

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – JUNE 24, 2015 - 7:30 P.M.

Mayor Glidden called the meeting to order at 8:07 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 David Barad, Alissa Latner, Robert Di Dio, Thomas Hennessey, Arthur Dolson
and Victoria Amitai

Borough Administrator, Jonathan M. DeJoseph

Borough Attorney, Edward T. Rogan

Borough Clerk, Loretta Castano

Borough Engineer, Nick DeNicola

Chief of Police, Dennis Kaine

3. PRESENTATION BY COAH PLANNER (Requested by Borough Attorney 6/19/15)

Caroline Reiter – presentation will be in this meeting and in closed session/potential litigation.

Borough Attorney advised that the planner will present a map showing vacant land and the remainder of the presentation would be held in Closed Session due to the nature of the discussion.

Caroline Reiter, COAH Planner with the firm of Statile Associates presented her credentials and provided handouts to the Council and the public. She said that July 8th is the deadline for submission of the declaratory judgment. She noted on the map that vacant land marked in orange is Borough owned, the areas marked in red are privately owned and the blue striped area, which are wetlands. Purple areas are United Water, green is parkland and yellow is Board of Education. The largest vacant lot is approximately 1 acre. Prior round COAH approval noted the vacant land deficit in Closter. Borough Attorney noted that part of the reason this is being done is because the methodology involves the availability of vacant land to locate affordable housing; therefore, it is critical that this analysis be done as part of our application for the Court's review. Ms. Reiter noted that the Borough has a lot of parkland many of which have environmental restrictions. COAH rules require that a vacant land adjustment be shown in addition to a map showing every type of land use that exists in the Borough. In answer to Councilman Barad, Ms. Reiter said in her opinion farmland is not vacant land and Durie Estates is a wetland area in addition to be Borough owned and is noted on the map. It was noted that some areas marked privately owned vacant land on Alpine Drive and Church Court are in the process of being developed; and Ms. Reiter said that she had received the listing of privately owned vacant property from the Borough Administrator. She said she would need something in writing to that effect in order to remove same from the map. Borough Engineer noted that a number of the streams have a buffer and should be removed and noted as vacant land since those areas cannot be built upon.

In answer to Councilman Dolson, Ms. Reiter said under COAH rules, there was a process whereby an applicant could ask for a vacant land adjustment to indicate that there was insufficient vacant land available for affordable housing. This is what happened in Closter during the Round 2 obligation. Borough Attorney said this is the first time this has been before a court instead of COAH and the court opinion said that the judges can rely on Round 1 and Round 2 methodology. The lack of available land would have an impact on the figures assigned by the court. Ms. Reiter said that COAH identified the potentially available developable vacant land during the Round 2 process.

Joe Bianco said on the east hill many lots can be eliminated because building permits have been issued; and he cited drainage ways near Piermont and Homans and retention basins at the east end of Trautwein Farm. Ms. Reiter said she would need the Planning Board resolutions relative to the retention basin to indicate same on the map. Relative to the cemetery off Susan Drive, Ms. Reiter said it is shown as vacant on the tax rolls but she would indicate its usage on the map. Mr. Bianco offered his assistance in determining the vacant land in the Borough. Ms. Reiter said we need to establish our legitimacy in this process; and she also cited the existing affordable housing units and the zone where affordable housing is permitted. Borough Attorney noted that it must be confirmed that the units at Alpine Motors are registered in addition to the one above Isabella's (Fine Food and Catering). Ms. Reiter said under a prior round, there was credit for the three units on Main Street; and there was no bonus credit for the Van Sciver house.

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

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Improvement Commission Member/ Historic Preservation Liaison	Susan McTigue	_____	2 Years Unexp (McTigue)	31-Dec-15
Planner to Implement Portions of the 2008 Master Plan	Francis J. Banisch, III Banisch Associates, Inc.	_____	1 Year	31-Dec-15
Treasurer	VACANT	_____	1 Year	31-Dec-15

5. 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 5/27/15 and were published in The Record on 6/2/15 as stated in the Municipal Clerk’s affidavit of publication. Reprint of these Ordinances were posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public.

- a. 2015:1189: “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 171 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING STREETS AND SIDEWALKS”

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 adoption of Ordinance No. 2015:1189 was made by Councilman Di Dio, seconded by Councilman Dolson and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey, Dolson and Amitai.

- b. 2015:1190: “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 29 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING IMPROVEMENT COMMISSION”

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 adoption of Ordinance No. 2015:1190 was made by Councilman Di Dio, seconded by Councilwoman Amitai and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey, Dolson and Amitai.

- c. 2015:1192: “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 108 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FLOOD DAMAGE PREVENTION”

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 adoption of Ordinance No. 2015:1192 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, Hennessey, Dolson and Amitai.

- d. 2015:1193: “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS, SPECIFICALLY FOR THE CONSTRUCTION OFFICE”

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 adoption of Ordinance No. 2015:1193 was made by Councilman Di Dio, seconded by Councilman Barad and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey, Dolson and Amitai.

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

This Ordinance was introduced at the Regular Meeting held 6/10/15 and was published in The Record on 6/13/15 as stated in the printer's affidavit of publication. Reprint of this Ordinance was posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public.

BOND ORDINANCE NO. 2015:1188, "AN ORDINANCE OF THE BOROUGH OF CLOSTER IN THE COUNTY OF BERGEN, NEW JERSEY, ~~AMENDING SECTION 3(e) OF (BOND) ORDINANCE NO. 2013:1142 OF THE BOROUGH FINALLY ADOPTED ON MAY 8, 2013~~, PROVIDING FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$1,817,500 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,584,125 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME"

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 adoption of Ordinance No. 2015:1188 was made by Councilman Di Dio, seconded by Councilman Barad and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey, Dolson and Amitai.

7a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos.15 and 16 was made by Councilman Di Dio, seconded by Councilwoman Amitai and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey, Dolson and Amitai.

ORDINANCES

8. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING 7/22/15 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2015:1194, "AN ORDINANCE AMENDING CHAPTER 30 THE CODE OF THE BOROUGH OF CLOSTER REGARDING INTERMUNICIPAL AGREEMENTS" (Received from Borough Attorney 6/16/15)

RESOLUTIONS

9. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$1,064.50 TO ROBERT E. SPIOTTI ESQ FBO SPIOTTI & ESPOSITO FBO DE LA BASTIDA, JENNE FOR BLOCK 1314, LOT 5, FOR 2014 REAL ESTATE TAXES AS AGREED VIA SETTLEMENT PER RESOLUTION DATED 2/11/15 DUE TO TAX COURT JUDGMENT (TCJ RENDERED 6/5/15) (Received from Tax Collector 6/15/15)
10. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$1,907.58 TO JACOBUS & ASSOCIATES, LLC FBO MOCHAROV, ANDREW & ELENA FOR BLOCK 2302, LOT 21, FOR 2014 REAL ESTATE TAXES AS AGREED VIA SETTLEMENT PER RESOLUTION DATED 1/28/15 DUE TO TAX COURT JUDGMENT (TCJ RENDERED 5/15/15) (Received from Tax Collector 6/15/15)
11. RESOLUTION APPOINTING KEVIN WHITNEY TO SERVE AS FIRE OFFICIAL FOR A 2-YEAR TERM FROM 8/1/15 TO 7/31/17
12. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$30,642.20 TO US BANK CUSTODIAN FOR BV001 TRST & CRDT FOR REDEMPTION OF CERTIFICATE #15-00006 FOR BLOCK 2404 LOT 12 A/K/A 584 CLOSTER DOCK ROAD, SOLD AT THE MUNICIPAL TAX SALE HELD ON 6/16/15 FOR 2014 DELINQUENT TAXES (Received from Tax Collector 6/18/15)
13. RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO SIGN GROUP DISABILITY INSURANCE AMENDMENT FOR DEPARTMENT OF PUBLIC WORKS EMPLOYEES WITH STANDARD INSURANCE FOR A 36-MONTH PERIOD STARTING 7/1/15 TO LOWER RATES WITHOUT CHANGING COVERAGE (Received from Administrator 6/18/15)

Councilman Di Dio requested the definition of employee and asked if same includes workers as well as the Superintendent. Borough Administrator said he believed it included bargaining unit members only and that this resolution is to change the rate of insurance only.

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14. RESOLUTION MEMORIALIZING AUTHORIZATION APPROVED AT THE REGULAR MEETING HELD 6/10/15 FOR THE BOROUGH ADMINISTRATOR TO PREPARE AND SUBMIT A 2015 DECLARATION OF INTENT TO APPLY FOR BERGEN COUNTY HISTORIC PRESERVATION TRUST FUND FOR THE LUSTRON HOUSE (Received from Borough Attorney 6/19/15)

~~14-1~~ 14a. RESOLUTION AUTHORIZING THE CLOSTER IMPROVEMENT COMMISSION TO HOLD A SUMMER HOEDOWN ON 6/26/15 AT MEMORIAL FIELD FROM 5 PM TO 9 PM *SUBJECT TO RECEIPT* OF HOLD HARMLESS AGREEMENT AND/OR CERTIFICATE(S) OF LIABILITY PROVIDED BY EACH VENDOR AND APPROVED BY THE RISK MANAGER PRIOR TO THE EVENT; **AND SUBJECT TO RECEIPT** OF REQUIRED PERMIT(S) FROM THE BOARD OF HEALTH PRIOR TO THE EVENT; **AND SUBJECT TO APPROVAL** BY THE FIRE PREVENTION BUREAU FOR NJ STATE FIRE CODE PERMIT(S) PRIOR TO THE EVENT (Received from Administrator 6/18/15)

Councilman Di Dio asked if crossing guards would be used for this event; and Chief Kaine said that they were not requested but he would attempt to get same for safety reasons.

MOTIONS

~~15.~~ MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS TO THE FOOD AND ASSISTANCE BOARD (In accordance with Ordinance No. 2015:1185 adopted 5/13/15 changing membership and stipulating initial terms of appointment): Carried from RM 5/27/15/RM 6/10/15

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
MEMBER	<u>New Member</u>	_____	2 Years	12/31/16
MEMBER	<u>New Member</u>	_____	3 Years	12/31/17

~~16.~~ *POSSIBLE* MOTION GRANTING APPROVAL FOR CLOSTER CHAMBER OF COMMERCE TO HANG BANNER ACROSS MAIN STREET (VERVALEN STREET) IN MID JULY ANNOUNCING THE SIDEWALK SALE TO BE HELD 7/30/15, 7/31/15 AND 8/1/15, SUBJECT TO RECEIPT OF APPROVAL FROM RISK MANAGEMENT CONSULTANT OF REQUIRED INSURANCE (Carried from RM 6/10/15)

17. MOTION GRANTING APPROVAL FOR ST. MARY RC CHURCH TO CANCEL 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. ORIGINALLY APPROVED AT RM 4/8/15 AGENDA NO. 16

18. MOTION APPROVING RAFFLES APPLICATION FOR CLOSTER ANIMAL WELFARE SOCIETY (CLAWS), P.O. BOX 172, CLOSTER, NJ 07624, TO CONDUCT OFF-PREMISE 50/50 CASH RAFFLE; DRAWING TO BE HELD AT THE CLOSTER PUBLIC LIBRARY, 280 HIGH STREET, CLOSTER, NJ 07624, ON 12/12/15 AT 12 Noon (Completed application filed and appropriate fees paid 6/9/15)

19. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 6/18/15) NO ABSTENTIONS:

- a. REGULAR MEETING HELD JUNE 10, 2015
- b. WORK SESSION HELD JUNE 10, 2015

20. REPORTS

a. CHIEF OF POLICE – MAY 2015 (Received 6/12/15)

7b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

21. 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.

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

Motion approving the following Closed Session Resolution at 8:55 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, Hennessey, Dolson and Amitai:

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- 22a. OMNIBUS OPEN PUBLIC MEETINGS ACT authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(4), “A collective bargaining agreement”; N.J.S.A. 10:4-12(b)(7) “Pending or anticipated litigation or contract negotiations”; and N.J.S.A. 10:4-12(b)(8) “A matter involving public employees” and that the items under discussion in the closed meeting would be disclosed to the public at the conclusion of the matters which should be within 8–12 weeks.

Mayor Glidden resumed the Regular Meeting at 11:15 p.m.

23. ADJOURNMENT

Motion to adjourn the Regular Meeting at 11:15 p.m. was made by Councilwoman Latner seconded by Councilman Di Dio and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on
July 2, 2015 for approval at the
Regular Meeting to be held
July 8, 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 July 8, 2015
Consent Agenda Item No. 11a

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – JUNE 24, 2015 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, June 24, 2015. Mayor Glidden called the meeting to order at 7:31 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, 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 (7:55 p.m.), Alissa Latner, Robert Di Dio,
Thomas Hennessey, Arthur Dolson and Victoria Amitai

Borough Administrator, Jonathan M. DeJoseph

Borough Attorney, Edward T. Rogan

Borough Clerk, Loretta Castano

Borough Engineer, Nick DeNicola

Chief of Police, Dennis Kaine

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF JUNE 11, 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 No. 9 was removed by Borough Administrator; Item No. 7 was removed by Councilwoman Amitai.

Item No. 8: Received 06/08/15, dated 06/03/15 from Richard D. Loccke, Loccke, Correia & Bukosky, to Public Employment Relations Commission, Ms. Daisy B. Barreto, Director of Arbitration/ Conciliation; c: Edward T. Rogan, Esq., Mayor and Council, Association re Borough of Closter and PBA Local No. 233 (Closter Unit) Notice of Impasse for Filing and Docketing; Our File No.: 1619.002-00069360 (distributed to Mayor and Council on 6/10/15)

Borough Attorney wished to update the status of this item noting he sent an email to the Mayor and Council stating the Borough's position that we object to the filing of the impasse because we feel there have been meaningful discussions; and the State has agreed to put off the impasse for a period of time so that the parties can meet for further discussion. Mr. Rogan said he spoke to Mr. Loccke today and we are all trying to get some dates together to meet with the PBA

Committee to continue the meaningful discussions with the hopes of avoiding impasse and arbitration. In answer to Councilwoman Latner, Councilman Dolson noted he read in the paper about employee benefits and changes to that program that might be effective by June 30th if the new legislation is passed; and expressed his concern that it will affect the employees as a whole in addition to the contractual negotiations. Borough Attorney voiced his opinion there should at least be a meeting prior to the deadline of July 15th that has been established by the State; and he hopes to have a few dates tomorrow to coordinate a meeting. He added that we can preface it by saying we want to wait to see what the decision is on that legislation since it is only a few days away.

Item No. 9: Received 06/09/15, dated 06/09/15 from Ronald S. Ladell, Senior Vice President, AvalonBay Communities, to Municipal Clerk, Mayor and Council, Secretary/ Planning Board re AvalonBay Communities, Inc. Affordable Housing Service List (Copy to LUC/Planning Board)

Borough Administrator explained this is a developer looking to be put on our service list for any lawsuits or pending matters, as well as the opportunity to build inclusionary housing in regards to COAH. Borough Attorney said he expects to be getting more of these and he explained the “service list” referred to in the letter is a list we are required to send copies of our complaint that we are filing probably around July 6th requesting Substantive Certification from a court in addition to the request for a 5 month stay of the proceeding or potential builder’s remedies. The opinion had set forth 3 or 4 groups that we are required to notify; and Closter has its own list which needs to be updated because there is some incorrect information in it. Mr. Rogan reminded that we recently received a request from Elliot Urdang, Esq. requesting to be placed on the service list for the property formerly known as Trautwein Farm. He said it is likely that between now and the date we file the complaint we will receive more of these; and the reason is because the developers want to see what we’re submitting to the court. They will also have an opportunity down the line to object to what we propose. We will file the complaint and the motion to stay; and if we are granted the 5 month period, we will meet to discuss our new housing elements for Rounds 1, 2 and 3. Round 3 was never approved but was filed which makes us what is called a participating municipality – which means we are given a little more credence than the towns that did nothing; but not as much as the towns that filed very early and received approval from COAH. He said even they have to re-prove their case to the Judge establishing that they have made concerted efforts to achieve the number that was assigned to them in Round 2. Mr. Rogan reiterated that those developers that send requesting letters are entitled to anything we file and then it is their decision whether to object or remain silent.

Item No. 7: Received 06/08/15, dated 06/05/15 from Stuart D. Liebman, Wells, Jaworski & Liebman, LLP to Loretta Castano, Borough Clerk; c: James Crimmins, Edward T. Rogan, Esq. re 49 John Street – Request to have matter placed on an upcoming meeting Agenda to provide additional information to support this request as previously discussed (WS 5/13/15) Copy to Planning Board

Councilwoman Amitai inquired if the Borough Attorney was still in court on this matter; and noted the Building Department and Zoning Officer have been in Court here in town. Mr. Rogan advised he has not been in court over this matter for purposes of the Governing Body but the town had some violations issues in local court; and the Borough has not been named as a party. Councilwoman Amitai voiced her confusion as to why Mr. Liebman keeps writing to us; and Mr. Rogan suggested maybe the Governing Body needs to respond. He reminded at the last meeting that Mr. Liebman was told verbally that the Council does not like to discuss rezoning a property when there is an application before a Board; and voiced his opinion that it is a good policy to adhere to. He said legally you can change the zoning of a property any time but he feels it creates

problems or animosity or potential lawsuits if you start changing things while there is a pending application. As a policy some time ago, the Borough had opted against same; and this was conveyed to Mr. Liebman, so he feels maybe they need to respond to him that we are or are not interested in talking about this matter or wish to send it to the Planning Board Subcommittee – whatever the Council’s pleasure is on this. Mr. Rogan voiced his opinion that we should do something because Mr. Liebman writes a letter almost every week with this one addressed to the Mayor and Council. Councilman Dolson noted a separate letter did come directly to the Zoning Board and it is on their agenda. He voiced his concern that it may put the wrong tilt on affairs at the Zoning Board in that we may be saying we look favorably on his request; and he feels that the Board should be notified if in fact we are not or what our position is. Mr. Rogan said if the Council does not want to rezone that area right now, we should tell Mr. Liebman that; and Mayor Glidden agreed. Councilman Hennessey asked if the Administrator would take on that responsibility to inform him of same. In response to Councilman Dolson, Borough Attorney advised that any correspondence back to him should be copied to the Zoning Board. He also informed he would speak with the Borough Prosecutor Mr. Fierro.

b. MAIL LIST OF JUNE 18, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 6 was removed by Borough Clerk.

Item No. 6: Received 06/12/15, dated 06/12/15 from Rose Mitchell, Planning Board Coordinator, to Mr. Bell, Law Offices of Jacobs & Bell; c: Zoning Officer, Board Engineer, Borough Clerk re Certified copy of “Resolution of the Planning Board of the Borough of Closter Granting Preliminary and Final Site Plan Approval of the Application by 50 Railroad Avenue, LLC for the Renovation of 50 Railroad Avenue, Block1205, Lot 9, Borough of Closter, New Jersey Subject to the terms and Conditions Set Forth Herein” DEVELOPER’S AGREEMENT REQUIRED

Borough Clerk called attention to the fact that this development will require a Developer’s Agreement and is being referred to both the Borough Attorney and Borough Engineer.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of June 24, 2015)

Borough Clerk requested addition of the following Resolution as an Addendum item:

- ~~14-1~~ 14a. RESOLUTION AUTHORIZING THE CLOSTER IMPROVEMENT COMMISSION TO HOLD SUMMER HOEDOWN ON 6/26/15 AT MEMORIAL FIELD FROM 5 PM TO 9 PM *SUBJECT TO RECEIPT* OF HOLD HARMLESS AGREEMENT AND/OR CERTIFICATE(S) OF LIABILITY PROVIDED BY EACH VENDOR AND APPROVED BY THE RISK MANAGER PRIOR TO THE EVENT; **AND SUBJECT TO RECEIPT** OF REQUIRED PERMIT(S) FROM THE BOARD OF HEALTH PRIOR TO THE EVENT; **AND SUBJECT TO APPROVAL** BY THE FIRE PREVENTION BUREAU FOR NJ STATE FIRE CODE PERMIT(S) PRIOR TO THE EVENT (Received from Administrator 6/18/15)

Mayor Glidden voiced his hopes that the invitation reached everyone and that they attend if they can. Councilwoman Latner voiced her disappointment that she would not be able to attend because she has tickets to a play that she received some months ago; but informed a lot of people had conveyed to her they planned to attend.

6. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY - HENNESSEY (DOLSON/DI DIO)

- 1) STATUS REPORT RE CLOSTER WEBSITE
- 2) REPORT – Councilman Hennessey reported the Finance Committee did not meet this month but they plan to meet next week to start preparations for the 2016 (Municipal) Budget.

B. PUBLIC SAFETY - DOLSON (AMITAI/LATNER)

- 1) REPORT – Councilman Dolson reported there was a Public Safety meeting a few days prior with representatives of the Police Department. Instead of trying to rehash the concerns brought up at that meeting, he said he felt it would be best for the Department to directly address those concerns with the full Mayor and Council because it involves a long-range issue. Councilman Dolson informed he invited them to attend Closed Session this evening for purposes of that discussion.

Councilman Dolson noted as Liaison to the Zoning Board (of Adjustment) that they had already discussed the issue he wished to refer to during Communications.

C. PUBLIC WORKS - LATNER (HENNESSEY/DI DIO)

- 1) REPORT – Councilwoman Latner reported the DPW Committee met this morning and they reviewed several items. She said Hickory Lane paving is underway; and completion is anticipated next week. Mrs. Latner wished to thank the DPW for all of the field cleaning in preparation for this Friday's hoedown.

Mrs. Latner reported the Library has upgraded from an analog a/v system to a digital environment for today's world; and she was pleased to say during the first day of the book sale they raised \$2,390.00. The Library extended thanks to George and Billy Reissner from River Vale and Liz Krum who spend weeks every year culling materials for the book sale. Mrs. Latner said they are operating as best they can despite the small loss of funds they have this year; and an energy retrofit will be completed in addition to a lower negotiated rate with Rockland Electric to save on costs.

Councilwoman Latner reported, as Liaison to the Northern Valley Regional High School Board, that a lot of their initiatives have been met this year; and US News and World Report recognized the high school with gold medal distinction. She noted Dr. Geoff Gordon will be the new Interim Superintendent as of July 1st for one year and she had the opportunity to meet him at the last meeting.

Mrs. Latner reported the Northern Valley Coalition had several events recently such as a movie night which raised over \$400 for the Tomorrows Children's Fund through Hackensack Hospital. Initiatives for drug and substance abuse continue with a new campaign starting where families can pledge to be alcohol and drug free.

The last item Councilwoman Latner wished to address was the Referendum for the regional high school since they still plan to hold another one but do not yet have a date for same. The Board will invite Mayors and representatives for a tour in the future to see fist-hand some of the things they are trying to accomplish; and they will be meeting with the architect because the Board heard the taxpayers loud and clear in the last Referendum's defeat. Mrs. Latner said this was the only goal the Board did not meet this year but they will continue the 1:1 Teaching and Learning and AP classes in the meantime. She voiced her opinion that the high school is doing some remarkable things and she commended them on same.

6. COMMITTEE REPORTS (Continued)

D. ORDINANCES - BARAD (HENNESSEY/AMITAI)

- 1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported they did not have a quorum for the last meeting so they just discussed some organizational items.
- 2) REPORT

E. HUMAN RESOURCES - DI DIO (LATNER/DOLSON)

- 1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Di Dio reported the Human Resources Committee is in the process of scheduling a meeting; and an agenda went out to the Committee as an overview of some of the issues that need to be addressed. They are looking to meet sometime in the next two weeks when everyone is available.
- 2) REPORT

F. LAND USE AND CONSTRUCTION – AMITAI (BARAD/DOLSON)

- 1) REPORT RE STATUS OF DISCUSSION IN SUBCOMMITTEE RE CHANGE IN ZONE 5 (Requested by Mayor Heymann WS 8/13/14)
- 2) REPORT – Councilwoman Amitai reported the Improvement Commission met last night; and they are trying to button up all of the insurance requirements for the hoedown. She expressed her dismay that several vendors had issues which caused a lot of bumps in the road. She reminded all that the hoedown is this Friday from 5 p.m. to 9 p.m. and a robo-type call will go out to remind the residents. Mrs. Amitai urged everyone to come and participate.

Mrs. Amitai reported the Building Department met sometime in the last 2-3 weeks and she requested a Closed Session to discuss same. She was pleased to report the plaza project is up and ready to roll; and they have an engineer stationed on site. Heavy equipment is present and fences are up and demolition has started. She said there will be joint meetings held monthly. Referring to the first meeting held recently, Councilwoman Amitai voiced her understanding that Edens requested the DPW, Police Department and Administrator not be present at same; but they have advised they intend to have a separate meeting for those parties. Councilman Hennessey questioned the approval for reconfiguring the traffic pattern which allowed for the rear access drive to be closed off to emergency services; and voiced his concern that nobody was consulted about it. Mrs. Amitai advised that everyone was consulted about that at the Planning Board. Chief Kaine informed he was not consulted and was not provided with any information on this issue. The Borough Attorney advised it is not acceptable that emergency services no longer have access from the rear (Homans Avenue) to the Dollar Tree and stores remaining in that area. Councilman Hennessey requested the Administrator set up a meeting immediately with the Building Department to discuss these issues between the contractor and the PD, DPW, Fire Department and Board of Health. Mr. DeJoseph said he will contact Edens directly before he leaves this evening. The Borough Attorney informed the contractor needs to comply with public safety issues; and it is unacceptable.

Councilman Barad entered the meeting at 7:55 p.m. and provided his committee report (see above 6.D.)

7. OLD BUSINESS

Councilman Barad thanked Superintendent of Public Works for watering and maintaining the flower pots along Main Street.

8. NEW BUSINESS

Borough Administrator informed during the DPW Committee meeting this morning it was discussed that he would be providing a resolution for the next meeting to enter into a contract under the Riverside Cooperative for emergency sewer and/or storm sewer repairs in case same is needed by the Borough. It is not something that is required but something we should have in place.

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

Mayor Glidden recognized former Mayor Joe Bianco, 7 MacArthur Avenue, (Chairman of the Zoning Board of Adjustment) who commented on planning and zoning in the Borough which he said not only affects the physical development of the Borough, it directly affects the fiscal life and condition of the town. He voiced his opinion that the Borough Attorney gave excellent advice this evening on rezoning, which is a very serious matter. He noted that currently there is a pending application at the Zoning Board. As far as the other case with the person being on the street, he informed that the Zoning Board had been highly successful in two decisions: the Superior Court decision denying the illegal use of that property and also at the Appellate Division.

Mr. Bianco cautioned that developers are anxious to come into Closter to build and build. He noted that he has been involved in development of housing and low income housing over the years and voiced his concern over the new mandates being put out by the Supreme Court. He said he is aware of a special resource person relative to COAH who is available at a reasonable cost if the Borough wishes to engage him. This person is a deputy attorney to the New Jersey League of Municipalities who is currently involved in Tenafly and Upper Saddle River.

Mr. Bianco said he is in the business over 40 years, and is aware that there are ways to approach this mandate at this time. He referred to it as the “build” scenario. He is exploring a “no-build” solution. Closter already has a housing stock; it is an inclusionary town with every type of zone and has the highest density per person per square mile in the Northern Valley with small lot zoning. He cited four developments we have in town which are Spectrum 1, Spectrum 2, Vantage on Railroad Avenue and one on Main Street next to the fortune teller shop.

Mr. Bianco cautioned that the mandate could possibly require 2,500 units and said we would have to put a house on the roof of each of our homes to equal that mandate. He is sure the mandate can be controlled; and if the Borough needs his help, he is available in addition to the resource person.

10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

11. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE
GOVERNING BODY

12. ADJOURNMENT

Motion to adjourn the Work Session at 8:05 p.m. was made by Councilwoman Amitai, seconded by Councilman Dolson and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on
July 2, 2015, for approval at the
Regular Meeting to be held
July 8, 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 July 8, 2015
Consent Agenda Item No. 11b