

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MARCH 25, 2015 - 7:30 P.M.

Mayor Glidden called the meeting to order at 8:47 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 DeJoseph
- Borough Attorney, Edward T. Rogan
- Borough Clerk, Loretta Castano
- Borough Engineer, Nick DeNicola
- Chief of Police, Dennis Kaine

3. INTRODUCTION OF THE FOLLOWING ORDINANCE - PUBLIC HEARING, 4/22/15 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received from Auditor 3/19/15)

ORDINANCE NO. 2015:1184, “BOROUGH OF CLOSTER CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)”

Mayor Glidden announced that this item would be carried.

4. INTRODUCTION OF THE 2015 MUNICIPAL BUDGET AND RELATED RESOLUTIONS PUBLIC HEARING – 4/22/15 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD - TO BE PREPARED BY AUDITOR

Mayor Glidden announced that this item would be carried.

5. 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>
COAH Planner	<u>Michael G. Hakim</u> Hakim Associates	_____	1 Year	31-Dec-15
Improvement Commission Member/ Historic Preservation Liaison	<u>Susan McTigue</u>	_____	2 Years Unexp (McTigue)	31-Dec-15
Municipal Court Deputy Court Administrator	<u>VACANT</u>	_____	1 Year	31-Dec-15
Planner to Implement Portions of the 2008 Master Plan	<u>Francis J. Banisch, III</u> Banisch Associates, Inc.	_____	1 Year	31-Dec-15
Treasurer	<u>VACANT</u>	_____	1 Year	31-Dec-15

6a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 7, 8, and 14 was made by Councilman Di Dio, seconded by Councilwoman Latner and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey, Dolson and Amitai.

RESOLUTIONS

7. TRANSFER RESOLUTION NO. 6 - AUTHORIZING THE TRANSFER OF 2014 BUDGET APPROPRIATIONS (Received from Deputy Treasurer 3/19/15) - TO BE ADOPTED BY NOT LESS THAN 2/3 VOTE OF THE FULL MEMBERSHIP!

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8. ~~RESOLUTION AMENDING TEMPORARY BUDGET APPROPRIATIONS FOR 2015
(Received from Deputy Treasurer 3/18/15) - TO BE ADOPTED BY NOT LESS THAN 2/3 VOTE OF THE FULL MEMBERSHIP!~~
9. RESOLUTION ENDORSING SUBMISSION OF THE 2014 MUNICIPAL RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND DESIGNATING CAROLE DACEY TO ENSURE PROPER FILING OF SAID APPLICATION (Received from Carole Dacey 3/13/15)
10. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK TO WELLS FARGO REAL ESTATE TAX SERVICES FOR THE FOLLOWING PROPERTIES DUE TO 1ST QUARTER 2015 TAX OVERPAYMENTS: BLOCK 1318, LOT 1, 444 HIGH STREET, AMOUNT: \$1,682.78; BLOCK 1318, LOT 2, 450 HIGH STREET, AMOUNT: \$1,195.26 (Received from Tax Collector's Office 3/11/15)
11. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK TO CORE LOGIC REAL ESTATE TAX SERVICES FOR THE FOLLOWING PROPERTIES DUE TO 1ST QUARTER 2015 TAX OVERPAYMENTS: BLOCK 1606, LOT 3, 47 TRAUTWEIN CRESCENT, AMOUNT: \$113.91; BLOCK 1714, LOT 16, 45 FIRST STREET, AMOUNT: \$276.69; BLOCK 2008, LOT 4.03, 30 CAROLINE COURT, AMOUNT: \$6,990.58; BLOCK 2008, LOT 6, 225 PIERMONT ROAD, AMOUNT: \$412.02 (Received from Tax Collector's Office 3/13/15)
12. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEAR 2014: STAMBERG V. CLOSTER (Received from Borough Attorney 3/16/15)
Borough Attorney informed that the tax appeal refund is \$375.
13. RESOLUTION MEMORIALIZING THE DECISION OF THE GOVERNING BODY TO APPROVE THE CARRYOVER OF 2014 UNUSED VACATION DAYS UNTIL JUNE 30, 2015 FOR THIS YEAR ONLY (Received from Borough Attorney 3/16/15)
14. ~~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)
Borough Attorney advised this item will be carried.~~
15. RESOLUTION AUTHORIZING CHIEF FINANCIAL OFFICER THE AUTHORITY TO PAY CERTAIN OBLIGATIONS AS NEEDED (Received from Temporary CFO 3/18/15)
16. RESOLUTION AUTHORIZING TWO CHANGE ORDERS FOR BOROUGH HALL EXTERIOR IMPROVEMENTS TO CLARK CATON HINTZ FOR PROFESSIONAL ARCHITECTURAL SERVICES IN THE AMOUNT OF \$7,500.00 FOR ADDITIONAL CONSTRUCTION ADMINISTRATION **AND** \$3,000.00 FOR OVERSIGHT OF ADDITIONAL REPOINTING (Received from Administrator 3/19/15)
17. RESOLUTION AWARDING FLEXIBLE SPENDING ACCOUNT ADMINISTRATION TO NATIONAL BENEFIT SERVICES, LLC OF WEST JORDAN, UTAH AS AWARDED BY THE MIDDLESEX REGIONAL EDUCATIONAL COOPERATIVE #65MCESCCPS, RFP# MRESC-11/12-2, CONTRACT DATES 7/1/12 – 12/31/16, EFFECTIVE MAY 1, 2015; **AND** AUTHORIZING BOROUGH ATTORNEY TO PREPARE CONTRACTS OR OTHER DOCUMENTS PURSUANT TO THIS AWARD; **AND** AUTHORIZING THE MAYOR AND CLERK TO EXECUTE CONTRACTS OR DOCUMENTS PURSUANT TO THIS AWARD AS NECESSARY (Received from Administrator 3/19/15)
18. TAX REIMBURSEMENT CERTIFICATION OF SUBMISSION OF EXPENDITURE FOR TAXES PAID PURSUANT TO THE RECYCLING ENHANCEMENT ACT, P.L. 2007, c. 311, IN 2014 IN THE AMOUNT OF \$8,407.38 (Received from Administrator 3/19/15)
19. RESOLUTION AUTHORIZING RECREATION LIGHTING IMPROVEMENTS TO MEMORIAL FIELD-PLAYGROUND AND RUCKMAN FIELD AND AUTHORIZING PESH-E-LECTRIC, INC. OF CLOSTER TO COMPLETE THE ELECTRICAL WORK IN THE AMOUNT OF \$5,620 FOR MEMORIAL PARK AND \$1,195 FOR RUCKMAN PARK; AND AUTHORIZING METRO LANDSCAPE IRRIGATION OF CLOSTER TO COMPLETE THE TRENCH WORK IN AN AMOUNT OF \$3,200 FOR MEMORIAL FIELD PLAYGROUND (Ordinance 2014:1179 Capital Account C-04-14-179-000-010) (Received from Administrator 3/19/15)
20. RESOLUTION AUTHORIZING CHANGE ORDER #3 IN THE AMOUNT OF \$58,428.37 FROM THREE SONS RESTORATION FOR BOROUGH HALL EXTERIOR IMPROVEMENTS (Received from Administrator 3/19/15)

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21. RESOLUTION EXTENDING APPOINTMENT OF TEMPORARY CERTIFIED MUNICIPAL FINANCE OFFICER TO 1/30/16 (Received from Administrator 3/19/15)

MOTIONS

22. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 3/19/15)
NO ABSTENTIONS:
- a. REGULAR MEETING HELD 3/11/15
 - b. WORK SESSION HELD 3/11/15
23. MOTION GRANTING APPROVAL FOR ST. PAUL'S LUTHERAN CHURCH TO HOLD A ONE-HOUR EASTER SERVICE AT 7:00 A.M. ON SUNDAY, 4/5/15, IN THE CLOSTER MEMORIAL FIELD BANDSTAND AREA WEATHER PERMITTING (6. M.L. 3/12/15/Approval received from Risk Management Consultant 3/11/15)
24. MOTION GRANTING APPROVAL FOR INTERNATIONAL ACADEMY OF ARTS AND SCIENCES TO USE MEMORIAL FIELD, 150 HARRINGTON AVENUE, ON SUNDAY, 5/17/15, FROM 8:30 A.M. TO 12 NOON TO CONDUCT THE IAAS FIELD DAY EVENT FOR CHILDREN AND PARENTS; RAIN DATE: SATURDAY, 5/30/15 CONDITIONED UPON THAT UNDER NO CIRCUMSTANCES ARE VEHICLES ALLOWED ON FIELD TO DROP OFF EQUIPMENT ETC. (8. M.L. 3/5/15/Approval received from Risk Management Consultant 3/20/15)

25. REPORTS

- a. FIRE CHIEF – February 2015 (Received 3/13/15)

6b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

7. TRANSFER RESOLUTION NO. 6 - AUTHORIZING THE TRANSFER OF 2014 BUDGET APPROPRIATIONS (Received from Deputy Treasurer 3/19/15) - TO BE ADOPTED BY NOT LESS THAN 2/3 VOTE OF THE FULL MEMBERSHIP!
8. RESOLUTION AMENDING TEMPORARY BUDGET APPROPRIATIONS FOR 2015 (Received from Deputy Treasurer 3/18/15) - TO BE ADOPTED BY NOT LESS THAN 2/3 VOTE OF THE FULL MEMBERSHIP!

Motion approving Items Nos. 7 and 8 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.

26. 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.

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

Relative to the tree and sidewalk situation on Durie Avenue, it was suggested that same be sent back to the Zoning Board of Adjustment or that an application to remove the tree be heard by the Mayor and Council. Mr. Hennessey suggested that a 2' grass strip be installed in front of the property on the east side of the Lustron property; and, therefore, the sidewalk can be installed around the tree. Borough Engineer noted that this may cause a problem with trees northeast along Durie Avenue in the area of 437 and 439 Durie Avenue as well as the next property up.

- 27a. MOTION WAS MADE BY COUNCILMAN HENNESSEY, SECONDED BY COUNCILMAN DOLSON TO REMOVE THE ONE TREE, PLANT TWO TREES, CALIPER SIZE 2 ½" TO 3" AND KEEP THE STRAIGHT SIDEWALK.

BEFORE ROLL CALL VOTE, Councilman Barad said he was not in favor of removing the tree and felt the sidewalk could be moved around. Councilwoman Amitai said Councilman Barad's suggestion would cost less money and there would be better shade coverage.

ON THE MOTION,

ROLL CALL VOTE:	Dr. Barad – No	Mr. Hennessey - Yes
	Ms. Latner – No	Mr. Dolson - Yes
DENIED 2-4	Mr. DiDio - No	Ms. Amitai - No

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27b. Motion approving the following Closed Session Resolution at 9:00 p.m. was made by Councilman Barad, seconded by Councilwoman Amitai and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey, 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)(5), “A matter involving the expenditure of public funds for the acquisition of real property”; N.J.S.A. 10:4-12 (b)(7), “Pending or anticipated litigation or contract negotiations and “A matter falling within the attorney-client privilege”; 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 weeks.

Mayor Glidden resumed the Regular Meeting at 10:21p.m.

28. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:21 p.m. was made by Councilman DiDio, seconded by Councilwoman Latner and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on
April 1, 2015 for approval at the
Regular Meeting to be held
April 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 April 8, 2015
Consent Agenda Item No. 17a

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – MARCH 25, 2015 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, March 25, 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, 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 (7:40 p.m.), 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, Nick DeNicola
Chief of Police, Dennis Kaine

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF MARCH 12, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 3 was removed by Councilwoman Amitai; Item No. 6 was removed by Borough Clerk; and Item No. 9 was removed by Councilman Hennessey.

Item No. 3: Received 03/06/15, dated 03/04/15 from David M. Watkins, Esq., Attorney for Capital Hardware, to Borough of Closter, Attention Gary Montroy – Construction Official; c: Mayor and Council, Edward Rogan, Esq. re Copy of letter sent via Facsimile, Regular Mail and Certified Mail re Capital Hardware, 10 Railroad Avenue demanding complete list of deficiencies preventing issuance of a Certificate of Occupancy to the subject property no later than 4:00 p.m. on March 5, 2015 before action is filed in Superior Court (Copy to Construction Official)

As Liaison to the Building Department, Councilwoman Amitai noted this establishment has numerous violations against it and she wanted all to be aware.

Item No. 6: Received 03/10/15 Hand del'd, dated 03/10/15 from Rev. Robert Holsten, St. Paul's Lutheran Church re Request for permission to conduct one hour Easter service at 7 a.m. on Sunday, 4/5/15 in the Closter Memorial Field Bandstand Area; Certificate of Insurance and Hold Harmless Agreement provided to the Borough under separate cover – Approval received from Risk Management Consultant 3/11/15 (Copy to Jim Oettinger, Risk Mgt. Consultant)

Borough Clerk informed she and the Mayor received a reminder from Jim Oettinger (Recreation Director) that the fields do not open until 4/23/15 and he requested that if this item is approved, to make it weather permitting; and no objections were voiced to same.

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Item No. 9: Received 03/12/15, dated 03/06/15 from Martha Sapp, Acting Administrator, NJDEP Green Acres Program, to Mayor John C. Glidden, Jr.; c: Jonathan DeJoseph, Administrator re Project #0207-00-012, Closter Open Space Acquisition, Closter Borough, Bergen County; informing the noted Green Acres Project is about to be cancelled for lack of progress; noting only one (1) parcel has been purchased with no additional funds disbursed since April 2009 and informing Green Acres has not received appraisals for other potential purchases as previously mentioned by former Mayor Heymann (Copy to Environmental Commission)

Councilman Hennessey noted these were projects that were filed but never completed and said it ties into the Railroad Avenue and Hickory Lane properties. Borough Administrator reminded if the governing body wished to substitute the noted Swim Club property for one of the appraised properties, that action needed to be taken quickly. The appraisals were performed by State approved Green Acres Appraisers and are fit to be submitted with an application. As Closter has an Open Space Plan and tax approved by the State, we are entitled to 50% reimbursement for subject appraised property as well as possible demolition of buildings. In response to Mr. DeJoseph, the Borough Attorney advised that no specific lots should be discussed at this time. Councilwoman Amitai asked for clarification that Green Acres money could be used to demolish the building on the Swim Club site; and Mr. Rogan informed it could not. He explained that some time ago an application was filed to acquire the Swim Club by purchase and the Borough ended up receiving it for free by default; therefore, this would be for a transfer of monies to acquire a different piece of property.

b. MAIL LIST OF MARCH 19, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 5 was removed by Councilman Hennessey and Item No. 4 was removed by Councilwoman Latner.

Item No. 4: Received 03/16/15, dated 03/11/15 from Anthony J. Pace, Esq., 394 Harrington Avenue; c: Mayor and Council re Letters of Commendation to: a. Chief of Police, Dennis Kaine, re Sgt. Thornhill and Officers Barbieri and Feshal; b. Fire Chief Brian Pierro – Department Volunteers

Councilwoman Latner wished to bring these letters of commendation to everyone's attention and explained the author had a car fire in his parking lot and he was grateful for the quick response from our emergency services. Mayor Glidden asked Chief Kaine to pass on the Council's gratitude to Sgt. Thornhill and Officers Barbieri and Feshal.

Item No. 5: Received 03/16/15, dated 03/16/15 from Paul G. MacDonald, Chairman, Environmental Commission re Concerns re growing deer population in town and alternative measure options for control (Copy to Marc Gussen and Nature Center Association)

Councilman Hennessey reported this issue was discussed at the Environmental Commission meeting earlier in the week and requested input if anyone was aware of what other municipalities may be doing regarding the deer population. Mayor Glidden informed he had a meeting coming up with the Mayors of other Northern Valley towns; and said he would bring up this issue. In response to Mrs. Amitai, Mr. Hennessey said birth control is only about 60-70% effective in the deer population.

c. DISCUSSION RE CARRY OVER OF ITEM NO. 9 MAIL LIST OF 3/5/15 -
Apv-re Development request for sidewalk/curb waiver for property located at 17 Poplar Street/aka Block 504 Lot 76 (Adjourned from WS 3/11/15)

George Papadogiannis, owner of 17 Poplar Street, explained he purchased the property at the end of 2010 and he is in the process of obtaining final approvals with the house on the verge of completion. He is requesting the waiver because there are no other homes in the area that have sidewalks and curbs; and he would like to maintain continuity. The Borough Engineer informed that historically, Closter doesn't grant waivers for concrete curbs; and noted we have been trying to get the entire town curbed as it retains the asphalt better and lasts longer than asphalt curbing. He explained the options for sidewalks are to install it or put up the funds you would have paid for the sidewalk to the Borough at its construction rate. From time

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to time the Borough will grant a waiver on dead end streets so Farrington Avenue would be an option, but Poplar is an active street between Cedar Lane and Old Hook Road and it's very narrow. Mr. DeNicola would recommend against waiving the requirements on Poplar Street and advised it was the Council's purview. He recognized that although most properties don't have it, you have to start somewhere; and he recommends installation of sidewalks because the street is so narrow and at least one side of the street should have it.

Councilman Barad entered the meeting at 7:40 p.m.

Mayor Glidden informed Mr. Papadogiannis that there will have to be a curb and said he does not feel they have enough information to make a decision as a group pertaining to the sidewalk waiver. The Mayor said the matter would be placed on the next Agenda for possible approval. Councilman Hennessey explained this is a corner lot so technically one curb for each side is required plus handicapped ramps. Borough Engineer explained this property was before the Planning Board for a soil moving application and noted there was a curb in those plans that were approved. Mayor Glidden requested the governing body view the property so the matter can be discussed at the next meeting.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of March 25, 2015)

Mayor Glidden asked if any member of the Council or public wished to discuss any of the Consent Agenda items. Item No. 14 was removed by Borough Attorney; Item Nos. 23 and 24 were removed by Borough Clerk.

14. 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)

Borough Attorney advised that this Resolution was prepared anticipating we would have received certain requested documents from the applicants, but they have not been received, specifically a revised lighting plan which we were told would be provided to the Borough Engineer's office today. Mr. Rogan explained that the resolution that has been prepared indicates that it is subject to receipt of the required fees and insurance for which he does not have a problem; He asked that this resolution be pulled and explained further that he spoke to the applicants attorney today who reassured him they were working on it and said he would put pressure on whoever is preparing it to get it to the Borough Engineer's office. Mayor Glidden informed that he is having a meeting with Edens tomorrow at which time he will be reminding them. Borough Engineer added that they were supposed to provide a cross easement from Homans Avenue where it is shown and mentioned; but it is unclear where the actual easement is located and he wants it clearly shown on the site map so that 10 years from now, when it is referred to, it is clearly indicated. He added that there are numerous letters indicating that subject matter.

23. MOTION GRANTING APPROVAL FOR ST. PAUL'S LUTHERAN CHURCH TO HOLD A ONE-HOUR EASTER SERVICE AT 7:00 A.M. ON SUNDAY, 4/5/15, IN THE CLOSTER MEMORIAL FIELD BANDSTAND AREA (6. M.L. 3/12/15/Approval received from Risk Management Consultant 3/11/15)

Borough Clerk asked that "weather permitting" as requested by the Director of Recreation, be included in the Motion. No objections were expressed by the Council members.

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24. MOTION GRANTING APPROVAL FOR INTERNATIONAL ACADEMY OF ARTS AND SCIENCES TO USE MEMORIAL FIELD, 150 HARRINGTON AVENUE, ON SUNDAY, 5/17/15, FROM 8:30 A.M. TO 12 NOON TO CONDUCT THE IAAS FIELD DAY EVENT FOR CHILDREN AND PARENTS; RAIN DATE: SATURDAY, 5/30/15 (8. M.L. 3/5/15/Approval received from Risk Management Consultant 3/20/15)

Borough Clerk noted that Recreation Chairman Jim Oettinger recommended that if approved, a condition be included “that under no circumstances are cars allowed on the field to drop off equipment etc. and no objections were expressed by the Council members.

6. COMMITTEE REPORTS

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

1) STATUS REPORT RE CLOSTER WEBSITE – Councilman Hennessey reported the Finance Committee met today and they are still working on the Budget with hopes to have it completed by the next meeting (4/8/15). At this time, Mayor Glidden requested a Closed Session regarding the Municipal Budget as it pertains to contract negotiations and personnel issues.

2) REPORT

B. PUBLIC SAFETY - DOLSON (AMITAI/LATNER)

1) REPORT – Councilman Dolson informed he had no report this evening regarding Public Safety. He informed that the Zoning Board of Adjustment approved the construction of a delicatessen diagonally across the street and said it was a little less than the applicant had requested for approval. Mayor Glidden said that was great news. Councilwoman Amitai informed the applicant has already been to the Building Department to obtain a demolition permit.

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

1) REPORT – Councilwoman Latner wished to thank Superintendent of Public Works on behalf of Columbia University Marine graduate students for information that he provided for them regarding a study on quantifying the cost of the debris in Hudson River Estuaries, and noted he was not present this evening.

Mrs. Latner reported the Library Board met on 3/18/15 and reported they had their book sale last weekend; and it is her understanding they opened the sale to Closter residents only for a few hours before it was open to the public. She hopes to have the numbers from that event for the next meeting. The HVAC systems in the Library and the Museum were both replaced last week; and she extended gratitude on behalf of the Board for same, in addition to the transfer resolution (RM 3/11/15 in the amount of \$10,000) that went to the Library.

Councilwoman Latner reported she attended the last Northern Valley Regional High School Board meeting and the dismal turnout of the Referendum was discussed. She is aware they will be doing the Referendum again in September but the Board has not met yet to discuss what changes they will be making to it. She believes they could still get the funding by then; and it might pass if they take out a big chunk to let the residents know they heard their response. They could consider removing the Junction and some other big ticket items. Mrs. Latner passed on Steve Isaacson’s idea of using the Lustron House for the Junction program and she made them aware that Temple Beth-El is also looking to monetize the building so that is another available option for them. The Board will be interviewing candidates for the Superintendent position in Closed Session next week. Mrs. Latner said she would forward the 1:1 Technology Report to the Borough Clerk for distribution as she thinks it is fascinating. She noted three applications have been received for the Louis Bay 2nd Annual Future Municipal Leaders scholarship. Mrs. Latner met with Mayor Glidden and Leslie Weatherly yesterday to review the essays and narrowed down to what they felt was the best one to be forwarded to the League of Municipalities for consideration. Mayor Glidden voiced his opinion he was quite impressed with those essays; and it was fun and informative to read them.

6. COMMITTEE REPORTS (Continued)

D. ORDINANCES - BARAD (HENNESSEY/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported the Ordinance Committee met yesterday but JoAnn Riccardi couldn't attend; so Mr. Rogan met with them on the call instead. They spoke about the amendment for the Food and Assistance Board's organization; and he anticipates it will be introduced at the next meeting. In answer to Mayor Glidden, the Borough Attorney explained there are already appointments made, but this will increase membership and provide for staggered terms each for 2 years.

The Committee reviewed the suggestion of changing Chapter 147 regarding Property Maintenance to incorporate parts of the International Property Maintenance Code. In principle, it was determined to be a bad idea to have our ordinance reference an outside body that probably wouldn't be enforceable in court if we were to do that. Dr. Barad said they have asked the Building Department to identify specific elements they think should be incorporated into our Code rather than reference the outside code.

Dr. Barad reminded the Borough received a letter from the BCUA which suggested our ordinance as it exists doesn't prohibit residents from draining their storm water into the sewers. It was determined that our ordinance does in fact say for any new construction. The County's ordinance says that upon change of ownership, an inspection may be made and fines assessed if it is discovered your sump pump is draining into the sewers. Dr. Barad noted our sewer bill is high and this is a good opportunity to see if any of that is going on; and said we are considering amending our ordinance to include that language. He said they will also be sending a letter to the BCUA informing that our ordinance does have it in there. Borough Attorney informed he confirmed with the Building Department that they do perform this inspection upon CCO but they are not sure by what authority. Mayor Glidden noted that looking back over the past 10 years, our BCUA charges have gone up a minimum 5% each year and that is something that we have no control over that affects our Budget.

Councilman Barad informed the only item they were unable to address at this meeting was the email he received from Recreation Director Jim Oettinger regarding the use of our batting cages for professional training. We do have an existing ordinance regarding the use of tennis courts for professionals; and Mr. Rogan suggested amending the existing ordinance to include not being able to use the batting cages. The Borough Attorney said these people are making money on our property without having to go to a facility or pay fees; and it is a disadvantage to our residents because they are then unable to use the batting cages.

At this time, the Borough Engineer referred to Dr. Barad's comment that the Borough requires a tie-in to a sewer noting the sump pump does go into the storm sewer and clarified that the BCUA is concerned about sanitary sewers.

Councilman Dolson referred to the International Building Code discussion noting it pertained to its Chapter 2 regarding Definitions. He said for example "Use A" would include bakeries and groceries and the like and it was something similar to what the Zoning Board of Adjustment was interested in. Borough Attorney reminded this was a separate issue received in a letter from the Construction Code Official asking the Committee to consider the adoption of the International Property Maintenance Code. Councilwoman Amitai reported that at the last Building Department meeting, the Construction Official had requested we tighten up our definitions; and Mr. Rogan noted same was not included on the letter to which he referred.

2) REPORT

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

1) REPORT RE PERSONNEL COMMITTEE MEETINGS - Councilman Di Dio informed he had no report this evening.

2) REPORT – Councilman Di Dio reported he attended the Closter Board of Education meeting; and the parent conferences will take place at Hillside School on 3/31/15. Report cards will be available to parents online starting 3/30/15. The schools are currently engaged in PARCC testing; and all is progressing smoothly. Regarding Kindergarten registrations for next year, there are over 90 students registered; and he thinks that is important to keep in mind.

6. COMMITTEE REPORTS (Continued)

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

Mr. Di Dio reported the Tenakill Basketball Team won 6 out of 7 games; and the Tenakill Debate Team participated in a County-wide debate in which all seven of Closter's teams made it into the top 10. At the last meeting, Board President Anthony Linn wished to extend thanks to Chief Kaine and the Department for covering unmanned crossing posts.

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 Building Department has received some changes for the Closter Plaza application and as mentioned earlier we are waiting for the Developers Agreement. The applicant has said they will be ready to demo in a matter of weeks. There are 12 new homes being built. Mrs. Amitai referred to her earlier comment regarding demolition of the gas station which will be rebuilt by Nonna Clementina. A mozzarella manufacturer came into the Department today with interest coming in on Herbert Avenue. Gary Montroy will be back from vacation next Tuesday.

Councilwoman Amitai reported she took a beating last night at the Improvement Commission meeting because of the railroad crossing complaints and the potholes not being addressed. In response to Mrs. Amitai, the Borough Engineer recalled several years ago there was a problem with the CSX grade crossing on Old Hook Road; and the way that got fixed was that a State Senator drove across it and almost blew a tire; and within a matter of weeks, it was fixed. Borough Administrator informed Chief Kaine sent a letter to CSX regarding the four (4) grade crossings in town; and he offered to take the Borough Engineer's suggestion of sending a letter to our Senator's office along with copies of our records.

Ms. Amitai reported that the Improvement Commission is having a terrible time trying to get someone from the Historic Preservation Commission to serve on the CIC. She asked the Borough Attorney which Commission's Code required attendance from an HPC member at CIC meetings. Mr. Rogan advised the ordinance that created the Closter Improvement Commission requires a member of the Historic Preservation Commission to be on it. He reminded that when the ordinance was revised, the purpose in part of what they were supposed to do was focus on the Renaissance District and Historic District downtown. Because they were going to make Main Street historic, it was decided to have someone from the HPC on the Board because they did not want the CIC to be doing something different than historic so they wanted coordination and liaison and discussions. Dr. Barad voiced his recollection that the CIC ordinance was to be amended to remove that responsibility; and Mr. Rogan informed the reference to a member of the Zoning Board of Adjustment was removed in addition to the responsibility regarding the Renaissance District; but said the membership requirements for someone from Historic Preservation was not removed. He affirmed that the ordinance was written to coordinate the two Commissions but there is no law requiring that membership; and said the Improvement Commission still comments on downtown. Mrs. Amitai suggested further discussions regarding the responsibilities; and the Borough Attorney said if the Council wished to remove the membership requirement, they may do so. Mrs. Amitai was advised by Dr. Barad that the Ordinance Committee will have to make a recommendation for the Governing Body to vote on. Councilman Hennessey noted the person on the Historic Commission who was also on the Improvement Commission does not want to do it anymore which is why there is a vacancy on the CIC for that position. Mrs. Amitai questioned if it was proper for the CIC to be operating without the HPC member; and Mr. Rogan informed the ordinance reads "there shall be a member of the Historic Preservation Commission", so there has to be an appointment; but whether the person shows up to a meeting is a different story. Mrs. Amitai asked Mr. Hennessey to bring this information to the Historic Preservation Commission at the next meeting. Councilwoman Amitai reported the Council will be receiving recommendations from the CIC Chair, Maria Kim, regarding ideas for the Memorial Day Parade.

Mrs. Amitai reported the Planning Board is scheduled to meet this Thursday. The Board has two lawsuits on the subject of Closter Plaza from A&P and Jesse Rosenblum.

6. COMMITTEE REPORTS (Continued)

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

The Improvement Commission is still considering the possibility of a hoedown in May or June at Memorial Field but there will be no bulls. Dr. Barad noted the CIC had funding in their budget for care and support of the flowers on Main Street; and in the past, they had asked the store owners to assist by watering the pots; and the result is that each year about 1/3 of the pots are lost due to lack of maintenance. He reminded the other idea that was floated around in the past was whether it would be cost effective to have our DPW water the pots; and he questioned what that would be in time and personnel as other towns do that. Councilwoman Latner agreed to speak to Superintendent of Public Works regarding same and report back to the Council.

Mrs. Amitai wished to mention a sign outside Borough Hall that seems to have been hit by possibly a snow plow; and said it has been very disturbing to some people that it has not been fixed yet. Borough Administrator requested she find out the location of the sign and we can have it fixed right away.

7. OLD BUSINESS

a. STATUS REPORT RE APPRAISALS OF POTENTIAL ACQUISITIONS FOR THE BOROUGH (Requested by Councilwoman Amitai at WS 3/11/15) This matter is to be discussed in Closed Session.

Borough Engineer reported verbal receipt of the test results on the wells at the Department of Public Works which indicated that all the wells are clean. He reported that the DEP reported that another tank was removed in 1997 and the appropriate paperwork had not been filed with the State and same must be addressed by the Borough.

8. NEW BUSINESS

Borough Engineer reported that the Zoning Board has approved the Lustron House subdivision which included the installation of a 5 foot sidewalk on Durie Avenue. This would require the widening of the roadway and installation of a sidewalk. The existing hedges and tree would have to be removed which is on half of the Borough property and half on the right of way. The tree is healthy and there would be an option to install the sidewalk around the tree rather than cut down the tree. He noted that the hedges are either dead or dying. Councilwoman Amitai supported keeping the tree and removing the bushes. Councilman Hennessey suggested that the tree be removed and two trees planted so that the sidewalk can be kept straight. It was decided to bring this matter up in the Regular Meeting.

A Safety Award was presented to the Borough by the Joint Insurance Fund for Work Accident Free in 2014. The Borough also received a \$2,000 award for this achievement.

At this time, Mayor Glidden announced he would be appointing a Lustron House Committee consisting of Bobbie Goldberg as Chair, and members Sophie Heymann, Irene Stella and several other people including a veteran.

Mayor Glidden noted that the Memorial Day Parade will be held on 5/25/15 and there would be additional participants including school bands, a pipe band and, hopefully, a motorcycle group and antique cars. The Veterans group has suggested a reviewing stand at Borough Hall occupied after the governing body marched, and then join the end of the parade to Memorial Field. Councilwoman Latner expressed her preference of walking in the parade. Councilwoman Amitai suggested standing on the bleachers in Memorial Field to review the parade. Councilman Barad said the parade in the last few years is centered on the Veterans; and while he enjoys walking in the parade, it may take away from the Veterans; and the reviewing stand may honor the Veterans. Councilwoman Amitai said if the Veterans want a reviewing

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stand, we should agree to same. A reviewing stand was approved by the Council members. Councilwoman Amitai said a contest was suggested for the best decorated house, most patriotic house or most decorated store front be selected and presented with a trophy that would be passed on from year to year.

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

Steve Isaacson, 97 Columbus Avenue, referred to the speed limit on High Street; and Mayor Glidden noted that the County was to conduct a speed study, but same was delayed by the weather. Mr. Isaacson noted that Northern Valley Press mentioned that WABC went by the railroad crossing on Schraalenburgh Road and showed the disrepair by pulling out a spike. He said that the town should put pressure on CSX. Mr. Isaacson also noted the poor sight line looking south from the intersection of Knickerbocker Road and Mollicone Park. He reminded the Council that they passed up on three prime open space properties including Trautwein Farm which sold for \$1.1 million. Borough Attorney said Open Space money could not be used to purchase land for the Borough to redevelop same. Mr. Isaacson noted that the Closter Democrats are on Facebook. He questioned why the road is being widened by the Lustron House; and Borough Engineer said same would achieve a uniform width. Since the sidewalk is adjacent to the road, it must be 5' wide and it is safer. Mr. Isaacson said that he has requested the cost of the High School Referendum. He noted that Closter is one of four towns in New Jersey that prohibit bee hives and should not be allowed.

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 8:47 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
April 1, 2015 for approval at the
Regular Meeting to be held
April 8, 2015.

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held April 8, 2015
Consent Agenda Item No. 17b