

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – APRIL 8, 2015 - 7:30 P.M.

Mayor Glidden called the meeting to order at 8:28 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 published in The Record and The Star Ledger on January 9, 2015, was posted on the Municipal Clerk’s bulletin board and has remained 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 John C. Glidden, Jr.
- Councilpersons Alissa Latner, Robert Di Dio, Thomas Hennessey, Arthur Dolson and Victoria Amitai
- Borough Administrator, Jonathan De Joseph
- Borough Attorney, Edward T. Rogan
- Borough Clerk, Loretta Castano
- Borough Engineer, Elliot F. Sachs, P.E. BCEE, Boswell Engineering
- Tax Collector/Temporary Chief Financial Officer, Maria Passafaro
- Chief of Police, Dennis Kaine

The following persons were absent:

- Councilman David Barad
- Borough Engineer, Nick DeNicola

3. PROCLAMATIONS

- a. MAYORAL PROCLAMATION DECLARING MONDAY, APRIL 23, 2015, AS ARBOR DAY IN THE BOROUGH OF CLOSTER (Received from Shade Tree Administrative Assistant 3/20/15)

Mayor Glidden read and so proclaimed.

- 4. MAYORAL APPOINTMENTS TO THE LUSTRON HOUSE AD HOC COMMITTEE (Reported by Mayor Glidden at WS 3/25/15) Carried to RM 4/22/15

- 5. APPOINTMENTS - (Not made at the Reorganization Meeting held 1/5/15 - Requiring Council confirmation)

Mayor Glidden requested the appointment for Deputy Municipal Court Administrator be removed from future Agendas.

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
<b>COAH Planner</b>	<u>Michael G. Hakim</u> Hakim Associates	_____	1 Year	31-Dec-15
<b>Improvement Commission</b> Member/ Historic Preservation Liaison	<u>Susan McTigue</u>	_____	2 Years Unexp (McTigue)	31-Dec-15
Alternate No. 1	<u>VACANT</u>	Keven Morrow	2 Years Unexp (Vacant)	31-Dec-17
Alternate No. 2	<u>VACANT</u>	Susan Iafrate	2 Years Unexp (Vacant)	31-Dec-16
<b>Municipal Court</b> Deputy -Court Administrator	<u>VACANT</u>	=====	1 Year	31-Dec-15
<b>Planner to Implement Portions of the 2008 Master Plan</b>	<u>Francis J. Banisch, III</u> Banisch Associates, Inc.	_____	1 Year	31-Dec-15
<b>Treasurer</b>	<u>VACANT</u>	_____	1 Year	31-Dec-15

6a. VOTE ON CONSENT AGENDA ITEMS

Motion to approve the Consent Agenda minus Item Nos. 7b, 10 and 11 was made by Councilwoman Amitai, seconded by Councilman Di Dio and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Latner, Di Dio, Hennessey, Dolson and Amitai.

ORDINANCES

7. INTRODUCTION OF THE FOLLOWING ORDINANCES - PUBLIC HEARING, 5/13/15 @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD
- a. ORDINANCE NO. 2015:1185, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 23 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING THE FOOD AND ASSISTANCE BOARD” (Received from Borough Attorney 3/26/15)
- b. ~~ORDINANCE NO. 2015:1186, “ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200, ZONING, SPECIFICALLY, 200-69E” (Received from Borough Attorney 3/31/15)~~

The Borough Attorney advised this item needs to be pulled.

RESOLUTIONS

9. BILL RESOLUTION - APRIL 15, 2015 (Received from Deputy Treasurer 4/1/15)
- ~~10.~~ RESOLUTION GRANTING APPROVAL/DENIAL OF REQUEST MADE BY GEORGE PAPADOGIANNIS, APV-RE DEVELOPMENT, OWNER OF 17 POPLAR STREET, BLOCK 504, LOT 76, RE REQUEST FOR SIDEWALK/CURB WAIVER AT POPLAR STREET (9. M.L. 3/5/15) (Discussed at WS 3/25/15/Further discussion to be held in WS 4/8/15) – MEMORIALIZING RESOLUTION TO BE PREPARED BY BOROUGH ATTORNEY WITH INPUT FROM BOROUGH ENGINEER

Mayor Glidden informed that this item is to be carried for two weeks for input from our Borough Engineer.

- ~~11.~~ RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE DEVELOPER’S AGREEMENT FOR BLOCK 1607, LOT 1 & BLOCK 1310, LOT 2 (CLOSTER MARKETPLACE (EBA) LLC AND CENTENNIAL AME ZION CHURCH), SUBJECT TO RECEIPT BY THE BOROUGH OF APPROVED ESCROW PAYMENTS, BONDS AND INSURANCE DOCUMENTS (Received from Borough Attorney 3/18/15) Carried from RM 3/25/15

Borough Attorney asked that this item be carried since the Borough Engineer has not received anything.

12. RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH NORWOOD AND CRESSKILL FOR THE CLOSTER POLICE FIRING RANGE (Received from Borough Attorney 3/31/15)

MOTIONS

13. MOTION GRANTING APPROVAL FOR CLOSTER PTO TO CONDUCT ON PREMISE 50/50 CASH RAFFLE AT TENAKILL MIDDLE SCHOOL, 275 HIGH STREET, ON FRIDAY, 5/1/15, FROM 7:00 P.M. TO 11:00 P.M.; DRAWING TO BE HELD: 10:30 P.M. (Completed application filed and appropriate fees paid 3/23/15)
14. MOTION APPROVING THE FOLLOWING APPLICATION AS NEW MEMBER OF THE KNICKERBOCKER HOOK AND LADDER COMPANY: ANTHONY J. IOCCO (Completed application received 3/23/15)
15. MOTION GRANTING APPROVAL FOR BOROUGH CLERK TO SIGN STATE OF NEW JERSEY, OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF ALCOHOLIC BEVERAGE CONTROL, APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR FOR WINE LOVERS INT’L/TASTERS GUILD TO DISPENSE WINE AT LOCALE CAFÉ & BAR, 208 PIERMONT ROAD, CLOSTER, NJ 07624, FOR WINE SEMINAR AND TASTING ON 4/28/15 FROM 7:00 P.M. TO 10:00 P.M.; RAIN DATE: 4/29/15 (Application received 3/24/15)
16. MOTION GRANTING APPROVAL FOR ST. MARY RC CHURCH TO CONDUCT ON PREMISE CASINO NIGHT WITH TEXAS HOLD’EM AT THE SCHOOL BUILDING, 300 HIGH STREET, ON SATURDAY, 6/13/15, FROM 7:00 P.M. TO 11:00 P.M. (Completed application filed and appropriate fees paid 3/25/15)
17. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 4/1/15)  
NO ABSTENTIONS:  
a. REGULAR MEETING HELD MARCH 25, 2015  
b. WORK SESSION HELD MARCH 25, 2015

CLOSTER MAYOR AND COUNCIL  
REGULAR MEETING MINUTES – APRIL 8, 2015 - 7:30 P.M.

18. MOTION GRANTING APPROVAL FOR ISSUANCE BY POLICE DEPARTMENT OF THE FOLLOWING HAWKERS AND PEDDLERS LICENSE FOR CALENDAR YEAR 2015 PER BOROUGH CODE CH. 127 (Received from Chief of Police 4/1/15):

PERMIT NO. 2015-003 – POWER HOME REMODELING GROUP/MARKETING FOR HOME REMODELING:

- A. FOR RICHARD A. CERPA, 404 ROYAL CT., MIDDLETOWN, NJ 07748
- B. FOR CHARLES G. HAGUE, 37 POPPINS WAY, MORRISTOWN, NJ 07960

19. REPORTS

Borough Clerk asked that Chief Kaine’s report, which was received and distributed today, be included in the reports as follows:

- a. CHIEF OF POLICE - MARCH 2015 (Received 4/8/15)

At this time, Mayor Glidden asked that the following section be added to future Agendas:

“VOTE ON CONSENT AGENDA ITEMS”

6b. 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 Glidden opened the meeting to the public. No one wishing to be heard, Mayor Glidden closed the meeting to the public.

Motion approving the following Closed Session Resolution at 8:37 p.m. was made by Councilwoman Amitai, seconded by Councilman Dolson and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Latner, Di Dio, Hennessey, Dolson and Amitai. Mayor Glidden asked for motion to approve the following resolution:

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 per 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 6 to 12 weeks.

At 10:45 p.m., Mayor Glidden resumed the Regular Meeting.

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

22. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:45 p.m. was made by Councilman Di Dio, seconded by Councilman Hennessey and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on  
Monday, April 20, 2015, for approval  
at the Regular Meeting to be held  
April 22, 2015

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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 April 22, 2015  
Consent Agenda Item No. 27a

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION NOTES – APRIL 8, 2015 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, April 8, 2015. Mayor Glidden called the meeting to order at 7:32 p.m.

1. PLEDGE OF ALLEGIANCE

Mayor Glidden 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 9, 2015, 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 John C. Glidden, Jr.  
Councilpersons Alissa Latner, Robert Di Dio, Thomas Hennessey, Arthur Dolson  
and Victoria Amitai  
Borough Administrator, Jonathan DeJoseph  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Elliot F. Sachs, P.E. BCEE, Boswell Engineering  
Tax Collector/Temporary Chief Financial Officer, Maria Passafaro  
Chief of Police, Dennis Kaine

The following persons were not present:

Councilman David Barad  
Borough Engineer, Nick DeNicola

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF MARCH 26, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 8 was removed by Borough Attorney; Item Nos. 2, 10, 12 and 15 were removed by Borough Clerk.

Item No. 2: Received 03/20/15, dated 03/20/15 from Jonathan DeJoseph, Borough Administrator re Forwarded copy of Construction Official Gary Montroy's resignation dated 3/19/15 effective April 2, 2015

Borough Clerk questioned if Mr. Montroy is still on staff as she has seen him in the building past this date. Borough Administrator informed he sent changes to the Governing Body and they discussed it; and suggested this item be further discussed in Closed Session; and the Borough Attorney affirmed same.

Item No. 8: Received 03/23/15, dated 03/19/15 from Michael G. Hakim, LLA, PP, RLA, ASLA re Fair and Open Process, COAH Planner – Withdrawal of Request for Reappointment as COAH Planner

Borough Attorney explained Mr. Hakim has been the Borough's COAH Planner and earlier in the year had expressed interest in staying on for same so he submitted qualifications when the RFP was put out. We received this letter after that time and Mr. Hakim noted in light of a recent Supreme Court decision he

is no longer interested in doing that. Mr. Rogan said he is aware the Council is in the process of looking for a replacement but expressed his concern that part of that very recent decision of the NJ Supreme Court requires certain qualified towns to file by the end of June an Order to Show Cause looking for an injunction or relief from builder's remedies which goes back to the Mt. Laurel days. The Borough is on a short time frame and in order for us to make this deadline he feels someone needs to be on board to prepare the paperwork from the planning aspect of this. Borough Attorney further explained this decision has totally redone the Council on Affordable Housing (COAH) and now it will go before the courts. Towns that have made an effort to comply with the various 3 rounds of certifications will have protection but they need to file a court action and have it supported by a Planner's proposal. He said Closter does qualify and we are one of 300 towns that submitted plans but COAH was shut down before they had a chance to review it. We are entitled to this protection but as part of the application we need the expertise of a COAH Planner and Mr. Hakim has indicated it will not be him so Mr. Rogan expressed the need for urgency. In answer to Mrs. Amitai, Borough Attorney informed Mr. Hakim will stay on as a consultant for the Village School plan only as he felt his firm was not suited to handle the additional work the Supreme Court decision has mandated.

Item No. 10: Received 03/24/15, dated 03/23/15 from Gary J. Vinci, Registered Municipal Accountant, Lerch, Vinci & Higgins, LLP to Loretta Castano re 2015 Municipal Budget (Distributed to Mayor and Council, Administrator, Temporary CFO via e-mail on 3/23/15 and under separate cover on 3/25/15) ON FILE IN BOROUGH ADMINISTRATOR'S OFFICE!

Borough Clerk reminded the Borough received the Municipal Budget for introduction and it was pulled from the last meeting and she wanted the public to be aware it is still in the works.

Item No. 12: Received 03/25/15, dated 03/25/15 from Noreen Best, Director, Bergen County Division of Community Development, to Bergen County Municipal Clerks re Informing of her retirement on 3/31/15 and reassuring that the staff in place will provide a seamless transition

Borough Clerk wanted all to be aware of Ms. Best's retirement.

Item No. 15: Received 03/25/15, dated 03/23/15 from Richard Loveless, Supervising Engineer, Bureau of Local Aid – Newark, State of New Jersey, Department of Transportation, to Nick DeNicola, P.E., Boswell McClave Engineering; c: Borough Clerk re Award Approval – Hickory Lane, Closter, Bergen County, MA-14; Informing of approval of the Borough in awarding contract for the project to Rockborn Trucking & Excavating, Inc. in the amount of \$484,253.50; notifying of availability of State funding in the amount of \$149,000; and informing of items of non-participation

Borough Clerk wished to note the only item that is not participatory in this grant award is the item for Police Traffic Director services in the amount of \$10,000 which is customary.

b. MAIL LIST OF APRIL 1, 2015 - Mayor Glidden 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.

At this time, Borough Administrator informed re Item No. 2 on the 3/26/15 Mail List that he did receive and circulate a separate letter from Mr. Montroy expressing interest in staying on with the Borough; and he is not sure why it was not included in the Mail List. In answer to the Borough Clerk, Mr. DeJoseph said no action had been taken on either item but they were both forwarded to the Governing Body. Mayor Glidden reminded this item will be discussed in Closed Session.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of April 8, 2015)

Mayor Glidden asked if any member of the Council or public wished to discuss any of the Consent Agenda items. Item No. 7b was removed by Councilwoman Amitai.

7. INTRODUCTION OF THE FOLLOWING ORDINANCES - PUBLIC HEARING, 5/13/15 @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD

- b. ORDINANCE NO. 2015:1186, “ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200, ZONING, SPECIFICALLY, 200-69E” (Received from Borough Attorney 3/31/15)

In answer to Councilwoman Amitai questions on changes to the ordinance, Borough Attorney noted that this was the Ordinance from 2 years ago and nothing has changed since the Planning Board sent same to the Council. Councilwoman Amitai referred to the ordinance reviewed by the Planning Board last week, which contained a use-to-use section; and Borough Attorney said that this section referred to the number of buildings on the lot not the use of same. Mayor Glidden said the section referred to the business district only. Councilwoman Amitai referred to Page 1, Section 1, Paragraph 2.E.1) relative to the number of uses on a lot; and Borough Attorney said just because you have two buildings, you cannot have two uses; and he cited Closter Plaza which would have potentially a restaurant, supermarket, a movie theater etc. This came about from the planner. He said that the A&P is one big block store; and this proposal indicates that the Borough does not want a big block store but smaller buildings on the lot in the business district. The proposed ordinance does not affect the A&P store, which is in the commercial district. Councilwoman Amitai referred to Gary Montroy’s comments on the proposed ordinance that if same was for all the districts, it would have unintended consequences. In answer to the Borough Clerk, Councilwoman Amitai noted that Gary Montroy’s resignation has not been accepted by the Council as yet. Borough Attorney noted that same would have to be discussed in Closed Session. Borough Attorney to redraft the proposed ordinance to lift the restriction on the business zone only; and same would be introduced at the next meeting.

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

- 1) STATUS REPORT RE NEGOTIATIONS WITH PBA LOCAL 233 (8. M.L. 8/21/14/ 8. M.L. 9/25/14) – The Borough Attorney reported his understanding that the Committee met with PBA Representatives and requested the matter be discussed in Closed Session.
- 2) STATUS REPORT RE CONTRACT FOR SOLID WASTE TRANSFER STATION SERVICES INCLUDING THE TRANSFER, TRANSPORTATION, DELIVERY AND PAYMENT FOR DISPOSAL OF SOLID WASTE FOR THE BOROUGH OF CLOSTER (Authorized at RM 2/11/15) – Mr. Rogan reported the contracts have been prepared and are out for signature.
- 3) STATUS REPORT RE APPRAISALS OF POTENTIAL ACQUISITIONS FOR THE BOROUGH (RM 9/10/14 Mayor granted approval to obtain appraisals on two properties)  
The Borough Attorney noted there have been recent discussions regarding two properties and voiced his understanding the Administrator has this item for Closed Session. He reminded there were discussions regarding switching properties for a Green Acres grant.
- 4) STATUS REPORT RE CONTRACT FOR THE PURCHASE OF MULTIPLE CONDOMINIUM UNITS AT VILLAGE SCHOOL SITE (RM 11/24/14) – Mr. Rogan reported Mr. Hakim will continue this application before COAH. He also had to redo our plan to indicate that’s where the monies would be expended and said he would forward a copy of same to the Council. The Borough Attorney reminded the last spending plan was prepared four years ago and we had different allocations for those funds such as apartments over stores that never were spent due to lack of interest in that so we are looking to reallocate the monies to the Village School project.
- 5) REPORT – The Borough Attorney reported the Administrator has been meeting with representatives regarding the cell tower and asked him for a brief report. Mr. DeJoseph reported he met with a potential vendor and shared the Council’s concerns with them regarding keeping the basic footprint and requesting no generator at our facility but there is a requirement for putting generators on the roof of the facility so they don’t take up additional ground space. The Administrator met with Lt. Winters and Superintendent of Public Works and the vendors.

6. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER

1) STATUS REPORT RE DPW REMEDIATION (Authorized /RM 4/23/14) – In the absence of Mr. DeNicola, Borough Engineer Sachs reported the last groundwater sampling event did not reveal any contamination related to the 6,000 gallon gasoline and 6,0000 gallon diesel underground storage tanks. His understanding is that yesterday a proposal was sent in the mail to close the existing monitoring wells. Related to the previously removed waste oil underground storage tank the NJDEP still has the case open and Boswell sent a separate proposal for additional soil borings in what they call the tank graves.

2) STATUS REPORT RE SWIM CLUB PHASE II CONTAMINATION INVESTIGATION (Authorized/RM 7/9/14) – The Borough Engineer reported that additional testing at the site has been set up for April 22 and April 23 to test horizontally and vertically to delineate the PCB contamination. In answer to the Mayor he said he was unaware of the timeframe for results but advised he would have Mr. DeNicola contact him regarding same.

3) REPORT RE STATUS OF CONTRACT AWARDED TO ROCKBORN TRUCKING AND EXCAVATION, INC. @RM 3/11/15 FOR HICKORY LANE IMPROVEMENTS AND 2014 MUNICIPAL ROAD PROGRAM IN THE BASE BID AMOUNT OF \$484,253.50 – Mr. Sachs reported the Borough received the award notification from Richard Loveless at the NJDOT and a notice of construction was sent to the residents last week with mobilization to begin Monday, 4/13/15.

4) REPORT

At this time, Borough Administrator noted some paperwork regarding the underground oil tank was located through the Borough Attorney's office and hopefully some further headway can be made with that situation. Mr. DeJoseph will follow through with the Borough Engineer's office on same. Regarding Hickory Lane Improvements he reported the Risk Management Consultant approved the Certificate of Insurance today and Hold Harmless Agreement.

7. REPORTS

A. BOROUGH ADMINISTRATOR

1) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S):  
a) Mail List requests re Insurance: None at the time of preparation of this Agenda

2) STATUS REPORT RE EXTERIOR REPAIRS AND ROOF REPLACEMENT AT BOROUGH HALL (Contract Awarded /RM 5/28/14 to 3 Sons Restoration, LLC, Union, NJ - \$499,000.00) – No report.

3) STATUS REPORT RE RE-BID FOR ACQUISITION & INSTALLATION OF EMERGENCY GENERATOR AT CLOSTER PUBLIC LIBRARY – Bid opening held 8/5/14 @11:30 a.m./All Bids rejected RM 8/13/14 – To be rebid – Mr. DeJoseph reported the Borough received an award letter from the State Police and he and Lt. Winters will be meeting with them next week. He believes the State Police are waiting for approval of a plan from the County and once that is in order he anticipates going out to bid for that along with the generator for the DPW. He said the capital ordinance may need to be amended for that but he will speak with the Borough Attorney.

4) STATUS REPORT RE FOLLOWING CONTRACTS:  
a. POLICE FIRING RANGE PHASE I – CONTRACT AWARDED TO ACTION TARGET/RM 8/13/14 (\$108,220.51) – No report.  
b. INTERIOR RENOVATIONS OF CLOSTER POLICE DEPARTMENT – Contracts awarded RM 11/24/14 to: 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 – No report.

5) STATUS REPORT RE 2015 MUNICIPAL BUDGET PREPARATIONS – Borough Administrator reported that he, the Finance Committee, Temporary CFO and Department Heads have been

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

working together to try to reduce the Budget.

6) REPORT – Mr. DeJoseph reported that he, the Borough Engineer, DPW Superintendent and Joe from the DPW met to discuss the I&I study. There has been significant inflow and infiltration in our sewer system and being that it is one of the largest appropriations in our budget at \$900,000 that is something that was requested to be reviewed for potential leakage. Councilwoman Amitai questioned if the study would show misuses like illegal hookups. Mr. DeJoseph said laterals like illegal sump pumps and illegal downspouts would show up only if it was raining otherwise it would be difficult to see that. There was discussion about evaluating all of the connections in each residence and the issue was brought up at the Ordinance Committee. The BCUA wants to be sure the Borough has an enforced anti-sump pump ordinance and though we have one we are waiting to hear back from them if the wording of ours is acceptable. Borough Attorney affirmed there is an ordinance on the books and perhaps through failure to complete a survey last year the BCUA believed the Borough did not have one. The ordinance was sent to Robert Laux for review and we are waiting to hear back if he has suggested changes. Councilman Hennessey suggested to Mrs. Amitai that she question the Building Department at their next meeting as to whether it is being enforced for inspections of sump pump connections on CCO. Mr. Rogan informed he spoke to Paul Demarest (Technical Assistant, Building Department) a few weeks ago whether the inspectors check for that during CCO and he was verbally assured that it was and it is on the checklist. Mrs. Amitai voiced her opinion that they would not say anything but the truth.

At this time, Borough Engineer Sachs made an addition to his report under Item No. 2. (See B. BOROUGH ENGINEER; 2) STATUS REPORT RE SWIM CLUB PHASE II CONTAMINATION INVESTIGATION (Authorized/RM 7/9/14) above).

B. BOROUGH CLERK

1) STATUS REPORT RE 2015 APPOINTMENTS – The Borough Clerk reported outstanding appointments are being maintained on the Agenda. She did receive two Citizen Leadership Forms for membership on the Closter Improvement Commission which were filed in her office on 3/23/15 and copies to the Mayor and Council as well as the Improvement Commission. She noted the applicants were Keven Morrow and Susan Iafrate and asked if Mayor Glidden wished to make these appointments in the Regular Meeting for two vacant Alternate member positions.

2) STATUS REPORT RE 2015 OATHS OF OFFICE – Ms. Castano was pleased to report at this time there are only eight outstanding Oaths of Office which is very good. There has been a slight improvement in return receipt of the Citizen Leadership Forms and for those still missing contact information she will contact the Liaisons and Chairpersons of those Boards and Commissions.

3) STATUS REPORT RE 2015 LICENSES – The Borough Clerk reported liquor license transfers in are in slow progress. The Borough currently has five liquor licenses in inactive/pocket status which are in great demand. She explained when attorneys start the process for transfers there have been issues as there are procedures that need to be followed and she has been experiencing issues recently. One incident arose from an attorney who claimed the Clerk did not know what she was doing and thankfully our Borough Attorney stepped in to join the conversation; after which the attorney came to find out he had been misled by his client or his client had misinterpreted the goal of placing a license in the Plaza in its current state. In response to Mayor Glidden, Ms. Castano explained that the license for JBS Mack, LLC has not been renewed due to lack of tax clearance and subsequently the Division of Taxation came and seized the license. There will be an auction on April 16<sup>th</sup> at the Fair Lawn Tax Office.

4) STATUS REPORT RE 2015 MEETING DATES – Ms. Castano reported a Special Meeting will be held for the Board of Ethics on Thursday, 4/16/15 @8:30 p.m. The meeting notice was published in The Star Ledger and The Record on 4/7/15 informing the purpose to review new procedures for Financial Disclosure Statements and assist anyone requiring help in filing same. Chairman Yammarino and the Board members are very hopeful it will be much easier to update our original electronic filings this time.

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

5) STATUS REPORT RE PREPARATION FOR CODIFICATION OF 2014 ORDINANCE NOS. 2014:1153 to 2014:1183 AS CODE SUPPLEMENT NO. 21 – The Borough Clerk reported our Borough Administrator was able to reduce the fee that General Code proposed to us and she voiced her understanding that a Purchase Order was issued and sent to General Code and she is awaiting confirmation that the information has been posted online.

6) REPORT RE ELECTIONS – Ms. Castano reported the following:

a. Primary Election to be held Tuesday, 6/2/15 from 6 a.m. to 8 p.m. – Petitions were filed in her office with no problems for the following candidates: Arthur Dolson and Alissa Latner, incumbents for 3 year Council terms and Thomas Hennessey for the unexpired 1 year term left by Mayor Glidden for the Republican party. Democratic petitions were filed for Dolores A. Witko and John Kashwick for the 3 year Council term; and Brian D. Stabile for the unexpired 1 year term. Councilman Hennessey noted Mr. Stabile serves on the Environmental Commission.

7) REPORT – Ms. Castano noted there is Old Business regarding Professional Services openings that were held on 3/4/15 and no appointments have been made to date. Copies of the proposals were provided to the Mayor and Council and Planning Board Chair on 3/6/15 for the COAH Planner and Planner for the Master Plan Reexamination.

C. CHIEF OF POLICE

1) REPORT – Chief Kaine reported he circulated the Monthly Report earlier today. Councilwoman Latner noted the current year to date for domestic violence incidents are at 24 as opposed to 10 for the same period last year and questioned if there were any indications as to why. In regards to Ambulance calls dispatched she asked if the higher numbers could be attributed to the winter.

Chief Kaine reported the Department will be participating in the “U Text, U Drive, U Pay” campaign next week and hopefully it will give us some revenue. Work has been finishing up at the firing range to prepare for spring qualifications and noted the Shared Services Agreement for use of the range is on this evening’s Agenda.

The Chief reported there have been problems the past few days regarding dispatching relative to Verizon’s copper wire going from Closter to Rochelle Park with the wire having gone down numerous times. The County had to send a dispatcher to our headquarters several times to operate the first aid and fire department communications. The problem has since been corrected so they will not have to send a dispatcher down but the Chief noted he will be attending a meeting on Monday afternoon in Mahwah with the Director of Public Safety. In answer to Mayor Glidden he affirmed someone from Mahwah had to come down here because we had no way to communicate with the Northern Valley other than to page out.

Chief Kaine reported the Department will be assisting with the Bike Rodeo to be held 4/18/15 at Hillside School to give safety tips and education.

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS: Mayor Glidden informed he had no report regarding grants at this time.

a. FILED

1. To be announced by Mayor

b. AWARDED

1. To be announced by Mayor

c. TO BE FILED

1. To be announced by Mayor

2) REPORT

8. OLD BUSINESS

- a. DISCUSSION RE CARRY OVER OF ITEM NO. 9 - MAIL LIST OF 3/5/15 - RESOLUTION GRANTING APPROVAL/DENIAL OF REQUEST MADE BY GEORGE PAPADOGIANNIS, APV-RE DEVELOPMENT, OWNER OF 17 POPLAR STREET, BLOCK 504, LOT 76, RE REQUEST FOR SIDEWALK/CURB WAIVER AT POPLAR STREET (9. M.L. 3/5/15)

The Borough Clerk voiced her recollection that the Borough Engineer was going to report on this issue and Councilwoman Latner said she did visit the site. She voiced her feeling that although it is a new construction it is difficult because if you're going to start (building sidewalk) you have to start somewhere.

George Papadogiannis, 17 Poplar Street, cited the utility pole to the rear of his property, which would be going right through the proposed sidewalk and on the corner there is a stop sign, street sign and fire hydrant. He understands that the curb installation would not be waived but felt the sidewalk would be an eyesore and detrimental, which he would like to have waived. Mayor Glidden reiterated that he would like to hold this item over to the next meeting and apologized for any inconvenience. He would really like the Borough Engineer to review and advice. In answer to Councilman Hennessey, Mr. Papadogiannis said the last time he met with Mr. DeNicola at the site was for an inspection; and he does not recall him being there since that time. The Borough Clerk noted that her office was unable to provide color copies of the pictures provided to the Council for consideration.

Councilwoman Amitai said there is a lot going on in that neighborhood and Councilman Hennessey said he would not like to see sidewalks if it was his property and suggested a contribution to the sidewalk fund. In answer to Councilwoman Amitai, Mr. Papadogiannis said there is one remaining tree on the property and the other trees that were there had to be removed. Mayor Glidden said he would like to carry this issue over to the next meeting when the Borough Engineer would be in attendance and he reminded the governing body to inspect the property before the next meeting.

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

Steve Isaacson, 97 Columbus Avenue, said he was disheartened to hear that Mr. Montroy tendered his resignation; and is happy to hear he wants to be back and something can be worked out with him.

He referred to Ordinance No. 2015:1186 and explained that he was not at the Planning Board meeting last week, but he understands that at the time this was an ordinance that was supposed to affect the entire town and they went into closed session to discuss it. He said he was curious why, if this is an ordinance which will affect the entire town, did they discuss it behind closed doors. In response to his request, Ms. Amitai agreed it was discussed in closed session; she didn't recall the reason the attorney provided for them to do so. Borough Clerk asked if they had a Resolution which indicated the purpose of the closed session; and the Mayor said there was no Resolution on that subject. Ms. Amitai was sure he gave a reason. Mayor Glidden insisted there was no resolution. Mr. Isaacson surmised they probably did not want the public to know about it. He said it seems very strange to him that it is only for the business district. He inquired whether this is being drafted solely for Closter Plaza. Mayor Glidden explained this ordinance was introduced over two years ago on the advice of the Planner - Banisch. Mr. Isaacson said he remembers it was when Mayor Heymann was on the Planning Board and asked "for the record" if this was so. Mayor Glidden explained "for the record" that the Report was available for the public.

Mr. Isaacson noted that within the past week it was changed from affecting the whole town to just the business district. Mayor Glidden explained it was not intended to affect the whole town. It was never going to affect the residential area.

Mr. Isaacson asked if they do this splitting up of lots, there are two possibilities: Somebody like Closter Plaza could build satellite stores. In the parking lot they could construct separate buildings within their lots.

Borough Attorney advised that currently there are five (5) buildings.

Mr. Isaacson continued that now you are saying that the ordinance will encourage smaller structures within a lot. Borough Attorney advised all the other zoning ordinances still apply so you would still need parking. He added that any application for Closter Plaza has to go before the Planning Board or Zoning Board because presently they are maxed out. In terms of this affecting them, they can proceed; and if they want to get a variance, they can get it now. Mr. Rogan said it is a bad example. In response to Mr. Isaacson, Mr. Rogan explained depending upon what they are looking to do, they would apply either to the Planning Board or Zoning Board of Adjustment. He added that the reason why Closter Plaza is a bad example is that they had multiple buildings on the lots; Mr. Rogan reminded that this ordinance is not that old (1980's) that Closter Plaza was built in the late 50's/early 60's and they were grandfathered in. That was part of the Planner's pitch on this that in the Business District basically all of the properties violate that ordinance: Closter Commons, Closter Plaza, a number of buildings on Main Street. For whatever reason, historically we have these huge lots instead of multiple one acre lots; we have 14 acre lots and 8 acre lots that were developed that way. That ordinance came into being in the 80's which made all of those properties nonconforming. The Planner outlined why he thought it was a good idea for every district to avoid the big box. The concern was that currently the way the ordinance is written Walmart could go into the A&P site and we couldn't stop them and at Reuten because it is one big box. Mr. Rogan recommended that Mr. Isaacson read the Planners report as that was the philosophy behind his recommendation. Mr. Isaacson agreed that the trend is to get away from the big box as they are a thing of the past.

Mr. Isaacson questioned if there is any way the Mayor and Council can encourage the Board of Health regarding the bee ordinance which he feels is antiquated. Mr. Dolson recalled that last year they had a professional bee keepers and the president and vice president visited his property in Rockland County where he had bees, which opened the door for reconsideration.

Mr. Isaacson said he had previously requested that the Mayor and Council change the scheduling on their Agenda. He went to the (NVRHS) High School Board meeting last week. At 9:30 p.m. they still hadn't opened the meeting to the public. Ms. Latner mentioned his recommendation that they use the Lustron House for the Junction and she got the credit for his recommendation. He said they had a meeting open to the public regarding the referendum where only four (4) people were in attendance.

Mr. Isaacson emphasized that all elected bodies should open the meeting to the public early in the meeting. He agreed with Ms. Latner that we should be commended for looking better than the high school and public school

Lastly, he encouraged all to read article about the ball fields because we are putting a lot of money into something that is a dying thing; we should have much better priorities; we could be pouring our money into something other than a \$5.5 million dollar baseball field at Old Tappan High School.

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

Mr. Dolson asked for a closed session regarding contract negotiations/collective bargaining. Borough Attorney advised we will be announcing same in the Regular Meeting.

13. ADJOURNMENT

Motion to adjourn the Work Session at 8:28 p.m. was made by Councilman Di Dio, seconded by Councilwoman Latner and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on  
Monday, April 20, 2015, for approval at the  
Regular Meeting to be held  
April 22, 2015

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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 April 22, 2015  
Consent Agenda Item No. 27b