

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

SINE DIE MEETING MINUTES – THURSDAY, JANUARY 2, 2014 - 7:00 P.M.

The Mayor and Council of the Borough of Closter held a Sine Die Meeting on Thursday, January 2, 2014. Mayor Heymann called the meeting to order at 7:02 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 Notice of Early Meetings which was sent to The Record and Star Ledger and was published on both newspapers on December 20, 2013, 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. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

Those present were as follows:

Mayor Sophie Heymann
Councilpersons John C. Glidden, Jr., Alissa Latner (7:07 pm), John Kashwick,
David Barad (7:25 pm), Arthur Dolson and Victoria Amitai
Borough Administrator, Richard Sheola
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Deputy Borough Clerk, Arlene Corvelli
Borough Engineer, Nick DeNicola
Borough Auditor, Liz Schick
Chief of Police, Dennis Kaine
Superintendent of Public Works, William Dahle, III

4a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item No. 7 was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Dolson and Amitai.

RESOLUTIONS

5. BILL RESOLUTION – DECEMBER 31, 2013 (Received from Deputy Treasurer 12/26/13)

6. TRANSFER RESOLUTION NO. 3 (Received from Administrator/CFO 12/27/13)

~~7.~~ RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN REMAINING ZONING BOARD OF ADJUSTMENT LEGAL ESCROW FEES IN THE AMOUNT OF \$503.00 TO ROBERT & DOLORES WITKO FOR SUCCESSFUL COMPLETION OF SERVICES RENDERED FOR APPLICATION AT BLOCK 1710 LOT 7, 17 BOGERT STREET (Received from Deputy Treasurer 11/7/13/Adjourned from RM 11/13/13/Adjourned from RM 11/25/13/At WS of 12/11/13,
Councilman Dolson informed he would provide a status report at this meeting and this issue was addressed at the Zoning Board Meeting. The applicant did not complete any of the conditions of the application and the resolution and therefore it was not appropriate to continue this resolution.

8. RESOLUTION MEMORIALIZING ACTION TAKEN AT THE REGULAR MEETING HELD 12/11/13 APPROVING THE ALLOCATION OF UP TO \$1,200 FOR THE PURPOSE OF RETAINING EXPERT TESTIMONY IN THE FORM OF AN ENGINEER FOR THE METROPOLITAN FARM MATTER PENDING BEFORE THE STATE AGRICULTURAL BOARD (Received from Borough Attorney 12/23/13)

9. RESOLUTION MEMORIALIZING THE DECISION OF THE COUNCIL REGARDING AUTHORIZING PARTIAL PAYMENT FOR SERVICES RENDERED FOR CONSTRUCTION OF RESTROOMS AT SCHAUBLE AND MOLLICONE PARKS PURSUANT TO INVOICE DATED 8/23/13 IN THE AMOUNT OF \$38,499.30 (Received from Borough Attorney 12/27/13)

10. RESOLUTION AUTHORIZING CANCELLATION OF UNEXPENDED BALANCES OF GRANTS RECEIVABLE TO FUND BALANCE (Received from Administrator/CFO 12/23/13)

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11. RESOLUTION AUTHORIZING CANCELLATION OF UNEXPENDED BALANCES OF APPROPRIATED GRANT RESERVES (Received from Administrator/CFO 12/23/13)
12. RESOLUTION AUTHORIZING CANCELLATION OF UNEXPENDED BALANCES OF TRUST FUND ACCOUNT (Received from Administrator/CFO 12/23/13)
13. RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR DOWNTOWN PARKING IMPROVEMENTS PURSUANT TO N.J.S.A. 40A:4-39 (Received from Administrator/CFO 12/23/13)
14. RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR ENVIRONMENTAL COMMISSION CLEAN-UP DONATIONS PURSUANT TO N.J.S.A. 40A:4-39 (Received from Administrator/CFO 12/23/13)
15. RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR NATURE CENTER DONATIONS PURSUANT TO N.J.S.A. 40A:4-39 (Received from Administrator/CFO 12/23/13)
16. RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR POLICE TRAINING DONATIONS PURSUANT TO N.J.S.A. 40A:4-39 (Received from Administrator/CFO 12/23/13)
17. RESOLUTION APPROVING ISSUANCE OF 2014 CERTIFICATE OF COMPLIANCE FOR AKSON, LLC FOR THE FOLLOWING LIMOUSINE: 2011 LINCOLN TOWNCAR, VIN#2LNBL8EV9BX751794 (completed application filed, appropriate fees paid and approvals received from Borough professionals)

MOTIONS

18. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 12/20/13)
 - a. REGULAR MEETING HELD 12/11/13 - ABSTENTION: AMITAI/BARAD
 - b. WORK SESSION HELD 12/11/13 - ABSTENTION: AMITAI/BARAD
 - c. SPECIAL MEETING HELD 12/18/13 - ABSTENTION: BARAD

19. REPORTS
(None received at time of preparation of this Agenda)

- 4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

20. 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 and asked if anyone wished to speak.

Janet Flotard Lukach, 290 Durie Avenue, referred to the elimination of the yard and garden debris pickup and noted there was no mention of this item in the Agendas of the Work Session and Regular Meeting of November 13, 2013. She did cite the Borough Administrator's report of November 13th in which the matter was brought up and indicated that only 120 to 150 residents use the service. She noted that policy changes such as this originate in a Council Committee; and this policy change, of which the public had no knowledge, was passed by the Council. She said that the motion borders on a violation of the Sunshine Law if not the letter of the law but the spirit of the law. She cited the pick up schedule for lawn debris and noted that the DPW no longer picks up recyclables. Ms. Lukach explained that the persons who currently use the service may not be able to afford landscaping services; and with the property taxes being paid by the residents, the DPW should continue the lawn debris pickup service. Borough Attorney said he did not believe that this is an ordinance change but a policy question; and the Borough Administrator advised that the request for the change came from the DPW Committee at which time he was requested to bring the matter to the full Council for discussion

Phyllis Hirsch, 422 High Street, questioned the motivation for the removal of the lawn debris pick up service and the availability of the listing of those residents who use the service. She cited the lack of notification of this change and that taking away the service from those who need it the most as arbitrary. She said that not everyone should have to hire a landscaper and have a car to transport the debris to the dump in addition to the inability for some to lift the containers out of the vehicles and into the dumpster. This is unfair and unsafe for many Closter residents and the service should be restored. She also cited the fact that we are no longer allowed to put out cardboard in paper or plastic containers, which is a major inconvenience especially during inclement weather. She also noted that a landscaper dumped debris outside a house being renovated at 437/439 Durie Avenue and the DPW picked up the debris on

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December 30th after the deadline of December 9th. She felt the leaf pick up schedule should have been extended because of the inclement weather.

Steve Isaacson, 97 Columbus Avenue, felt the landscaper in question on Durie Avenue should have taken the leaves away since it was after the deadline. He questioned the plans for the newly constructed crosswalk ramps, especially at the Columbus/Durie intersection; and Borough Engineer said that the County determined the locations and were designed in accordance with ADA regulations. Borough Engineer said he would check the Durie/Columbus intersection but the striping would take place after the roadway is resurfaced.

Councilman Kashwick noted that he and Councilman Barad had opposed the elimination of garden debris pickup service; and he questioned if any other Councilperson wished to reconsider their vote on the matter. Councilwoman Amitai said that the matter should be reconsidered.

Nathan Amitai, 35 Wendy Lane, questioned if there was a cost analysis done before the service was discontinued. Mayor Heymann said that it was determined that costs would be reduced because every service that is eliminated reduces the number of new employees and lets us use the present staff to accomplish tasks that they would not have time to do otherwise. She said that the Council and the Committee is ready to discuss the matter again.

Councilman Barad entered the meeting at 7:25 p.m.

Janet Flotard Lukach, 290 Durie Avenue, noted the DPW does not pick up recycling anymore; and in lieu of that, the garden debris could be picked up.

In answer to Phyllis Hirsch, 422 High Street, Mayor Heymann noted that the DPW would have more time for other tasks such as sewer cleaning.

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

22. ADJOURNMENT

Motion to adjourn the Sine Die Meeting at 7:26 p.m. was made by Councilman Glidden, seconded by Councilwoman Latner and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on
January 9, 2014 for approval at the
Regular Meeting to be held
January 22, 2014

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held January 22, 2014
Consent Agenda Item No. 19a