

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MONDAY, NOVEMBER 24, 2014 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:12 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, Alissa Latner, John Kashwick, David Barad,
Arthur Dolson and Victoria Amitai (8:19 p.m.)
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Tax Collector/Temporary Chief Financial Officer, Maria Passafaro

The following persons were also present:

Council-Elect Robert A. DiDio
Jennifer Rothschild

3. POSSIBLE MAYORAL APPOINTMENTS TO THE FOLLOWING BOARDS:

a. PLANNING BOARD:

- 1) _____ AS CLASS IV MEMBER FOR A 4 YEAR UNEXPIRED TERM (LIGNOS) TO 12/31/17 (5. M.L. 2/27/14)
- 2) _____ AS ALTERNATE NO. 2 FOR A 2 YEAR UNEXPIRED TERM (PEREIRA) TO 12/31/15 (9.M.L. 5/8/14)
- 3) _____ AS CLASS IV MEMBER FOR A 4 YEAR UNEXPIRED TERM (NYFENGER) TO 12/31/17 (1.M.L. 10/23/14)

b. SHADE TREE COMMISSION:

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

4. 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 10/22/14 and was published in The Record on 10/28/14 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:

ORDINANCE NO. 2014:1178, "ORDINANCE ACCEPTING THE LAND DONATION OF BLOCK 1003, LOT 21 FROM CHANGIZ ASFARJANI AND AFSANEH KIARASH"

Mayor Heymann declared a Public Hearing. No one wishing to be heard, Mayor Heymann closed the meeting to the public.

Motion approving adoption of Ordinance No. 2014:1178 was made by Councilman Kashwick, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, and Barad. Councilman Dolson voted no.

Borough Attorney advised that before there can be formal acceptance of the property, a title search must be completed. He noted that the inspections including the oil tank have been completed.

Councilwoman Amitai entered the meeting at 8:19 p.m.

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – MONDAY, NOVEMBER 24, 2014 - 7:30 P.M.

5a. VOTE ON CONSENT AGENDA ITEMS

Councilman Kashwick requested the addition of a word to Item No. 14b. Councilman Dolson questioned Item No. 14 and Councilwoman Amitai asked for a clarification regarding Item No. 6b.

Motion approving the Consent Agenda minus Item Nos. 15 and 16 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.

ORDINANCES

6. INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING AND ADOPTION TO BE HELD MONDAY, 12/22/14, @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received from Borough Attorney 11/18/14):

- a. ORDINANCE NO. 2014:1180, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 147 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING PROPERTY MAINTENANCE”
- b. ORDINANCE NO. 2014:1181, “AN ORDINANCE AMENDING CHAPTER 200, SCHEDULE A, LIMITING SCHEDULE, TO CLARIFY MAXIMUM HEIGHT REQUIREMENT FOR RESIDENCE AREAS A & B”

In answer to Councilwoman Amitai, Councilman Barad explained that the table of the existing ordinance (included in the Borough Code) needed to be switched around; and this ordinance provides that the restrictive portion of the height requirement is more evident and only clarifies the footnote.

- c. ORDINANCE NO. 2014:1182, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 183 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING VEHICLES AND TRAFFIC”

RESOLUTIONS

- 7. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$150.00 TO LAWRENCE SHINDER, 28 ST. ALBANS PLACE, HAWORTH, NJ 07641 FOR MONIES TURNED OVER TO P.D. ON 5/10/14 PURSUANT TO N.J.S.A. 40:157b (Received from Tax Collector/TCFO 11/13/14)
- 8. RESOLUTION AUTHORIZING THE PAYMENT OF BONUSES PURSUANT TO N.J.S.A. 40A:5-31 TO CERTAIN NAMED BOROUGH EMPLOYEES WHO HAVE TAKEN ON ADDITIONAL ASSIGNMENTS/PROJECTS DUE TO THE VACANCY IN THE BOROUGH ADMINISTRATOR POSITION (Received from Borough Attorney 11/17/14)
- 9. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN REMAINING PLANNING BOARD LEGAL/ENGINEERING ESCROW FUNDS IN THE AMOUNT OF \$166.96 TO DONALD WEIDER FOR PROPERTY LOCATED AT BLOCK 1901 LOT 19, 6 WILLOW ROAD (Received from Deputy Treasurer 11/17/14)
- 10. RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO SIGN ACTION DATA SERVICES AGREEMENT TO PROVIDE PAYROLL SERVICES (Received from Borough Attorney 11/19/14)
- 11. BUDGET TRANSFER RESOLUTION NO. 1 (Received from Deputy Treasurer 11/18/14)
- 12. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK TO NVE BANK IN THE AMOUNT OF \$6,606,29 DUE TO 4TH QUARTER 2014 TAX OVERPAYMENT RESULTING FROM COUNTY BOARD JUDGMENT FOR PROPERTY LOCATED AT BLOCK 1604, LOT 7, 161 MCKINLEY STREET (Received from Finance Office 11/18/14)
- 13. RESOLUTION AWARDED CONTRACTS FOR INTERIOR RENOVATIONS OF POLICE DEPARTMENT AS FOLLOWS: A. WOODS CONSTRUCTION, INC. IN THE AMOUNT OF \$16,500.00; PESH-E-LECTRIC, INC. FOR ELECTRICAL SERVICES IN THE AMOUNT OF \$8340.00; BUSINESS INTERIORS BY STAPLES IN THE AMOUNT OF \$23,631.01 PURSUANT TO STATE CONTRACT #A81641 **AND** AUTHORIZING THE BOROUGH ATTORNEY TO PREPARE ANY NECESSARY CONTRACTS OR OTHER DOCUMENTS AS REQUIRED (Received from Borough Attorney 11/19/14)

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING MINUTES – MONDAY, NOVEMBER 24, 2014 - 7:30 P.M.

14. ~~POSSIBLE~~ RESOLUTION AUTHORIZING BOSWELL ENGINEERING TO PROCEED WITH REPAIR WORK FOR MONITORING WELL REDEVELOPMENT AND WELL SAMPLING AT THE CLOSTER DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED \$7,600 FOR: **1.** Monitoring Well Redevelopment – Boswell Fees - \$1,200/Contractor Costs \$1,500; **2.** Groundwater Sample Collection – Boswell Fees - \$2,500/Equipment Costs: \$1,000/Contractor Costs: \$200; **3.** Description: Data Evaluation & Letter Report: Boswell Fees: \$1,200/Total: Total Boswell Fees: \$4,900; Equipment Costs: \$1,000/Contractor Costs: \$1,700 – Grand Total: \$7,600 (5. M.L. 11/20/14/Discussed WS 11/12/14) TO BE PREPARED BY ADMINISTRATOR

Councilman Dolson questioned if this action would bring us closer to a resolution of this issue. Borough Engineer explained that it is felt that some of the wells are testing positive because of debris that has not been cleaned over the years thereby giving a false positive reading. He explained the cleaning process that would have to be conducted in response to Councilwoman Amitai.

- 14a. RESOLUTION INCREASING CONTRACT PRICE FOR EXTERIOR RENOVATIONS & ROOF REPLACEMENT – CHANGE ORDER NUMBER (4) **2** (Received from Temporary Chief Financial Officer 11/21/14)
- 14b. RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO SIGN A CONTRACT FOR THE PURCHASE OF MULTIPLE CONDOMINIUM UNITS AT VILLAGE SCHOOL SITE (Requested by Borough Attorney 11/24/14)

Councilman Kashwick requested the addition of the word “historic” before “the building dormant over 25 years” in the next to the last “whereas” to read as follows:

“**WHEREAS**, the Mayor and Council have deemed it in the best interests of the Borough of Closter to rehabilitate the “*historic*” building dormant for over 25 years; and”

No objections were expressed by Council members; and the Borough Attorney advised that the change would be diminimus.

MOTIONS

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

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

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

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

17. MOTION APPROVING THE FOLLOWING MINUTES (ABSTENTION: DOLSON):
- a. REGULAR MEETING HELD 11/12/14 (Distributed 11/20/14)
 - b. WORK SESSION HELD 11/12/14 (Distributed 11/20/14)

18. REPORTS

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

19. 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 Closed Session Resolution at 8:26 p.m. 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.

- 19a. 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)(4) “A collective bargaining agreement”; 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.

Mayor Heymann resumed the Regular Meeting at 9:26 p.m.

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

In answer to Councilman Dolson, Mayor Heymann noted that the finance information from this year is divided into departments and each particular account number would be provided. Councilman Dolson said that a summary of the information would be helpful. He explained it is easier to review a summary and look at an individual line item, as needed, as opposed to reading each line item. It was decided to schedule the Finance Committee meeting for December 4th at 6:30 p.m. In answer to Councilman Kashwick, the Mayor informed she was not attending the meeting as the Mayor but offered to send the Temporary CFO instead.

21. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:33 p.m. was made by Councilwoman Amitai, seconded by Councilwoman Latner and declared unanimously carried by Mayor Heymann.

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

Loretta Castano, RMC
Borough Clerk

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

Approval at the Regular Meeting held December 10, 2014
Consent Agenda Item No. 21a.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – MONDAY, NOVEMBER 24, 2014 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Monday, November 24, 2014. Mayor Heymann called the meeting to order at 7:33 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, Alissa Latner, John Kashwick, David Barad (7:52 p.m.)
and Arthur Dolson
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Tax Collector/Temporary Chief Financial Officer, Maria Passafaro

The following persons were absent:

Councilwoman Victoria Amitai

The following persons were also present:

Council-Elect Robert A. DiDio (8:10 p.m.)

At this time, Mayor Heymann announced that 1st Lieutenant Robert Wrightson was awarded the Bronze Star for his efforts in Afghanistan and Jonathan Chan was named a finalist in the Siemens competition where he was number 20 out of 40,000 contestants. At the time he complimented the Tenakill School for allowing him to take classes at the High School.

a. MAIL LIST OF NOVEMBER 13, 2014 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. Item No. 8 was removed by Councilman Kashwick.

Item No. 8: Received 11/13/14, dated 11/07/14 from Robert A. Abbatomarco, Executive Director, Bergen County Department of Planning and Economic Development, to Loretta Castano, Clerk re

Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund – Public Hearing Notice – Monday, 12/15/14 @ 8:30 p.m. at the County Administration Building, One Bergen County Plaza, Conference Room 3D, 3rd floor, Hackensack, Re Proposed Funding Allocation to Concerned Citizens of Allendale, Inc. for Open Space Acquisition of the John Fell House (Posted on Borough Clerk’s bulletin board)

Councilman Kashwick voiced his understanding that Closter has nothing pending for approval other than the acquisition of the Lustron House.

b. MAIL LIST OF NOVEMBER 20, 2014 - Mayor Heymann asked if any member of the Council wished to address any matter or provide any comments. No one wished to remove any items for discussion.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of November 24, 2014)

Mayor Heymann asked if any Member of the Council wished to remove any items for discussion. Item No. 6b was removed by Councilman Kashwick

6. INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING AND ADOPTION TO BE HELD MONDAY, 12/22/14, @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received from Borough Attorney 11/18/14):

b. ORDINANCE NO. 2014:1181, “AN ORDINANCE AMENDING CHAPTER 200, SCHEDULE A, LIMITING SCHEDULE, TO CLARIFY MAXIMUM HEIGHT REQUIREMENT FOR RESIDENCE AREAS A & B”

In answer to Councilman Kashwick, Mayor Heymann said that this was discussed in the Ordinance Committee and it was decided that the proposed ordinance is solely for the purpose of clarifying the wording (in Schedule A: Limiting Schedule as it is presently stated in the Borough Code Chapter 200, “Zoning”, 200 Attachment 1:1 for Residence Areas A & B) . The Borough Engineer explained that houses built before 1920 are in the minority; therefore, the overriding number would be 30 feet for those houses but it should be visible on the chart that the maximum height is 28 feet for most houses; presently it shows 30 feet with a footnote.

Borough Attorney read footnote no. 5 which states “*The maximum height requirement in Residence Areas A and B shall be reduced from 30 feet to 28 feet for any house constructed after 1920.*”

Mr. DeNicola said the existing footnote has the height of the building at 30 feet for houses built before 1920 but the number that should be more relevant to the houses that presently exist in Closter should be 28 (feet). This ordinance will be making it clearer. He noted that if an addition is contemplated on a house with the higher elevation, a variance would be needed; and explained that pre-existing structures built before 1920 are existing non-conforming conditions.

6. COMMITTEE REPORTS

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

- 1) STATUS REPORT RE CLOSTER WEBSITE
- 2) REPORT – Councilman Dolson informed he had nothing to report this evening.

6. COMMITTEE REPORTS (Continued)

B. PUBLIC SAFETY - GLIDDEN (LATNER/BARAD)

- 1) REPORT – Councilman Glidden informed he had nothing to report this evening.

C. PUBLIC WORKS - LATNER (DOLSON/GLIDDEN)

- 1) REPORT – Councilwoman Latner reported the Library has started a new monthly newsletter that they are emailing so it is in a different format. She informed that the library referendum in Northvale passed so there will now be 77 libraries in the BCCLS group with the addition of West Orange in the near future.

Councilwoman Latner hoped that everyone took the time to read the NVRHS Newsletter and noted that there is much greater transparency in terms of the Interim Superintendent who has been sending out the Principal's Newsletter on behalf of both high schools. She wished to highlight the Northern Valley Coalition had an extremely successful trunk-or-treat event for the small kids on Halloween; so much so that they had to go get more candy. The 1:1 laptop teaching initiative is going well with all students having received their laptops and everything has been running smoothly. The pride survey was distributed to the students asking for anonymous responses to questions regarding stress, drinking and drugs. The Northern Valley Coalition will be able to receive grants once the survey has been administered.

Councilwoman Latner reported the last DPW Committee Meeting was held 11/12/14 and noted we have been ahead of the game with leaf season; and nature has been kind so far.

At this time, Mayor Heymann reported that the Library Board wished the Finance Committee and all other governing body members to see the request they made this year which has now been distributed to all. She explained the great concern has arisen because the Library had been promised a certain amount in the 2014 Budget, which was not realized; and they were put in a position where they were unable to finance all of their needs. Mrs. Latner thanked everyone for taking the time to review same and hoped the Borough could meet their request for 2015. Councilman Dolson voiced his hopes that as we begin transfer resolutions that we would have the ability to be able to send the Library a couple thousand dollars too because he really feels we should do that to assist. Mayor Heymann suggested he speak to the Temporary CFO to see if there are funds available to accomplish that.

D. ORDINANCES - BARAD (AMITAI)

- 1) REPORT RE ORDINANCE COMMITTEE MEETINGS
- 2) REPORT – Councilman Barad reported that the Ordinance Committee met earlier in the month and several ordinances are up for introduction this evening. He informed the issue brought up by Donald Schmidt regarding line striping is included in same; and yellow lines will be permitted. As they are finishing up the year, he has nothing further to report.

E. HUMAN RESOURCES - KASHWICK (DOLSON/LATNER)

- 1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick informed he had no report for Human Resources Committee.
- 2) REPORT – Councilman Kashwick reported that the Historic Preservation Commission meeting will take place next Monday, 12/1/14, as tonight is the Council meeting; and informed they will be holding the hearing regarding historic designation of Hickory Lane which came in a previous Mail List.

6. COMMITTEE REPORTS (Continued)

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

Councilman Kashwick reported he was unable to attend the last Environmental Commission meeting but noted they had a very successful harvest festival in October; and he extended his gratitude to everyone who helped with the event.

Mr. Kashwick reported the Shade Tree Commission finished the fall takedowns; and pruning will take place in December. Provided there is not a lot of snow this Wednesday, tree plantings will take place.

At this time, Mayor Heymann wished to inform she received several irritated phone calls regarding the pruning that took place. When she returned from the League Convention last week, she found herself irritated in addition. She was really taken aback because one half of her tree had been pruned and they indiscriminately cut down the front half of the tree and left the back half; and she has been working very hard to grow this red maple. The Mayor spoke to Leslie (Weatherly, Shade Tree Administrative Assistant) and was informed that the arborists were directed to remove any branches that hung over the sidewalks of the Borough. She does not recall something so drastic having taken place before and she can sympathize with those residents based on her own reaction. Mayor Heymann suggested Councilman Kashwick bring this information back to the Commission and see if there is another way this can be done. She voiced her understanding that pruning was to ensure the safety of the tree in addition to removing potential hazards; when you cut half the tree, you make it imbalanced. Mr. Kashwick agreed if this is the case, he will bring it to the attention of the Commission.

The Mayor suggested perhaps the instructions were not clear to the arborists and Mr. Kashwick noted that George (Futterknecht) and Todd (Bradbury) are the arborists and they had worked on the instructions. The Mayor informed she was given a copy and it reads ‘anything overhanging the public right of way’; though she does not recall if it mentioned a 10 foot distance or not. Mr. Kashwick said it is based on what is in the ordinance. The Borough Clerk voiced her concern that she had the same problem and noted that, in the past, residents had been informed in the mail when the prunings were going to take place and given the opportunity to be there. Ms. Castano noted she returned from work one evening and noticed that the large (maple) tree in her front yard had been drastically pruned and that a very large branch was arbitrarily cut up to the end of the curb. Mr. Kashwick said he was very distressed to hear about this and said he would bring these concerns back to the Shade Tree Commission.

At this time, Borough Engineer DeNicola asked for further information on the historic designation of Hickory Lane. Councilman Kashwick invited Ms. Rothschild to come up to explain the designation.

Jennifer Rothschild, Historic Preservation Commission Member, explained that much like Borough Hall, it is a public entity; but the Borough is not required to appear before the Commission for the designation hearing. Ms. Rothschild explained the designation is an honorary status due to the history of the road; and offered that if the Council had no objections, they could provide information prior to future proposed designations. At this time the Commission is also working on designating the Blanch Woods even though part of it is in the wooded area.

6. COMMITTEE REPORTS (Continued)

- F. LAND USE AND CONSTRUCTION – AMITAI (BARAD/DOLSON)
- 1) REPORT RE INTERVIEWS FOR CONSTRUCTION OFFICIAL (14. M.L. 9/11/14 - J. Zavardino declined appointment) Classified Ad posted on NJS League of Municipalities web site from 9/23/14 to 10/23/14.
 - 2) REPORT RE STATUS OF DISCUSSION IN SUBCOMMITTEE RE CHANGE IN ZONE 5 (Requested by Mayor Heymann WS 8/13/14)
 - 3) REPORT – Councilwoman Amitai was not present during the Work Session, therefore, no report was provided.

Councilman Barad entered the meeting at 7:52 p.m. and provided his report (see above).

7. OLD BUSINESS

8. NEW BUSINESS

Mayor Heymann informed that the League of Municipalities passed 21 resolutions which she informed she had with her if anyone wished to review same.

Relative to the status of the Borough Hall, Mayor Heymann reported that power washing is taking place; the roof is in the process of being done, weather permitting; and there are a couple of change orders, one of which has to do with the enlargement of the downspouts and leaders. She called attention to a prior discussion regarding the clear-coating or coloration of the exterior walls. In her last report, she had noted the completed parts were so confusing looking, the only way to get a uniform look was to paint them over which would lose the interest of the grouting. The Mayor said when the power washing dried up, the coloration looked much better in the front of the building and there are very few parts that don't match the rest. The architect checked the building to see how it would look if the remainder of the front was to be repointed and any necessary bricks replaced; and informed that there would be an approximate cost of \$20,000. Mayor Heymann voiced her understanding from previous discussions with the Council that they would be receptive to this idea because we would then be able to clear-coat instead of paint. In answer to the Borough Engineer, she explained the cost was determined based on the original contract price of \$49 per square foot of the frontage of the building. She said that if same were approved, then the contractor, within the next few days, would begin to work on those parts. She explained that all of the professionals involved have looked at the building and think it is a doable task. Borough Engineer noted that previously it was discussed that the coating of the brick was weather dependent; and if coated too late, it would not be sealed; and it would go unsealed before the winter.

Mayor Heymann referred to the roof, which was originally to be done during the first cold wave and was not able to be done; and, as a result, the materials were outside and the glue froze. Between the roof being delayed and other items being added on, they would not be meeting the 150 day projection under the original contract. Apparently, there would be a penalty if it was the contractor's fault; but this was not the case. Mr. DeNicola questioned why the roof would not be completed within the original timeframe. The Mayor explained the additional work was our decision; and the roof not being completed comes down to an act of God for the cold weather. Councilman Dolson noted that the roof could have been started two months ago because it had nothing to do with the bricks; and Mayor Heymann explained they had the additional flashing and parapets and such that had to be completed and sealed before they could start the roof. Mr. Dolson

questioned if there was a credit for the lesser amount of materials used in the front of the building to offset the cost of the \$21,000 for additional repointing. Mayor Heymann said there are no lesser materials; the contractor would be clear coating instead of color coating; and although she does not think it would be a significant amount, she advised she would look into it. Councilman Dolson noted that the architect's letter (2. M.L. 11/26/14) intimated that there would be extra charges from him because the project is running over. Mr. Dolson reminded that when the architect was here and he questioned why the bids were coming in at twice the amount of the proposal, they were never provided an answer. Mayor Heymann said that the architect is not looking for extra money but felt he was trying to keep the bids for the project low by either not including all of the pointing or being neglectful; but she would check on same with the architect. Mr. Dolson pointed out the letter in question states that CCH will be submitting a proposal for additional oversight services because the scope of the project has expanded; and as a result, extra oversight is needed. He further voiced his concern that if the architect was trying to save us money, it has cost us much more from the very first proposal and down the line; and he doesn't think he should be rewarded for that. Borough Clerk explained the Mayor provided the letter to her after the last Mail List was completed; and Arlene (Corvelli, Deputy Clerk) had not gotten to it Friday and placed it in the portal today; but she said she was unsure if it made it into the laptops this evening. Mr. Dolson informed he read it on the portal. Borough Engineer questioned the possible extra cost for the architect, who is overseeing the project; which is now running over because the roof could have been done at the same time as the brick; and now the architect wants to charge more. Mr. DeNicola voiced his opinion there is something wrong with that; and Councilman Dolson agreed. Mayor Heymann thanked Mr. Dolson for pointing it out. He said if the scheduling was because of the way the contractor set it up, it is not the Borough's problem; it is the contractor's problem, and it is the architect's problem because he is running the job. The Borough Attorney said the weather delays should not increase the architectural fees. In answer to Mayor Heymann, he advised the architect needs to be much more specific in respect to the change orders.

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

Jennifer Rothschild, 49 Washington Avenue, South Nyack, New York, referred to Hickory Lane and questioned if the State Historic Commission has been contacted about the work; and Borough Engineer said no because we are not widening the roadway or affecting historic properties. He said there was a concern about the review time, which can take months, and nothing is clear cut or simple. Ms. Rothschild said she had contacted the Commission and was advised that the curbing could have gone in front of the historic properties after it was submitted for review. She commended the Borough for taking the initiative to repair Borough Hall.

Borough Engineer questioned if the Council wished to have the plans sent to the State Historic Preservation Office (SHPO) for approval of curbing in front of the historic properties. He noted that it was proposed to go to bid in January with an award in February and commencement of the work in May. The plans could be submitted, if there was no fee; and then we can get an answer on the installation. He said if we get one, we do it; and if we don't hear back, we just don't do it. It was the consensus of the Council to submit the plans.

Councilman Dolson referred to the resolutions Mayor Heymann mentioned earlier and noted that it is overly visible that the League of Municipalities did not approach the Energy Receipts Tax as a reimbursement to the municipalities. Mayor Heymann said it is already a major priority in the current agenda; and did not have to be added.

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MONDAY, NOVEMBER 24, 2014 - 7:30 P.M.

Council-Elect Robert A. DiDio entered the meeting at 8:10 p.m.

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

Motion to adjourn the Work Session at 8:10 p.m. was made by Councilman Glidden, seconded by Councilwoman Amitai and declared unanimously carried by Mayor Heymann.

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

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held December 10, 2014
Consent Agenda Item No. 21b.