permission to hang the Sidewalk Sale banner across VerValen Street in early July **AND** requesting permission to place ten (10) signs at locations to be provided; list of participants is to be provided (Complete copy to Glenn Parsells 6/2/14 - Copy to Chief Kaine, Board of Health, DPW Superintendent, Zoning Officer, Construction Official - letter only!)

Borough Clerk informed she received approval from the Risk Management Consultant for the Hold Harmless Agreement and Certificate of Insurance; however, we have not received the list of locations for the 10 signs or the list of participants and whether any food is to be sold; so there are outstanding items to be addressed. In answer to Councilwoman Amitai, the Mayor said the event is in July and there is time to approve this at the next Council meeting. Ms. Castano voiced her understanding that the Administrator’s office has been in touch with Mrs. Albelli and will inform her of same.

Item No. 12: Received 06/02/14, dated 06/01/14 from Jim Oettinger, Director, Recreation Commission, to Loretta Castano; c: Chief Dennis Kaine, Councilman John Glidden re Requesting permission for the Recreation Department to hold 2014 Concerts in the Park at the Closter Lions Bandshell located at Memorial Field, Harrington Avenue, on the following Thursdays from 7:30 p.m. to 9 p.m.: 6/12/14; 6/19/14; 6/26/14; 7/10/14; 7/17/14; and 7/24/14 and informing all performers will execute the Hold Harmless Agreement required (Copy to Glenn Parsells, Chief Kaine)

In answer to Mayor Heymann, the Borough Clerk explained approval for the June concerts only is on the Agenda for this evening because there are outstanding items for the other dates. Borough Administrator informed the Resolution is written as such that approval can be granted because it states that same is subject to compliance with all insurance requirements and said he would have the July dates ready for the next meeting. The Borough Clerk noted she has been reading in the paper all kinds of advertisements for these concerts and they have not been approved yet by the Governing Body; and she voiced her concern that this is a frequent occurrence where things are being advertised before they are approved. For example, Janet Lukach was here this afternoon questioning what the dates were for the vegetative waste collections because the website says one thing and the newspapers reported another thing; and it has not been voted on yet.

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At this time, Councilwoman Amitai referred to Jim Oettinger, Recreation Director, questioning if the band shell at Memorial was in fact complete; and he affirmed with the notation that on the inside, the electrical room is completed and updated but asked whether the animals could still get inside. Bill Dahle, DPW Superintendent informed that Marek (Skowron, Senior Maintenance Repairer/Streets & Roads) took care of the holes. Mr. Oettinger thanked the DPW for their assistance with the project. Councilman Glidden noted the first concert is tomorrow at 7:30 p.m. and voiced his hopes that fellow Councilpersons would join him as his family will be attending.

Councilman Barad entered the meeting at 7:48 p.m.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of June 11, 2014)

7. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING AND ADOPTION  
7/9/14 @ 8 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2014:1170, “AN ORDINANCE ACCEPTING BLOCK 1805, LOT 1, COMMONLY KNOWN AS CLOSTER SWIM CLUB” (Received from Borough Attorney 6/5/14)

In answer to Councilman Kashwick, Borough Attorney explained the transfer of property is due to a reverter clause; and it is questionable if an ordinance needs to be done since the property was turned over to the Borough as evidenced by the title deed. In order to clear up any title issue that may arise, it is more prudent to have this type of ordinance.

12. RESOLUTION MEMORIALIZING THE BOROUGH’S VEGETATIVE WASTE PICK UP SCHEDULE AND CERTAIN RELATED PROCEDURES (APPROVED AT RM 5/28/14)  
(Received from Borough Attorney 6/4/14)

In answer to Councilwoman Amitai, Mayor Heymann said that pick up would be the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday through the month of September.

14. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 FOR MASON DUMP TRUCK WITH PLOW AS FOLLOWS: Commodity/Service: One (1) Ford F450 Mason Dump; Vendor: Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07936; State Contract #: A83560; Max Amt: \$46,265.00; Period: 2/13/13 to 8/12/14 (Received from Administrator 6/3/14)

In answer to Borough Clerk, Borough Administrator said that this item would be purchased through Ordinance No. 2014:1164 and it did not matter that Chief Financial Officer is indicated rather than Temporary Chief Financial Officer. Mayor Heymann noted that the item in question would not be going out to bid but would be bought through the State Contract at the indicated cost; and Councilwoman Amitai expressed concern about the lack of bidding since same could realize a lower price for the truck. Borough Administrator said that the use of State Contract has been done in the past noting the trucks that were purchased last year. He explained the procedures of the use of State Contract without the time and costs of the bid process. In answer to Councilman Barad, Superintendent of Public Works advised that there is a need for the dump truck and that the Borough is getting a better deal under the State Contract; and if not bought under State Contract, the truck would not be available to the Borough this winter and would not be available for less money. The procedure to purchase the truck was started in December 2013 with the Finance Committee; and the Borough Administrator noted that he had forwarded a memo to the Council outlining the items to be purchased, the funding of same and the detail submitted by the Departments. Superintendent of Public Works noted that this is the truck we need and this is the best price.

In answer to Councilwoman Amitai, Mayor Heymann said that the inventory list that she had forwarded to the Councilwoman was prepared in 2011 by Claim Inventory LLC for all of the Borough’s property; and this was an official list that is in compliance with the law. Borough Administrator noted that an updated listing is included in the Budget document; and he provided an explanation of the categories in the listing noting that the cost listing does not include the cost of financing. Councilwoman Amitai requested a listing of all the Borough vehicles, the location of same and the cost including the interest that

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has been paid. Councilman Glidden also requested a current listing of all assets for review by the full Council and Borough Administrator said he would provide same. Superintendent of Public Works said he has a complete and up-to-date listing of all the vehicles in the Department when purchased and when auctioned. Councilman Glidden noted that he felt comfortable passing the resolutions since same have been discussed by the Committees as did Councilman Barad. Mayor Heymann noted that the Bond Ordinance that had been adopted quoted higher prices for the items.

15. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 FOR CAB CHASSIS & OPTIONS FOR BUCKET TRUCK AS FOLLOWS: Commodity/Service: One (1) Ford F550 Cab & Chassis with options for bucket truck; Vendor: Ditschman/Flemington Ford, 215 Routes 202 & 31, Flemington, NJ 08822; State Contract #: A-79113; Max Amt: \$91,347.00; Period: 2/13/13 to **6/6/14** (Received from Administrator 6/3/14)

Borough Clerk cited the period of time for the State Contract which expired on June 6, 2014 and Councilman Dolson noted that the Borough Administrator received a document from the vendor that the contract would be extended until the purchase order is received. Borough Administrator noted that he received the email relative to the extension today; and if the vendor is willing to do this, it is his prerogative.

16. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a FOR PORTABLE RADIOS FOR CLOSTER POLICE DEPARTMENT AS FOLLOWS: Commodity/Service: Portable Radios; Vendor: Motorola Solutions, 5 Paragon Drive, Montvale, NJ 07645; State Contract #: A83909; Max Amt: \$54,947.85 (Received from Administrator 6/3/14)

Borough Clerk questioned the Ordinance number in the Resolution and Borough Administrator said same was a “ typo” and should be Ordinance No. 2014:1164. Mayor Heymann, citing the cost, noted that the Bond Ordinance reflected \$70,000 for the radios and recommended that at the time of purchase, we only purchase what is needed. In answer to Councilwoman Amitai, Chief Kaine noted that the contract would be for 21 radios and the additional five would be ordered under the State Contract in July. Presently the Department is using 18-year old radios and are not operational because of the Federal regulation to change over to narrow band. Borough Administrator said the prices indicated were based on quotes that had been received by the department prior to the budget and since that time Motorola has had a promotion to reduce the price to the current amount. The cost is for 21 radios, microphones, chargers and 2 bank chargers and the bond ordinance was written at the end of March based on the prices received from the departments and approved by the Finance Committee prior to the budget. Councilman Barad noted that there is more money in the Bond Ordinance than we need and Councilman Glidden said there is always a disconnect between the amount bonded and what is actually spent. Very often there are monies left over in a bond issue, which goes to pay off principal and interest. Borough Administrator noted that after conferring with the Borough Attorney language would be added to the resolution to include the number of radios and ancillary equipment. He noted that the quote would be attached to the resolution.

17. RESOLUTION AUTHORIZING BOROUGH ADMINISTRATOR TO DEVELOP SPECIFICATIONS FOR EMERGENCY GENERATOR WITH AUTOMATIC TRANSFER SWITCH FOR THE CLOSTER PUBLIC LIBRARY (Received from Administrator 6/3/14)

In answer to Mayor Heymann, Borough Administrator advised that he would be developing the specifications based on the ones used for the Senior Center and updating same. This resolution only authorizes the preparation of the bid specifications and the next one would authorize the bidding process. The Library is part of the discussion and the site would be determined based upon location of the breaker panel in the building.

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18. RESOLUTION AUTHORIZING BOROUGH ADMINISTRATOR TO BID FOR RENOVATIONS AND IMPROVEMENTS TO THE CLOSTER POLICE FIRING RANGE (Received from Administrator 6/3/14)

Borough Administrator advised that he is working with Sergeant Brueck on the rough set of specifications that will be finalized in the coming weeks. Chief Kaine explained the improvements to the range and the location of same. Councilman Barad suggested that the resolution be amended to authorize the Borough Administrator to prepare the bid specifications. No objections were expressed by Council members.

19. RESOLUTION AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH THE BERGEN COUNTY IMPROVEMENT AUTHORITY'S BERGEN MUNICIPAL BANC PROGRAM BY THE MAYOR AND BOROUGH CLERK (Received from Administrator 6/3/14)

Borough Administrator explained that the resolution authorizes the lease of an unmarked vehicle for the Detective Bureau through the Bergen County Improvement Authority Municipal Banc, which provided the best interest rate of .094% for a 3-year lease at the end of which the vehicle belongs to the Borough. The payments are approximately \$10,000 per year and are less than purchasing the vehicle outright. Borough Attorney requested that a description of the vehicle be included in the resolution as well as the lease documentation. In answer to Councilwoman Amitai, Chief Kaine advised that the Department has 9 patrol vehicles, including 3 unmarked vehicles and 2 private work cars. The two cars purchased last year have almost 10,000 miles on each and the 2001 Detective Bureau car mileage is over 100,000 miles and would be replaced by the new vehicle.

20. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR THE 2014 MUNICIPAL AID PROGRAM FOR HICKORY LANE IN THE AMOUNT OF \$149,000.00 (Received from Temporary CFO 5/29/14)

In answer to Councilwoman Amitai, Mayor Heymann said that the grant would be used to go against the much larger cost of the improvement, which was outlined in information provided by the Borough Engineer. Borough Engineer advised that the improvement would eventually be from Piermont Road to Anderson Avenue with curbing on both sides, concrete sidewalks on the south side, drainage, widening and straightening of the roadway as much as possible. 15 to 20 trees would be removed and some should be replaced. Emergency services do not like speed bumps but same could be included in the future.

26. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 FOR POLICE PATROL VEHICLES AS FOLLOWS: Commodity/Service: Two (2) Ford Police Interceptor SUV; Vendor: Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034; State Contract #: A82925; Max Amt: \$27,250.00; Period: 10/25/12 to 10/24/14 (Received from Administrator 6/4/14)

Chief Kaine noted that these would replace two vehicles with bad transmissions; and the vehicles are kept for parts.

31. RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO AWARD CONTRACT UNDER THE NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT FOR ONE (1) INTERNATIONAL 7500 CAB & CHASSIS, GVWR 44,000 LBS., 4 X 2 DRIVETRAIN, WITH HELI PT100 20 CUBIC YARD REAR LOAD PACKER BODY (Received from Administrator 6/6/14)

Borough Administrator explained that one pricing group has a manufacturer of garbage truck bodies and chassis and we are using same for a better step. There is an additional step involved which is awarding the contractor to the vendor and issuing a notice of intent that must be published prior to the award. If approved this evening, the notice would be published in the Record on Saturday and if there are no objectors a resolution awarding the contract would be on the next agenda. A New Jersey vendor would have to first object to the use of a National Coop and prove that he could provide equal or better for a better price. The Borough budgeted \$180,000 for the vehicle and would replace an existing garbage truck.

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

- 1) REPORT RE PREPARATION OF SPECIFICATIONS FOR SOLID WASTE TRANSFER SERVICES (RM 3/26/14) – The Borough Attorney reported a draft of the specifications have been prepared and noted he will speak to Bill Dahle tomorrow to get some input from him. The DPW Committee will be talking about the Host Community Agreement; and he intends to speak to Mr. Dahle on that subject as well.
- 2) REPORT – Mr. Rogan reported on the following matters:
  - a. The Cell Tower Agreements with Sprint and T-Mobile have been signed and a second draft of the AT&T Agreement was recently reviewed. Minimal changes were still being negotiated but he anticipates this being done by the next meeting. He reported that the Crown Castle overpayment will be resolved now that AT&T is on the tower.
  - b. The County started Tax Appeal hearings on 6/8/14. There are 53 County appeals and the bulk of them are residential. As a practical matter, many of those may go away after our initial hearing in front of the Tax Commissioner. Mr. Rogan noted this is significantly lower than the past several years as far as the volume of tax appeals filed which is a good sign for the Borough.
  - c. He was contacted by Mr. Giua who indicated he will not be pursuing anything additional regarding his appeal. A committee had met with Mr. Giua at the site and the Tax Assessor reviewed the tax bill and made an adjustment to his satisfaction. In answer to the Mayor, Mr. Rogan said there was an increase of 15% on land value only due to the taking of those three parking spaces at the time the Borough installed that driveway. In answer to Mr. Kashwick, he voiced his recollection there was a retroactive refund of \$1,800 and explained that a number of years ago, he was supposed to receive a refund which was made available at that time, but because Mr. Giua, was upset about the situation, he never came in to get it. We are working on a Resolution for the next meeting to authorize the Tax Collector to refund that one year. Mr. Rogan explained that during litigation, we were fortunate enough to have Mr. Giua waive any of the interim years.
  - d. As a reminder, we received a letter (16. M.L. 5/22/14) from an attorney representing the homeowners at 86 Wainwright Avenue (Philip and Vicki Venturini) to appeal fines assessed for cutting down trees. Mr. Rogan contacted the attorney (Robert C. Metzdorf) and scheduled a hearing regarding the appeal for fines to be held during the Regular Meeting to be held on July 9, 2014.
  - e. His office has been waiting for an update from the attorney for Village School regarding some issue on their end. The owner and the attorney have had to postpone their meetings together due to an illness in the owner's family, but Mr. Watkins indicated he should be meeting with her in the next two weeks. He hopes to have additional information to report at the next meeting.
  - f. Regarding Hartford Boulevard located near Temple Emanu-El off Piermont Road, Mr. Rogan said he has written several letters to the Temple's Board asking them to contact his office to discuss the letter from the property owner (Squicciarini) which was sent to us naming him as the official owner of that piece of property. Mr. Rogan said he has not received any response from the Temple. As there are no legal matters pending, he informed he is unable to do anything other than make requests for them to contact him to discuss the matter; and so far they have not. In answer to Mr. Kashwick, Borough Attorney explained it is not the Borough's fence to remove although it is on our right of way; it is there pursuant to a Planning Board approval. It was placed there legally after a Planning Board decision. Mayor Heymann offered to make a phone call to see if she could get anywhere on the matter. Councilman Glidden agreed and asked the Mayor to make a phone call because Dr. Arthur Goldberg had suggested removing a small piece of the fence to resolve the problem. Mayor Heymann reiterated it is not that simple but voiced her concern they have chosen not to respond to us at all. Mr. Rogan said he would at least like to know if the Board has not met, or what their position on the issue is at this time.
  - g. Referring to a conversation a few weeks ago concerning increasing LOSAP, which is a contribution from the Borough for our Ambulance and Fire Department volunteers, Mr. Rogan reminded the Administrator passed out a proposal at that time with a summary of the options; and he is looking into the possibility of doing something retroactive for cost of living increases short of having to go to a formal referendum. The way he reads it, the Borough may be able to go retroactive to 1999 when the original Resolution was passed. He advised we can't just arbitrarily pick a number as referenced in a Local Finance

6. PROFESSIONAL REPORTS (Continued)

A. BOROUGH ATTORNEY (Continued)

2) REPORT (Continued)

Notice regarding same because there is established CPI going back to that time (1999). Borough Attorney advised he requested the Auditor look into the matter; and he anticipates having calculations as to how to go about it via Resolution without the expense and uncertainty of a referendum. If we are not able to do that or if the figure is not high enough as to the purview of the Council for their desired contribution to recognize our volunteers, then we would have to hold a referendum; in which case he would begin to prepare an ordinance to go forward with a referendum. In answer to the Borough Administrator, Mr. Rogan clarified there would not be any retroactive payments; this would be to establish the contribution rate going forward and using the past LOSAP CPI will help establish a baseline for doing same. Borough Clerk noted if they wish to proceed with a referendum, the deadline for doing so is forthcoming (8/15/14); therefore, the decision would have to come quickly. Mr. Rogan explained if the CPI calculations are not where we want them to be, then we would have to adopt an ordinance for the referendum.

At this time, Councilman Glidden requested a Closed Session regarding personnel.

B. BOROUGH ENGINEER

1) STATUS REPORT RE RUCKMAN ROAD, PERRY STREET, OAKLAND AVENUE, FIRE DEPARTMENT ENTRANCE RAMP AND CURB IMPVTS. HIGH STREET (from Legion Place to Knickerbocker Road), 2013 ROAD IMPROVEMENTS, & RUCKMAN PARK WALKING PATH (RM 5/8/13) Awarded to Cifelli and Son General Construction - RM 7/10/13 – Borough Engineer reported this project has been completed

and all of the documentation has been submitted to the Administrator. He noted there is a final change order and authorizing the payment which should be on the next Agenda. Mr. DeNicola advised once the change order has been approved by the Borough, he will submit the paperwork to the NJDOT for reimbursement; and asked the Borough Clerk to remove this item from his report.

2) REPORT RE ENGINEERING/INSPECTION SERVICES FOR (2013) BARRIER FREE CURB RAMP INSTALLATIONS (Per 7/15/13 proposal \$12,050/Approved RM 8/14/13) – Borough Engineer reported this project has been completed with the contractor coming to resolve the two issues with the ramps at Durie and Demarest Avenues and West and High Streets. Mr. DeNicola requested this item be removed from his report.

3) STATUS REPORT RE INFORMATION SESSION WITH HICKORY LANE RESIDENTS (Requested at WS 3/12/14) – Borough Engineer noted we discussed this topic earlier and said going forward Boswell will abide by whatever the Council wants as far as curbs or no curbs and suggested they come to a conclusion.

Dr. Barad noted there are two Hickory Lane residents in the audience this evening; and asked how many of the homeowners attended the information session. Mr. DeNicola explained that out of the 8-10 residents that attended, there was no real consensus other than wanting the road improved; and each idea of improvement differed in every respect. Councilman Glidden questioned what would happen to the grant monies we were awarded if the Borough was to downgrade the scale of the project. Borough Engineer voiced his understanding that it should be okay if they change the scope of the project; but he would be concerned about future applications where we decide to do something and then not do it. In answer to Mayor Heymann he affirmed the DEP paperwork has already been filed on the project.

In answer to Dr. Barad, Mr. DeNicola explained that curbs add life to the pavement because without them, people can drive at the edge of the road and it breaks off the pavement. He said it is true that it costs more money, but it will also look much different than it is today. Mr. Glidden asked if the entire job including cutting down trees costs \$800,000, what would the cost be just for milling, paving and patching. Borough Engineer said that was just the roadwork and did not include curbs or sidewalks. Dr. Barad asked if in lieu of curbing, if we added a shoulder would that help; and Mr. DeNicola said yes but then we still have to cut down trees to make room for it. In answer to Mrs. Amitai he said he would review it but did not think that all of the proposed trees had to be cut down in order to install Belgian block curbs without widening the road. In answer to Mrs. Amitai, the Administrator explained that the blocks will hold up

6. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER (Continued)

3) STATUS REPORT RE INFORMATION SESSION WITH HICKORY  
LANE RESIDENTS (Requested at WS 3/12/14) (Continued)

better than the curbs. Mayor Heymann voiced her opinion that asphalt sidewalks would be less intrusive visually to the overall appearance of Hickory Lane as opposed to concrete and Mrs. Amitai agreed. In answer to the Borough Engineer, the Mayor advised she was aware that asphalt would not last as long. Mr. DeNicola reminded there was a similar issue downtown where the Borough installed asphalt sidewalks then the property owners were required to repair it because it was not done right; and the Borough Attorney voiced his opinion that is a problem and we should reconsider our sidewalk requirement for everyone. Mayor Heymann explained that when she was first elected Mayor, she had expressed concern about the sidewalks on Hickory Lane and said she and the Borough Engineer had gone to Trenton to get permission to fix them. Those sidewalks had deteriorated to the point where the State felt we could not build sidewalks and the State denied the request, additionally, it is near a C-1 stream. Mayor Heymann reiterated that knowing all of these things, she feels an asphalt sidewalk would be preferable.

At this time, the Borough Engineer requested clarification of the desired specifications for the reconstruction project. He voiced his understanding they no longer wished to widen the road; and no objections were voiced by the Council. In answer to Councilman Dolson, the Borough Engineer explained you can still construct sloped curbing but it is more expensive because it is wider. Councilpersons Kashwick, Amitai and Glidden and Latner expressed their desire to not place any curbs as it changes the aesthetics of the road. Dr. Barad agreed with the Mayor's sentiment. He voiced his opinion that in 15 years the road will deteriorate again if it is not constructed with proper forethought. Mr. DeNicola said taking the curbing out makes the project a lot easier. Mrs. Latner voiced her opinion that we could still improve the road without widening or curbing and just be clear that these other problems will still exist if it is completed in this fashion.

Regarding sidewalks, the Borough Engineer explained that without curbing, when it rains the water will run down and deteriorate the road more quickly in addition to the sidewalk. Mr. Dahle explained that he is not aware how many on the Council have seen Hickory Lane after a rain storm but since there is no curbing there now, most of the debris washes down the road and ends up at the bottom on Piermont Road. He voiced his opinion that curbing should be done to stop or minimize the erosion on the sides of the road. He urged them to drive up the road and they will see all of the gravel the DPW has been placing over the years; and said if you just pave it, you will have the same scenario where after every storm the DPW will be back out there putting more gravel at the sides of the road. Mayor Heymann urged the Council to reconsider this aspect. Mr. Kashwick made a comparison of the reconstruction made to Old Closter Dock Road several years ago; and the Mayor explained there is no comparison there; Hickory Lane is not only sloped because it is a hill but all of the properties slope into the road. Mr. Dahle explained that method worked on Closter Dock Road because it is straight, and reminded that Hickory Lane is not a uniform width; and if you don't know where those curbs are, the snow plows will rip up the sides of the road.

At this time, the Council was straw polled regarding Belgian block or regular curbing. Mr. Dahle wished to reiterate the Council must keep in mind every time it rains and the side of the road washes down that the DPW does not go and add dirt or sod and make it look pretty, they go add rocks and big boulders and gravel to minimize the wash. Mayor Heymann suggested putting off a decision on the options for another time. Mr. DeNicola explained that if the Borough chooses to only mill and resurface the road, we do not need any permits from the DEP and he could request the permit be pulled and the money refunded. It was decided to allow the Borough Engineer to continue his report without further discussion at this time.

In answer to Councilwoman Amitai's inquiry regarding pervious pavers, he noted they could be used but it still is changing the character of the road.

4) DPW REMEDIATION (Authorized at RM 4/23/14) – Borough Engineer reported testing was completed on the wells; and 9 out of 11 showed no groundwater contamination. A second round of testing will be done in August; and if we get the same result, those 9 wells can be closed. He explained the 10<sup>th</sup> well has slight contamination which is barely over the threshold and they anticipate it dissipating over time; but the 11<sup>th</sup> well has a lot of contamination. In answer to Councilwoman Amitai he noted Boswell has taken over the project from PMK & Langan who previously installed and monitored the wells going back

6. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER (Continued)

4) DPW REMEDIATION (Authorized at RM 4/23/14) (Continued)

15-20 years. Mayor Heymann explained that during the process of gathering all of the previous reports for the wells, she reviewed the information from Langan and noted in 2011 and 2012 we were billed for monitoring wells; but Langan insists they did not monitor any wells at that time; and she has this response in writing. Mayor Heymann is trying to recoup the payments from Langan.

5) REPORT – Mr. DeNicola reported he received a quote for the North Parking Lot (behind the Shyong Dental building) project to restripe and clarify the parking times and zones which includes crack sealing. The lowest quote for striping came in at \$3,750 and the crack sealing came in at \$9,600 and said it could be funded by the Parking Trust Fund so there would be no expense to the Borough. Hearing no objections, Borough Engineer requested the Administrator authorize those payments from the Trust Fund. In answer to Mrs. Amitai, he said he believes the DPW is working on the signage for the lot; and said we will need to close it for two days to do the crack sealing and striping and the Police Department will advise on dates.

At this time, Mayor Heymann wished to report she has been receiving complaints about people using the Borough (Hall) parking lot particularly on Wednesdays. Recently the lot had been full all day long with cars that are not necessarily our cars and noted that though it is a public lot, she recommended signage to limit usage of the lot on Wednesdays to Seniors. Councilman Barad questioned why we were only targeting one group and said he would rather signage to limit all usage. She further explained it is not commuters parking here, rather employees of nearby office buildings. Mrs. Amitai suggested a sign to limit usage for Borough business only; and the Borough Attorney noted he was not sure if it is a public lot but advised he would look into same. In answer to Dr. Barad, he said he was not sure about issuing permits but we certainly could do hourly restrictions. He believes at one time the Borough took monies for improvement and designated that as public parking.

At this time, Borough Clerk wished to note that in the June 15, 2014 Bill Resolution (RM Agenda No. 8) it reflects a payment of \$35,768.72 to Cifelli; and she questioned if the final payment has or has not been made. Borough Engineer explained a payment has been made but the final change order will bring the project in under the bid; and affirmed it should be authorized by Resolution for payment. Borough Administrator informed that same will be placed on the next Agenda ratifying approval of this payment.

7. REPORTS

A. BOROUGH ADMINISTRATOR

1) STATUS REPORT RE FOLLOW UP OF BOROUGH ENGINEER  
RECOMMENDATIONS RE POTENTIAL USES FOR SWIM CLUB PROPERTY  
DEEDED TO THE BOROUGH (WS 5/8/13) – Borough Administrator reported he and the

Mayor received a letter from a resident with interest in potentially purchasing the Swim Club property and noted he circulated it to the Council. After some discussion, he noted he sent a copy in the Borough email to everyone and Mrs. Amitai said she has not seen it. Mr. Sheola said they could hold off on this discussion until the next meeting. Borough Attorney explained the base figures the resident is using are not fair market value by any means; and voiced his understanding the gentleman used the number the Borough had been talking to the Swim Club about which was basically only to assist them in their financial difficulties. This is not fair market value and he said it is ridiculous for him to base an offer on this figure. Borough Engineer requested a copy be provided to him to review the proposed remediation listed in the letter.

Mr. Rogan agreed with Mayor Heymann that the letter is hardly worth talking about. Borough Administrator agreed but noted since it was sent to the Borough and wanted to put it forward; and asked if the consensus was that the property was not in fact for sale. Mrs. Amitai voiced her understanding that the property is on the ROSI list; Mr. Rogan advised that even if it were for sale, it would have to take place by auction. Mr. Sheola said they did explain that to this gentleman when he and the Mayor sat down with him and explained the process of purchasing public property. Based on the general consensus of the Council, the Administrator said he would respond to the author informing him that the property is not for sale.

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

2) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S):

a) Mail List requests:

1. Recreation Commission to hold 2014 Concerts to be held in Lions Bandshell/Memorial Field, Harrington Avenue on June 12, 19, 26 and July 10, 17 and 24 (12. M.L. 6/5/14) – Borough Administrator reported there

is a Resolution on the Agenda tonight to approve the June dates; and at the next meeting, the July concerts will be approved.

3) STATUS REPORT RE ACQUISITION & INSTALLATION OF EMERGENCY GENERATOR AT THE CLOSTER PUBLIC LIBRARY (WS 1/8/14) – Mr. Sheola

reminded they spoke on this issue earlier regarding development of specifications; and he anticipates a Resolution authorizing the bidding to take place at the next meeting.

4) STATUS REPORT RE EXTERIOR REPAIRS AND ROOF REPLACEMENT

AT BOROUGH HALL (Bid Awarded at RM 5/28/14 to 3 Sons Restoration, LLC, Union, NJ - \$499,000.00) – Borough Administrator reported the kick-off meeting for this project is scheduled for next Tuesday (6/17/14). Billy Dahle (DPW Superintendent) and Andy Oouzonian (Planning Board Member) will attend.

5) REPORT – Mr. Sheola reported the park bathrooms are almost complete with the

exception of the garage door at Schauble Park. He anticipates that will be replaced within 2-3 weeks. Mr. Sheola requested a Closed Session to discuss an issue regarding one of the sub-contractors.

Borough Administrator reported he has started a Transition Report which he will forward to the Human Resources Committee, so they can determine how to proceed and he has been moving files to the appropriate Departments at this point.

At this time, Mr. Sheola noted he had spoken to two members each of the Human Resources and Finance Committees earlier with an offer to buy from the Borough the laptop he has been using. He explained he will have some work to do after he leaves and said a cheap, dependable laptop would benefit him. He said if there was no objection from the Council, he would contact Kevin Whitney (IT Coordinator) to discuss a price. Mr. Sheola voiced his understanding there is leftover capital from previous years in addition to monies in the Capital Improvement Fund this year for replacement and upgrade of computers throughout the Borough so the next person who comes in can decide what they want.

The Borough Clerk noted one of the originally purchased laptops for Council meetings was given to the Detective Bureau and shortly thereafter we encountered a problem with one of the laptops in use where it needed to be repaired and they were without a spare. She requested the laptop remain with the Borough so that it may be used as a spare in the event another laptop needs repair in the future. Mr. Sheola said he was not aware there was an issue and there was plenty of money to order a replacement. In answer to Mr. Kashwick, he affirmed the laptop is used at his desk and at Council meetings.

Mr. Glidden asked the Borough Attorney if there were legal issues with an employee purchasing a piece of equipment; and he advised that as long as all of the content was completely removed, it should not be a problem. In answer to Mrs. Latner he said the one he is using has been discontinued but there are comparable models from other manufacturers and said everyone has their preference. Dr. Barad voiced his concern that data that could be useful to another Administrator would be wiped off and Mr. Sheola noted the data is backed up to the server and everything is backed up. Though Mr. Glidden and Dr. Barad did not object to the offer, Mrs. Amitai offered that she agreed with Ms. Castano in that it would cost more to purchase a new laptop for a new Administrator and we could use the backup laptop. The Administrator explained if there was agreement he would obtain a price from Kevin and if the Council did not object, they would adopt a Resolution; and Mr. Kashwick indicated it was a lot of effort and would not occur.

7. REPORTS (Continued)

B. BOROUGH CLERK

1) STATUS REPORT RE 2014 APPOINTMENTS - Ms. Castano reported this item is current with open appointments being maintained on the Regular Meeting Agenda. As of this evening, as a result of Louise Ungar's untimely resignation (17. M.L. of 6/5/14) there is an unexpired 5-year term on the Shade Tree Commission to 12/31/16; and Mr. Kashwick has made a nomination to the Mayor which will be made during the Regular Meeting.

2) STATUS REPORT RE 2014 OATHS OF OFFICE – Borough Clerk reported Oaths of Office are current

3) STATUS REPORT RE 2014 LICENSES – Ms. Castano reported Borough licenses are current. She was pleased to report that we are rather successful this year in regards to liquor license renewals as 8 of 13 licensees have complied with requirements and are on the Agenda for approval this evening. Gjevukaj is waiting for Tax Clearance; JBS Mack has not returned any paperwork but she understands he is still in litigation at this point; and O'Connors, Topside and Retail Holdings all require Special Rulings due to inactivity for 2 license terms. They have all made good faith effort and returned the paperwork with the fees and we are waiting on the 12.39 Special Rulings in order to renew them for the current license term.

4) STATUS REPORT RE 2014 MEETING DATES – Borough Clerk reported meeting dates are current and noted a Special Meeting was called for Board of Ethics on 6/5/14 @ 8:30 to answer any questions about the new procedure for filing Financial Disclosure Statements. Recreation Commission had a change of meeting date – they cancelled the scheduled meeting of 6/9/14 and rescheduled it for 6/16/14.

5) STATUS REPORT RE ELECTIONS – Ms. Castano reported the Primary was held Tuesday, 6/3/14, from 6 a.m. to 8 p.m. and we had about 100 voters per school for a total of about 200 voters which was a 4% turn out. She reported the County had called her to ask her to try to keep the Borough's poll workers together because they had received so many calls of people cancelling and not wanting to work the Primary. All of Closter's poll workers showed up. Ms. Castano reported there were no petitions filed for Independent candidates. The Democratic party had one write-in for County Committee in District 2 and her office followed through with contacting the nominee who ultimately accepted.

6) STATUS REPORT RE NEW FINANCIAL DISCLOSURE STATEMENT FILING PROCEDURES RECEIVED FROM THE LOCAL FINANCE BOARD (Nos. 12 & 13 – M.L. 5/8/14) – Ms. Castano reported the new process is much simpler and informed the deadline for filing is this Friday, June 13<sup>th</sup>.

7) REPORT – Borough Clerk reported on the following matters:

a. She mailed a request for hotel reservations for the League Conference to the Governing Body and Borough Officials and said if she has not received a response by the end of the week, she will process what she has received. Ms. Castano informed it is better if someone thinks they may want to go to have the reservations made now because she can always cancel later on; but it is very difficult to make accommodations later.

b. Regarding the League's magazine subscriptions, Ms. Castano requested she be informed as to who wished to receive the magazine and if so, whether via print or email at a cost of \$19 per subscription in either format. Mrs. Amitai asked to be removed from the subscription list. Mayor Heymann voiced her opinion that there is valuable information contained in the magazine but noted out of the (20) copies we receive, at least a dozen of them are never opened; and it is hard to justify the cost. Councilmen Glidden, Kashwick and Barad expressed their choice to keep their subscriptions. Mayor Heymann, Councilpersons Glidden, Latner, Kashwick and Dolson opted for hard copies. Dr. Barad and the Borough Clerk opted for electronic copies.

C. CHIEF OF POLICE

1) REPORT – Chief Kaine reported the monthly report went out late this afternoon. He said the County will be starting the paving of High Street; Piermont Road from the Temple north to Norwood; Durie Avenue from Knickerbocker Road down to Demarest Avenue; and Demarest Avenue from Durie Avenue from Closter Dock Road. The Chief reported the sign board is already out to alert residents and said the project will begin next Thursday (6/19/14).

7. REPORTS (Continued)

C. CHIEF OF POLICE (Continued)

Chief Kaine reported they are adjusting the Department schedule to allow for extra DWI patrols next weekend because of the High School graduation and parties. Regarding the proposal for the firing range presented at the last meeting, since Plan A did not work out, for Plan B, they spoke to Mike Sartori (Construction Official) for guidance on placing a 14 x 28 foot prefab storage structure that will not be permanently set. Mr. Sartori advised they would need a permit to build it there, but the Chief said he still needs Mayor and Council permission to do so. In answer to the Borough Engineer, he explained this is just a storage shed for equipment with the exception of live ammunition. Chief Kaine informed the previous items concluded his report unless anyone had any questions.

At this time, Councilman Kashwick referred to the monthly report and recalled that last year there were around 1,000 motor vehicle incidents at this time last year; and questioned why there was such an increase to bring the current year to date to 1,700. Chief Kaine noted we have two additional patrolmen which we did not have last year. Mr. Kashwick noted there were two (2) citations issued for not stopping at crosswalks; and asked if the department ever placed a patrol car at a crosswalk and just watched. He said he can easily count 7 or 8 cars as he gets off the bus for people that do not stop for the crosswalk. The Chief explained when they have the manpower they do; and he has acted as a decoy to see if vehicles would stop; but said it takes three people: one for each direction and one person as the decoy walking across.

Referring back to the request to place a prefab shed, Councilman Glidden asked how quickly they needed the approval. Chief Kaine explained they have to order the structure and obtain the bullet catch; and while they are finishing qualifications tomorrow, they will be able to start moving the dirt. Mr. Glidden asked if the Council needed more information or if they could just proceed with the authorization via Resolution. The Chief said it was going to be purchased with monies gifted to the Department and reminded it is not a permanent structure and can be moved at any time. With no objections voiced, Councilman Glidden requested a Resolution for the next meeting to approve same and the Borough Attorney affirmed he would have one prepared.

At this time, the Borough Clerk informed she had one item left for her report that she wished to bring up and explained when she received her monthly budget report she was surprised to see she has already exceeded the \$5,000 for legal advertising. Ms. Castano noted the majority of it was the Sign ordinance that had to be published twice – the first time at \$714.42 and the second time at \$1,262.52. She voiced her understanding it will have to come from other line items and questioned if she had to wait until November for a transfer. The Administrator suggested charging one of the ordinances to the Land Use Committee but that's only \$700 and it's only June. The Council joked that they would not have any more ordinances for the rest of the year.

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS: Mayor Heymann said she reported at the last meeting that the Borough had received \$149,000 for the road program and noted same was not on her Agenda; but explained she has no further report this evening.

a. FILED

1. BERGEN COUNTY HISTORIC PRESERVATION TRUST FUND GRANT APPLICATION (\$189,000 – 50% matching funds available in Closter Open Space, Recreation, Historic Preservation and Farmland Preservation Municipal Trust Fund) TO ACQUIRE AND PRESERVE THE HAROLD HESS LUSTRON HOUSE, 421 DURIE AVENUE, B 1003, L 21 - RM 7/24/13

b. AWARDED

1. 2013 CDBG GRANT CONTRACT #NV-CLSTR-03-13 IN THE AMOUNT OF \$10,000.00, FOR HANDICAPPED ACCESSIBLE DOORS BOROUGH HALL PROJECT FROM 7/1/13 to 6/30/14 (9. M.L. 9/12/13) Extension requested by Borough Administrator on 5/14/14

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – JUNE 11, 2014 - 7:30 P.M.

7. REPORTS (Continued)
  - D. MAYOR (Continued)
    - c. TO BE FILED
      1. To be announced by Mayor
      - 2) REPORT

8. OLD BUSINESS

Relative to the Conservation Zone, Councilwoman Amitai said she would make sure same was listed on the next Planning Board meeting.

9. NEW BUSINESS

Councilman Dolson suggested that consideration of occasions such as we had this evening to honor guests that the courtesy of notifying the Council in advance would be appreciated.

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

In answer to Ree Hartwell, Borough Engineer said she questioned the removal of a certain tree on Hickory Lane; and he had advised her that we will do everything to save the tree and it will be determined on the investigation of the root system. He did not have the plans to indicate how many trees would be removed and same would be replaced. He said that the total cost of the project is over \$600,000.

Maria Passafaro referred to Consent Agenda Item No. 20 “RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR THE 2014 MUNICIPAL AID PROGRAM FOR HICKORY LANE IN THE AMOUNT OF \$149,000.00 (Received from Temporary CFO 5/29/14) and said same is just approving the grant money and to allow same to be included in the Municipal Budget. Borough Administrator said it could not be listed since we had not received notification from the Department of Transportation.

Karin Nahmmacher, 96 Bradley Place, questioned the possibility of repaving the existing Hickory Lane and fixing the sidewalks. Borough Engineer said the edge of the pavement is deteriorating and being replaced by straight curbing for safety reasons. At the base of the road it will be 20 feet wide and going up the road it will be 22 feet. Above Bradley Place it is presently curbed at 30 feet and where the road curves, the road will be widened on the north side. She cited the extraordinary truck traffic on Bradley Place, questioned the tree removal and said she felt that the charm of the street would be lost with the improvement. Councilwoman Amitai questioned the improvements and supported paving without curbs and widening and Borough Engineer said that the widening would maintain a uniform width along the length of the road.

Steve Isaacson, 97 Columbus Road, questions if the deed restrictions that were in place on the Swim Club property were gone now that the Borough owns the property; and Borough Attorney said that the Borough would determine at a public hearing that there was no need to keep the property before it could be considered for sale. A public policy decision would have to be made that it serves no public purpose before it could be sold. At that point, conditions could be imposed; and historically, the Borough has not sold property going back 50 years without reverter clauses. In answer to Mr. Isaacson, Borough Administrator said there is an online auction taking place starting Saturday of four cars and one truck at the DPW Garage and the bids received would be compared to the prices from a scrap dealer. Mr. Isaacson cited the hiring of new employees and the purchase of a new garbage truck and questioned if garbage collection privatization was still going out to bid. Borough Administrator said that the Borough is promoting two part time DPW employees to full time status. Borough Attorney said there is nothing pending that we are going out to bid to privatize.

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – JUNE 11, 2014 - 7:30 P.M.

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

Motion to adjourn the Work Session at 10:10 p.m. was made by Councilman Glidden, seconded by Councilman Barad and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on  
June 19, 2014 for approval at the  
Regular Meeting to be held  
June 25, 2014

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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 June 25, 2014  
Consent Agenda Item No. 19b