

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – DECEMBER 9, 2015 - 7:30 P.M.

Mayor Glidden called the meeting to order at 9:03 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 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.

2. ROLL CALL

The following persons were present:

- Mayor John C. Glidden, Jr.
- Councilpersons David Barad, Alissa Latner, Robert Di Dio, Brian Stabile,
Arthur Dolson and Victoria Amitai
- Borough Administrator, Jonathan DeJoseph
- Borough Attorney, Edward T. Rogan
- Borough Clerk, Loretta Castano
- Borough Engineer, Nick DeNicola
- Chief of Police, Dennis Kaine

3. MAYORAL APPOINTMENTS

(to fill the unexpired terms of Councilman Hennessey and Councilman Stabile):
No appointments were made by Mayor Glidden to fill the following vacancies:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
*Environmental Commission				
Member/ Council Member/Liaison	Thomas Hennessey	_____	3 Year Unexpired (Hennessey)	31-Dec-17
Member/ Shade Tree Liaison	Brian Stabile	_____	3 Year Unexpired (Stabile)	31-Dec-17
*Shade Tree Commission				
Member/ Environmental Liaison	Brian Stabile	_____	5 Year Unexpired (Stabile)	31-Dec-16

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

These Ordinances were introduced at the Regular Meeting held Monday, 11/9/15, and were published in The Record on 11/13/15 as stated in the Municipal Clerk’s affidavit of publication. Reprints of these Ordinances were posted on the Municipal Clerk’s Bulletin Board in accordance with statutory requirements and copies have been made available to the general public.

- a. ORDINANCE NO. 2015:1199: “AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$5,000.00 FROM THE CLOSTER OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS”

Mayor Glidden declared a Public Hearing.

Jennifer Rothschild, Vice Chairman of the Closter Historical Preservation Commission, questioned the scope of the proposed ordinance and Mayor Glidden noted that we need to get the electrical and water systems activated in addition to checking the heating system for the Lustron House. She also questioned the installation of exit signs in the house and asked if she could contact the electrician about vintage glass lamp shades that could be used. Mayor Glidden suggested that she contact the Borough Administrator who could provide an update on the status of the project.

Mike Pisano, 44 Columbus Avenue, noted that one of the trees on the property is in rough shape and questioned if the Shade Tree Commission has inspected it and Mayor Glidden said he would look into same. Mr. Pisano questioned if the electrical would be located underground and Mayor Glidden said that the Borough Administrator could provide an update on same. Mayor Glidden noted that the municipal process is slow but we are moving ahead as fast as possible.

No one else wishing to be heard, Mayor Glidden closed the meeting to the public and asked for a motion of adoption.

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – DECEMBER 9, 2015 - 7:30 P.M.

Motion approving adoption of Ordinance No. 2015:1199 was made by Councilman Barad, seconded by Councilman Di Dio and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Dolson and Amitai.

- b. ORDINANCE NO. 2015:1200: “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS, SPECIFICALLY FOR THE MUNICIPAL COURT”

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

Motion approving the adoption of Ordinance No. 2015:1200 was made by Councilman Barad, seconded by Councilman Di Dio and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Dolson and Amitai.

5a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 7, 8 - requiring a 2/3 majority vote of the Council to be voted upon separately, and 15 was made by Councilwoman Latner, seconded by Councilwoman Amitai and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Dolson and Amitai.

RESOLUTIONS

6. BILL RESOLUTION – DECEMBER 15, 2015
(Received from Deputy Treasurer 12/4/15)

~~7.~~ RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES RECEIVABLE IN THE AMOUNT OF \$13,534.20 FOR CERTAIN 1ST THROUGH 4TH QUARTERS 2015 AND 1ST AND 2ND QUARTERS 2016 PRELIMINARY TAXES FOR PROPERTY LOCATED AT 421 DURIE AVENUE, BLOCK 1003, LOT 21 (LUSTRON HOUSE) DUE TO PURCHASE OF THE PROPERTY BY THE BOROUGH OF CLOSTER (Received from Tax Collector 10/21/15/Carried from RM 10/28/15/Carried from RM 11/9/15/ Carried from RM 11/23/15) To be carried

~~8.~~ TRANSFER RESOLUTION NO. 1 (Received from Deputy Treasurer 12/1/15) Borough Attorney advised this Resolution requires 2/3 majority and is to be voted upon separately.

9. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 FOR CHANGE ORDER FOR BOROUGH HALL PHONE SYSTEM AS FOLLOWS: Item #1 – Telecommunications Package Borough Hall & DPW; Vendor: Hunter Technologies, Inc., 1709 Route 34, Suite 3, Wall Twp., NJ 07727; State Contract #: T1316/B-11-X-2141; Total: \$5,052.91; Contract Period: 02-01-12-01/31/17 (Ordinance 2015:1188; Capital Account C-04-15-188-006-001 – Original Contract RM 10/14/15 Resolution No. 19) Received from Administrator 12/1/15

10. RESOLUTION MEMORIALIZING THE DECISION OF THE GOVERNING BODY TO APPROVE THE CARRYOVER OF 2015 UNUSED VACATION DAYS UNTIL MARCH 31, 2016 (Maximum of 15 days) Received from Administrator 12/1/15

11. RESOLUTION ENDORSING PARTICIPATION IN HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY DENTAL INSURANCE POLICY RENEWAL (Renewal period 12/01/15 – 11/30/16) Received from Administrator 12/1/15

12. RESOLUTION ENDORSING PARTICIPATION IN LIGHTBRIDGE ACADEMY CHILDCARE PROGRAM (Received from Administrator 12/1/15)

13. RESOLUTION APPROVING REVISED PLAN 82-PD-LINCOLN-050812 (Received from Administrator 12/1/15)

At this time, Borough Clerk noted that in the past the Chief Financial Officer was responsible for sending the certified copy of the resolution to the Director of the Division of Local Government Services but in this resolution the Clerk has been designated for this responsibility. Finance matters are usually handled by the Chief Financial Officer and she asked that the resolution be reflected to designate responsibility to the Chief Financial Officer. She said that she had conferred with the Temporary Chief Financial Officer on this matter and Ms. Passafaro concurred with the Municipal Clerk. Borough Administrator noted that he did not understand why the Clerk would not send the resolution if the Mayor and Council so choose; and the resolution is the sample that he received from Lincoln Financial Services. Borough Clerk noted that the Borough Administrator is not the Chief Financial Officer and the Chief Financial Officer is the one who has the responsibility to send the resolution since it is a financial matter. Mayor Glidden suggested that the language be changed in the resolution this time and that more information be obtained for future resolutions. No objections were expressed by the Council members.

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – DECEMBER 9, 2015 - 7:30 P.M.

14. RESOLUTION MEMORIALIZING APPROVAL MADE AT REGULAR MEETING HELD 11/23/15 FOR RON MILLER TO CONDUCT CHRISTMAS TREE SALES AT THE CLOSTER COMMONS, AT THE CORNER OF HOMANS AVENUE AND PIERMONT ROAD, FROM 11/27/15 TO 12/23/15, BETWEEN THE HOURS OF 12 P.M. AND 8:30 P.M., SUBJECT TO ANY REQUIRED PERMIT FEES, PER BOROUGH ORDINANCE, AND THERE NOT BEING ANY OBSTRUCTION OF INTERSECTION TRAFFIC BY THE POLICE DEPARTMENT FOR CHRISTMAS TREES TO BE SOLD – TO BE PREPARED BY BOROUGH ATTORNEY (Received from Borough Attorney 12/8/15)
- ~~15.~~ RESOLUTION AUTHORIZING PLACEMENT OF UTILITY POLE AT 39 JULIA STREET (WS 11/23/15) TO BE PREPARED BY BOROUGH ATTORNEY – To be carried
- 15a. RESOLUTION INCREASING CONTRACT PRICE FOR HICKORY LANE AND MC CAIN COURT IMPROVEMENTS, CHANGE ORDER #1 AMENDMENT (Received from Borough Attorney 12/8/15) Added at the request of the Borough Clerk
- 15b. RESOLUTION FIXING MEETING DATES FOR SINE DIE AND REORGANIZATION MEETING DATES (Added at the request of the Borough Clerk)

MOTIONS

16. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 12/3/15)
ABSTENTIONS: AMITAI, DOLSON
- a. REGULAR MEETING HELD NOVEMBER 23, 2015
b. WORK SESSION HELD NOVEMBER 23, 2015
17. MOTION GRANTING APPROVAL FOR THE PLACEMENT OF THE NATIVITY CRECHE IN FRONT OF BOROUGH HALL DURING THE WEEK OF 12/7/15 TO BE REMOVED THE WEEK OF 1/5/15 (13. M.L. 12/3/15/Approval received from Risk Management Consultant 12/1/15)
18. REPORTS
- a. CONSTRUCTION OFFICIAL – NOVEMBER 2015 (Received 11/30/15)
b. FIRE CHIEF – OCTOBER 2015 (Received 12/3/15)
c. FIRE CHIEF – NOVEMBER 2015 (Received 12/3/15)
d. CHIEF OF POLICE – NOVEMBER 2015 (Received 12/8/15) - Added at the request of the Borough Clerk

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

8. TRANSFER RESOLUTION NO. 1 (Received from Deputy Treasurer 12/1/15) requiring 2/3 majority vote of the Council.

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

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

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

- 18-1 Motion authorizing the Borough Tree Lighting Ceremony for insurance purposes was made by Councilwoman Amitai, seconded by Councilman Di Dio and declared unanimously carried by Mayor Glidden.

Councilwoman Latner reported that the Hillside School is enrolling in the Stop and Shop program and she would be following up with the High School. She did not know the exact percentage that would be given to the school at this time. She reported that the Library had a computer program in which 19 children were enrolled in this cutting edge technology program. She thanked the Borough Attorney for his follow up on commercial value stabilization. She questioned the no left turn onto Hickory Lane for Metropolitan Farm and Mayor Glidden noted that there has been nothing official on that matter.

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – DECEMBER 9, 2015 - 7:30 P.M.

Councilwoman Amitai questioned the holiday display for Borough Hall and Mayor Glidden noted that presently there is a Menorah and tomorrow the Holiday Tree would be displayed. She questioned the location of the other holiday items and it was suggested that any items may be located at the DPW Garage. Mayor Glidden noted his attendance at the Menorah Lighting and said the Fire Department and DPW did a great job. Everyone enjoyed the celebration.

- 20a. Motion approving the following Closed Session Resolution at 9:05 p.m. was made by Councilman Barad, seconded by Councilman Di Dio and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, 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)(4), “A collective bargaining agreement” and N.J. S.A. 10:4-12(b)(7), “Pending or anticipated litigation or contract negotiations”; 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 Glidden resumed the Regular Meeting at 10:05 p.m.

Mayor Glidden announced that the Elks have presented the Borough with a check in the amount of \$2,000 for the Closter Food Locker.

21. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:05 p.m. was made by Councilman Di Dio, seconded by Councilwoman Amitai and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on
December 17, 2015 for approval at the
Regular Meeting to be held
Monday, December 21, 2015

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held December 21, 2015
Consent Agenda Item No. 21a.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – DECEMBER 9, 2015 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Regular Meeting at Borough Hall on Wednesday, December 9, 2015. Mayor Glidden called the meeting to order at 7:30 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 David Barad, Alissa Latner (8:30 p.m.), Robert Di Dio, Brian D. Stabile,
Arthur Dolson (7:32 p.m.) and Victoria Amitai
Borough Administrator, Jonathan DeJoseph
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine
Lieutenant Mark Lupardi, Knickerbocker Hook & Ladder Company

Mayor Glidden announced that the Environmental Commission has received an award from the Association of Environmental Commissions and he presented same to Paul Mac Donald, Chairman of the Environmental Commission.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF DECEMBER 3, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Councilman Barad removed Item Nos. 5 and 8; Mayor Glidden removed Item Nos. 11 and 13; Councilwoman Amitai removed Item Nos. 14 and 15.

Item No. 5: Received 11/20/15, dated 11/19/15 from Thurman Barnes, Area Director, Government Affairs, Cablevision, to Mayor John Glidden re Informing Cablevision of New Jersey, LLC filed an application with the New Jersey Board of Public Utilities to renew the system-wide franchise currently authorized to provide service in your municipality (Original to Mayor 11/23/15)

Councilman Barad recalled during the last renewal, Cablevision had made some offers to the Borough and he is uncertain if those remain as the State law has changed since then. He asked if the Administrator had additional information. Mr. DeJoseph said in previous years if FiOs met a certain build-out requirement of roughly 40%, the income was able to go up for the system-wide franchise. Previously the Borough received credit for technology equipment but now it is based strictly on a percentage. The utility bills show a local franchise tax which comes back to the municipality. In response to Dr. Barad he explained it is no longer negotiable as it is now is a state wide franchise agreement. In answer to Councilwoman Amitai he said we received a check annually from Cablevision and/or FiOs. In answer to

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – DECEMBER 9, 2015 – 7:30 P.M.

Councilman Dolson, he said we received the fee directly from the utility and recalled we received about \$80,000 last year. He said it is not really benefitting everyone because this is a tax the residents are paying and it is going to the municipality.

Item No. 8: Received 11/23/15, dated 11/23/15 from Carol Ann Caparros (carolann@webpetitionandlobby.com) to lcastano@closternj.us re Rail Safety – Requesting to ask DOT to consider adding secondary containment, top-fitting protection to rail tank cars used to transport chlorine gas (Copy to Chief Pierro)

Councilman Barad voiced his support for looking further into this issue and requested they consider a Resolution. Mayor Glidden agreed and said he would like to propose same for the next meeting and asked the Administrator to obtain a copy of same.

Item No. 11: Received 11/30/15, dated 11/24/15 from Judy Parker, M.B.A., Commercial / Residential / Industrial Sales Associate, Century 21 Concept 100 re 7-11-15 Van Sciver (aka 59 West) Street, Closter, New Jersey

Mayor Glidden noted that Ms. Parker was in the audience this evening and explained this correspondence notifies the Borough the aforementioned property is for sale. He wanted to bring this to attention because we have been actively working on our COAH obligations and they will be looking into this property. He informed Ms. Parker that the Borough has 60 days from December 3, 2015 to have their housing plan to the court.

In answer to Councilwoman Amitai, Ms. Parker informed the asking price is \$995,000 but it is very flexible. In response to Councilman Di Dio, she informed there is a vacant house on the land and the land is adjacent to property the Borough already owns.

Councilman Dolson noted there had been an applicant before the Zoning Board who wanted to build on that land and he is not aware of the outcome of that application. Ms. Parker informed the applicant walked away and Mr. Dolson surmised they abandoned plans to revise and return to the Board with a new plan.

Borough Attorney informed the Borough has the right to look at any property for potential purchase and depending on how it is funded there may certain environmental or other tests required prior to acquisition; but cautioned that any discussion regarding potential acquisition involving money should be discussed in Closed Session. He clarified that the concept of purchasing may be discussed openly but when it comes to specific information it may not be. Borough Engineer voiced his understanding that the applicant withdrew because there was a certain amount of wetlands on site identified by the State but no exact delineation because they applicant withdrew. Ms. Parker noted the wetlands exist on the Borough's adjacent property as well and that both are in the Affordable Housing zone.

Item No. 13: Received 12/01/15, dated 12/01/15 from Tom Migliore, Friends of the Creche re Request for permission to place Nativity Creche in front of Borough Hall during the week of December 6, 2015; to be removed during the week of January 5, 2016 – Approval received from Risk Management Consultant 12/1/15 (Copy to Glenn Parsells)

Mayor Glidden voiced his understanding that they were still in the process of locating the Crèche. At this time, he reminded of the Christmas Tree lighting ceremony scheduled for tomorrow night at 8 p.m. and invited all to attend.

Item No. 15: Received 12/02/15 Hand del'd, dated 12/02/15 from David M. Watkins, Esq., Attorney for Plaintiffs re Metropolitan Farms, Lupardi Nursery, and D'Amico Farm v. Borough of Closter: Unauthorized Sale of Christmas Trees

Councilwoman Amitai requested the Borough Attorney to weigh in on the issue and asked if we were in trouble. Mr. Rogan voiced his opinion that he feels the Borough has the right to grant this type of use and there is no current ordinance prohibiting or allowing it. He explained this is being treated similar to a sidewalk sale with time of day and public safety requirements in addition to a permit fee and adherence to

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – DECEMBER 9, 2015 – 7:30 P.M.

all other Borough ordinances. Mr. Rogan noted the Ordinance Committee has already begun discussion on this issue and is reviewing other towns to see how it is handled for purposes of moving forward.

Item No. 14: Received 12/02/15, dated 12/12/15 from Nancy Wehmann, Acting Borough Clerk, Borough of Alpine, to Closter Borough Clerk re Notice of Adoption of Ordinance No. 755 “An Ordinance to Amend Chapter 179 of the Zoning Code of the Borough of Alpine” at the meeting held 11/23/15 (Copy to Land Use Coordinator/Zoning Board of Adjustment)

Councilwoman Amitai wished to note the Alpine ordinance prohibits construction noise on Saturdays, Sundays and holidays and recalled that during the Borough’s discussions on same we suggested not permitting the noise on Sunday. Dr. Barad said there is an ordinance similar to this one that will be introduced early next year because it is too late to adopt same this year. In response to a question from the audience, Dr. Barad clarified this will only pertain to construction at this time but the ordinance will be further reviewed next year.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of December 9, 2015)

Mayor Glidden asked if any member of the Governing Body wished to remove any item for discussion.

Borough Attorney requested Item Nos. 7, 8 and 15 be removed for discussion. The Borough Clerk requested that Item Nos. 15a and 15b as well as 18d, “Chief of Police Report” be added to the Consent Agenda and no objections were expressed by Council members.

7. RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES RECEIVABLE IN THE AMOUNT OF \$13,534.20 FOR CERTAIN 1ST THROUGH 4TH QUARTERS 2015 AND 1ST AND 2ND QUARTERS 2016 PRELIMINARY TAXES FOR PROPERTY LOCATED AT 421 DURIE AVENUE, BLOCK 1003, LOT 21 (LUSTRON HOUSE) DUE TO PURCHASE OF THE PROPERTY BY THE BOROUGH OF CLOSTER (Received from Tax Collector 10/21/15/Carried from RM 10/28/15/Carried from RM 11/9/15/ Carried from RM 11/23/15)

Borough Attorney requested that the resolution be carried. No objections were expressed by Council members.

8. TRANSFER RESOLUTION NO. 1 (Received from Deputy Treasurer 12/1/15)

Borough Attorney said that this resolution would require a 2/3 vote of the Council and therefore would have to be addressed separately.

15. RESOLUTION AUTHORIZING PLACEMENT OF UTILITY POLE AT 39 JULIA STREET (WS 11/23/15) TO BE PREPARED BY BOROUGH ATTORNEY

Borough Attorney requested that this resolution be carried because some adjustments may be required. No objections were expressed by Council members.

15a. RESOLUTION INCREASING CONTRACT PRICE FOR HICKORY LANE AND MC CAIN COURT IMPROVEMENTS, CHANGE ORDER #1 AMENDMENT (Received from Borough Attorney 12/8/15)

15b. RESOLUTION FIXING MEETING DATES FOR SINE DIE AND REORGANIZATION MEETING DATES

18. REPORTS

- a. CONSTRUCTION OFFICIAL – NOVEMBER 2015 (Received 11/30/15)
- b. FIRE CHIEF – OCTOBER 2015 (Received 12/3/15)
- c. FIRE CHIEF – NOVEMBER 2015 (Received 12/3/15)
- d. CHIEF OF POLICE – NOVEMBER 2015 (Received 12/8/15)

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – DECEMBER 9, 2015 – 7:30 P.M.

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) – Borough Attorney reported the full Mayor and Council met with the PBA Committee in Closed Session at the last meeting. The Administrator will present a proposal in response to their requests for the Governing Body to consider in Closed Session this evening. He said if the Council so chooses, the proposal may be voted on tonight and discussions will continue with the PBA representatives.
- 2) STATUS REPORT RE CONTRACT FOR THE PURCHASE OF MULTIPLE CONDOMINIUM UNITS AT VILLAGE SCHOOL SITE (RM 11/24/14) – Mr. Rogan reported this application to the Zoning Board has been pulled back until the New Year because the owner of the school would like to revise it somewhat and then re-file it early next year.
- 3) REPORT – Borough Attorney requested a Closed Session to discuss a litigation matter; Rosenblum v. Borough of Closter; which is a challenge to the one building per lot ordinance and a conference held with the Court last week.

B. BOROUGH ENGINEER

- 1) STATUS REPORT RE DPW REMEDIATION (Authorized /RM 4/23/14)
- 2) STATUS REPORT RE SWIM CLUB PHASE II CONTAMINATION INVESTIGATION (Authorized/RM 7/9/14)
- 3) STATUS REPORT RE 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
Borough Engineer noted he circulated his Status Report (December 2015) and informed the Change Order for Hickory Lane referred to earlier is for a net amount of under a \$5,000 increase; however, we had added \$45,000 of miscellaneous items the Borough wanted to take care of. He explained we actually added \$40,000 and we came down to a total of plus \$5,000 because we were able to have savings in the project throughout construction.
- 4) STATUS REPORT RE FOLLOWING DEVELOPER'S AGREEMENTS:
 - a. BLOCK 1607/LOT 1 & BLOCK 1310/LOT 2 (CLOSTER MARKETPLACE (EBA) LLC AND CENTENNIAL AME ZION CHURCH) (Approved RM 4/22/15)
 - b. 50 RAILROAD AVENUE, LLC FOR BLOCK 1205/LOT 9, 50 RAILROAD AVENUE (Approved RM 9/9/15)
 - c. 309 CLOSTER DOCK ROAD, LLC FOR BLOCK 1701/LOT 1, 309 CLOSTER DOCK ROAD (Approved RM 9/9/15 - ZBA)
- 5) REPORT – At this time, Councilwoman Amitai asked if the Borough Engineer could review the COAH map that has been prepared to review it for any blatant errors as he is knowledgeable with every piece of land in the Borough. She said the COAH Planner needs to submit it and she would like Mr. DeNicola to review same so they can move forward. No objections were voiced and Borough Engineer asked to have the COAH Planner send him the map. Mayor Glidden asked the Borough Administrator to take care of it.

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) – Borough Administrator reported the project is still under way and the Lewis Street doors have been removed; the concrete has been replaced on the Lewis Street and Police Department sides of the building this past week; and the new Lewis Street doors funded through an ADA grant will be installed tomorrow. He said we learned that the previous contractor had not provided the best workmanship so it is being properly done now.

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

3) STATUS REPORT RE FOLLOWING CONTRACTS AWARDED RM 8/12/15 (Bond Ordinance No. 2015:1188 adopted 6/24/15):

a. PHASE TWO RENOVATION OF POLICE DEPARTMENT FIRING RANGE TO ACTION TARGET IN THE AMOUNT OF \$26,897.18 – Mr. DeJoseph reported this project is still under way.

b. UPGRADE of the RECORDS MANAGEMENT SYSTEM POLICE DEPARTMENT TO ENFORSYS POLICE SYSTEMS, INC. IN THE AMOUNT OF \$20,750.00 – Borough Administrator reported this project is still under way.

c. RESOLUTION AUTHORIZING UPGRADES TO SENIOR CENTER UNDER THE NEW JERSEY DIRECT INSTALL PROGRAM TO LIME ENERGY IN THE TOTAL AMOUNT OF \$7,389.44 (Amended RM 8/26/15 TO INCREASE THE TOTAL PRICE BY \$40.90 FOR A REVISED TOTAL OF \$7,430.34) – Mr.

DeJoseph reported he is still waiting to hear back from the State but it looks like the program may have been discontinued based on funding.

4) ONGOING REPORT RE OUTSTANDING ITEMS ON CORRECTIVE ACTION PLAN APPROVED AT RM 7/22/15 (Requested by Councilman Barad @WS 7/8/15) – Borough

Administrator reported they are still working on it to reduce findings by the Auditor.

5) REPORT RE PREPARATION OF REQUEST FOR PROPOSALS FOR BANKING SERVICES (Authorized RM 8/12/15) – Mr. DeJoseph said the banking RFP is delayed until the new year based on year end; and, hopefully, it will be awarded by March.

6) STATUS REPORT RE CONTRACT FOR EMERGENCY MEDICAL VEHICLE FOR THE CLOSTER VOLUNTEER AMBULANCE & RESCUE CORPS AWARDED TO BAY HEAD INVESTMENTS, INC. D/B/A VCI EMERGENCY VEHICLE SPECIALISTS, BERLIN, NJ IN THE AMOUNT OF \$249,936.00 (Authorized RM 10/14/15) – Borough Administrator reported we expect delivery in approximately 222 days.

7) REPORT RE CONTRACT FOR SKAE POWER SOLUTIONS FOR AN AMOUNT NOT TO EXCEED \$5,700 FOR CLOSTER POLICE FIRING RANGE CANOPY SYSTEM (Authorized RM 10/28/15) – Mr. De Joseph said he met with the Chief and several department members to discuss the best plan for the Police Department's needs.

8) REPORT RE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE (Authorized RM 11/9/15) Borough Administrator reported the Auction ended today and 3 of 4 pieces of equipment were sold. He noted this is the second time the street sweeper didn't sell so we'll hold onto it for the Spring. In answer to the Mayor, he said we received a bid of \$1,100 but our minimum is \$3,000.

9) REPORT RE MITCHELL HUMPHREY & CO. FOR CONSTRUCTION DEPARTMENT SOFTWARE PRODUCT LICENSE AND MAINTENANCE SUPPORT AGREEMENT IN THE AMOUNT NOT TO EXCEED \$24,750.00 FOR SOFTWARE PLUS \$10,500.00 FOR SOFTWARE MIGRATION SERVICES (Ordinance 2015:1188; Capital Account C-04-15-188-005-001 & 002) (Authorized RM 11/9/15) – Borough Administrator reported the paperwork was sent to the vendor and we hope to have this running in January. The program will be helpful for the Assessor and the Construction office to work together to evaluate completed projects.

10) REPORT RE FOLLOWING CONTRACTS AWARDED RM 11/23/15:

a. ELECTRICIAN JOB ORDER CONTRACTING INSTALLATION OF EMERGENCY STANDBY GENERATOR AT THE DPW THROUGH MIDDLESEX REGIONAL EDUCATIONAL COOPERATIVE #65MCESCCPS, RFP# MRSEC-15/16-14 PURSUANT TO N.J.S.A. 40A:11-1 ET. SEQ. (Ordinance 2014:1164; Capital Account C-04-14-164-029-010)

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

b. ELECTRICIAN JOB ORDER CONTRACTING INSTALLATION OF EMERGENCY STANDBY GENERATOR AT THE LIBRARY THROUGH MIDDLESEX REGIONAL EDUCATIONAL COOPERATIVE #65MCESCCPS, RFP# MRSEC-15/16-14 PURSUANT TO N.J.S.A. 40A:11-1 ET. SEQ. (Ordinance 2015:1188; Capital Account C-04-15-188-013-001) – Mr. De Joseph said in the next two weeks they will be having a preconstruction meeting at the DPW and Library; and we are confirming dates with the Lieutenant.

11) REPORT – Borough Administrator reported at Borough Hall 3 HVAC units were installed; all of the fluorescent lights have been replaced with LED lights and sensors.

The 2016 Budget has been submitted by most departments and he said he will defer to the Mayor and Council as to how they want to proceed with next year's Budget.

Mr. DeJoseph said the Avaya phone upgrade at Borough Hall should be under way in the next few weeks as well, as there was a delay with additional equipment for which a Resolution is on the Agenda this evening.

There is an ordinance on the Agenda this evening for the Lustron House for \$5,000 in funding to do electric work and install electric service, upgrade electrical outlets and fixtures and for other miscellaneous supplies.

Borough Administrator said the DPW did a great job with leaf collection and they finished ahead of schedule thanks to great equipment, great staff and the DPW Superintendent getting things done. Now there is the issue of people putting their leaves out late; but with the weather on our side, we will try to keep a truck on the road to keep them clean.

At this time, Councilwoman Amitai voiced her understanding that we are using a different pickup system this year: instead of using the vacuums there are two trucks in front of each other that pick up the leaves and put them somewhere. She received a call from a neighbor who complained about it and Mrs. Amitai told her the vacuum would probably be coming around to pick up what's left of it. Mr. DeJoseph said on the East side of town they are using a loader and a roll-off truck for pickup and dumping the leaves directly at the compost facility; and the rest of the town is with vacuum. He said they will be going around to the rest of the town and hopefully the street sweeper will be out in the next few weeks.

B. BOROUGH CLERK

1) STATUS REPORT RE 2015 APPOINTMENTS - Current.

a. PREPARATIONS FOR 2016 APPOINTMENTS – Ms. Castano reported a memo re 2016 Appointments was sent 10/19/15; recommendations were due 11/13/15. As of 12/8/15 we have not received a response from Environmental Commission. She informed the Commission has not provided recommendations for appointments or meeting dates.

2) STATUS REPORT RE 2015 OATHS OF OFFICE – Current.

3) STATUS REPORT RE 2015 LICENSES – Ms. Castano reported Borough Licenses are current; and all 13 Liquor Licenses are renewed for 2015-2016 term. There are three pending transfer applications of pocketed licenses two of which are stalled in the investigatory process and one which requires guidance from the Borough Attorney and the Division of Alcoholic Beverage Control due to its complexity.

a. PREPARATIONS FOR 2016 LICENSES – At this time, all licenses are current with the exception of Limousine/Livery licenses which are in progress. We received the applications and are following through on same.

4) STATUS REPORT RE 2015 MEETING DATES – Current.

a. PREPARATIONS FOR 2016 MEETING DATES – Ms. Castano reported a memo re 2016 Meeting Dates was sent 10/16/15 for response by 12/1/15; and to date we have not received any response from Environmental Commission, Board of Ethics or Historic Preservation Commission. As we are required to publish the Annual Meeting Notice in compliance with the Open Public Meetings Act, we

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

need this information as soon as possible to confirm there are no conflicts.

5) REPORT RE 2015 ORDINANCES FOR CODIFICATION – SUPPLEMENT

NO. 22 (Nos. 2015:1184 to 2015:1200) – Ordinances are being prepared to be sent to General Code for placement on the website and for printed codification in early 2016. Any ordinances adopted in 2015 will be included in this Supplement, No. 22.

6) REPORT RE STATUS OF RFP’S FOR 2016 PROFESSIONAL SERVICES (Posted on Borough Website www.closternj.us on 11/10/15 – Opening to be held 12/15/15 @ 11:00 a.m.) – As follow up with the adoption of the Fair and Open Resolution for 2016 Professional Services, the RFP was placed on the Borough website on 11/10/15 and letters were mailed to all current appointed professionals as is customary. Unfortunately, to date, not many have been received and the deadline of 12/15/15 is rapidly approaching. She encouraged submissions prior to 11 a.m. on 12/15/15.

7) REPORT – Nothing further to report.

C. CHIEF OF POLICE

1) REPORT – Chief Kaine reported he sent the Monthly report on Monday. On Sunday, we had our onsite accreditation from the State Chief’s Association. Our policies were reviewed for 105 standards and we passed with flying colors. Results will be forwarded to the Board of Chiefs; and there will be a presentation sometime after that. Mayor Glidden said he sat in on the CALEA (Committee for Law Enforcement Accreditation) exit interview. This is the 3rd time we are being evaluated. Mayor Glidden extended his congratulations to the Chief and the men.

The Chief reported the “Drive Sober or Get Pulled Over” campaign will start Friday 12/11/15 with several details scheduled throughout the month. He reminded they are hosting the annual toy drive on Wednesday, 12/16/15, and said Santa Claus is at the Children’s Ward at Hackensack Hospital from 8 a.m. until 2 p.m. and it’s a big deal. Approximately 47 Departments from Bergen County participate plus Orangetown just joined us this year.

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED

1. NEW JERSEY TRANSIT 5310 GRANT PROGRAM TO INITIATE FUNDING FOR THE TRANSPORTATION ASSISTANCE PROGRAM IN THE BOROUGH OF CLOSTER (Authorized at RM 4/22/15) – Mayor Glidden said we should hear back on

this in the first quarter.

2. NEW JERSEY DEPARTMENT OF TRANSPORTATION FY2015 DISCRETIONARY AID APPLICATION FOR CEDAR LANE PROJECT IN THE AMOUNT OF \$180,000 (Authorized RM 4/22/15) – The Mayor said we are waiting

on the DOT for this one.

3. BERGEN COUNTY OPEN SPACE TRUST FUND FOR THE RUCKMAN PARK WALKING PATH LIGHTING PROJECT IN THE AMOUNT OF \$137,500.00 (Authorized RM 8/26/15) – Mayor Glidden said this grant is in process with

Bergen County.

4. 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR CLOSTER SENIORS ACTIVITIES IN THE AMOUNT OF \$6,000 (Authorized RM 9/21/15) – Mayor Glidden said this grant is in process.

5. 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR SENIOR TRANSPORTATION SERVICES IN THE AMOUNT OF \$6,000 (Authorized RM 9/21/15) – Mayor Glidden said this grant is in process.

7. REPORTS (Continued)

D. MAYOR (Continued)

1) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED (Continued)

6. NJ DEPARTMENT OF TRANSPORTATION FOR THE VERVALEN STREET IMPROVEMENT PROJECT – GRANT AGREEMENT #MA-2016-VERVALEN STREET-00196 (Authorized RM 10/14/15) – The Mayor said this project would be

commenced toward end of construction of the Plaza. He feels we should be qualified for this grant and will continue to report on same.

b. AWARDED

1. To be announced by Mayor

c. TO BE FILED

1. To be announced by Mayor

2) REPORT – Mayor Glidden said he is pleased the Environmental Commission received the award he was able to present to them earlier this evening. In answer to the Mayor, Borough Clerk announced the Sine Die and Reorganization Meetings will be held on Monday at 7:00 p.m. and 7:30 p.m. respectively. Mayor Glidden informed yesterday he sent his first monthly Newsletter which was distributed to all of the persons who signed up on the Borough website. He reported we filed our application with the Court on 12/3/15 for COAH. As a result, the Borough was granted an additional 60 days to present our housing plan. If it is approved, then we will forward it to the Planning Board for approval.

The Mayor said they are scheduling a luncheon with the PTO and top administrators from the local schools to see how we can better communicate and work together. Mayor Glidden reminded that the Christmas Tree lighting ceremony will be tomorrow at 8:00 p.m. He noted there is also a Menorah lighting on Friday at Temple Beth El at 5:30 p.m.

At this time, Councilwoman Amitai asked how residents without email are being informed of events and asked if anything would be sent in the mail and if same could be done via tax bills. Mayor Glidden said he hadn't thought about that but said he will look into same.

8. OLD BUSINESS

9. NEW BUSINESS

AT 8:30 P.M. - DISCUSSION WITH BERGEN COUNTY HOUSING AUTHORITY REPRESENTATIVES RE POTENTIAL SITES AND OPPORTUNITIES FOR AFFORDABLE HOUSING IN CLOSTER (W.S. 11/23/15)

Lynn Bartlett, Director, Bergen County Housing Authority and Director of Development, John Biale, appeared before the Mayor and Council. Mayor Glidden advised that he and Joe Bianco had met with Ms. Bartlett on the development of affordable housing. Ms. Bartlett gave the history of the corporation since it began in the late 70's and included multi family apartments, condos, senior housing and affordable housing for all those in need. Any building that is built requires a minimum contribution which is 30% of their income with an annual recertification. Mr. Biale said we would meet with the Mayor and Council and put together a plan for affordable housing, which would include the location that meets funding criteria as to accessibility to shopping, transportation and senior facilities. At present, we are in the final stages of a 50-unit facility for seniors in River Vale and a 30 unit pre-fab building was built in Pennsylvania and transported to Northvale. He explained the Modular construction and noted that the units are inspected upon arrival and upon being locked together. Ms. Bartlett explained the applicant selection process, which consists of architects, attorneys, engineers and tax credit consultants. Once a Memorandum of Understanding is agreed upon, we meet with the municipality on the development choices, locations and design. In answer to Mayor Glidden, Ms. Bartlett said the first step is for the Borough to locate a piece of property. Ms. Bartlett cited the municipalities in which housing for COAH requirements were established

and explained the financing aspect of the process.

She noted that many of the affordable subsidy plans have dwindled. She explained the Qualified Action Plan and how same is calculated by the Federal government for use by the State which includes a scoring mechanism of 9% credit for senior housing, 9% credit for supportive housing and 9% credit for multi-family housing. Each individual project is set up as an LLC separate from each other and consisting of a general partner owning 1% and an investment partner owning 99%. Once the project has been developed and construction completed, the HDC puts it into the hands of highly respected maintenance people. An inspection is conducted each year.

Ms. Bartlett noted when an agreement is executed, a meeting with the development team is held to sketch drawings in conjunction with the municipality so that same can eventually be presented to the Planning Board for approval. Financing is then reviewed in addition to insurance. Public bid is not required of the HDC but requests for proposals are publicized and negotiations begin with contractors. The financing structure depends on what is available to put the package together. Under the tax credit program, credits are sold after the project is awarded tax credits. In answer to Councilwoman Amitai, Ms. Bartlett said that a site can be obtained through grant money from Community Development but she noted that the block grant program is currently on the Federal chopping block. Money can be used from a housing trust fund. She explained the subsidy program, which includes tenant based, project based and back end program. She also explained the Section 8 program, which is only a tenant based rental subsidy program and each unit is inspected annually. She said she would e-mail the governing body a short presentation that will answer their questions.

Mayor Glidden thanked them for the presentation and noted that the Borough has a time frame of 60 days to submit our fair share housing plan into the Court; and during that time, we would be looking at potential sites. In answer to Borough Administrator, Ms. Bartlett said she would provide a contact in the County relative to available grants.

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, referred to a letter from David Watkins about Christmas tree sales and cited other sale locations. He referred to noise from leaf blowers on Sunday mornings at 9:30 a.m. which should be addressed. He noted that he had attended the Ad Hoc Committee meeting and cited streets that have been vacated by the Borough. He cited the small spur of Wendy Lane that butts up to Borough property and questioned if same would have to go out to bid if vacated; and asked what would be the procedure to vacate that portion of Wendy Lane. Borough Attorney said that the property must be valued and then offered to the adjacent property owners for purchase. It would also depend on how the property was obtained.

Jennifer Rothschild, 49 Washington Avenue, Nyack referred to the non-matching grant application (5. M.L. 12/10/15) which has a submission deadline of January 15, 2016 and said she would submit the information to the Mayor and Council for a resolution.

Toni Paul, 1 Railroad Avenue, apologized for her behavior at the last meeting she attended. She said that Van Sciver is a commercial house in a residential area and same is toxic with no amenities, sidewalks or utilities. She also cited black mold and black spiders that come in during the winter. She cited smoking in the rooms that has been allowed, traffic noise, garbage in a shed and no one cares. She has not gotten any answers. Mayor Glidden said that the Building Department has inspected the facility and did not find the violations she has indicated. She said that you all are totally on the take one way or another and you have no ethics. She said I am going and Mayor Glidden asked a police officer to escort her from the meeting.

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – DECEMBER 9, 2015 – 7:30 P.M.

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

Motion to adjourn the Work Session at 9:03 p.m. was made by Councilman Barad, seconded by Councilman Di Dio and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on
December 17, 2015 for approval at the
Regular Meeting to be held Monday,
December 21, 2015

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 21, 2015
Consent Agenda Item No. 21b