

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MARCH 9, 2016 - 7:30 P.M.

Mayor Glidden called the meeting to order at 9:00 p.m.

1. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Annual Notice of Meetings which was published in The Record and the Star Ledger on January 7, 2016, was posted on the Municipal Clerk’s bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

2. ROLL CALL

The following persons were present:

- Mayor John C. Glidden, Jr.
- Councilpersons David Barad, Alissa Latner, Robert Di Dio, Brian Stabile, Jannie Chung and Victoria Amitai
- Borough Attorney, Edward T. Rogan
- Tax Collector/Temporary CFO, Maria Passafaro
- Borough Clerk, Loretta Castano
- Borough Engineer, Nick DeNicola
- Chief of Police, Dennis Kaine

3. MAYORAL APPOINTMENTS* TO THE FOLLOWING BOARDS AND COMMISSIONS NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/16:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
*Environmental Commission				
Member/Shade Tree Liaison	<u>Brian Stabile</u> (Elected to Council)	_____	3 Years (Unexp. Stabile)	31-Dec-17
*Shade Tree Commission				
Member/Environmental Commission Liaison	<u>Brian Stabile</u> (Elected to Council)	_____	5 Years (Unexp. Stabile)	31-Dec-16

4. PRESENTATION BY CLOSTER AMBULANCE AND RESCUE CORPS (Requested by Mayor 3/1/16)
This presentation was made in the Work Session.

5a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 8, to be discussed in closed session; and 9, which is not needed due to approval of Item No. 10, was made by Councilman Barad, seconded by Councilman Stabile and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Chung and Amitai.

RESOLUTIONS

6. BILL RESOLUTION - MARCH 15, 2016 (Received from Deputy Treasurer 3/4/16)

7. RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO SIGN GEOGRAPHICAL INFORMATION SYSTEM DATA (GIS DATA) EXCHANGE AGREEMENT WITH THE COUNTY OF BERGEN (Received from Borough Attorney 2/25/16)

Councilwoman Amitai questioned the need for this agreement and Councilman Stabile said it is like using the Google maps but with more capability. It would provide Borough information for the residents and there is no cost to the Borough.

8. ~~RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION IN THE AMOUNT OF \$_____ (Amount to be provided at the Regular Meeting) FOR “GENERAL ADMINISTRATION - OTHER EXPENSES” (Received from Administrator 2/29/16)~~
~~*REQUIRING 2/3 MAJORITY - TO BE VOTED UPON SEPARATELY!!~~

9. ~~RESOLUTION AWARDED CERTAIN BANKING SERVICES BUSINESS TO INVESTORS BANK, 101 JFK PARKWAY, SHORT HILLS, NJ 07078, IN THE AMOUNT OF \$70,025.00, AS OUTLINED IN THE RFP ADVERTISED BY THE BOROUGH ON 1/27/16 (Received from Borough Attorney 3/3/16)~~

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10. RESOLUTION AMENDING RESOLUTION NO. 17 ADOPTED AT THE REORGANIZATION MEETING HELD 1/4/16 DESIGNATING OFFICIAL DEPOSITORIES TO ADD INVESTORS BANK, SHORT HILLS/FORT LEE, NEW JERSEY (Received from Borough Attorney 3/3/16)
11. RESOLUTION AUTHORIZING THE MAYOR TO SIGN AT&T CONSENT LETTER FOR EQUIPMENT MODIFICATIONS SUBJECT TO THE APPROVALS OF THE ZONING OFFICER AND CONSTRUCTION OFFICIAL (Received from Borough Attorney 3/2/16)
12. RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE THE CONTRACT BETWEEN THE BOROUGH OF CLOSTER AND PBA LOCAL 233 DATED JANUARY 31, 2015 THROUGH DECEMBER 31, 2019 (Requested by Borough Attorney 3/3/16)
TO BE PREPARED BY BOROUGH ATTORNEY

MOTIONS

13. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 03/03/16) – ABSTENTIONS:
 BARAD/DI DIO
 - a. REGULAR MEETING HELD FEBRUARY 24, 2016
 - b. WORK SESSION HELD FEBRUARY 24, 2016
14. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/16:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Treasurer	<u>No Appointment in 2015</u>	_____	1 Year	31-Dec-16
Board of Health				
Alternate No. 2	<u>(Jeanne Baer)</u>	_____	2 Years	31-Dec-17

15. MOTION APPROVING THE FOLLOWING *SALARIED* APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/16:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Municipal Court				
Deputy Court Administrator	<u>No Appointment in 2015</u>	_____	1 Year	31-Dec-16

16. MOTION APPROVING THE FOLLOWING APPLICATION AS NEW MEMBER OF THE KNICKERBOCKER HOOK AND LADDER COMPANY: JOHN E. YOUNG (Completed application received 3/02/16)
17. MOTION GRANTING APPROVAL FOR ISSUANCE BY POLICE DEPARTMENT OF THE FOLLOWING HAWKERS AND PEDDLERS LICENSE FOR CALENDAR YEAR 2016 PER BOROUGH CODE CH. 127 (Received from Chief of Police 3/2/16):

In answer to Councilman Stabile, Borough Attorney advised that the applicants are put through a background check by the Police Department. In answer to Councilwoman Latner, Chief Kaine advised that the fee for the license has been raised from \$100 to \$500 per person per year. There must also be an objective criteria to approve or disapprove a license application.

PERMIT NO. 16-004 – FOR HERNAN A. ARBAIZA, 1133 51ST STREET, NORTH BERGEN, NJ 07047, LAKEVIEW PROMOTIONS, 6 KINGS BRIDGE ROAD, FAIRFIELD, NJ 07004 TO MARKET VERIZON FIOS

18. MOTION GRANTING APPROVAL FOR CLOSTER PTO TO CONDUCT ON PREMISE 50/50 CASH RAFFLE AT TENAKILL MIDDLE SCHOOL, 275 HIGH STREET, ON FRIDAY, 4/1/16, FROM 7:00 P.M. TO 11:00 P.M.; DRAWING TO BE HELD: 10:30 P.M. (Completed application filed and appropriate fees paid 3/3/16)

19. REPORTS

- a. CONSTRUCTION OFFICIAL – FEBRUARY 2016 (Received 3/1/16)
- b. FIRE CHIEF – FEBRUARY 2016 (Received 3/2/16)
- c. CHIEF OF POLICE – FEBRUARY 2016 (Received 3/8/16)

- 5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

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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.

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

Councilwoman Amitai referred to the Closter Improvement Commission Hoedown request and Borough Clerk advised that all of the necessary approvals have not been received as yet.

Councilwoman Latner referred to the estimates for the Fire House fire horn and there were questions about the height, which would be reviewed by the Department. Mayor Glidden suggested that she contact the former Administrator on this matter.

Councilman Stabile said it was important that all of the Department Heads meet to determine a power tree of who is in charge of certain cross over matters. Mayor Glidden said that is a good suggestions but it is one of the objectives of bringing on a consultant, which we will discuss in Closed Session.

- 21a. Motion approving the following Closed Session Resolution at 9:15 p.m. was made by Councilman Di Dio, seconded by Councilman Barad and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Chung 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 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 6 weeks.

Mayor Glidden resumed the Regular Meeting at 10:50 p.m.

- 18a. The following motion was made by Councilwoman Amitai and seconded by Councilman Barad as dictated by the Borough Attorney:

MOTION TO HIRE FRANK DYER AS A SUBSTITUTE FOR THE REGULAR PART-TIME ELECTRICAL INSPECTOR FOR THE WEEK OF MARCH 21, 2016, SUBJECT TO A BACKGROUND CHECK

Said Motion was declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Chung and Amitai.

- 18b. The following motion was made by Councilman DiDio and seconded by Councilman Stabile:

MOTION TO HIRE THE CANNING GROUP AT A COST OF \$14,000 TO EVALUATE THE BOROUGH'S STATUS, SUBJECT TO A CONTRACT AND THE INFORMATION PROVIDED TO US IN THE ORIGINAL PROPOSAL OF FEBRUARY 22, 2016

Said motion was declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Latner, Di Dio, Stabile, Chung and Amitai. Councilman Barad voted no.

8. *RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION IN THE AMOUNT OF \$44,400.00 (Amount to be provided at the Regular Meeting) FOR "GENERAL ADMINISTRATION - OTHER EXPENSES" (Received from Administrator 2/29/16)
*REQUIRING 2/3 MAJORITY - TO BE VOTED UPON SEPARATELY!!

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

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22. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:55 p.m. was made by Councilman Barad, seconded by Councilman Stabile and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on
March 17, 2016 for approval at
Regular Meeting to be held
March 23, 2016

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held March 23, 2016
Consent Agenda Item No. 20a.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – MARCH 9, 2016 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, March 9, 2016. Mayor Glidden called the meeting to order at 7:31 p.m.

1. PLEDGE OF ALLEGIANCE

Mayor Glidden invited all to join in the Pledge of Allegiance.

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Annual Notice of Meetings which was published in The Record and the Star Ledger on January 7, 2016, was posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

3. ROLL CALL

The following persons were present

Mayor John C. Glidden, Jr.
Councilpersons David Barad, Alissa Latner, Robert Di Dio, Brian Stabile,
Jannie Chung (7:40 p.m.) and Victoria Amitai
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

Mayor Glidden deviated from the Work Session Agenda and asked that the following item on the Regular Meeting Agenda be held at this time:

PRESENTATION BY CLOSTER AMBULANCE AND RESCUE CORPS (Requested by Mayor 3/1/16)

Terri DeLyon, Captain of the Closter Volunteer Ambulance and Rescue Corps, explained the history of the Corps starting in 1935, with a first call in 1936 and provided service during County wide emergencies such as Hurricanes Floyd and Sandy, the World Trade attacks in 1993 and 2001 and the 2003 Blackout. There are currently 40 active members ranging in age from 16 to infinity; and the yearly calls range from 600 to just over 800, with man hours of 1,700 to 4,500 per year. The Corps currently has two ambulances, a heavy rescue truck, a boat and a first responder vehicle; and the response area is Closter, Alpine, Palisades Interstate Parkway and the mutual aid towns of the Northern Valley. We work with the East Bergen Rappel Team and are expecting our new ambulance in October.

Lieutenant Ross Herbert explained the rescue functions of the Corps such as high angle rope rescues and noted that the Corps provides CPR education to Scouts, coaches in addition to defibrillator instruction to all coaches. The Corps also stands by during inclement weather to reduce response time in addition to coverage at sporting events. The EMT course is approximately 200 hours, the first responder rescue course is approximate 40 hours and the police are also trained as first responders and are one of the only departments in this area who are trained to this level. The corps does a monthly medical drill.

First Lieutenant Barbara Elarde provided information on changing certifications for patients in addition to defibrillator usage, epi pens, inhaler assists and the Lucas CPR device to manage cardiac arrests, which are

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now in police cars. The cost of the unit was \$16,000. She said that the Corps is now certified to use NARCAN for heroin overdoses. The members are also trained to use hand tools, air tools and jaws of life for rescue situations

Councilwoman Chung entered the meeting at 7:40 p.m.

The EMS Club was started in the High School a few years ago and a Cadet Team was developed for those 16 years and older in Closter and surrounding towns. To remain on the team, 30 credits per year must be obtained through meetings, calls and drills. She said she has been a member of the Corps for 28 years and very proud of the organization.

In answer to Mayor Glidden, Lieutenant Herbert explained that the Corps has had calls involving cliff rescue a number of times last year and in addition to the rescue of approximately 30 hikers trapped on the boulder field several years ago.

Mayor Glidden thanked them for their service and volunteerism and noted that his son has applied for membership. In answer to Councilman Stabile, Captain DeLyon advised that coverage is provided by other towns when the Corps has the Installation Dinner and in cases that an ambulance is not available in other towns. Closter covers the Northern Valley on Tuesday and each other town has a specific day for coverage. In answer to Councilwoman Amitai, Lieutenant Herbert advised that the LUCAS machine is fully adjustable for each person whether large or small. The machine can be used in conjunction with the defibrillator.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF FEBRUARY 25, 2016 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 5 was removed by Councilwoman Chung; Item No. 12 was removed by Borough Clerk.

Item No. 5: Received 01/26/16, dated 01/26/16 from Barbara R. Demarest, 260 Durie Avenue, Closter, NJ, to Mayor John C. Glidden, Jr.; c: NJDEP Commissioner, Bob Martin re Burning odor in/around the corner of Durie Avenue & Knickerbocker Road (Copy to Chief Kaine, William Dahle, III, Board of Health, Environmental Commission)

Councilwoman Chung asked Chief Kaine for additional details regarding the complaint and what has been done so far. The Chief explained they had a call for service last week when they first received the letter; and the Department has been there numerous times with the Fire Department and have been unable to locate where the odor was coming from. NJDEP was here on 3/6/16 and they will be coming back to test the air in front of the location with computerized testers. In response to Ms. Chung, he said this was the only resident complaining about this odor. Councilman Di Dio informed he ran into Ms. Demarest recently and she indicated to him she believed the issue is being caused by one of her neighbors with an outdoor fire pit; and they are burning all kinds of wood and “whatever” and the smoke seeps into her home. Chief Kaine said his officers have been out there a lot and were unable to find anything. Councilwoman Latner noted there were eleven (11) reports in 2015. Mrs. Chung questioned if the Borough had an ordinance requiring a permit for the use of a fire pit and Ms. Amitai said only if it was hooked up to a gas line would one be required. The Borough Attorney affirmed there are no ordinances regulating outdoor fire pits at this time. Mrs. Amitai voiced her understanding that we have an ordinance that we can’t burn leaves; therefore, she would think there should be a regulation in that regard. Ms. Chung asked if there have been any past incidents caused by the embers from fire pits; and Chief Kaine said not that he could recall, but noted there have been several barbeque fires that extended to a residence.

Item No. 12: Received 02/25/16, dated 02/23/16 from Robert Laux, Executive Director, Bergen County Utilities Authority re Bergen County Utilities Authority (BCUA) Sewer Connection Fee Municipal

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Incentive Program Rebate – in the amount \$70.31 – voucher to be returned to the BCUA no later than 3/18/2016 (Copy of letter AND original voucher to Administrator 2/25/16)

Borough Clerk wished to call this item to attention noting the deadline is 3/18/16 and the Temporary CFO informed the voucher was sent back yesterday. The Borough Clerk and Mayor thanked Ms. Passafaro for same.

b. MAIL LIST OF MARCH 3, 2016 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 18 was removed by Councilwoman Latner; Item No. 7.a.V. was removed by Councilwoman Amitai; Item No. 9 was removed by Borough Attorney.

Item No. 18: Received 02/29/16, dated 02/23/16 from Michael J. Cino, 23 Woodland Road, Demarest re Letter confirming that a Request for Investigation and Filing of Complaint has been sent to the New Jersey State Attorney General concerning actions surrounding the Northern Valley High School District Referendum scheduled to be held 3/8/16 (Copy to Joannette Femia, School Business Administrator/ Board Secretary, NVRHS Board of Education)

Councilwoman Latner reminded when she attended school board meetings she did follow up with Dr. Gordon on some of the noted issues and said she found the letter interesting in terms of some of his complaints. She was assured by Dr. Gordon that everything was done by the rules and there was nothing illegitimate about it. The last Referendum received a lot of complaints; and the Board did a better job this time getting the information out and now there are a lot of accusations that things weren't done the right way. She feels there is no merit to those claims.

Item No. 7.a.V.: Received 02/26/16, dated 02/26/16 from Michael J. Darcy, CAE, Executive Director, NJS League of Municipalities re Recent Unreported Appellate Division Decision Regarding Municipal Inspection (Copy to Construction Official)

Councilwoman Amitai asked the Borough Attorney to advise how this Appellate decision might impact Closter and affect the Village School application. Borough Attorney informed he would report back on same.

At this time Councilwoman Amitai referred to an item on the Consent Agenda and asked if we would be hosting AT&T in addition to Verizon on our cell tower. Councilman Stabile noted we already have both carriers; and Councilman Di Dio wished to discuss the topic further. He noted we have not yet received any payment from AT&T for rent from January 1st and asked the Temporary CFO regarding its status. Ms. Passafaro explained that JoAnn Riccardi is working with the vendor; and we anticipate payment by 4/1/16. In response to Mr. Di Dio, Borough Attorney explained that the deadline was not as clear as first thought as it runs from an effective date but affirmed his office is working on same.

Item No. 9.: Received 02/26/16, dated 02/15/16 from PERMA Risk Management Services to Municipal Excess Liability Joint Insurance Fund (Municipalities and Utility Authorities) re 2017-2018 Employment Practices Liability (EPL) Program

Borough Attorney informed this is an item we need to keep an eye on as part of the Risk Management requirement that every two years we are in compliance to get the appropriate discounts from the JIF. He said normally the Administrator would handle this; and he does not know if anything has been done with it yet. He requested it be kept on the radar for compliance. Borough Clerk informed that after a conversation with Ms. Riccardi, her office posted the most current notices on the Public Bulletin Board. Mr. Rogan noted there are classes and training among other things involved; and said we need to stay on top of it in the absence of an Administrator; and asked it to be placed on his Work Session Agenda for follow through.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of March 9, 2016)

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Mayor Glidden asked if anyone wished to discuss any item listed on the Consent Agenda for the Regular Meeting. Item No. 6 was removed by Councilwoman Amitai; Item No. 8 was removed by Mayor Glidden; Item No. 9 was removed by Councilman Stabile; Item No. 12 was removed by Councilwoman Latner.

Borough Clerk informed she received the report from the Chief of Police and requested this item be added as No. 19c.

6. BILL RESOLUTION - MARCH 15, 2016 (Received from Deputy Treasurer 3/4/16)

Councilwoman Amitai questioned the charge for Palisade Tree Service in the amount of \$900 and voiced her understanding that the Borough uses Ken's Tree Care for everything. Mayor Glidden informed he would look into same and asked if she wished to carry this item to the next meeting. Borough Clerk invited the Temporary CFO to look in the folders for same to show Mrs. Amitai.

Ms. Passafaro reported that the work was done at the Library; it was contracted by the former Administrator and she was not aware if it was in relation to the generator installation. She affirmed it falls under the Borough's "Buildings and Grounds".

~~8.~~ *RESOLUTION AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION IN THE AMOUNT OF \$_____ (Amount to be provided at the Regular Meeting) FOR "GENERAL ADMINISTRATION - OTHER EXPENSES" (Received from Administrator 2/29/16)
*REQUIRING 2/3 MAJORITY - TO BE VOTED UPON SEPARATELY!!

Mayor Glidden removed this item from the Consent Agenda as it needs to be voted on separately. Borough Attorney questioned if there was an amount for this yet. Councilman Stabile noted they were waiting on a contract for this figure; and Councilman Di Dio affirmed the HR Committee chose to go with Canning Group so they have decided on the figure to use. Mayor Glidden asked that this be removed in order to discuss same in Closed Session under contract negotiations.

~~9.~~ RESOLUTION AWARDED CERTAIN BANKING SERVICES BUSINESS TO INVESTORS BANK, 101 JFK PARKWAY, SHORT HILLS, NJ 07078, IN THE AMOUNT OF \$70,025.00, AS OUTLINED IN THE RFP ADVERTISED BY THE BOROUGH ON 1/27/16 (Received from Borough Attorney 3/3/16)

Borough Attorney advised that this resolution has been replaced by Item No. 10 and can be removed permanently. He said this was based on preliminary information that came in and Resolution No. 10 is more accurate since we are amending another Resolution to add this banking facility.

10. RESOLUTION AMENDING RESOLUTION NO. 17 ADOPTED AT THE REORGANIZATION MEETING HELD 1/4/16 DESIGNATING OFFICIAL DEPOSITORIES TO ADD INVESTORS BANK, SHORT HILLS/FORT LEE, NEW JERSEY (Received from Borough Attorney 3/3/16)

~~12.~~ RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE THE CONTRACT BETWEEN THE BOROUGH OF CLOSTER AND PBA LOCAL 233 DATED JANUARY 31, 2015 THROUGH DECEMBER 31, 2019 (Requested by Borough Attorney 3/3/16)
TO BE PREPARED BY BOROUGH ATTORNEY

In answer to Councilwoman Latner relative to a delay, Borough Attorney advised that he had asked that certain language that was no longer applicable be removed; no other changes were made but the delay was on the part of the other attorney.

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19. REPORTS

- a. CONSTRUCTION OFFICIAL – FEBRUARY 2016 (Received 3/1/16)
- b. FIRE CHIEF – FEBRUARY 2016 (Received 3/2/16)
- c. CHIEF OF POLICE – FEBRUARY 2016 (Received 3/8/16)

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

- 1) STATUS REPORT RE CONTRACT FOR THE PURCHASE OF MULTIPLE
CONDOMINIUM UNITS AT VILLAGE SCHOOL SITE (RM 11/24/14) – Borough

Attorney reported he and Gary Montroy met this week with David Watkins and the architects for the Village School project; and the finalized plans have been submitted to the Zoning Board of Adjustment for consideration. He will keep the Council apprised of the status.

- 2) REPORT – Mr. Rogan reported the Mayor called the COAH Committee to meet tomorrow night at 6 p.m. They will discuss various matters that have occurred over the past several weeks. The Mayor was informed we did get a favorable response from the court appointed Special Master of our preliminary preparation as he was very impressed with the presentation that was made. In terms of the actual number of units that will be required, that is still very up in the air. There is still a lot going on statewide regarding litigation between the Town Coalition of hundreds of municipalities and the Fair Housing Advocacy Group because the numbers are very far apart as to what everyone feels their numbers should be. There is no certainty as to numbers right now; but we are proceeding forward with our plans as to zoning changes, overlay zones and possible sites for affordable housing. The statewide consortium has recommended breaking down into smaller consortiums so the Bergen County consortium will be meeting on 3/15/16 in Teaneck. All of the defending attorneys will be meeting together for the first time to discuss the best approach for Bergen County. He expressed that this is a very complicated issue but noted that, to date, there have been no objections to Closter's submissions and all of our documentation has been timely. Even the Fair Housing group has not objected, which Mr. Rogan thought was unusual since they have objected to a majority of the other plans submitted in other municipalities.

Borough Attorney reported that on St. Patrick's Day (3/17/16) he will be appearing along with Joe Zavardino and Gary Montroy at the Morris County Construction Board of Appeals because Metro Farm has filed an appeal over certain requests for greenhouse construction a/k/a farm stand. Our Construction Department has denied it for various reasons; the farm has appealed that; and due to a conflict with the Bergen County Board, the case was moved to Morris County.

Mr. Rogan affirmed Ms. Latner's earlier comment that the PBA contract has finally been sent back and it is on the Agenda for approval of signatures this evening. Although we are already in the second year, he said it is a four-year contract.

In answer to Mrs. Amitai, he affirmed the Construction Board of Appeals hearings are open to the public and they begin at 7:30 p.m.

In response to Councilman Barad, Mr. Rogan informed currently Village School has 33 units in the plan and we saw the preliminary plans. One of the units is a three bedroom; and though they are small units, the plans look nice aesthetically and there are ingress and egress mapped out with buffers. They are no longer contemplating knocking down the newer portions of the building to preserve the oldest part, but will preserve the entire building instead. In answer to Ms. Amitai, he said the Borough will own four COAH units and the price is determined by square footage. He explained it is a floating number but said we can expect between \$450,000 to \$500,000 as proposed; but cautioned the Zoning Board of adjustment could change that. Mayor Glidden referred to the Borough's contract for the units and asked if the COAH funds obligated in there was for how many units. Mr. Rogan said the original numbers were for seven units at a cost of \$900,000. The Mayor asked if we would be obligated to take a certain number of units under the contract or would we be able to walk away; and Borough Attorney informed we would be obligated to buy at least on a pro rata basis.

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6. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER

- 1) STATUS REPORT RE DPW REMEDIATION (Authorized /RM 4/23/14)
- 2) STATUS REPORT RE SWIM CLUB PHASE II CONTAMINATION

INVESTIGATION (Authorized/RM 7/9/14) – At Mayor Glidden’s request, Mr. DeNicola provided a brief report on the Swim Club. He reminded Boswell has a proposal into the Borough from Foster Wheeler to do a risk assessment mitigation because most of the contamination is in wetlands area. It is counterproductive to excavate wetland; and a lot of the contamination can be risked away. In answer to Councilman Barad, he said low level contamination can be left alone but higher levels must be excavated and remediated accordingly. Contamination of low level outside of the wetlands area must also be remediated. Roughly 50 percent of the contamination can be mitigated away. He advised at some point the Environmental Specialist will ask about the status; and he said the Borough should make a decision which direction to go. Mr. DeNicola offered to reschedule the meeting with the Environmental Specialist.

- 3) STATUS REPORT RE FOLLOWING DEVELOPER’S AGREEMENTS:
 - a. BLOCK 1607/LOT 1 & BLOCK 1310/LOT 2 (CLOSTER MARKETPLACE (EBA) LLC AND CENTENNIAL AME ZION CHURCH) (Approved RM 4/22/15)
 - b. 50 RAILROAD AVENUE, LLC FOR BLOCK 1205/LOT 9, 50 RAILROAD AVENUE (Approved RM 9/9/15)
 - c. 309 CLOSTER DOCK ROAD, LLC FOR BLOCK 1701/LOT 1, 309 CLOSTER DOCK ROAD (Approved RM 9/9/15 - ZBA)

4) REPORT – Mr. DeNicola reported he met with the Plaza representatives yesterday regarding schedule in order to improve VerValen Street in from of the Plaza. He said the DOT Grant application looks favorable. Edens plans to have their improvements along VerValen Street completed by on or about 8/1/16. After that is complete, the Borough will do its improvements which includes changing the road from 4 lanes to 3 lanes – 1 westbound and 2 eastbound with a center turn lane. In order to meet that date, we need to get it on track sooner or later; and though the grant has not been awarded yet , if we get it moving, we can bid it right away. He anticipates the Plaza opening in October or November but they are moving along very quickly. They plan to open 3 stores around 4/1/16. In answer to Councilman Barad, Mr. DeNicola said most of the truck traffic and heavy equipment should be gone by then and will be rerouted to the rear entrance. He said there have been no complaints regarding issuance of permits so far; and the Building Department is doing well with it.

7. REPORTS

A. BOROUGH ADMINISTRATOR

No report was provided for the following items:

- 1) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S):
 - a. Mail List requests re Insurance:
 1. Closter Recreation Commission 2016 Event Requests (7. M.L. 1/14/16)
 - a. Summer Concert Series: Friday nights @ Closter Lions Band shell/Memorial Park at 7:30 p.m.: 6/17 and 6/24; 7/8, 7/15, 7/22
- 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)
- 3) STATUS REPORT RE FOLLOWING CONTRACTS AWARDED RM 8/12/15 (Bond Ordinance No. 2015:1188 adopted 6/24/15):
 - a. PHASE TWO RENOVATION OF POLICE DEPARTMENT FIRING RANGE TO ACTION TARGET IN THE AMOUNT OF \$26,897.18
 - b. UPGRADE of the RECORDS MANAGEMENT SYSTEM POLICE DEPT. TO ENFORSYS POLICE SYSTEMS, INC. IN THE AMOUNT OF \$20,750.00

CLOSTER MAYOR AND COUNCIL
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7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

- c. RESOLUTION AUTHORIZING UPGRADES TO SENIOR CENTER UNDER THE NEW JERSEY DIRECT INSTALL PROGRAM TO LIME ENERGY IN THE TOTAL AMOUNT OF \$7,389.44 (Amended RM 8/26/15 TO INCREASE THE TOTAL PRICE BY \$40.90 FOR A REVISED TOTAL OF \$7,430.34)
- 4) ONGOING REPORT RE OUTSTANDING ITEMS ON CORRECTIVE ACTION PLAN APPROVED AT RM 7/22/15 (Requested by Councilman Barad @WS 7/8/15)
- 5) STATUS REPORT RE PREPARATION OF REQUEST FOR PROPOSALS FOR BANKING SERVICES (Authorized RM 8/12/15)
- 6) STATUS REPORT RE CONTRACT FOR EMERGENCY MEDICAL VEHICLE FOR THE CLOSTER VOLUNTEER AMBULANCE & RESCUE CORPS AWARDED TO BAY HEAD INVESTMENTS, INC. D/B/A VCI EMERGENCY VEHICLE SPECIALISTS, BERLIN, NJ IN THE AMOUNT OF \$249,936.00 (Authorized RM 10/14/15)
- 7) STATUS REPORT RE CONTRACT FOR SKAE POWER SOLUTIONS FOR AN AMOUNT NOT TO EXCEED \$5,700 FOR CLOSTER POLICE FIRING RANGE CANOPY SYSTEM (Authorized RM 10/28/15)
- 8) STATUS REPORT RE MITCHELL HUMPHREY & CO. FOR CONSTRUCTION DEPT. SOFTWARE PRODUCT LICENSE AND MAINTENANCE SUPPORT AGREEMENT IN THE AMOUNT NOT TO EXCEED \$24,750.00 FOR SOFTWARE PLUS \$10,500.00 FOR SOFTWARE MIGRATION SERVICES (Ordinance 2015:1188; Capital Account C-04-15-188-005-001 & 002) (Authorized RM 11/9/15)
- 9) STATUS REPORT RE FOLLOWING CONTRACTS FOR ELECTRICIAN JOB ORDER CONTRACTING INSTALLATION OF EMERGENCY STANDBY GENERATORS THROUGH MIDDLESEX REGIONAL EDUCATIONAL COOPERATIVE #65MCESCCPS, RFP# MRSEC-15/16-14 PURSUANT TO N.J.S.A. 40A:11-1 ET. SEQ. AWARDED RM 11/23/15:
 - a. CLOSTER DPW (Ordinance 2014:1164; Capital Account C-04-14-164-029-010)
 - b. CLOSTER PUBLIC LIBRARY (Ordinance 2015:1188; Capital Account C-04-15-188-013-001)
- 10) REPORT RE FOLLOW-UP OF RESOLUTION APPROVED AT REORGANIZATION MEETING HELD 1/4/16 RE REAFFIRMATION OF BOROUGH'S CIVIL RIGHTS POLICY
- 11) STATUS REPORT RE 2016 BUDGET PREPARATIONS
- 12) REPORT

B. BOROUGH CLERK

- 1) STATUS REPORT RE 2016 APPOINTMENTS – Borough Clerk reported that outstanding appointments are being maintained on the Regular Meeting Agenda unless being asked by the Mayor to be removed.
- 2) STATUS REPORT RE 2016 OATHS OF OFFICE – Ms. Castano reported this item is current with the exception of four Oaths waiting for person to attend a regularly scheduled meeting.
- 3) STATUS REPORT RE 2016 LICENSES – Borough Clerk reported all licenses are current. She informed we are waiting for the liquor license renewals for 2016-2017 which is being handled by the Division of Alcoholic Beverage Control. Typically the process starts in the beginning of April.
- 4) STATUS REPORT RE 2016 MEETING DATES – Ms. Castano reported a request was made for the Recreation Commission to meet on Monday, 3/7/16, in place of Tuesday, 3/8/16. The request was made by the Director, which was accomplished with the cooperation of Kevin Whitney posting it on the website after we had the change published in two newspapers to so inform the public.
- 5) STATUS REPORT RE 2015 ORDINANCES FOR CODIFICATION (Nos. 2015:1184 to 2015:1200) - CODE SUPPLEMENT NO. 22 – Borough Clerk reported this is in process.

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

6) REPORT RE ELECTIONS

a. NORTHERN VALLEY REGIONAL HIGH SCHOOL DISTRICT SPECIAL SCHOOL ELECTION HELD 3/8/16 (2. M.L. 12/31/15) WITH TIME CHANGE FROM 2 P.M. TO 9 P.M. TO 7 A.M. TO 9 P.M. (17. M.L. 2/4/16) – Ms. Castano

reported the papers said there was a successful turn out and she provided the unofficial tally for Closter as follows: Yes-526; No-349. She voiced her appreciation regarding the cooperation of the Chief of Police picking up all the election materials the day before the election and bringing them down the County the day after the election since this was a Special Election with no delivery and pick up by the County.

Ms. Castano explained that a great deal of difficulty was encountered for this election because the Board Workers had problems not only during the election, i.e. key being broken in voting machine (for a second time), as well as after the election returning all the materials to the her office from the six districts/two schools/with 3 districts each. She said that at least five informed her they will not be working at the polls for the Primary since this was too long a day – they signed up to originally work from 2 p.m. to 9 p.m. which was later changed to 7 a.m. to 9 p.m.. Ms. Castano said she plans to send a letter to the Board of Elections informing of the difficulties encountered asking that more board workers be sought out for Closter due to the projected decline foreseen for the next election. As a result of the difficulties voiced to her at the time she was obtaining all the paperwork from the board workers, she was delayed in calling in the results from the tally strips to the Board of Education.

At this time, Mrs. Latner offered the breakdown of unofficial numbers she had received regarding the other towns which were as follows: Norwood: 417 to 205; Haworth: 321 to 165; Harrington Park: 387 to 335; Old Tappan: 363 to 246 Closter: 526 to 349; Demarest: 377 to 353 and Northvale: 183 to 229 (the only town in which it was defeated).

b. PREPARATIONS FOR PRIMARY ELECTION – JUNE 7, 2016 – Borough Clerk informed that after she and her Deputy attended the Elections Meeting held in the County Clerk’s office on 2/25/16, they prepared the memos and paperwork which were sent on 3/3/16 to the Chairpersons of the Democratic and Republican Clubs. Ms. Castano reported (Councilpersons Amitai and Stabile’s terms expire 12/31/16) AND County Committee for the 6 districts comes up this year as it is for two years. The deadline for submission of all the petitions are due to be received in her office on Monday, 4/4/16, by 4:00 p.m.

7) REPORT – Borough Clerk informed that Councilman Di Dio has been requesting more business cards; and asked that if any other member of the governing body requires more to please let her know and they will order same. She will be e-mailing the request to all for their response.

C. CHIEF OF POLICE

1) REPORT – Chief Kaine informed he sent the monthly report via email and there’s nothing new to report. They conducted interviews for Police Officer yesterday and today and they will complete the scoring tomorrow and contact the Public Safety Committee. In response to Councilwoman Latner, he informed there were 12 applicants but two withdrew after accepting positions elsewhere. He noted this time we have stricter criteria and charged for the applications.

The Chief sent a previous email with photos of himself and some of the Officers participating in Dr. Seuss’ birthday at the schools for first, second and third graders.

Chief Kaine reported they will appear tomorrow before the State Board of Police Chiefs for Accreditation to receive formal approval to get our JIF discounts. Mayor Glidden noted we had a perfect assessment scoring 100% on the on-site assessment and congratulated the Department on same.

CLOSTER MAYOR AND COUNCIL
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7. REPORTS (Continued)

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED

1. NEW JERSEY TRANSIT 5310 GRANT PROGRAM TO INITIATE FUNDING FOR THE TRANSPORTATION ASSISTANCE PROGRAM IN THE BOROUGH OF CLOSTER (Authorized at RM 4/22/15)
2. NEW JERSEY DEPARTMENT OF TRANSPORTATION FY2015 DISCRETIONARY AID APPLICATION FOR CEDAR LANE PROJECT IN THE AMOUNT OF \$180,000 (Authorized RM 4/22/15)
3. BERGEN COUNTY OPEN SPACE TRUST FUND FOR THE RUCKMAN PARK WALKING PATH LIGHTING PROJECT IN THE AMOUNT OF \$137,500.00 (Authorized RM 8/26/15)
4. 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR SENIOR TRANSPORTATION SERVICES IN THE AMOUNT OF \$6,000 (Authorized RM 9/21/15)
5. NJ DEPARTMENT OF TRANSPORTATION FOR THE VERVALEN STREET IMPROVEMENT PROJECT – GRANT AGREEMENT #MA-2016-VERVALEN STREET-00196 (Authorized RM 10/14/15)
6. HISTORIC PRESERVATION TRUST FUND GRANT FOR THE HAROLD HESS LUSTRON HOUSE FOR A MAXIMUM GRANT AWARD AMOUNT OF \$24,999.00 WITH NO MATCH REQUIRED (Application approved at RM 12/21/15 in the amount of \$20,000/Amended and increased RM 1/27/16)

b. AWARDED

1. 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR CLOSTER SENIORS ACTIVITIES IN THE AMOUNT OF \$6,000 (Authorized RM 9/21/15) \$2,000 awarded - Contract Number: PS-CLOSTERSR15; Term of Contract: 7/1/15 – 6/30/16 (8. M.L. 1/7/16)

c. TO BE FILED

1. To be announced by Mayor

2) REPORT – Mayor Glidden informed there have been many requests regarding paving the South Parking Lot and he would like to discuss that now. He spoke to the Borough Engineer and it appears we have approved paving Van Sciver Street, which can be delayed in order to pave the parking lot. We have to make sure we have in place the agreement with the owners of the property and he asked for the Council's comments on same.

Borough Engineer explained a concept was drawn up in 1998, when they were working on the Downtown Renaissance Project when angled parking was replaced with parallel parking. He reminded that at that time there were contamination issues with some of the properties which the Borough would become responsible for remediating; and the issue was not pursued further. He is unaware of the current status of those properties so he has a call in to Vi Caputo (Board of Health Secretary) to check on same. The Mayor asked the Borough Attorney to follow through on the status of the required easements as well prior to the next meeting. Councilman Stabile asked if it was a linear construction project; and Mr. DeNicola said he did not believe so but said he will check. In response to the Mayor, Mr. Stabile explained a linear project would give more of what he termed as “indemnability” to the contractor doing the paving. He noted there is a rail spur that crossed Van Sciver that is problematic. Mr. DeNicola explained it is believed to be a private rail spur; and the former Administrator has been working on that with the owner and CSX to determine whose property it is and who would be responsible for remediating that crossing.

The Borough Attorney noted there is a dispute between the applicant's attorney (Capital Hardware) and the interpretation of the resolution as to who is responsible for that or when. He explained he needs to find out where the former Administrator left off with the issue and determine how to proceed from there. Borough Engineer will advise regarding environmental issues; Borough Attorney will advise on the

7. REPORTS (Continued)

D. MAYOR (Continued)

agreements and give counsel as to exchanging Van Sciver Street paving with the parking lot. Mr. DeNicola said it entails more than just milling and paving and there are substandard areas under state standards. Mr. Rogan reminded the Borough only owns the postage stamp area in the back of the lot from the Harrington Avenue side. All of the properties need each other and we need easements for all of them to complete the project. In response to Mr. Stabile, he explained it was a challenge back then also getting all of the property owners to agree even when the Borough was paying for it. Mayor Glidden informed the Zoning Board of Adjustment Chair suggested we try a different type of angle parking on Main Street and said we have reached out to the County but it is highly unlikely that as it is a County Road they will allow us to go back to that pattern, particularly head in angle parking. He thinks it is a dead issue and the County will confirm; and then we can move on to other opportunities.

Mayor Glidden informed a copy of the RFP for operation of the Lustron House was sent to the Borough Attorney for review.

In regards to the parking lot paving project, the Borough Engineer informed we need to make a decision relatively quickly as the contractor will be starting the work around 4/1/16 and all of the milling needs to be done at the same time. The Mayor asked for the opportunity to speak with Michael Brown on the issue and he agreed to same.

7. OLD BUSINESS

Temporary Chief Financial Officer Maria Passafaro read the following Memorandum into the record: “In accordance with N.J.S.A. 40A:2-28, the undersigned Financial Officer of the Borough of Closter hereby reports to the governing body of the Borough of Closter the principal amount, interest rate and maturity of the Notes sold, the price obtained and the name of the Purchaser: Principal Amount: \$6,851,481; Interest Rate: 0.70%; Maturity Date: February 24, 2017; Price Obtained: \$6,851,481; Name of Purchaser: TD Bank, N.A.; Net Interest Cost: 0.70%.

The undersigned sold the referenced Notes as a t private sale pursuant to authority granted in Ordinance Nos. 2001:843 (amended by 2007:989), 2010:1075, 2011:1091, 2011:1103, 2012:1120, 2012:1125, 2012:1129, 2013:1142, 2014:1162, 2014:1164 and 2015:1188 of the Borough. This report is being made to the governing body at the next meeting thereof after such sale in accordance with N.J.S.A. 40A:2-28.”

8. NEW BUSINESS

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

Mike Brown – 24 Arcadia Court – Englewood, NJ, thanked the Mayor for his attendance at the Chamber’s event last week in addition to his and Councilwoman Latner’s attendance at the Callahan’s opening. He thanked Paul Demarest for bringing in two new members from the Plaza. He had a message from Pamela DiBlasio from Past and Present encouraging the Council to do something regarding the sidewalks. He reviewed the action items put out from the Mayor last year and noted that the Chamber has suggested that the Borough come back to us in terms of the subject matters that we have condensed. Certain categories have been assigned to committees such as parking, signs, zoning and bikes. Relative to the South Parking Lot, he said it is felt that same should be worked on first. Mayor Glidden said that the Borough would need the Chamber’s help on that item. Relative to parking, Mr. Brown hoped that there would be enforcement on the usage of the spaces by the business owners in addition to the upkeep of the rear of the businesses.

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Councilwoman Amitai referred to an idea she had some years back to have a backdoor project contest with all the shop keepers but she could not get the Improvement Commission to go along with that. She suggested that together we could generate interest in the contest. Relative to the bikes, Mr. Brown said the Chamber would be buying a few more bike racks. He also suggested that decals for parking could be used in the South Parking Lot. Councilman Barad thanked Mr. Brown for coming and explained that he appreciated the interaction and his keeping the Council informed.

Dan Forman, 184 Venus Lane, referred to zombie houses one on either side of his and he advised that one is doing okay and the other not doing too well. He referred to the opening of Wendy Lane and his understanding that the Council was not supportive of same to which he agreed. Borough Attorney said that there has been no request to open Wendy Lane to the farm; and Mayor Glidden said the Borough does not want to see the street opened to the farm; and there are certain remedies that the Borough has in order to prevent same. He said the issue going to Court is to construct certain greenhouses that have been denied by the Building Department.

- 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 9:00 p.m. was made by Councilman Di Dio, seconded by Councilman Barad and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on
March 17, 2016 for approval at the
Regular Meeting to be held
March 23, 2016

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 March 23, 2016
Consent Agenda Item No. 20b.