

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MAY 27, 2015 - 7:30 P.M.

Mayor Glidden called the meeting to order at 8:10 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
- Superintendent of Public Works, William Dahle, III
- Fire Chief, Brian Pierro
- Tax Collector/Temporary Chief Financial Officer, Maria Passafaro

3. PRESENTATION TO BE MADE BY COUNTY CLERK, JOHN HOGAN, RE CLOSTER HISTORICAL POSTER (Requested 3/31/15/reconfirmed for this meeting on 5/12/15)

At the request of Mayor Glidden, this item was addressed at the beginning of 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>Improvement Commission</b> Member/ Historic Preservation Liaison	Susan McTigue	_____	2 Years Unexp (McTigue)	31-Dec-15
<b>Planner to Implement Portions of the 2008 Master Plan</b>	Francis J. Banisch, III Banisch Associates, Inc.	_____	1 Year	31-Dec-15
<b>Treasurer</b>	VACANT	_____	1 Year	31-Dec-15

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

This Ordinance was introduced at the Special Meeting held 4/29/15 and was published in The Record on 5/4/15 as stated in the 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. 2015:1184, “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 opened the meeting to the public. No one wishing to be heard, Mayor Glidden closed the meeting to the public.

Motion approving adoption of Ordinance No. 2015:1184 was made by Councilman Barad, seconded by Councilman Dolson and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey, Dolson and Amitai.

6. PUBLIC HEARING AND ADOPTION OF THE 2015 MUNICIPAL BUDGET AND RELATED RESOLUTIONS @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD

The Municipal Budget was introduced at the Special Meeting held 4/29/15; and the Municipal Budget Summary was published in The Record issue of 5/5/15, as stated in the printer's affidavit of publication. Reprint of the Summary was posted on the Municipal Bulletin Board in accordance with statutory requirements, was posted on the Municipal Web Site pursuant to N.J.S.A. 40A:4-10; and copies have been made available to the general public. On 5/6/15, the Borough Clerk hand delivered a copy of the Municipal Budget to the Library Director, in accordance with N.J.S.A. 40A:4-8, for public inspection.

Councilman Dolson asked to make a two-step minor adjustment to the budget to allow for contingencies during the year. He requested an adjustment to the Reserve for Uncollected Taxes of a \$25,000 decrease since historically there have not been uncollected taxes only taxes in arrears that have been subsequently collected. It is not a significant adjustment and this line item has existed for many years at \$875,000 without charges against same. The next adjustment would be to the municipal tax levy of 2.06%, which would be \$28,220 and would bring the total tax levy \$11,109,160 million, which is an increase of 2.35% over the previous year and the total would be \$53,200, which he suggested being put into a Reserve for Salary Adjustments to cover the possible changes in personnel throughout the year. Borough Attorney said that to accommodate these amendments, the budget would have to be re-advertised since same are not diminimus. Borough Clerk outlined the steps to be taken which included advertisement of the amendment, public hearing and adoption of the amendment and subsequent adoption of the Budget as amended at the Regular Meeting of June 10<sup>th</sup>. Borough Administrator expressed concern about the fact that the Borough does not have a temporary budget in place after this evening and an Emergency Temporary Appropriation could be prepared by him and the Temporary Chief Financial Officer.

Councilpersons Barad and Latner expressed support for the Reserve for Salary Adjustments.

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

Motion by Councilman Dolson, seconded by Councilman Barad to request that the Municipal Budget be amended, as he had outlined, which was declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Dolson and Amitai. Councilman Hennessey voted no.

Mayor Glidden requested that the Borough Administrator and Temporary Chief Financial Officer prepare an Emergency Temporary Budget and they left the meeting to do so.

Motion adjourning a vote on the 2015 Municipal Budget until the Temporary Budget is prepared 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.

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

This Ordinance was introduced at the Regular Meeting held 4/22/15 and was published in The Record on 4/28/15 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.

ORDINANCE NO. 2015:1186, "ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200, ZONING, SPECIFICALLY, 200-69E"

Mayor Glidden announced that the Public Hearing on this ordinance would be carried until June 10, 2015 to provide an opportunity for the Planning Board to discuss this ordinance at their meeting tomorrow night.

8a. VOTE ON CONSENT AGENDA ITEMS

Motion to approve the Consent Agenda minus Item Nos. 10c, 24 and 25 was made by Councilman Barad, seconded by Councilman Hennessey and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey, Dolson and Amitai.

ORDINANCES

9. INTRODUCTION OF THE FOLLOWING BOND 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/Revised Bond Ordinance received from Bond Counsel 5/20/15):

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”

10. INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING 6/24/15 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received from Borough Attorney 5/20/15):

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

Councilman Barad explained that the ordinance would prohibit the connection of sump pumps into the sewer system and imposes a series of fines. The goal is to decrease the Borough’s sewer budget.

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

- e. 2015:1191: “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 48 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING PERSONNEL POLICIES”

At this time, Mayor Glidden opened the meeting to the public.

In answer to Diane Smith, 419 Closter Dock Road, Mayor Glidden advised that personnel policies is a handbook that describes employee responsibilities. Borough Attorney advised that this ordinance has to do with longevity, which would affect people going forward in terms of an increase each year and does not have anything to do with raises. Mayor Glidden noted that this Ordinance would be effective on December 31, 2015. Councilman Barad noted that the ordinance would affect those not under contract and would stop increases in longevity.

Ms. Smith said she felt that people who have been working for the town for a long time and doing a good job should be awarded with longevity. She questioned the number of people affected and if they are doing an excellent job, why would a CAP be put in place; and consideration should be given to their salaries and their economic conditions. She said this is a thank you to those employees. She questioned the impact on the budget for this small number of employees and suggested that the non-required areas of the budget be reviewed and monies be given to these employees as a thank you for the job they have done.

Dee Woods, 706 8<sup>th</sup> Street, North Bergen, said she was hired in 2005 and decided to take this job because of the health insurance, pension and longevity of 1% for every 3 years of employment. She felt it was not fair to have the longevity taken away since the Borough Hall employees are the least paid compared to the DPW and Police. The amount is very small and she noted that since 2010, the employees have been paying a portion of their health insurance.

Arlene Corvelli, 16 Seminole Avenue, Dumont said she took the job for the benefit and security of her family and looked forward to having a career. When she was hired in 2009, the longevity was (capped after four years) and it was her understanding that it was reduced from 1% every three years to .333% every three years. She explained that we are the people who get the things done that you want done including legislation, purchasing and correspondence; and without those people in this building, nothing would get done. It is wrong to put a CAP on longevity for the employees especially those who have not been here that long.

Leslie Weatherly, 230 Demarest Avenue, said she has worked at Borough Hall for the past 17 years and she took the job based on benefits that were afforded to her. The costs of insurance and pension have increased so that the employees are making 8% to 10% less than they were the day before the increases are effective. She added that leveling longevity on a few employees is not going to balance the budget and she requested that this ordinance be seriously reconsidered.

Jesse Rosenblum 65 Knickerbocker Road, said he is not a Borough employee; and he questioned the reason for the ordinance. Mayor Glidden said that during budget deliberations everything was carefully considered. We are tight on money and if there is a tax increase of certain amount or more, the residents in this town are going to be very unhappy. He would not go line item by line item on cuts this evening but

CLOSTER MAYOR AND COUNCIL  
REGULAR MEETING MINUTES – MAY 27, 2015 - 7:30 P.M.

the budget has been made public. He added that the Borough Administrator would be able to provide numbers when he returns to the meeting.

Steve Isaacson, 97 Columbus Avenue, questioned how any Council member can vote on this ordinance if they do not know the numbers.

- d. 2015:1192: “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 108 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FLOOD DAMAGE PREVENTION”
- e. 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 noted that the foregoing items are on the Agenda for introduction this evening and would not be voted upon. A Public Hearing for each ordinance will be held on June 24, 2015. All comments made this evening would be taken under consideration.

RESOLUTIONS

- 11. RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE DEVELOPER’S AGREEMENT FOR BLOCK 1607, LOT 1 & BLOCK 1310, LOT 2 (CLOSTER MARKETPLACE (EBA) LLC AND CENTENNIAL AME ZION CHURCH), SUBJECT TO RECEIPT BY THE BOROUGH OF APPROVED ESCROW PAYMENTS, BONDS AND INSURANCE DOCUMENTS (Received from Borough Attorney 3/18/15) Carried from RM 3/25/15/Carried from RM 4/8/15/Carried from RM 4/22/15/Carried from RM 5/13/15
- 12. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$12,384.39 TO MICHAEL VESPASIANO, ESQ FBO REUTEN ASSOCIATES FOR BLOCK 1501, LOT 1, 3-4 REUTEN DRIVE, IN THE FORM OF A CREDIT FOR 2013 AND REFUND FOR 2014 REAL ESTATE TAXES DUE TO TAX COURT JUDGMENT (TCJ RENDERED 5/8/15) (Received from Tax Collector 5/13/15)
- 13. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$10,361.72 TO MICHAEL VESPASIANO, ESQ FBO REUTEN ASSOCIATES FOR BLOCK 1501, LOT 2, 10 REUTEN DRIVE, IN THE FORM OF A CREDIT FOR 2012 AND REFUND FOR 2013 AND 2014 REAL ESTATE TAXES AS AGREED VIA SETTLEMENT PER RESOLUTION DATED 1/28/15 DUE TO TAX COURT JUDGMENT (TCJ RENDERED 5/8/15) (Received from Tax Collector 5/13/15)
- 14. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$18,309.15 TO MICHAEL VESPASIANO, ESQ FBO REUTEN ASSOCIATES FOR BLOCK 1501, LOT 4.01, 81 RUCKMAN ROAD, IN THE FORM OF A CREDIT FOR 2012 AND REFUND FOR 2013 AND 2014 REAL ESTATE TAXES AS AGREED VIA SETTLEMENT PER RESOLUTION DATED 1/28/15 DUE TO TAX COURT JUDGMENT (TCJ RENDERED 5/8/15) (Received from Tax Collector 5/13/15)
- 15. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$2,978.63 TO DOUGLAS M. STANDRIFF FBO KALABALIK, TOMAY & JOSEPHINE FOR BLOCK 2302, LOT 1, 323 HOMANS AVENUE FOR 2014 REAL ESTATE TAXES AS AGREED VIA SETTLEMENT PER RESOLUTION DATED 1/28/15 DUE TO TAX COURT JUDGMENT (TCJ RENDERED 5/8/15) (Received from Tax Collector 5/13/15)
- 16. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$4,140.37 TO CORE LOGIC FOR BLOCK 1806, LOT 26, 14 EISENHOWER ROAD, DUE TO A 2<sup>ND</sup> QUARTER 2015 TAX OVERPAYMENT (Received from Tax Collector 5/14/15)
- 17. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN REMAINING PLANNING BOARD LEGAL/ENGINEERING ESCROW FEES IN THE AMOUNT OF \$776.10 TO APPLICANT: LINDGREN NURSERY SCHOOL FOR PROPERTY LOCATED AT BLOCK 1901, LOT 4, 211 IRVING AVENUE, FOR SUCCESSFUL COMPLETION OF SERVICES RENDERED (Received from Deputy Treasurer 5/18/15)
- 18. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN REMAINING ZONING BOARD OF ADJUSTMENT LEGAL ESCROW FEES IN THE AMOUNT OF \$415.00 TO APPLICANT: CAROLYN MORENO FOR PROPERTY LOCATED AT BLOCK 1712, LOT 6, 22 JANE STREET, FOR SUCCESSFUL COMPLETION OF SERVICES RENDERED (Received from Deputy Treasurer 5/18/15)

CLOSTER MAYOR AND COUNCIL  
 REGULAR MEETING MINUTES – MAY 27, 2015 - 7:30 P.M.

19. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN REMAINING ESCROW FUNDS IN THE AMOUNT OF \$43.00 TO LINDGREN NURSERY SCHOOL FOR PROPERTY LOCATED AT BLOCK 1901, LOT 4, 211 IRVING AVENUE, DUE TO THE DETERMINATION OF THE BOROUGH ENGINEER THAT THE REQUIRED IMPROVEMENTS HAVE BEEN SATISFACTORILY COMPLETED IN ACCORDANCE WITH CLOSTER CODE CHAPTER 108, ARTICLE II, ZERO INCREASE IN STORM-WATER RUNOFF (Received from Deputy Treasurer 5/18/15)
20. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$374.70 TO JENNIFER R. JACOBUS FBO STAMBERG, DAVID & NINA FOR BLOCK 2207, LOT 3, 20 PATTON LANE, FOR 2014 REAL ESTATE TAXES AS AGREED VIA SETTLEMENT PER RESOLUTION DATED 3/25/15 DUE TO TAX COURT JUDGMENT (TCJ RENDERED 5/15/15) (Received from Tax Collector 5/18/15)
21. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK TO ROBERT E. SPIOTTI, ESQ. FBO THE FOLLOWING HOMEOWNERS FOR 2014 REAL ESTATE TAXES AS AGREED VIA SETTLEMENT PER RESOLUTION DATED 2/11/15 DUE TO TAX COURT JUDGMENT (TCJ RENDERED 5/15/15) Received from Tax Collector 5/18/15:
 

<u>BLOCK</u>	<u>LOT</u>	<u>NAME &amp; ADDRESS</u>	<u>AMOUNT</u>
702	5	CLARK, JULIAN & LORAIN	\$1,217.79
1001	4	WORTH, WILLIAM THOMAS	\$ 504.57
1806	5	KIM, BYUNGJU & MEESOOK	\$1,547.78
1904	8	KIM, DAEJOONG & KAY LEE	\$ 872.89
22. RESOLUTION AUTHORIZING BOROUGH ATTORNEY TO PREPARE NOTICE TO BIDDERS, BID PACKAGE AND SPECIFICATIONS FOR THE PROJECT ENTITLED “LEASE OF REAL PROPERTY AND TOWER SPACE FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A WIRELESS COMMUNICATION FACILITY” AND AUTHORIZING THE BOROUGH CLERK TO ADVERTISE THE AFOREMENTIONED PROJECT AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE ANY NECESSARY DOCUMENTS PERTAINING TO SAME (Received from Borough Attorney 5/20/15)
23. RESOLUTION INCREASING CONTRACT PRICE FOR HICKORY LANE AND MC CAIN COURT IMPROVEMENTS, CHANGE ORDER #1 (Received from Borough Administrator 5/21/15)

In answer to Councilwoman Amitai, Borough Engineer advised that this change is for the driveway to St. Mary’s parking lot, work on a parking lot for the Police Department and for drainage work on Brook Street. The reason it is listed this way is because the contractor doing the Hickory Lane project has agreed to these modifications under the current contract.

24. RESOLUTION APPROVING RECREATION SUMMER CONCERT SERIES FOR JUNE AND JULY SUBJECT TO RECEIPT OF REQUIRED HOLD HARMLESS AGREEMENT AND CERTIFICATE OF INSURANCE AND RECEIPT OF APPROVAL FROM RISK MANAGEMENT CONSULTANT TO BE PREPARED BY ADMINISTRATOR

MOTIONS

25. 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):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
MEMBER/CHAIR	<u>Annette Vasiloff</u>	_____	3 Years	12/31/17
MEMBER	<u>Suzanne Lerant</u>	_____	2 Years	12/31/16
MEMBER	<u>Katie McDermott</u>	_____	3 Years	12/31/17
MEMBER	<u>New Member</u>	_____	2 Years	12/31/16
MEMBER	<u>New Member</u>	_____	3 Years	12/31/17

26. MOTION GRANTING WAIVER FOR TEMPLE EMANUEL TO HOLD TASHLICH SERVICE AT THE CLOSTER NATURE CENTER ON MONDAY, 9/14/15, AT 5:00 P.M. (12. M.L. 5/21/15) (Approval received from Risk Management Consultant 5/14/15)
27. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 5/21/15) ABSTENTION: BARAD
  - a. REGULAR MEETING HELD MAY 13, 2015
  - b. WORK SESSION HELD MAY 13, 2015

28. REPORTS  
 (None at the time of preparation of this Agenda)

CLOSTER MAYOR AND COUNCIL  
REGULAR MEETING MINUTES – MAY 27, 2015 - 7:30 P.M.

Councilwoman Latner asked that Item No. 10c be removed from the Consent Agenda and Councilman Hennessey advised that the longevity cost would be \$36,000.

8b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

10c. 2015:1191: “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 48 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING PERSONNEL POLICIES”

Councilwoman Latner questioned the benefit of this proposed ordinance since she said it seems to be on the backs of the people who support what goes on in the Borough. Councilman Hennessey said that the cost is \$36,000 this year but would be compounded each successive year. Borough Attorney advised that in order for the ordinance to be introduced this evening, there must be a vote. Councilman Dolson said he has lived here over 40 years and the community is the way it is because of everyone including the Borough employees. He believes when you have a job that you have been hired for with a certain pay and services that all of a sudden ceases mid range for some arbitrary reason, it is disingenuous and fails to recognize the loyalty of the employees.

Mayor Glidden asked for a motion to introduce the ordinance. No motion was offered. He thanked everyone who came out and spoke on the proposed ordinance

Diane Smith, 419 Closter Dock Road, thanked the governing body for listening to everyone’s comments and making the appropriate decision.

29. 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.

Mayor Glidden declared a 5-minute recess at 8:57 p.m.

Mayor Glidden resumed the meeting at 9:12 p.m.

6. PUBLIC HEARING AND ADOPTION OF THE 2015 MUNICIPAL BUDGET AND RELATED RESOLUTIONS @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD

Mayor Glidden announced that this item would be carried to the next meeting.

At this time, Borough Administrator and Temporary Chief Financial Officer returned to the meeting and provided Mayor Glidden with the following resolution:

29a. RESOLUTION ESTABLISHING AN EMERGENCY TEMPORARY BUDGET APPROPRIATION FOR 2015

Motion of approval 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.

Relative to the amendments suggested by Councilman Dolson, Borough Administrator said that there is a formula for the calculation of the Reserve for Uncollected Taxes and that the Borough Auditor would have to confirm that the number can be reduced in the amount of \$25,000. Councilman Dolson noted that in his discussion on the matter with the Borough Auditor, it was noted that the calculation is a guideline. Councilman Dolson noted that the tax levy increase in the budget before us is 2.09% and he would add .26%, which would mean a tax levy increase of 2.35% and all of these figures would have to be verified by the Borough Auditor. Borough Administrator advised that the CAP Ordinance would have to be changed and the Bond Ordinance would have to be delayed, which would affect the delivery of two police vehicles that have been ordered.

Mayor Glidden questioned why these revisions were proposed at the last minute. Councilman Dolson said it took him a while to gather information, specifically numbers. He said he was totally dissatisfied by the numbers from the Finance Committee and we were not provided with any documentation. The numbers were removed a number of times and the budget was lowered. The budget should never have been where it was in the beginning, which he told the Borough Administrator; and he is the most disorganized person he has ever met in preparing the budget. Councilman Hennessey said that one of the main issues that Councilman Dolson had a problem with is not getting a workbook format. The budget was done in an Edmunds format by the Borough Administrator; and the format reallocated costs and moved things around. There was a miscommunication and the mistake the Finance Committee had was not having the Department Heads meet with the Committee to review allocations for capital and other expenditures. Councilman Dolson noted that according to the Edmunds provider, the Borough Administrator put the budget numbers in the wrong place in the program; and, therefore, he could not produce a synopsis.

CLOSTER MAYOR AND COUNCIL  
REGULAR MEETING MINUTES – MAY 27, 2015 - 7:30 P.M.

9. 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”

Motion to rescind the prior vote to adopt Bond Ordinance No. 2015:1188 and carry it to the next meeting was made by Councilwoman Amitai, seconded by Councilman Dolson and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey, Dolson and Amitai.

5. 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)”

Motion to reconsider Ordinance No. 2015:1184 and rescind prior approval 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.

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

- 30a. Motion approving the following Closed Session resolution at 9:27 p.m. was made by Councilman Di Dio, seconded by Councilman Barad and declared carried by Mayor Glidden upon an 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)(7), “A matter falling within the attorney-client privilege”; 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 4 weeks.

Mayor Glidden resumed the Regular Meeting at 9:58 p.m.

31. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:58 p.m. was made by Councilman Hennessey, seconded by Councilwoman Latner and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council  
on June 4, 2015 for approval at the  
Regular Meeting to be held  
June 10, 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 June 10, 2015  
Consent Agenda Item No. 26a.

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION NOTES – MAY 27, 2015 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, May 27, 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 (7:35 p.m.)  
Borough Administrator, Jonathan DeJoseph  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Tax Collector/Temporary Chief Financial Officer, Maria Passafaro  
Superintendent of Public Works, William Dahle, III  
Chief of Police, Dennis Kaine  
Fire Chief, Brian Pierro

Mayor Glidden deviated from the Agenda and asked that the following item on the Regular Meeting Agenda be addressed at this time.

**PRESENTATION TO BE MADE BY COUNTY CLERK, JOHN HOGAN, RE CLOSTER HISTORICAL POSTER (Requested 3/31/15/reconfirmed for this meeting on 5/12/15)**

At this time, Bergen County Clerk, John Hogan, said that his office has reviewed documents preserved in his office and that same should not only be preserved but shared with other municipalities. The documents include original articles of incorporation, maps, exempt firefighter certificates and election results from the first election. The documents were scanned and a collage of same was done for each town for presentation to the towns. He related some of the history of the County and showed a map depicting Closter in January 1887 in addition to a certification of the New Jersey Department of State of an act passed in 1903 incorporating the Borough of Closter and an exempt fireman's certificate for Albert Sneden also dated 1903. Closter is the 4<sup>th</sup> town he has visited to make this historical presentation. He said that if requested by the Borough, his office can set up an office for three days to provide services such as voter registration, passport application and trade names.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF MAY 14, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 9 was removed by Councilwoman Latner; Item No. 7 was removed by the Borough Clerk.

Item No. 7: Received 05/13/15, dated 05/13/15 from Michaela Tomanova to Maria Passafaro re Letter of resignation from Borough position as Tax Collector Assistant/Payroll Clerk effective 5/28/15

The Borough Clerk wished to note this item with no further comment.

Item No. 9: Received 05/14/15, dated 04/27/15 from Demarest Borough Clerk/Coordinator, to Municipal Clerk re Certified copy of Resolution Congratulating Anthony Rubinetti on State Tournament Results and Outstanding High School Wrestling Career

Councilwoman Latner wished to express her congratulations to Anthony Rubinetti as she has known him most of his life because she was a substitute teacher when he was in first grade; and said it is wonderful to see his accomplishments which are being acknowledged.

b. MAIL LIST OF MAY 21, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item Nos. 3 and 9 were removed by Borough Clerk; Item No. 10 was removed by Borough Attorney; Item No. 14 was removed by Borough Administrator.

Item No. 3: Received 05/14/15, dated 05/14/15 from Lisa Katz, Closter Chamber of Commerce re Request for permission to conduct Sidewalk Sale for 2015 on Thursday, 7/30 and Friday, 7/31 from 9 a.m. to 9 p.m.; and Saturday, 8/1 from 9 a.m. to 6 p.m.; Certificate of Insurance to be forwarded in the near future; **also** request for waiver of the fees for participants; **and** permission to hang Sidewalk Sale banner across Vervalen Street in early July. Note: Although noted in the letter, no Hold Harmless Agreement was enclosed with this letter! (Copy to Risk Management Consultant)

The Borough Clerk informed this item was sent without the mentioned Hold Harmless Agreement but did contain the Certificate of Insurance which has been approved for the sale only. We are waiting for a Certificate of Insurance for the hanging of the banner across Vervalen Street, which has to be approved. Ms. Castano voiced the need for the Borough to firm up the regulations for banners and events as there was recently a banner over Vervalen Street announcing the Memorial Day Parade that had not been requested or approved as well as many signs placed on the Borough right-of-way around town.

Item No. 9: Received 05/18/15, dated 05/15/15 from Philip J. Murphy, Chair, Steering Committee, Bergen Bike Tour, Volunteer Center of Bergen County, Inc. re Request for permission to conduct the 20<sup>th</sup> Annual Bergen Bike Tour partially through the Borough on Sunday, 10/4/15, between 7:30 a.m. and 1 p.m. (Copy to Glenn Parsells, Chief Kaine)

The Borough Clerk informed this item has been forwarded to the Administrator for follow through of insurance requirements and will be placed on his Work Session Agenda for update.

Item No. 10: Received 05/18/15, dated 05/15/15 from Stuart D. Liebman, Wells, Jaworski & Liebman, LLP, to Loretta Castano, Borough Clerk; c: James Crimmins re 49 John Street, Closter, NJ – 2<sup>nd</sup> request for consideration of zone change for the area of John Street with open invitation to meet with the Governing Body and its professionals to discuss a possible zone change WITH copy of letter dated 6/9/14 from Mayor Heymann

The Borough Attorney recalled this issue has been discussed in the past; and he is not sure what the follow up was on that or if it was discussed at the Planning Board. Councilwoman Amitai voiced her understanding that Mayor Sophie did not send it to the Planning Board. Mr. Rogan informed this is a request to again look at the issue and has been the subject of litigation. Mayor Glidden invited Mr. Liebman to speak regarding same.

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – MAY 27, 2015 - 7:30 P.M.

Stuart D. Liebman reiterated that he and his client would like to work constructively with the Borough and ask again for the zoning relief he has requested in the past. The intention is to hopefully be able to redevelop some of the properties there and maybe use them in a way that is more consistent with the area that exists. The area is zoned residential but is heavily impacted by commercial. Mr. Liebman said it was mentioned in the Master Plan back to 1981 and discussion continues with the current reexamination; and he urged the current Planning Board to consider alternative approaches to resolve this issue. Mr. Liebman said he would like to be involved in the process and asked to be kept informed on the status of same.

Item No. 14: Received 05/20/15, dated No Date from The Closter Chamber of Commerce, Inc. re Letter addressed to “Prospective Tenant, Business Owner or Property Owner” with Chamber of Commerce information AND requesting the Mayor and Council consider including same at time of issuance of a CCO

The Borough Administrator explained this packet was received from the Chamber of Commerce and they are requesting permission from the Mayor and Council to have this membership information included with the issuance of a new CCO by the Building Department in Closter. Mayor Glidden asked for a Resolution to approve same at the next meeting.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of May 27, 2015)

Mayor Glidden asked if anyone wished to remove any item for discussion. No one wished to remove any items for discussion.

6. COMMITTEE REPORTS

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

- 1) STATUS REPORT RE CLOSTER WEBSITE
- 2) REPORT – Councilman Hennessey informed he had no report this evening.

B. PUBLIC SAFETY - DOLSON (AMITAI/LATNER)

- 1) REPORT – Councilman Dolson informed he had no report this evening.

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

1) REPORT – Councilwoman Latner informed she had a few items to report this evening. She referred to the DPW Committee meeting held this morning; and asked the Borough Engineer if the curbs for the Hickory Lane project would be addressed. Mr. DeNicola informed there will not be sloped curbs going across the driveway but will be appropriately blended. The curbs are not being carried across the driveways.

Mrs. Latner reported the AV machine at the Library has ceased functioning but will be replaced through the generosity of the “Friends of the Closter Library”. The Library will have several programs this summer for children as well as adults; 1,000 Books Before Kindergarten for preschoolers, Escape the Ordinary Be a Hometown Hero for adults and kids and all of the proceeds will be given to the Closter Food Pantry or Volunteer Ambulance Corps based on how much is read. Mrs. Latner expressed gratitude on behalf of the Library for the budget appropriation transferring funds to them.

Councilwoman Latner reported she attended a meeting on behalf of the Mayor for the alliance and said the Bergen County Prosecutor’s Office made a presentation regarding a program that replaces the former D.A.R.E. program in schools. She asked Chief Kaine if he had been informed about the Law Enforcement Against Drugs (LEAD) Program; and the Chief informed they were recently made aware of the program and they will be transitioning to LEAD. Mrs. Latner said it was something all of the towns can get involved in and share it equally because it is a community based coalition that would be eligible for different grants. She reported the Northern Valley Coalition continues to educate on drug abuse and drinking and there has been positive response. She forwarded a newsletter to the Council and hopes everyone will take the time to read it.

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – MAY 27, 2015 - 7:30 P.M.

6. COMMITTEE REPORTS (Continued)

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

Mrs. Latner informed she attended the NVRHS Referendum follow up meeting on behalf of Mayor Glidden and reported they are trying to figure out a way to rework everything in light of the resounding defeat. They would like to make the advances with the STEM program and they acknowledged there were issues with the cost of the Junction so they hope to have another Referendum in September, October or November if possible. The Board wants to urge the younger parents to get involved and come out to vote because these things affect them the most. She was sad to report that Interim Superintendent Larry Hughes is stepping down in July and they are looking for a new Interim Superintendent. The Board has had people who have applied but they felt that they were not an appropriate choice for the Northern Valley High School.

D. ORDINANCES - BARAD (HENNESSEY/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported there are five (5) ordinances on the Agenda this evening for introduction as a result of the last Ordinance Committee meeting. Dr. Barad noted one of them has to do with longevity because they were asked to craft something about that. The ordinance presented would change the longevity at the end of this year. The Borough Clerk wished to confirm for all in attendance that the Chapter 48 ordinance was being introduced this evening with a public hearing to be held on June 10, 2015; and Dr. Barad affirmed same.

2) REPORT – Councilman Barad referred to the potted plants the Improvement Commission has in the downtown area and would like to request that the DPW assist in watering them because after numerous requests to the shop owners to water the plants, they go neglected. He said the plants would need to be watered at least twice a week in the hottest part of the summer. Supt. of Public Works said if it can be done, he will have the Department do so. Mayor Glidden said we should get hold of the store owners and let them know we are doing this to make the town better looking which improves their businesses and they need to chip in. He suggested that if they didn't want the flowers to move the pots away from them.

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

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Di Dio reported he met with the Borough Administrator regarding establishing an agenda for the Human Resources Committee and said they will be holding a meeting soon.

2) REPORT – Councilman Di Dio reported he attended the Closter Board of Education meeting and said the PTO during their fundraiser raised approximately \$76,000 to help teachers buy supplies and necessary items for Closter schools. He noted Tenakill School will begin replacing their gymnasium floor starting June 25<sup>th</sup> and that there will be a poetry festival on June 3<sup>rd</sup> at both schools. The Board celebrated three teachers for 20 years of outstanding service.

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 did not meet this month. The Building Department will be meeting in about a week or so and Closter Marketplace has deposited escrow funds and they almost have shovels in the ground. The Construction Official has been meeting on a weekly basis and that is moving along. Councilwoman Amitai noted the Planning Board will be meeting tomorrow night.

At this time, Mayor Glidden voiced his opinion that the Memorial Day Parade was successful and noted the addition of a competition for the floats this year. He said there were a lot of volunteers and they should all be congratulated for their efforts.

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – MAY 27, 2015 - 7:30 P.M.

7. OLD BUSINESS

8. NEW BUSINESS

Borough Administrator requested the inclusion of the following in the June 10<sup>th</sup> agenda a resolution authorizing going out to bid for the \$90,000 FEMA grant for the Library generator. The monies previously appropriated for the generator can now be transferred into DPW because it is our central and shared services fuel station.

Mr. DeJoseph reported he is working with the vendor on correcting the copier contracts to provide a new copier for the Police Department as well as the Building Department.

The Administrator said he is working with the State Department of Energy for the Direct Install Program for Town Hall and the Senior Center where we pay 30% of the upgrade and the grant pays the remaining 70%. He said that he is reviewing the use of Community Development as a match for the Senior Center. His only concern is that we have an open grant for the Lewis Street door but noted we are having a problem with the contractor.

Mr. DeJoseph informed The Right to Know survey must be filed for 2013 and 2014 and he is working with vendors on quotations to be received by the June 30<sup>th</sup> deadline. He is also working on the Summer Concerts Resolution for June and July.

Tax Collector/Temporary Chief Financial Officer reminded the governing body that estimated tax bills would be sent to the residents because of the delay of the County Tax Rate. A resolution would be needed for the next meeting. In answer to Mayor Glidden, she said the delay is more substantial and we can't afford to not send out the estimated bills.

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 damage to the road by the railroad crossing and said that he was glad to see it would be fixed this year. He said he felt the Memorial Day Parade is getting smaller and smaller each year; and since we have regionalized other parades, he suggested that the same be done with the Memorial Day Parade. He expressed concern about the bushes to be removed along Durie Avenue, which are still alive and noted that the tree from the Old Garret house is still lying on Borough property. Mr. Isaacson referred to a newspaper article about the (City of) Englewood one-man garbage collection trucks where two 90-gallon barrels are given to each homeowner and same are picked up. Councilwoman Latner said that method has been explored in the past; and Supt. of Public Works said that the cost of the trucks and cans are being investigated. Mr. Isaacson asked if the street cleaner is being used as his street is covered with pollen and tree debris. He suggested that the lease with Ken's Tree Care be reexamined since same has not been done in a long time and there are no invoices and that a fair market appraisal of the land and services should be done. Borough Attorney said he does not know where Mr. Isaacson gets his information from because same is bid every three years and we cannot make companies bid on the service. Mr. Isaacson noted that he has seen other companies in the downtown area doing the tree work; and wanted to know why we are spending extra money on these services.

Diane Smith, 419 Closter Dock Road, referred to the Introduction of Ordinance Item No. 10c on the Regular Meeting Agenda and Mayor Glidden advised that discussion of this ordinance would be held at the Regular Meeting to follow the Work Session.

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – MAY 27, 2015 - 7:30 P.M.

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 8:10 p.m. was made by Councilwoman Amitai, seconded by Councilman Di Dio and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on  
June 4, 2015, for approval at the  
Regular Meeting to be held  
June 10, 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 June 10, 2015  
Consent Agenda Item No. 26b.