

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MAY 13, 2015 - 7:30 P.M.

Mayor Glidden called the meeting to order at 8:30 p.m.

1. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was published in The Record and The Star Ledger on January 9, 2015, was posted on the Municipal Clerk’s bulletin board and has remained posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

2. ROLL CALL

The following persons were present:

- Mayor John C. Glidden, Jr.
- Councilpersons, Alissa Latner, Robert DiDio, 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
- Tax Collector/Temporary Chief Financial Officer, Maria Passafaro

The following person was absent: Councilman David Barad

3. MAYORAL PROCLAMATION IN RECOGNITION OF WILLIAM DAHLE, JR. FOR HIS LIFE TIME ACCOMPLISHMENTS AND TIRELESS DEVOTION TO THE CITIZENS OF CLOSTER  
(Requested by Mayor 4/15/15) (Received from Mayor’s office 4/15/15) Adjourned from RM 4/22/15  
This item was addressed in the Work Session.

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

4a. Motion approving the Resolution appointing Caroline Reiter, P.P., AICP of the firm Christopher P. Statile, P.A., as COAH Planner for the plan to be completed by the end of June, early July, to COAH, not to exceed \$7,500, was made by Councilwoman Amitai, seconded by Councilman Hennessey and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Latner, Di Dio, Hennessey, Dolson and Amitai.

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

The following Ordinance was introduced at the Regular Meeting held April 8, 2015 and was published in The Record on April 14, 2015 as stated in the Municipal Clerk’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:

ORDINANCE NO. 2015:1185, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 23 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING THE FOOD AND ASSISTANCE BOARD”

Mayor Glidden declared a Public Hearing. No one wishing to be heard, Mayor Glidden closed the Public Hearing and asked for a motion approving adoption of this Ordinance.

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Motion approving the adoption of Ordinance No. 2015:1185 was made by Councilman Di Dio, seconded by Councilman Hennessey and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Latner, Di Dio, Hennessey, Dolson and Amitai.

6a. VOTE ON CONSENT AGENDA ITEMS

Motion to approve the Consent Agenda minus Item No. 9 was made by Councilman Di Dio, seconded by Councilwoman Amitai and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Latner, Di Dio, Hennessey, Dolson and Amitai.

ORDINANCES

7. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING 6/10/15 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received from Bond Counsel 5/7/15):

BOND ORDINANCE NO. 2015:1187, “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 \$1,363,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,294,850 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME”

Councilman Dolson noted that this is a continuance of a previously adopted financial issue dating back to 2013 and is not an additional expense.

RESOLUTIONS

8. BILL RESOLUTION – MAY 15, 2015 (Received from Deputy Treasurer 5/8/15)

~~9.~~ RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE DEVELOPER’S AGREEMENT FOR BLOCK 1607, LOT 1 & BLOCK 1310, LOT 2 (CLOSTER MARKETPLACE (EBA) LLC AND CENTENNIAL AME ZION CHURCH), SUBJECT TO RECEIPT BY THE BOROUGH OF APPROVED ESCROW PAYMENTS, BONDS AND INSURANCE DOCUMENTS (Received from Borough Attorney 3/18/15) Carried from RM 3/25/15/Carried from RM 4/8/15/Carried from RM 4/22/15 CARRIED

Borough Engineer explained that this Resolution should be carried to resolve several outstanding issues. Borough Attorney said the applicant wants to have this resolution listed on the Agenda of the May 27<sup>th</sup> meeting when all of the outstanding issues should be resolved including escrow monies, bond postings and documents to be forwarded to the Borough Engineer’s office. He added that the K-Mart store moving has nothing to do with the plan since they have the right at any time and it has no effect on Phase 1.

10. RESOLUTION WAIVING THE SIDEWALK REQUIREMENT OF CLOSTER CODE FOR PROPERTY AT 17 POPLAR STREET (Pappadogiannis) (Received from Borough Attorney 5/7/15)

11. A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE (Received from Administrator 5/1/15)

12. RESOLUTION APPROVING RENEWAL OF *INACTIVE/POCKET* PLENARY RETAIL CONSUMPTION LICENSE NO. 0207-33-009-012 FOR JBS MACK, LLC, FOR THE 2014-2015 LICENSE TERM

13. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK TO LERETA LLC FOR BLOCK 1003 LOT 26, 51 LEGION PLACE IN THE AMOUNT OF \$5,663.67 DUE TO TAX OVERPAYMENT IN 2<sup>ND</sup> QUARTER 2015 TAX ACCOUNT FOR WHICH THE MORTGAGE COMPANY REQUESTED A REFUND (Received from Tax Collector 4/28/15)

14. RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH NORWOOD FOR POLICE DEPARTMENT CROSSING GUARDS (Received from Borough Attorney 4/30/15)

15. RESOLUTION AUTHORIZING THE CONSUMPTION OF ALCOHOLIC BEVERAGES DURING CERTAIN RECREATION COMMISSION ACTIVITIES PURSUANT TO CHAPTER 67 OF THE CLOSTER CODE

16. 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 \$620.00 FOR MEMORIAL FIELD-PLAYGROUND (Ordinance 2014:1179 - Capital Account C-04-14-179-000-010) (Received from Administrator 5/1/15)

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6a. VOTE ON CONSENT AGENDA ITEMS (Continued)

MOTIONS

17. MOTION GRANTING APPROVAL FOR BENEVOLENT PROTECTIVE ORDER OF ELKS, CLOSTER LODGE #2304 AND LEROY S. MEAD POST 111, AMERICAN LEGION, TO CONDUCT THE ANNUAL MEMORIAL DAY PARADE ON MONDAY, 5/25/15, COMMENCING @ 10:00 A.M. (STAGING AREA AT ST. MARY’S PARKING LOT) PARADE ROUTE AS IN THE PAST (8. M.L. 5/7/15)

Mayor Glidden reminded that this year there will be a reviewing stand in front of Borough Hall, that the Governing Body will begin walking in the parade at St. Mary’s, will stop at Borough Hall to view the parade from the reviewing stand and will then join all at Memorial Field

18. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 5/7/15) NO ABSTENTIONS

- a. REGULAR MEETING HELD APRIL 22, 2015
- b. WORK SESSION HELD APRIL 22, 2015
- c. SPECIAL MEETING HELD APRIL 29, 2015 (ABSTENTION: DI DIO)

19. REPORTS

- a. CHIEF OF POLICE – APRIL 2015 (Received 5/6/15)
- b. CONSTRUCTION OFFICIAL – APRIL 2015 (Received 5/7/15)
- c. FIRE CHIEF – APRIL 2015 (Received 5/7/15)

6b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

20. OPEN MEETING TO PUBLIC FOR ANY MATTER, PER N.J.S.A. 10:4-12 (a)  
(Subject to 5-minute limit per By-Laws General Rule No.11)

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

- 20a. Motion approving the following Closed Session resolution at 8:45 p.m. was made by Councilman Hennessey, seconded by Councilman Di Dio and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons 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)(7), “Pending or anticipated litigation or contract negotiations”; and per N.J.S.A. 10:4-12 (b)(8) “A matter involving public employees”; and that the items under discussion in the closed meeting would be disclosed to the public at the conclusion of the matters which should be within 8 weeks.

Mayor Glidden resumed the Regular Meeting at 9:17 p.m.

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

22. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:17 p.m. was made by Councilman Di Dio, seconded by Councilwoman Latner and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on  
May 21, 2015 for approval at the  
Regular Meeting to be held  
May 27, 2015

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held May 27, 2015  
Consent Agenda Item No. 28a

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION NOTES – MAY 13, 2015 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, May 13, 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 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  
Tax Collector/Temporary Chief Financial Officer, Maria Passafaro

At this time, Mayor Glidden deviated from the Work Session Agenda and announced the following:

Mayor Glidden presented the 21<sup>st</sup> Annual Louis Bay II Future Municipal Leaders Scholarship Competition, started by the New Jersey State League of Municipalities, to one of three State winners, Francesca Costa who wrote an essay entitled "What My Municipal Government Does Best". Mayor Glidden also presented a Scholarship Award of \$1,000 from the New Jersey State League of Municipalities to Francesca Costa.

MAYORAL PROCLAMATION IN RECOGNITION OF WILLIAM DAHLE, JR. FOR HIS LIFE TIME ACCOMPLISHMENTS AND TIRELESS DEVOTION TO THE CITIZENS OF CLOSTER  
(Requested by Mayor 4/15/15) (Received from Mayor's office 4/15/15) Adjourned from RM 4/22/15

Mayor Glidden read the Proclamation.

Councilwoman Latner advised that William Dahle, III is in Atlantic City obtaining certification credits and could not be here this evening and that the Memorial for his father would be held this Sunday from 12 p.m. to 2 p.m. at Moritz Funeral Home.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF APRIL 23, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 2b was removed by Councilwoman Latner; Item No. 3a was removed by the Borough Clerk.

Item No. 2b: Received 04/17/15, dated 04/17/15 from Cindy W. Randazzo, Director, Office of Local Government Assistance, NJ Department of Environmental Protection re 2015 Recycling Poetry Contest

Councilwoman Latner questioned if the contest information was transmitted to Hillside and Tenakill schools and Borough Administrator voiced his understanding the Recycling Coordinator did so.

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – MAY 13, 2015 – 7:30 P.M.

Item No. 3a: Received 04/17/15, dated 04/17/15 from Paul Demarest, Board Coordinator, Zoning Board of Adjustment to Attorney(s) for Applicant: cc: Zoning Officer, Borough Clerk re Certified copies of Resolutions adopted 4/15/15 Approving, in whole, or in part, the following applications:

a. Elliot Urdang, Esq., re 309 Closter Dock Road, LLC, 309 Closter Dock Road, Block 1701/Lot 1 – DEVELOPER’S AGREEMENT REQUIRED!!

Ms. Castano reminded this approval will require a Developer’s Agreement; therefore, it has been referred to the Borough Attorney and Borough Engineer for their information.

b. MAIL LIST OF APRIL 30, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 4 was removed by Councilwoman Latner; Item No. 9 was removed by Councilman Hennessey.

Item No. 4: Received 04/27/15, dated No Date from Joan & Michael Kafer, 261 Parsells Lane re New Construction Anderson Avenue & Johnson Court - informing two properties developed by Diamond Engineering are not contiguous with a 5 foot gap in between and should be reviewed by the Building Department with enclosed photo (Copy to Planning Board Land Use Coordinator, Zoning Board of Adjustment Land Use Coordinator, Construction Official)

Councilwoman Latner asked for additional information on this issue. Mayor Glidden explained the Kafers are complaining about the five foot gap on that property between Anderson Avenue and Johnson Court. He assumes this has gone to the Building Department for follow through. Councilwoman Amitai said this is the most ridiculous thing ever seen because as you go along there is a sidewalk, then soil, and a tree – there was no sidewalk placed in between the two sections. She voiced her concern that someone will eventually fall and get hurt. In answer to the Borough Engineer, she said she was not sure if there was a CO issued as of yet but that she will reach out to the Building Department. At this time, Mayor Glidden invited Mr. Kafer to speak regarding his letter.

Michael Kafer, 261 Parsells Lane, explained the gap in the sidewalk is more like 7-8 feet and said the house was constructed 6 years ago and was subject to two Zoning Board variances and a Planning Board soil removal; both of which required the builder to install sidewalk. The builder put in a deficient sidewalk without requesting a waiver from the Council. There is a tree there that is hardly worthy of the Shade Tree Commission since it has been destroyed by overhead wires. That same builder then built the house on the adjacent lot and installed that sidewalk which is why it is so glaring. Mr. Kafer questioned how the Building Department approved the first lot because it is the same builder. In response to the Borough Engineer, he said there is sidewalk installed along Anderson Avenue but it stops at the property line. He explained that the builder is at fault because he is the one who short-changed the town and the purchaser and is now blaming the current property owner of the first lot for the problem. Mr. Kafer said there is about 450 feet of sidewalk along the most hazardous road where it is 23-24 feet wide on Anderson Avenue which is heavily traveled on foot and bicycle as a recreation corridor. He said there is a good opportunity for good sidewalks there; and noted the town collects money for sidewalk waivers and suggested the town complete it. Mayor Glidden asked if Mr. Kafer approached the Building Department about the issue; and Mr. Kafer said he was told they were aware of it all along and they were never going to get a CO over this. He said it is strange because the CO is not tied to the current construction – it is tied to the construction next to it. In answer to the Borough Attorney, Mr. Kafer said he believes it was about 6 years but definitely more than 4 years. Both properties came up to the Zoning Board, before he was appointed to serve on it, as well as the Planning Board and both lots required a Site Plan. Councilwoman Amitai informed she would look into the matter with the Building Department.

Item No. 9: Received 04/28/15, dated 04/28/15 from Leslie Weatherly, Administrative Assistant, Mayor’s Office & Chief of Police; c: William Dahle III, Nick DeNicola, Loretta Castano, Jonathan DeJoseph re Copy of letter addressed to Mayor John C. Glidden Jr. from Joseph A. Femia, PE, County Engineer and Nancy A. Dargis, PE, Asst. County Engineer, County of Bergen Department of Public Works re Closter: High Street Speed Limit between Piermont Rd and Closter Dock Rd analysis report

Councilman Hennessey deferred comments to Councilwoman Latner. Mayor Glidden explained he received this letter in response to a request from a resident of High Street whose dog was killed asking to lower the speed limit from 35 to 30 mph. We requested the County perform a traffic study and this is response and report from them. Councilwoman Latner said the resident was extremely grateful that the Borough followed through on this and asked when the changes will take effect. Borough Administrator said the ordinance will be adopted in early June and the County will install the signs after that time.

c. MAIL LIST OF MAY 7, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item Nos. 1 and 7 were removed by Councilman Dolson; Item No. 3 was removed by Borough Engineer.

Item No. 1: Received 05/01/15, dated 04/14/15 from Borough of Franklin Municipal Clerk (Sussex County) re Certified copy of Resolution No. 2015-34 adopted 4/14/15 Supporting the Transparent Tax Act of 2015 (A-4325) (Copy to Tax Collector)

Item No. 7: Received 05/06/15, dated 05/06/15 from Borough of Emerson Deputy Clerk re Certified copy of Resolution adopted 5/5/15 Supporting the Transparent Tax Act of 2015

Councilman Dolson voiced his opposition to the Assembly Bill and noted he read these Resolutions which refer to a typical government unfunded mandate that would require municipalities to send out two separate tax bills – one with and one without municipal tax levies. The following year, there has to be a mathematical display of all the tax appeals and how the funds have been disbursed. He agrees that the underlying premise of explaining the refunds is okay but explaining the manner of doing it is a problem.

Item No. 3: Received 05/04/15, dated 04/20/15 from Michael Russo, Director, Division of Local Aid and Economic Development, State of New Jersey Division of Transportation, to Mayor John C. Glidden, Jr.; c: Municipal Clerk, Municipal Engineer re Notification that NJDOT is unable to provide a FY2015 Municipal Aid grant for the Cedar Lane project (Copy to Mayor 5/4/15)

Borough Engineer explained the Borough did not receive a grant award for the Cedar Lane Project, which we were made aware of earlier, and resulted in the preparation of the application for Discretionary Aid. That application was submitted about two weeks ago; and we should hear back in about 2-3 months regarding approval. Borough Administrator reported that the Borough also sent letters to our Congressional and Assembly representatives requesting they send endorsing letters for this project.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of May 13, 2015)

Mayor Glidden asked if any member of the Council wished to remove any item for discussion. No items were removed for discussion.

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

1) STATUS REPORT RE NEGOTIATIONS WITH PBA LOCAL 233 (8. M.L. 8/21/14/ 8. M.L. 9/25/14) – The Borough Attorney noted that, as the Committee has undertaken the lead on this matter, he does not have anything to report at this time.

2) STATUS REPORT RE CONTRACT FOR SOLID WASTE TRANSFER STATION SERVICES INCLUDING THE TRANSFER, TRANSPORTATION, DELIVERY AND PAYMENT FOR DISPOSAL OF SOLID WASTE FOR THE BOROUGH OF CLOSTER (Authorized at RM 2/11/15) - Mr. Rogan reported this Agreement has been finalized and executed and as they are both for longer terms than in years past we won't have to revisit this issue any time soon. He requested this item be removed from further reports.

3) STATUS REPORT RE CONTRACT FOR THE PURCHASE OF MULTIPLE CONDOMINIUM UNITS AT VILLAGE SCHOOL SITE (RM 11/24/14) – The Borough Attorney explained there is nothing particularly new to report in terms of the plans being prepared. Mr. Watkins has indicated they are finalizing the plans as there were some problems with the original that contemplated square footage. The units may need to be smaller which would reduce the proportion of our share substantially. Some of the problems included inferior structured walls and items of that nature so they could not be arranged as originally hoped; and ultimately there will be less units than anticipated. Mr. Rogan said we hope to have the final plans soon. He informed that it dovetailed nicely with Michael Hakim's request to save more money out of the COAH funds to make our plan more attractive as the court will now be reviewing it as a result of a Supreme Court decision that COAH was not acting fast enough or garnering more favorable results so they pulled the ability to review from the COAH Board. Judges in all counties have been assigned to hear the cases instead; and this is part of the reason why the committee has been interviewing COAH Planners. He said although we may get one less unit, it might work out in our revised plan because some money is required to be set aside for low interest loans.

4) REPORT – Mr. Rogan reported most if not all 2015 Tax Appeals have been filed and received by his office. For 2015, there were a total of 39 County Board filings as the homeowner has the option to pick either the County Board for an evaluation of their taxes or go directly to the Tax Court. Most residential appeals are filed at the County level as are a few commercial and other types. He explained of the 39 filed at the County Board, 32 were

6. PROFESSIONAL REPORTS (Continued)

A. BOROUGH ATTORNEY (Continued)

residential, 5 were commercial and 2 were farms. Borough Attorney noted it is not the farms appealing but Mr. Rosenblum appealing the status of those farms. The 2015 Tax Court Filings came to 9; and the total for the year is at 48, which is average for the past couple of years. There are still 9 pending appeals from 2014: 4 commercial and 5 residential; and one is left from 2013 due to an illness of the attorney that was handling that case and was specially assigned to the Judge. Mr. Rogan said we will have a better sense as to where we're going shortly as the County Board schedules the hearings; and during those hearings, we are able to get a number of these dismissed. He will report back to the Council as to the status of tax appeals.

At this time Mr. Rogan requested a Closed Session to discuss a pending tax appeal and Mayor Glidden asked for an item regarding Personnel.

B. BOROUGH ENGINEER

1) STATUS REPORT RE DPW REMEDIATION (Authorized /RM 4/23/14) – Borough Engineer reported we received a clean bill of health for the wells at the DPW for the most recent tanks. Before the DEP will close out the case, they review the history; and have found that a waste oil tank was removed in 1997 by PMK, who are no longer in business and did not close out the tank properly. As a result, the DEP is holding up our paperwork on the most recent round of wells. The Borough Administrator submitted an OPRA Request to try to obtain the information the DEP has on file. Mr. DeJoseph said he submitted a request for both the DPW and Borough Hall because there are ongoing actions at both locations. The DEP has an NFA for this facility but it is nowhere to be found. He requested a package that has approximately 500 pages for Borough Hall and 600 pages for the DEP; and he hopes to have a complete file so we can close out that tank and get the monitoring wells decommissioned. He anticipates a response in the next two weeks.

2) STATUS REPORT RE SWIM CLUB PHASE II CONTAMINATION INVESTIGATION (Authorized/RM 7/9/14) – Mr. DeNicola reported that the additional testing and boring was performed; and we received verbal results from the lab so we have the extent of the contamination delineated as you approach the stream going west from the Swim Club. He said there is a need for more borings which isn't in the current budget to go north and south because we have not yet achieved clean results. To the north is actually someone's property, so he is not yet sure what the next step will be until we receive the formal report from the lab. Permission will need to be granted by any property owners for entry and testing. The Borough Engineer reiterated that we are not yet sure of the extent of the contamination to the north and south of the Swim Club.

3) REPORT RE STATUS OF CONTRACT AWARDED TO ROCKBORN TRUCKING AND EXCAVATION, INC. @RM 3/11/15 FOR HICKORY LANE IMPROVEMENTS AND 2014 MUNICIPAL ROAD PROGRAM IN THE BASE BID AMOUNT OF \$484,253.50 – The Borough Engineer reported all the drainage work has been completed and the sloped Belgian block curb work should start Friday or Monday. In answer to Mayor Glidden, he reported there have not been any unanticipated problems but noted the DPW asked them to address the culvert that goes across Hickory Lane towards Bradley Place because there have been issues with clogging. Bill Dahle requested that they dig down and see what the issues are: whether it is due to clogging or a hole in the pipe; so it will be done as a part of this project.

Mr. DeNicola advised there are some problems in regards to other things not related to Hickory Lane. During the last paving program included with Ruckman Road, someone from St. Mary's had approached us to pave the entrance to their parking lot. At that time, the paving had demobilized and we said we would catch them next time. He explained we have a price of \$7,500 from Rockborn based on the unit price in the current contract; and the property is actually a Borough access easement from Demarest Avenue. He said it is a relatively small area at about 100-150 feet long and 15-18 feet wide and accesses the Library as well.

The Borough Engineer informed another issue brought up by Bill Dahle is on Brook Street where a 24-inch Borough drainage pipe runs under the driveway of a homeowner and it is collapsing. Rockborn looked at that and said they couldn't give us a price because they aren't sure what to do with it until they can excavate down and take a closer look at it. Mr. DeNicola explained this would be a time-and-materials job at about 2 days and a cost of \$10,000-\$15,000 to correct that problem. This is only based on what we can see from above ground. He said that if the Council authorizes remedy of these issues, Rockborn is willing to do the job at the unit price for the paving and time and materials for the pipe. Borough Administrator informed he and the Mayor visited the home several weeks ago and the pipe was separated about 9 inches to a foot; and they agreed it is something that needs to be addressed. The Borough Engineer agreed it will only get worse and cost more the longer it goes unattended.

The last issue Mr. DeNicola brought up, separate from Hickory Lane, is some work the Police Department needs done at the firing range but Boswell is not involved with that; and he voiced his understanding the Administrator is handling that directly with Rockborn. He invited Mr. DeJoseph to report on the matter and said he hopes Rockborn can tie everything up. Borough Administrator deferred comment to Chief Kaine. The Chief said there

6. PROFESSIONAL REPORTS (Continued)  
B. BOROUGH ENGINEER (Continued)

is a need for 2 inches of macadam paved for Phase 2 of the project for easier cleanup than the current gravel because it is very difficult to pick up the shell casings. Mr. DeJoseph reported the approximate price is \$21,000 to \$22,000 which would be to grade the facility and install the asphalt. Mr. DeNicola informed this can be done with the Hickory Lane project and noted we wouldn't exceed the 20% allotment that you can go over on a contract; but this is something the Borough has to decide so a Change Order can be issued. There are three independent projects but what we could do is go forward with the Hickory Lane project so the contractor mobilizes throughout the town. The Borough Attorney questioned the deadline when the contractor needs to know and Mr. DeNicola said they are doing the curb work next week; so if we could make a decision at this meeting, it would be nice so the contractor doesn't demobilize and then they can't do the drainage work. He voiced his opinion that all three projects are worthy of doing at this time and no objections were voiced by the members of the Governing Body.

Councilwoman Amitai noted she saw work in front of Metropolitan Farm including large mounds of dirt lining the road; and Mayor Glidden said that is part of the work. Mrs. Amitai recalled they haven't started yet; and the Borough Engineer said the contractor has completed the drainage work and that was part of the precursory work. He said he was not sure which dirt piles they were referring to and offered to check on same as Mrs. Amitai noted they are still there as of today east of the Dormitory.

4) REPORT

7. REPORTS

A. BOROUGH ADMINISTRATOR

1) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S):

a) Mail List requests re Insurance:

1. 5. M.L. 1/22/15 - Recreation Commission Summer Concert Series

as follows: 6/18; 6/25; 7/2, 7/9, 7/16, 7/23 – Borough Administrator voiced his understanding that the Borough Attorney's office will prepare a Resolution of approval for the next meeting.

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 there have been numerous meetings with the contractor and architect and with the Borough Attorney and roofing manufacturer. The building has been coming along well with the exception of the smell from the roofing adhesive. He noted the DPW purchased fans that were installed, and the ductwork in the ceiling has been replaced so they are doing everything possible to mitigate the issue. Councilwoman Latner asked the Borough Clerk if this was the smell her office has had; and Ms. Castano affirmed same noting that there has been a major difference in the past two days. Mr. DeJoseph said the cooler air has helped a lot; and he hopes it stays about the same to eliminate the rest of the smell. Mayor Glidden thanked Councilman Hennessey for all of the work he has put into this issue trying to get to the bottom of it and find a remedy.

3) STATUS REPORT RE RE-BID FOR ACQUISITION & INSTALLATION OF EMERGENCY

GENERATOR AT CLOSTER PUBLIC LIBRARY – Bid opening held 8/5/14 @ 11:30 a.m./All

Bids rejected RM 8/13/14 – Borough Administrator reported the Borough was awarded a \$90,000

hazard mitigation grant from FEMA. He noted there is a bond ordinance on the Agenda this evening to amend the funding source for the Library and transfer those funds to replace the antique generator at the DPW. There is no additional increase in appropriations. Mr. DeJoseph is working with the Lieutenant (Winters) to draft bid specifications to go out to bid for both generators at the same time. Additionally they will be reviewing cooperative contracts to get these projects done in a timely manner.

4) STATUS REPORT RE FOLLOWING CONTRACTS:

a. POLICE FIRING RANGE PHASE I – CONTRACT AWARDED TO ACTION

TARGET/RM 8/13/14 (\$108,220.51) – Mr. DeJoseph noted we are waiting on a couple of items and a capital ordinance before anything further can be done. He said three Purchase Orders were issued this week to complete some other items at the pistol range and should be completed within a month.

b. INTERIOR RENOVATIONS OF CLOSTER POLICE DEPARTMENT – Contracts

awarded RM 11/24/14 to: A. WOODS CONSTRUCTION, INC. IN THE AMOUNT OF

\$16,500.00; PESH-E-LECTRIC, INC. FOR ELECTRICAL SERVICES IN THE

AMOUNT OF \$8340.00; BUSINESS INTERIORS BY STAPLES IN THE AMOUNT OF

\$23,631.01 PURSUANT TO STATE CONTRACT #A81641– Borough Administrator

reported the Police Department renovations are 95% complete with the last major items, carpeting and flooring, to be completed.

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

5) STATUS REPORT RE 2015 MUNICIPAL BUDGET – Mr. DeJoseph reported the Municipal Budget is anticipated to be adopted at the May 27<sup>th</sup> meeting. He said he has copies of the capital that was discussed by the Mayor and Council; and the only question now is amending that to do the capital ordinance. He suggested introducing at the next meeting and noted the only change is adding the Fire Chief’s vehicle, as discussed at the last Public Safety meeting. In answer to Mayor Glidden, he recalled the cost of the vehicle would be \$51,000. Councilwoman Amitai questioned the cost of a garage door opener at \$13,000; and Mr. DeJoseph said he believes that is actually for three garage door openers. He wished to clarify that this is the maximum amount that can be issued and, hopefully, everything will come in under budget; and we won’t have to issue as much debt. Mayor Glidden asked the Administrator to discuss the purchase of the Chief’s truck and explain the request and if he feels it is justified. Mr. DeJoseph reported at the Public Safety Committee meeting held last Thursday, they discussed the 2002 Chevy Tahoe with approximately 104,000 miles on it and has electrical and maintenance issues. Based on the recommendation of the Public Safety Committee, the Borough will replace the Chief’s vehicle this year. Councilman Hennessey explained it would cost around \$25,000 to keep the current vehicle roadworthy and the cost to replace it is \$50,000. Councilman Dolson noted there was also a mishap last year where a tree fell on the roof and they replaced the roof. He believes it has done its duty for the Borough and it also has a short and won’t start. Councilwoman Latner supported the purchase because the vehicle can’t pass inspection; and said Chief Pierro put together an entire packet spelling everything out and asking the Mayor if he has seen it. Mayor Glidden asked if anyone had any objections to including the recommendation of the Public Safety Committee; and none were voiced. Mr. DeJoseph said he wanted to confirm with the Mayor that everything on the capital schedule here is the same as discussed previously with the full Mayor and Council; and invited comments from the Council so we can get the bond ordinance in place and add the Chief’s vehicle to it. Mayor Glidden explained there is \$1,600,000 on this list; and said everyone has had the opportunity to review it and they are all necessary purchases as far as he can see. The Administrator referred to the capital list and said the left column is the amount requested, the middle column is his recommendation as Administrator; and the right column is based on the recommendations of the Finance Committee and the full Mayor and Council so it’s a combined list of items for the capital budget/capital ordinance. He noted it does not include the Fire Chief’s vehicle which would add approximately \$51,000 and said the numbers for the 5% down payment will also change. Mayor Glidden received no objections to moving forward with this ordinance.

6) REPORT – Mr. DeJoseph reported the last item of discussion is the cell tower in the back of the building; and he would like to report further in Closed Session due to potential negotiations with the vendor.

B. BOROUGH CLERK

1) STATUS REPORT RE 2015 APPOINTMENTS – The Borough Clerk reported outstanding appointments are being maintained on the Agenda.

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

3) STATUS REPORT RE 2015 LICENSES – Renewal of Liquor Licenses for 2014-2015 – Ms. Castano explained that after the Regular Meeting tonight, we will have renewed all liquor licenses for calendar year 2014-2015 with the adoption of the Resolution this evening regarding JBS MACK LLC. The reason for the late date is the final approval of the tax clearance certificate for this inactive/pocket license.

Regarding the 2015-2016 liquor licensing procedure, Borough Clerk explained that although we did not receive direct information from the Division of Alcoholic Beverage Control, regarding the 2015-2016 licensing procedure, we became aware of the new system, due to Arlene’s diligence in checking the ABC web site. She found out that the Division of Alcoholic Beverage Control is implementing a “paperless” electronic licensing system called POSSE ABC for the 2015-2016 License Term which will allow licensees to complete renewals and changes and pay state fees online. The Borough Clerk’s office will accept municipal fees and then review and process the renewal applications online. Licenses are to be renewed by July 1<sup>st</sup> of each year, and with the POSSE system anticipating launch on 6/4/15, it is expected that there will be some technical difficulties which could prevent timely renewal. As a result, Director Michael Halfacre issued an Order Authorizing Extension of 2014-2015 Licenses through Friday, 9/18/15, provided the applicable fees are paid and tax clearance has been issued prior to June 30<sup>th</sup>. All licenses must be renewed by 9/18/15 for the 2015-2016 term.

4) STATUS REPORT RE 2015 MEETING DATES - Current

5) STATUS REPORT RE CODIFICATION OF 2014 ORDINANCE NOS. 2014:1153 TO 2014:1183 AS CODE SUPPLEMENT NO. 21 – Ms. Castano noted that she checked the Borough web site and discovered that the Code Supplement has been completed and is on line. She said that at this point in time, we don’t know if we will be getting hard copies since her office was not involved in the ordering. We were most grateful that our Administrator was able to accomplish our getting the Supplement at a reduced cost, which was much less than the estimate provided by General Code, but we do not know if the customary follow up will be provided. Ms. Castano questioned if the zoning map was included since we sent it in at General Code’s late request but did not get to check to see if it had been updated.

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

6) STATUS REPORT RE ELECTIONS - The last day to register to vote was yesterday. We kept our office open until 6 p.m. rather than the customary time of 9 p.m. since rarely, if ever, do we receive any last minute registrations. The Primary Election will be held on Tuesday, 6/2/15, from 6 a.m. to 8 p.m. Borough Clerk will be sending the customary memo to Chief Kaine explaining of the procedures.

Ms. Castano said she received a report from the Warehouse that the voting machines will be delivered to the schools on Tuesday, 5/19/15 and informed the Closter Board of Education Superintendent of Buildings and Grounds to let her know when they arrive in order for her to make the customary visit to check the machines and verify same with the Warehouse Division.

At this time, Mrs. Amitai asked if the zoning map had been updated in the Code Supplement and the Borough Engineer said the conservation zone had been the last inclusion in the map which was done in 2012.

7) REPORT – Nothing further to report

C. CHIEF OF POLICE

1) REPORT – Chief Kaine reported the Police Department held a bicycle rodeo at Hillside School with officers assigned there for Saturday. They educated the children on proper bicycle safety points including helmets. He said this Saturday the same two officers will be at Tenakill School for the PTO Spring Fair for additional safety education. The Department assisted the Recreation Commission this past weekend with the Fishing Contest which Mayor Glidden attended.

The Chief reported receipt from the Drunk Driving Enforcement Fund (DDEF) that the Borough received \$3,994.34 as a result of 2013 DWI arrests with convictions. He explained that money goes back to the Department for future DWI patrols. Although we did not receive the grant this year, in April they participated in the distracted driver program “U Text, U Drive, U Pay” and issued 139 tickets over a 3-week period including one DWI in a school zone, 3 drug arrests and 1 warrant arrest. Chief Kaine said they did submit all of the paperwork to the State; so, hopefully, next year we will receive the \$5,000 grant. Next week a 3-week campaign for “Click-It or Ticket” starts which we also were not awarded this year but will be participating regardless and will forward those results to the State with the hopes that we will get that grant next year as well.

Chief Kaine reported the Department will finish up their Spring qualifications on Friday; and said the range is working fine with all of the modifications that were done. He believes the Borough of Norwood is introducing their Shared Services agreement tonight and Cresskill had it already but have an issue with a Hold Harmless that they are going to speak to Mr. Rogan about. During the Distracted Driver Program the Department conducted a 4-hour road stop and issued 29 tickets, had 2 arrests and 2 impounds. In answer to Councilwoman Amitai, The Chief explained there are not any available grants for modifications to a firing range but said once the Shared Service Agreements are effected we will be collecting income from participating towns. Mayor Glidden congratulated Chief Kaine on the Shared Service Agreement for the Firing Range and said it is a good example.

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED

1. NEW JERSEY DEPARTMENT OF TRANSPORTATION LOCAL AID PROGRAM FOR CEDAR LANE IMPROVEMENTS PROJECT (Authorized at RM 9/10/14) – Mayor Glidden reported this item was rejected; and the Borough Engineer affirmed same noting we applied for Discretionary Aid for the same project.

2. 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) – The Mayor said we are waiting to hear on this one.

3. NEW JERSEY DEPARTMENT OF TRANSPORTATION FY2015 DISCRETIONARY AID APPLICATION FOR CEDAR LANE PROJECT IN THE AMOUNT OF \$180,000 (Authorized at RM 4/22/15) – Mayor Glidden informed this was the grant filed as a result of

rejection of the Local Aid grant.

b. AWARDED

1. FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) HAZARD MITIGATION GRANT PROGRAM SUB-GRANT AGREEMENT HMGP-DR-4086-NJ-0219-R FOR THE PUBLIC LIBRARY GENERATOR PROJECT AWARDED IN THE AMOUNT OF \$90,000 (Resolution Authorizing Execution of Sub-Grant Agreement at RM 4/22/15) – Mayor Glidden

recalled the Administrator previously reported we received this grant in the amount of \$90,000.

c. TO BE FILED

1. To be announced by Mayor

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – MAY 13, 2015 – 7:30 P.M.

7. REPORTS (Continued)

D. MAYOR (Continued)

2) REPORT – Mayor Glidden reported it really does look that, as of now, the Plaza is starting to gear up. There have been meetings between the Construction Official and it looks like the plaza is starting to gear up. Edens indicated they would have the bonds and building permits required to commence.

8. OLD BUSINESS

9. NEW BUSINESS

COAH PLANNER – Councilwoman Amitai reported that the committee has completed review of the resumes; and of the three interviews conducted, the unanimous choice was a professional planner from the Christopher Statile PA Organization. Her recommendations were checked and were very favorable. She had creative ways of dealing with the deadlines. Borough Attorney said the planner would be preparing the plan for submission to the courts and that management of the plan after acceptance has not been discussed.

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

Mayor Glidden opened the meeting to the public. No one wishing to be heard, Mayor Glidden closed the meeting to the public. Mayor Glidden recognized former Councilman Kashwick who was sitting in the audience.

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 8:25 p.m. was made by Councilwoman Latner, seconded by Councilman Barad and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on  
May 21, 2015 for approval at the  
Regular Meeting to be held  
May 27, 2015

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held May 27, 2015  
Consent Agenda Item No. 28b