

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MAY 14, 2014 - 7:30 P.M.

Mayor Heymann called the meeting to order at 9:00 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

3. POSSIBLE MAYORAL APPOINTMENT OF \_\_\_\_\_  
AS CLASS IV MEMBER OF THE PLANNING BOARD FOR A 4-YEAR UNEXPIRED TERM  
(LIGNOS) TO 12/31/17 (5. M.L. 2/27/14)

4. PUBLIC HEARING RE REQUEST FOR WAIVER OF SIDEWALK REQUIREMENT (CODE  
SECTION 171-29A(2) FOR PROPERTY LOCATED AT 12 FOURTH STREET, BLOCK 1718, LOT 3,  
PATEL (2. M.L. 5/1/14)

Amita Patel, 12 Fourth Street, explained that there are no sidewalks in the neighborhood; and because there is a tree located in the proposed area of the sidewalk for which permission to remove was not received from the Borough, they would have to put the sidewalk around the tree. She noted that a new home was built 10 years ago across the street without sidewalks in addition to one to the right of her home. She said if the waiver is granted, she would pay the necessary fee. Borough Engineer said this is a side street and there are no sidewalks adjacent thereto. Borough Attorney noted that at a minimum the Borough would require the installation of curbing as needed; and the waiver would be granted with the requirement of the curbing and a cost estimate for the sidewalk to be provided by the Borough Engineer.

Motion was made by Councilwoman Amitai, seconded by Councilman Kashwick to grant the waiver for the installation of sidewalks at 12 Fourth Street and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick and Amitai. Councilmen Barad and Dolson voted no.

Borough Attorney advised that a resolution of approval would be prepared containing a fee of \$2,700 and would be acted upon at the next meeting (to be held May 28). In answer to Mrs. Patel, Borough Engineer advised that the sidewalk should be removed from her plans to be submitted to the Planning Board with a notation that the waiver has been granted by the Mayor and Council.

5. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCE @8:00 P.M. OR AS  
SOON THEREAFTER AS THE MATTER MAY BE HEARD:

The following Ordinance was introduced at the Regular Meeting held 4/9/14 and was published in The Record on 4/15/14 as stated in the printer's affidavit of publication. Reprint of this Ordinance was posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public:

a. ORDINANCE NO. 2014:1163, "AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 173 SPECIFICALLY 173-79 to 173-92 REGARDING SIGNS"

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

Motion to adopt Ordinance No. 2014:1163 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 and Dolson. Councilwoman Amitai voted no.

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The following Ordinances were introduced at the Regular Meeting held 4/23/14 and were published in The Record on 4/29/14 as stated in the Clerk's or printer's affidavit of publication. Reprints of these Ordinances were posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public:

- b. BOND ORDINANCE NO. 2014:1164, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$1,505,600 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,430,570 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME"

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

Motion to adopt Ordinance No. 2014:1164 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.

In answer to a question posed by the Borough Clerk to the Borough Attorney and Administrator regarding limitations during the period of estoppel of this Bond Ordinance, Borough Attorney explained that normally one waits until it is over. Mr. Sheola said you cannot encumber any of the funds until the estoppel has tolled. He voiced his understanding as follows: you can authorize specifications to be prepared and bids to be announced but you cannot award any bid or contract until that period is completed. Mr. Glidden concurred explaining that it was 20 days. Mr. Sheola clarified that it was 20 days from the date of publication. Borough Clerk informed that this adoption would be published in the newspaper on May 20, 2014 which would be the earliest it could be done and the completion date of the estoppel period would be June 9, 2014. Borough Attorney confirmed that adoption of the Bond Ordinance was not authorizing the purchase of any items. Mr. Sheola explained that going forward there would be other discussions regarding the actual purchases. In response to Councilwoman Amitai's inquiry, Mr. Glidden explained we are setting the mechanism in place; and we cannot raise the money until the estoppel period is over.

- c. ORDINANCE NO. 2014:1165, "AN ORDINANCE APPROPRIATING \$21,000 FROM THE CLOSTER OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS"

Mayor Heymann opened the public hearing. In answer to Councilman Barad, Borough Administrator said that this would be using money from the Borough's Trust Fund not Green Acres and there would be no estoppel requirements.

Motion to adopt Ordinance No. 2014:1165 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.

- d. ORDINANCE NO. 2014:1167, "ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL EQUIPMENT BY THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, AND APPROPRIATING \$16,335 THEREFOR FROM CAPITAL SURPLUS OF THE BOROUGH"

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

Motion to adopt Ordinance No. 2014:1167 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.

The following Ordinance was introduced at the Regular Meeting held 4/23/14 and was published in The Record on 5/1/14 as stated in the Clerk's affidavit of publication. Reprint of this Ordinance was posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public:

- e. ORDINANCE NO. 2014:1166, "A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$55,000 FOR THE ACQUISITION OF VARIOUS EQUIPMENT BY THE BOROUGH OF CLOSTER AND TO APPROPRIATE \$55,000 FROM THE CAPITAL IMPROVEMENT FUND"

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

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Motion to adopt Ordinance No. 2014:1166 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.

6a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 7, 19, 19a, 20, 21 and 22 was made by Councilman Barad, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

ORDINANCES

7. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING AND ADOPTION 6/11/14 @ 8 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2014:1168, “AN ORDINANCE ADOPTING THE ZONING MAP DATED DECEMBER 2013” (Received from Borough Attorney 5/1/14)

Borough Attorney advised that the listing of conservation areas was discussed and it was determined that only public property would be included and that same would be 5 contiguous acres. At the time the list was compiled, the Swim Club property did not belong to the Borough; and there has been no determination by the Borough on its future use.

RESOLUTIONS

8. BILL RESOLUTION – MAY 15, 2014  
(Received from Deputy Treasurer 5/9/14)
9. RESOLUTION MEMORIALIZING THE APPOINTMENT OF JOSEPH ZAVARDINO AS TEMPORARY ACTING CONTRUCTION CODE OFFICIAL MADE AT THE REGULAR MEETING HELD 4/23/14 EXTENDING TEMPORARY APPOINTMENT TO MAY 14, 2014 OR THE RETURN OF THE CONSTRUCTION OFFICIAL (Received from Borough Attorney 4/30/14)
10. RESOLUTION MEMORIALIZING THE APPOINTMENT OF THE BOROUGH CLERK, TO ACT AS BOROUGH ADMINISTRATOR FROM MIDNIGHT MAY 14, 2014 TO MIDNIGHT MAY 26, 2014 (Received from Administrator 5/5/14)
11. RESOLUTION AUTHORIZING PLACE-TO-PLACE TRANSFER (EXPANSION OF PREMISES) OF PLENARY RETAIL CONSUMPTION LICENSE NO. 0207-33-003-006 ISSUED TO GJEVUKAJ RESTAURANT CORP., D/B/A SEAR HOUSE, FOR PREMISES LOCATED AT 411 PIERMONT ROAD (Notice of Intent to Transfer published in The Record on 5/1/14 and 5/8/14)
12. RESOLUTION AUTHORIZING THE CONTINUATION OF THE LICENSE AGREEMENT WITH THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS (ASCAP) FOR A PERIOD OF TWELVE (12) MONTHS AT A COST NOT TO EXCEED \$350.00 (Received from Borough Attorney 5/6/14)
13. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEAR 2013: FEINSTEIN V. CLOSTER (Received from Borough Attorney 5/6/14 - Certification of Funds received from Temporary CFO 5/6/14)
14. RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE (DEPARTMENT OF PUBLIC WORKS & POLICE DEPARTMENT) (Received from Administrator 5/6/14) In answer to Borough Clerk, Borough Administrator asked that this resolution remain on the Agenda and he requested that same be sent to Division of Local Government Services.
15. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE RETURN OF ESCROW FUNDS IN THE AMOUNT OF \$1,000.00 TO BOGUSH, INC. FOR ROAD OPENING PERMIT # 2013:02 DUE TO SUCCESSFUL COMPLETION OF ONE YEAR MAINTENANCE OF RESTORATION OF TRENCH PURSUANT TO CODE CHAPTER 171 FOR PROPERTY LOCATED AT BLOCK 912, LOT 3, 240 DEMAREST AVENUE, AS CERTIFIED BY THE DEPARTMENT OF PUBLIC WORKS ON 5/6/14 (Received from Deputy Treasurer 5/7/14)
16. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE RETURN OF CLOSTER ZONING BOARD OF ADJUSTMENT ESCROW FUNDS IN THE AMOUNT OF \$4,500.00 TO DIAMOND ENGINEERS & DEVELOPERS FOR PROPERTY LOCATED AT BLOCK 1003, LOT 18, 437-439 DURIE AVENUE DUE TO WITHDRAWAL OF ZONING BOARD APPLICATION (Received from Deputy Treasurer 5/7/14)

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17. RESOLUTION REVISING RESOLUTION NO. 12 (RM AGENDA 4/23/14) “RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN SIDEWALK BOND FROM ESCROW IN THE AMOUNT OF \$8,245.00 POSTED ON 9/12/11 PER EMAIL FROM BUILDING DEPARTMENT DATED 4/4/14 THAT THE APPLICANT HAS FULFILLED THE REQUIREMENTS OF THE AGREEMENT TO SKENDER GJEVUKAJ FOR PROPERTY LOCATED AT BLOCK 1903 LOT 2, 411 PIERMONT ROAD” TO INCLUDE INTEREST IN THE AMOUNT OF \$159.94; TOTAL REFUND: \$8,404.94 (Received from Deputy Treasurer 5/7/14)
18. RESOLUTION AMENDING THE HOURS OF ZONING OFFICER (Leonard Sinowitz) (INCREASE FROM 884 HOURS PER YEAR TO 1,040 PER YEAR, EFFECTIVE 6/1/14) (Received from Administrator 5/7/14)

19. — POSSIBLE RESOLUTION RE YARD AND GARDEN DEBRIS PICK-UP SERVICE BY THE CLOSTER DPW (Discussed at WS/RM of 4/23/14/WS Agenda 5/14/14) TO BE PREPARED BY BOROUGH ATTORNEY

19a. — RESOLUTION AUTHORIZING THE APPLICATION TO THE BERGEN COUNTY IMPROVEMENT AUTHORITY MUNICIPAL LEASE PROGRAM

MOTIONS

20. — 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>    | _____            |

21. — 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**

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

22. — 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>ENVIRONMENTAL COMMISSION</b> |                        |                  | 1 Year      |                   |
| Associate Member                | <u>Arthur Goldberg</u> | _____            | to          | 12/31/15          |
| <b>RECREATION COMMISSION</b>    |                        |                  | 1 Year      |                   |
| Associate Member                | <u>Wendy Nigro</u>     | _____            | to          | 12/31/14          |

23. MOTION GRANTING APPROVAL FOR ELKS AND AMERICAN LEGION TO CONDUCT THE ANNUAL MEMORIAL DAY PARADE ON 5/26/14 @ 10:00 A.M. – PARADE ROUTE AS FOLLOWS: STAGING AREA AT ST. MARY’S PARKING LOT, START ON LEGION PLACE/PROCEED EAST ON HIGH STREET; LEFT ONTO CLOSTER DOCK ROAD; CONTINUE WEST TOWARD HARRINGTON AVENUE; PARADE TO TERMINATE AT THE GATES TO MEMORIAL PARK; MEMORIAL SERVICE TO BE CONDUCTED AT THE PARK. (9. M.L. 4/24/14)

24. MOTION APPROVING THE FOLLOWING MINUTES (NO ABSTENTIONS):

- a. REGULAR MEETING HELD 4/23/14 (Distributed 5/8/14)
- b. WORK SESSION HELD 4/23/14 (Distributed 5/8/14)

25. REPORTS

- a. CONSTRUCTION OFFICIAL – APRIL 2014 (Received 5/1/14)

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6b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

7. ORDINANCE NO. 2014:1168, “AN ORDINANCE ADOPTING THE ZONING MAP DATED DECEMBER 2013” (Received from Borough Attorney 5/1/14)

Motion was made by Councilman Kashwick, seconded by Councilman Glidden to adjourn introduction of Ordinance No. 2014:1168 to the Regular Meeting of May 28, 2014 and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

19a. RESOLUTION AUTHORIZING THE APPLICATION TO THE BERGEN COUNTY IMPROVEMENT AUTHORITY MUNICIPAL LEASE PROGRAM (Received from Administrator 5/14/14 @ 7:30 p.m.)

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

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

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

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

In answer to Councilwoman Amitai, Borough Administrator advised that the banner for the Memorial Day Parade would be removed the day after the parade and the Arts Festival banner put up. Mayor Heymann voiced her understanding that there is a possibility that one could be put up on Homans Avenue but was advised that the banners cannot be put on utility poles. Police Chief Kaine said that the electronic sign could be used; and Councilwoman Amitai said she would e-mail the date.

27a. Motion approving the following Resolution at 9:30 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.

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 8 weeks.

The Regular Meeting was resumed at 10:15 p.m.

28. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:15 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  
May 22, 2014 for approval at the  
Regular Meeting to be held  
May 28, 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 May 28, 2014  
Consent Agenda Item No. 18a

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION NOTES – MAY 14, 2014 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, May 14, 2014. Mayor Heymann called the meeting to order at 7:31 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 (7:46 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

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF APRIL 24, 2014 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. No member of the Council wished to address any matter.

b. MAIL LIST MAY 1, 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 Glidden.

Item No. 9: Received 04/29/14 hand del'd, dated 04/29/14 from Stuart D. Liebman, Wells, Jaworski & Liebman, LLP, to Loretta Castano; c: Edward T. Rogan, Esq., Leonard Sinowitz, Burgis Associates 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"

In response to Councilman Glidden's request, the Borough Attorney explained this attorney represents a homeowner on John Street who has had several lawsuits over the years with the Borough regarding running a commercial type business in this zone that have gone all the way to the Appellate Division and then back to the town. This attorney is proposing a solution on behalf of his client which in his opinion involves radical rezoning; and he does not believe it is something the Mayor and Council could consider at just one meeting and take action on it. Mr. Rogan recommended this should be forwarded to the Planning Board for review because any zoning changes should come from them. He noted he sent a copy to Arthur Chagaris (Planning Board Attorney) to have it brought up and discussed during the next Planning

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Board meeting. Mayor Heymann informed the Subcommittee discussed this upon receipt; and asked Councilwoman Amitai if she wished to report on same. Mrs. Amitai explained that 4 out of 5 properties are residential and they would like to call it something other than residential; and they will discuss it further at the next Subcommittee meeting. Borough Attorney advised if the Planning Board feels the recommendation has any merit, they can refer it to the Mayor and Council for consideration and then follow standard procedures noting it is a long process. Councilman Dolson wished to inform that this attorney represented 2 out of the 3 clients operating businesses in the residential district; and the Zoning Board of Adjustment gave them approvals and they wanted more. The clients went to the Supreme Court and were turned down; and now they are going back again and sending us this letter. Mayor Heymann noted the Planning Board's Planner for the Master Plan has commented on this subject and made several suggestions that the Subcommittee will take up.

c. MAIL LIST MAY 8, 2014 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 3 was removed by Councilwoman Amitai.

Item No. 3: Received 05/02/14, dated 04/29/14 from Richard G. Horowitz, 94 Garry Road re Expressing gratitude for variety of outdoor activities provided by Ruckman Park; and asking the Borough to consider lighting the walking path so residents can utilize it after dark (Copy to Jim Oettinger)

Councilwoman Amitai questioned if the Council wished to entertain putting lights on the pathway and do we want people using it after dark. Mayor Heymann said this has been requested over the past few years and they have several plans cooking but each one has been more expensive than we would like to accommodate. She said people use the walking path at night or at twilight and noted Mayor Emeritus Fred Pitofsky had expressed concern on the issue as well. In answer to Mrs. Amitai, the Mayor explained she and the Borough Administrator have spoken to many vendors and there are many options so they will focus on this again. Mr. Sheola recalled the last quote he received from the Recreation Commission was for solar lighting at a cost of around \$100,000. In answer to Mrs. Amitai, the Borough Engineer reminded Schauble Park is the only other park with a walking path.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of May 14, 2014)

Mayor Heymann asked if any member of the Council wished to remove any of the Consent Agenda items for discussion.

Borough Administrator requested the addition of an Item he brought to the Council this evening which was subsequently numbered 19a. Mayor Heymann referred to Item No. 5b – Public Hearing and Adoption of an Ordinance which is not on the Consent Agenda. Borough Clerk referred to Item No. 14.

14. *RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE (DEPARTMENT OF PUBLIC WORKS & POLICE DEPARTMENT) (Received from Administrator 5/6/14)*

Borough Clerk cited the requirement to send a certified copy of the resolution to Division of Local Government Services, which she would be able to accomplish but she did not have sufficient information to place in the official newspaper the notice of Public Auction. She asked the Borough Administrator if he would be placing the notice in the newspaper upon his return and he replied in the affirmative.

Councilman Barad entered the meeting at 7:46 p.m.

19a. *RESOLUTION AUTHORIZING THE APPLICATION TO THE BERGEN COUNTY IMPROVEMENT AUTHORITY MUNICIPAL LEASE PROGRAM*

Borough Administrator referred to a resolution that he had distributed this evening relative to the Bergen County Improvement Authority for the lease of an unmarked police vehicle requested by the

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Detective Bureau and which was approved in the 2014 operating budget. He said that the rate is under 1% for a 3-year lease with a dollar pay off at the end of the lease and the necessary equipment would have to be transferred which would cost a few dollars more. It is similar to one done in 2012 for 2 marked cars.

Mayor Heymann referred to Item No. 5b, which is a Public Hearing on Bond Ordinance No. 2014:1164 and asked that the Council review same in order to determine that it is beneficial to the Borough:

5b. *BOND ORDINANCE NO. 2014:1164, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$1,505,600 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,430,570 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME"*

Borough Administrator noted that the (bond) ordinance provides for \$1,505,000 with the issuance of \$1,430,000 in bonds or notes for various improvements and acquisitions by the Borough such as vehicles for Public Works and Police Department in addition to repairs to vehicles and equipment, renovation of the Police Firing Range, radios for the Police Department, emergency generator at the Library, the 2014 road program and interior renovations to the Police Department. He explained that all of this was outlined in a memorandum to the Council dated 3/26/14. Councilman Dolson noted that these items were discussed during Budget hearings; and this type of acquisition is not listed in the operating budget but is funded through bonding over the useful life of the item.

In answer to Councilman Barad, Mr. Dolson explained as follows: When it comes to funding purchases of items that are considered capital as opposed to ordinary operating expenses, they are prorated paid by bonds or notes over their useful life and the theory behind that is you don't pretax residents for something you buy in the future – you tax current residents for something you buy now and they utilize those services now to the future. So the purposes behind that predicates the need to introduce an ordinance funding all of these projects that will be utilized in the future.

Dr. Barad questioned if there would be any benefit to combine them all into one bond issue rather than separate little ones; and Mr. Dolson affirmed same. He then explained that there are administrative and legal issues and noted this particular ordinance has eight (8) sections in various areas of acquisitions and improvements; and if they were to be bonded individually, then each one would have to be overseen by the professionals and then sold by financial institutions; and the repayment and the interest would also be done individually by transfer agent; therefore, while some of these items are low cost, it would cost several thousand dollars to do this for such a small amount of money. Dr. Barad voiced his understanding that these bonds do not obligate the Borough to spend the money for these purposes as the funds are not appropriated to specific projects yet; and Mr. Dolson affirmed same. He explained there are many times where there are funds that are not appropriated and we send it back; and he said each committee should review the appropriate section; and if there are any recommendations to modify it, the full Council can discuss that prior to initiating any of these projects. He noted that there are factors such as timing on some occasions to take advantage of the purchase of some motor vehicle equipment; and there may be a shortened window of opportunity. He said some of these items may have an expiration that we need to keep in mind when making individual acquisitions.

Councilman Glidden explained we are going to issue notes instead of bonds because the short-term bond market is very good at this point in time and should be taken advantage of. He said at some point those notes have to be bonded out at which point if we have several bond issues they will be combined into a single note. There is a highly favorable interest rate today so we should be taking advantage of that.

Borough Administrator cited the cost of issuance of a Supplemental Debt Statement by our Auditor at a typical fee of \$500.00; and if we were to bond each item separately, it would cost \$4,000 just for the preparation of the Statement. In addition, there are Bond Counsel costs which are minimal. Mr. Sheola noted he prepared the ordinances and sent them to Bond Counsel for editing and review which saved costs. Councilwoman Amitai asked if we should be given more time to review this before it is adopted; and Dr.

Barad noted that we have had this ordinance for weeks; and he recalled the Administrator discussing these items and sending it to us a few weeks ago; and there is a general need for some of the items. Dr. Barad reminded we are not approving the items – just creating the funds so we have the option of approving them.

Councilman Dolson cited the need for the two-way radios for the Police Department. Mrs. Amitai gave the Police Firing Range to be done in two phases as an example and questioned how much that \$150,000 for Phase I would have cost us after the 15 years (useful life). In answer to Mrs. Amitai, Mr. Glidden said that the interest rates on the moneys to be borrowed must be taken into consideration in addition to costs of issuance, which adds up per year. Borough Administrator advised it is a cost of \$1,500 per year for 15 years (\$22,500 total) and as you pay off the bond, the carrying charges are reduced each year; and you would like to leave your debt relatively flat from year to year. In answer to Mrs. Amitai, he said with proper debt management, there will not need to be an increase in taxes or decrease in services; and over the past several years, it has been managed very well.

Mayor Heymann said that long-term debt is part of our expenses and should be kept as even as possible. This proposal would increase our long-term debt considerably until some of the present debts come due making it easier to pay. Borough Administrator noted that one debt dropping off this year in the amount of \$460,000 plus interest and another in 2018 and 2020. Councilman Barad noted that all of the items are part of the Borough's infrastructure that must be maintained. Councilwoman Amitai questioned if this was the right time to purchase a garbage truck given the discussions on outsourcing some operations and Councilwoman Latner said there will be no changes in the immediate future and they do need the truck; and Councilman Kashwick noted that we are not obligating the Borough at this point.

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 the specifications are being prepared and he recently sought input from the Superintendent of Public Works and advised the Committee will have to discuss renewing the Host Community Agreement.

2) REPORT – In regards to the cell tower, Mr. Rogan explained that the agreement with Sprint has been completed and we are waiting for the complete executed copied to be returned; the T-Mobile agreement was executed by the Mayor earlier this week; and the AT&T agreement 2<sup>nd</sup> draft is in the final stages of review. Once these are all completed we will have all 3 providers on the tower and paying rental fees.

Mr. Rogan reported there is a County Tax Board hearing scheduled for 6/17/14 where 53 appeals are pending at this time. He noted the bulk of those are residential.

The Borough Attorney requested a Closed Session to discuss 4 items total in pending or anticipated litigation and matters involving public employees.

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 noted he filed the paperwork with the Borough including a Final Change Order, Final Estimate Certificate and Maintenance Bond for the contractor. He reported this job came in approximately \$50,000 under budget. Once the payments are finalized, he will submit the reimbursement paperwork to the NJDOT for that grant money.

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) – Mr. DeNicola reported this project has been completed although there is some remediation work being done by the contractor; and we expect them to return to Closter next week or the following week to finish it up.

6. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER (Continued)

3) REPORT RE INFORMATION SESSION WITH HICKORY LANE RESIDENTS  
(Requested at WS 3/12/14) – Borough Engineer reported they held this meeting last Wednesday. He said it went well and most of the residents were for it but expressed concern about materials that were going to be used in addition to traffic and signage; but overall the response was relatively positive. Mr. DeNicola reported the Borough has been awarded \$149,000 from the NJDOT which will help out with the Borough's portion of the project. He noted we have received funding several years in a row which is rather unusual so at some point in the future we may not receive funding.

4) DPW REMEDIATION (Authorized at RM 4/23/14) – Mr. DeNicola reported the wells have been repaired and a sample that was taken is expected to be back in 2-3 weeks and will determine the amount of contamination in the groundwater.

5) REPORT – The Borough Engineer informed the above items concluded his report.

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 we have an interested party who has been reviewing the environmental reports; and he expects they will return in a couple of weeks to review them again. They are looking to purchase the property for a potential indoor recreational facility; and he anticipates a letter of interest in the next few weeks. In answer to Councilman Glidden he informed the buyer has not specified but he believes just in conversations that it is a for-profit company.

2) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S): Mr. Sheola reported there are no updates regarding the insurance for these items.

a) Mail List requests:

1. American Cancer Society (27<sup>th</sup> Annual GWB Challenge) to take place 6/8/14 (10. M.L. 12/26/13)

2. JFS Wheels for Meals Bike Event to be held 6/15/14 partially through the Borough from 7:00 am to 12:30 pm (14. M.L. 3/27/14)

3) STATUS REPORT RE ACQUISITION & INSTALLATION OF EMERGENCY GENERATOR AT THE CLOSTER PUBLIC LIBRARY (WS 1/8/14) – Borough Administrator reminded the Library generator is part of the bond ordinance that is on for adoption this evening so nothing can be done with this until it is adopted and the Council approves a Resolution to go out to bid.

4) REPORT RE BID OPENING HELD 5/1/14 @ 11 A.M. FOR EXTERIOR REPAIRS AND ROOF REPLACEMENT AT BOROUGH HALL – Mr. Sheola said he had good news to report regarding the bids for Borough Hall. Eight (8) bids were received and reviewed by the architectural firm and the Borough Attorney's office respectively and they have both given approval to the three (3) lowest bidders. He hopes to have a Resolution awarding the bid at the next Regular Meeting to the lowest bidder, which he believes came in at \$499,000; which is about \$125,000 under the last architect's estimate.

5) REPORT – Borough Administrator reported he attended a shared services meeting in early May at the County. Various County Department Heads talked about the services and facilities and equipment they have available to share with municipalities. Mr. Sheola outlined same in a memo dated 5/7/14 and he believes there will be some interest from Borough operated departments to utilize some of those services.

Mr. Sheola noted there is a Resolution on the Agenda this evening appointing the Borough Clerk as Acting Administrator in his absence while he is on vacation until 5/27/14.

The Borough Administrator reported there was a DPW Committee meeting earlier in the evening; and he was asked to give Councilwoman Latner a few moments of his time which he would like to do now.

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

5) REPORT (Continued)

At this time, Councilwoman Latner reported there were discussions about devising a system where there will be two collections of vegetative waste in April and May; and one collection in June, July, August and September. Anyone wishing to utilize the service must notify the DPW by email the day before collection is scheduled and there will be a dedicated email address set up for this purpose; and if email is not available then a telephone call to the DPW would suffice. Mrs. Latner said everything is being worked on right now and Kevin Whitney (IT Coordinator) is working on setting up the email address. The plan is to have the first pickup by June 4<sup>th</sup> and they would do a phone blast to the residents and post the information on the website. She said they will be voting tonight to authorize a Resolution to be prepared for the 5/28/14 Agenda to be voted on. In answer to Mrs. Amitai, DPW Superintendent informed the schedule would be the first Wednesday of the month when there is one pickup and the first and third Wednesday when there are two. Mrs. Latner said though the Resolution is not ready they wanted to make the public aware they are working on this to resume the service for the residents requiring the pickup starting in June. In answer to Councilman Barad she said the service is by request only and they can have a tracking system; and same could be reexamined in the future.

B. BOROUGH CLERK

1) STATUS REPORT RE 2014 APPOINTMENTS – Ms. Castano reported outstanding appointments are being maintained on the Agenda.

2) STATUS REPORT RE 2014 OATHS OF OFFICE – The Borough Clerk reported that as result of the final desperate effort made at the Regular Meeting held 4/23/14, all but two Oaths have been returned to her office; and they will be following up with those two individuals shortly.

3) STATUS REPORT RE 2014 LICENSES - Ms. Castano reported 2014 Borough Licenses are current.

Liquor License Renewals for 2014-2015 are in progress. Her office sent out the applications to the 13 licensees on 5/1/14 requesting return by 6/2/14. A memo was e-mailed and sent via interoffice simultaneously to the Borough officials requesting inspections be made and a report provided to her office by 5/30/14. Four of the licensees require Special Rulings since they have not been active for two calendar terms: Rosemarie O’Connors (formerly Ondine’s); Retail Holdings (formerly Moo Kung Wha), Topside and 540 Young Limited Liability Company (formerly Modern Bar).

Ms. Castano reported we have a place to place transfer on the Agenda this evening for expansion of premises at Sear House; which appears to be almost completed. She explained the two previously approved place to place transfers that have taken place due to the clearing of the Plaza are Murphy’s Liquors (now located at the former Closter Bootery) and Rudy’s which is making its debut on the other side of the parking lot (next to Harmon).

The Borough Clerk reported we plan to place the approvals for the 2014-2015 liquor license renewals, which are complete, on the first meeting agenda for June (6/11/14) and the others will be placed on the second meeting of 6/25/14.

4) STATUS REPORT RE 2014 MEETING DATES – The Borough Clerk reported meeting dates are current but noted the Board of Health Meeting scheduled to be held tomorrow has been cancelled due to lack of Agenda. She reminded they chose in the beginning of the year to advertise for the full year and cancel meetings as necessary.

5) STATUS REPORT RE ELECTIONS – Ms. Castano reported having received the sample election ballot which she approved and so informed the County Clerk on 4/28/14. She noted we have elections for Mayor and Council and County Committee this year.

Upcoming Election Dates are as follows:

Primary: June 3, 2014 from 6 a.m. to 8 p.m.; and last night our office was open to the public from 9 a.m. to 9 p.m. as a courtesy for voter registrations which were to have been hand delivered on 5/14/14; but nobody came to register.

General Election: November 4, 2014 from 6 a.m. to 8 p.m.

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

6) 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 that she and Arlene (Corvelli, Deputy Borough Clerk) participated in the on line webinar session held 4/14/14 from 10 a.m. to 11 a.m. sponsored by the Department of Community Affairs entitled “Financial Disclosure Statement System Training” in her office which provided a well-planned step-by-step procedure regarding the new system for preparing the information for the filing of FDS on line as well as completing a Financial Disclosure Statement. She explained that the Clerk’s office will have to set it up but noted that the first major step is getting the names for the Roster. In answer to the Clerk, Mr. Rogan informed he would meet with the Board of Ethics at their meeting tomorrow night to review and discuss same.

Ms. Castano informed the Roster is to be completed no later than Friday 5/16/14 to enable Local Government Officers to complete and submit their FDS form by Friday 6/13/14. After the Roster is completed by her office, the local Board of Ethics is charged with the responsibility of distributing to each LGO (Local Government Officer) a copy of the Local Finance Notice 2014-7 which explains the procedure along with the LGO’s login ID and PIN#. She said her office would assist when necessary.

Ms. Castano voiced her opinion that it is a comprehensive step-by-step system that has been devised and should be easy to follow along but cautioned that once you submit the FDS, you cannot alter it in any way. It is completely online; and she noted if there is an OPRA request received in her office, there is nothing to provide as we are not printing anything up – it is generated by the Local Finance Board and the public can access the filed statements online very easily. Dr. Barad questioned if we do not have a paper record for OPRA, what happens to the request and the Borough Attorney advised it would be deferred to the State as we are not the holder of the record.

7) REPORT – Ms. Castano informed she had nothing further to report.

C. CHIEF OF POLICE

1) REPORT – Chief Kaine reported he sent out the April monthly report for the Police Department on Monday. The Department participated in the DEA drug take back program and collected five (5) 55-gallon pails full of expired and unused or unwanted prescription drugs. He said they get turned over to the DEA the following Monday where they do a mass burn to completely destroy them.

The Chief informed he sent an email last night regarding an incident at an Asian restaurant in the Closter Commons where two kitchen workers had a dispute and one ended up using a 7-inch knife to stab the other one in his back and then fled the scene. The Sheriff’s Department came with the K-9 unit and assisted until the dog lost the trail; and one of our officers saw him about an hour later waiting for a bus to return to Palisades Park. The suspect is currently being held in the Bergen County Jail and ICE has been notified because he is an illegal alien. The victim was released from the hospital this afternoon – it was a non-life threatening injury.

Chief Kaine reported that although we did not receive any grant money for U Drive, U Text, U Pay campaign, we participated anyway; and during those 3 weeks we issued 91 summonses; there were 3 DWI arrests for alcohol and 7 for drugs; and there were 7 drug-related arrests. He informed they have applied for the Click It or Ticket campaign and they are awaiting approval.

At this time, Councilman Glidden noted he reviewed the monthly report and asked regarding number of incidents year to date what accounts for the almost 22% increase in activity between the same period in 2013. Chief Kaine said there is an increase in false alarms as more residents have them installed and utilize them; and there are a lot related to weather related alarms; additionally we have a lot of ambitious patrolmen who perform a lot of motor vehicle stops.

7. REPORTS (Continued)

C. CHIEF OF POLICE (Continued)

Councilman Glidden noted the Borough Clerk sent out a notice from the League of Municipalities that by a certain date all police cars in New Jersey will be required to have video recording equipment; and the Chief reminded that all of our vehicles have been equipped for the past 10 years. Mr. Glidden explained Closter was one of the first communities to have this accomplished. Mrs. Amitai questioned how many vehicles our force has and the Chief said only the marked cars have video equipment. He said we have 11 marked cars and 3 unmarked; and that 3 vehicles are dedicated for private work details and are not in regular rotation. These are older cars that can't be used for patrol anymore that sit and block the road for traffic posts.

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS:

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

Mayor Heymann said a new application came in last week which she discussed with the State; and she wished to share her unfortunate conversation regarding same. At present, Closter has \$800,000 in potential grant money that is reserved for us; and the only problem is they are reserved for matching funds for acquisition of property. The new 2014-2015 regulations say that if you have a grant application pending, you cannot ask for another one; and beyond that, we cannot change the monies held in trust for us because they are labeled for acquisitions; and some of the things we want to do are not for purchase of properties. Essentially, even though we have some \$800,000 in State money to be used, we can use it to acquire property and nothing else. She urged anyone with knowledge of potential acquisitions to feel free to let her know of same.

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) – Mayor Heymann informed we sent off a letter today to ask for an extension since the grant money was supposed to be spent by 6/30/14. This grant is being used to provide doors during the reconstruction of Borough Hall.

Mayor Heymann reiterated what the Borough Engineer said earlier and noted we were awarded \$149,000 for the improvements of Hickory Lane and agreed it is unusual to get this grant every year because less than half of the towns get that grant each year. She complimented Boswell Engineering for preparing grants that are so successful.

c. TO BE FILED

1. To be announced by Mayor

2) REPORT – Mayor Heymann announced that Maria Passafaro passed the first exam for CFO courses. She noted it was not the introductory course but she was allowed to take it as it was the only thing available and she did very nicely.

8. OLD BUSINESS

At this time, Councilwoman Amitai requested permission for a banner advertising the Arts Festival on June 1<sup>st</sup> from 11a.m. to 3 p.m.

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At this time, Councilwoman Latner requested discussion on a resolution for two employees to go from part-time employment to full-time employment; and Borough Attorney said this would have to be discussed in Closed Session. Councilwoman Latner referred to the discussion relative to increased fees for door-to-door salesmen; and Councilman Barad said that this matter is on the Agenda for the Ordinance Committee for discussion.

- a. DISCUSSION RE *POSSIBLE* RESOLUTION RE YARD AND GARDEN DEBRIS PICK-UP SERVICE BY THE CLOSTER DPW (Discussed at WS/RM of 4/23/14)

9. NEW BUSINESS

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

Mr. (Martin) Freundlich, 189 Knickerbocker Road, expressed support for the vegetative waste and tree debris pickup and said he did not think once a month was enough. Mayor Heymann noted that brush (twigs, leaves and branch encumbrances from trees) is collected on a regular basis and is listed on the calendar. Mr. Freundlich noted it is not such items that qualify as “brush” that are falling at this time but other debris like pugnoses and such that are not leaves or branches – they are things that really should be in a barrel or a bag. Borough Administrator referred to the recycling calendar that indicated brush chipping started May 5<sup>th</sup> on the East side and on the 19<sup>th</sup> the West side and occurs twice a month in June. Mr. Freundlich expressed his frustration that vegetative waste pickup was removed from the (2014) calendar without notifying the public adding that more of an effort should have been made as far as notification.

Inaudible female, 144 Crescent Street, thanked the Mayor and Council for the proposed resolution to this matter which works for her. She has called in advance to arrange pickup and the trucks have come to her house. She suggested that brush pickup be conducted in the same manner. Mayor Heymann noted the DPW Superintendent was nodding in approval at this suggestion and she asked that he follow through on same. Mrs. Latner said it is a work in progress. Bill Dahle explained this method is used in New Milford and the landscapers there also utilize the call for pickup service and it has been working well for them. She reminded the BCUA offers earth composters and said she has been using hers for about 8 or 9 years and it is still like new; and she suggested having the BCUA come give demonstrations to the residents on how it works. Mr. Kashwick noted the Environmental Commission sponsors a demo each year and they plan to do the same this summer.

Dave Hollender, 20 Johnson Court, expressed his satisfaction that there are talks of resolution on this issue but noted he could not hear what the proposed frequency was and asked for clarification. Councilwoman Latner said the vegetative waste pick up would consist of two pickups in April and May and once a month in June, July, August and September. Mr. Hollender said that once a month could be a problem noting that the clippings would smell after sitting for a month; and he supported twice a month pickup. In answer to Mr. Sheola and Mayor Heymann he voiced his opinion that maybe not everybody wants to get a mulching mower and take care of their lawn that way. Mayor Heymann expressed support for cutting the grass and leaving same on the lawn. Mr. Hollender said that now the Mayor is dictating how people should care for their lawns and they should have the option to do whatever they please. He supported twice a month for various reasons including vacations and frequent gardening and the potential to miss pickups; and said if it is a service by registration, what was the big deal to do it twice every month.

In answer to Willis Seagaard, 249 Knickerbocker Road, relative to information on the improvements to Borough Hall, Borough Administrator said that an OPRA request can be filed with the Borough Clerk and noted that there is a bid package available. The bid is for the renovation of Borough Hall, which includes the repairing and cleaning of the exterior of the building and to replace the roof. Mr. Seagaard suggested using the grant money on the abandoned gas station on Closter Dock Road and the Village School. Mayor Heymann said that the properties need to qualify as open space and noted the

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Village School is in the process of being renovated. Mr. Seagaard asked Chief Kaine what percentage increase in tickets and arrests has that 22% increase led to and the Chief informed he would look into same.

Roy Merz, 48 Forest Street, expressed disappointment in the vegetative pickup plan, which he felt was unrealistic schedule for those who mow their own lawns. He explained that his own lawn creates 2 barrels a week; and if there was only one pickup in a month, there would be 8 barrels accumulated for pickup or drop-off to the DPW. He had no problem with calling once a month but felt that some people would have a problem bringing the grass to the DPW if they did not want the clippings hanging around for a month in the summer waiting for pickup. Mayor Heymann said she is sure the Committee would be reviewing the schedule.

Ann Brewster, 15 Taillon Terrace, questioned why the service is being eliminated citing the dumping of clippings on Demarest Avenue that she has complained about. Mayor Heymann noted that the DPW Superintendent advised that only 126 homes out of 2,500 homes were using the service; and the money being spent was serving only a few residents. Under the old system, the trucks had to travel through each street to pick up containers; and the new schedule would save that effort so that the employees can do other things to keep the Borough neat and functional. If it turns out that the schedule is not adequate, the Committee would review same. Councilwoman Latner said there was no official survey, but the pickup schedule was based on the specifics from the employees. The call-in procedure will provide absolute numbers; and if it becomes necessary for a second pick up, it will be considered. We are trying to find a compromise. Mrs. Brewster said the seniors are very upset citing the problems getting containers into a car. Councilwoman Amitai questioned the possibility of rain or bad weather before the pickup day. Superintendent of Public Works noted that most people cut the lawn on weekends.

Josephine Cavaliere, 89 Union Street, said a real count of users should have been made; and the older residents are the ones mowing their own lawns/not the younger residents who have landscapers. This schedule is a disadvantage to them; and these residents also pay very high taxes. The budget is huge and you chose to eliminate a service that costs only \$12,000. There should be compensation for the residents that have lived here a long time and depend upon these services. She said Whole Foods, coming to town, should be asked to cover the costs for the increased services that would be provided to the chain by the Borough. Mayor Heymann said we need to husband our work force to provide all the services adequately to all of the residents. Relative to Whole Foods, Borough Administrator said that under New Jersey law you cannot exact funds from a company moving into town. If you read the resolution of approval, it indicates what the whole Plaza has to do, but it is illegal under the Municipal Land Use Law to demand a benefit for coming into a municipality. Ms. Cavaliere hoped that there will be more tax revenue to cover Police Department needs due to increased traffic.

Mr. Freundlich, 189 Knickerbocker Road, questioned the administrative messaging that mispronounces Closter and Mayor Heymann said that we will be trying to have one of our employees do the messaging rather than a computer.

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

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13. ADJOURNMENT

Motion to adjourn the Work Session at 9:01 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  
May 22, 2014 for approval at the  
Regular Meeting to be held  
May 28, 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 May 28, 2014  
Consent Agenda Item No. 18b