

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – TUESDAY, APRIL 26, 2011 - 7:30 P.M.

Mayor Heymann 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 Notice of Meetings which was sent to The Record and published on January 9, 2011 and to the Press Journal and published on January 13, 2011, 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 Sophie Heymann

Councilpersons John C. Glidden, Alissa Latner, John Kashwick, David Barad
Arthur Dolson and Victoria Amitai

Borough Administrator, Quentin Wiest

Chief Financial Officer/Treasurer/Qualified Purchasing Agent Michael Mariniello, Jr.

Borough Attorney, Edward T. Rogan

Borough Auditor, Liz Shick

Borough Clerk, Loretta Castano

Borough Engineer, Nick DeNicola

Also present in the audience: Mayor Emeritus Fred Pitofsky

3. PROCLAMATIONS, PRESENTATIONS, MOMENTS OF SILENCE

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

a. ORDINANCE NO. 2011:1092, "BOROUGH OF CLOSTER CALENDAR YEAR 2011 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

This Ordinance was introduced at the Regular Meeting held 3/23/11 and was published in the Press Journal on 3/31/11 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.

Mayor Heymann declared a Public Hearing. No one wishing to be heard, Mayor Heymann closed the public hearing. .

Motion approving adoption of Ordinance No. 2011:1092 was made by Councilman Dolson, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

5. PUBLIC HEARING AND ADOPTION OF THE 2011 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 Regular Meeting held 3/23/11; and the Municipal Budget Summary was published in the Press Journal issue of 3/31/11, 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 3/30/11, 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.

Mayor Heymann declared a Public Hearing.

Jesse Rosenblum, 65 Knickerbocker Road, asked if the Borough's bond rating changed in the

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – TUESDAY, APRIL 26, 2011 - 7:30 P.M.

last 10 years in a negative fashion; and if so, its effect on the current budget. Borough Administrator said the bond rating has changed and there is no effect on the current budget. Borough Auditor said the bond rating is not tied into the operating budget. Bonds were issued last year and could be reissued some time in the future. The Borough used the County program last year to issue bonds and the County triple A bond rating was applied. Councilman Glidden noted there are generally ups and downs over the years in the bond rating; and during his time on the Council, no difference has been felt in the interest rates by the different bond ratings.

6. INTRODUCTION OF AMENDMENT TO 2011 MUNICIPAL BUDGET, AND RELATED RESOLUTIONS – PUBLIC HEARING DATE AND TIME TO BE ANNOUNCED
(Requested by Administrator 4/21/11) - TO BE PREPARED BY AUDITOR

Borough Administrator noted there would be an amendment at a later date inasmuch as the State changed some rules, after introduction, affecting funding of the Municipal Library. Mayor explained that there is no effect on the budget or the tax rate only stating it in a different way.

Motion closing the Public Hearing on the 2011 Municipal Budget was made by Councilman Kashwick, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

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

The following Ordinances were introduced at the Regular Meeting held 3/23/11 and were published in The Press Journal on 3/31/11 as stated in the printer's affidavit of publication. Reprints of these Ordinances were posted on the Municipal Bulletin Board in accordance with Statutory requirements and copies have been made available to the general public:

a. ORDINANCE NO. 2011:1090, "AN ORDINANCE AMENDING CHAPTER 171-1 OF THE CODE"

Mayor Heymann declared a Public Hearing.

Jesse Rosenblum, 65 Knickerbocker Road, questioned the wording of the Ordinance; and Borough Attorney said that the Code Enforcement Official has the right to determine if there is a hazard and it does not have to be spelled out in this particular ordinance. The guidelines are in the State Code. There must be a certain amount of discretion given to the Official; and warnings are given as a practice in Closter.

Motion approving adoption of Ordinance No. 2011:1090 was made by Councilman Barad, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

b. ORDINANCE NO. 2011:1091, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE RECONSTRUCTION OF HERBERT AVENUE, SECTION 4 IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$190,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$40,000 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME" (Received from Bond Counsel 3/16/11)

Mayor Heymann declared a Public Hearing

Borough Administrator advised that \$150,000 was received from the State of New Jersey plus additional costs that would be provided by the municipality for the Herbert Avenue project.

Motion approving adoption of Ordinance No. 2011:1091 was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

8a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 13, 15, 16, 17, 19 and 23 was made by Councilman Barad, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

ORDINANCES

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – TUESDAY, APRIL 26, 2011 - 7:30 P.M.

9. INTRODUCTION OF THE FOLLOWING ORDINANCE(S) - PUBLIC HEARING(S)–
5/25/11, @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER
MAY BE HEARD:

a. ORDINANCE NO. 2011:1087, “AN ORDINANCE AMENDING CHAPTER 18, “CODE OF ETHICS” (added), OF THE CODE OF THE BOROUGH OF CLOSTER” (Received From Borough Attorney 4/20/11)

Borough Attorney explained that the ordinance clarifies that the public members of the Board of Ethics should not be members of any other Board or hold any other office. Two organizations from which to choose public members have been added and a provision added to allow the Council to name members if no recommendations are received. Mayor Heymann asked that the Ordinance indicate that Chapter 18 refers to the Board of Ethics.

b. ORDINANCE NO. 2011:1094, “AN ORDINANCE REVISING CHAPTER 181, TREE PRESERVATION AND REMOVAL AND CHAPTER 59, SHADE TREE COMMISSION” (Received from Borough Attorney 4/14/11)

Councilman Barad explained that the existing ordinance is being refined based on the usage during the last three years. It is hoped that the ordinance would be more workable.

RESOLUTIONS

10. BILL RESOLUTION – APRIL 30, 2011

11. RESOLUTION SUPPORTING THE REGIONAL GREENHOUSE GAS INITIATIVE (RGGI) (Received from Mayor’s office 4/12/11)

12. RESOLUTION TO REAFFIRM THE BOROUGH OF CLOSTER’S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS (Received from Borough Attorney 4/14/11)

~~13.~~—RESOLUTION URGING THE LEGISLATURE TO QUICKLY ENACT, AND THE GOVERNOR TO APPROVE, S-54 WHICH WOULD CHANGE RESTRICTIONS ON CERTAIN COUNTY OR MUNICIPAL STREAM CLEANING ACTIVITIES (4. M.L. 4/14/11)

14. RESOLUTION AWARDDING BID RECEIVED AT BID OPENING HELD 3/30/11 @ 11:30 A.M. FOR HERBERT AVENUE, SECTION 4 (\$190,000) & MEMORIAL FIELD BASKETBALL COURT IMPROVEMENTS, TO LOW BIDDER AJM CONTRACTORS, INC. OF CLIFTON, NJ, FOR AN AMOUNT NOT TO EXCEED \$266,191.00, (Received from Administrator 4/21/11)

~~15.~~—RESOLUTION AWARDDING BID RECEIVED AT BID OPENING HELD 4/20/11 @ 11 A.M. FOR 2012 INTERNATIONAL MODEL 7500 4X4 CHASSIS WITH A HOOK LIFT & BODIES AS SPECIFIED OR EQUAL, FOR THE BOROUGH OF CLOSTER, TO SOLE AND LOW BIDDER, DELUXE INTERNATIONAL TRUCKS, INC. OF HACKENSACK, NJ, FOR THE BASE BID PLUS OPTIONS 2 & 3, IN THE AMOUNT OF \$229,615.00 (Received from Administrator 4/21/11)

~~16.~~—*POSSIBLE* RESOLUTION AWARDDING CONTRACT TO _____ FOR PROFESSIONAL PLANNER – MASTER PLAN, RECEIVED AT OPENING HELD 3/30/11 @ 1:30 P.M. - TO BE PREPARED BY BOROUGH ATTORNEY

~~17.~~—RESOLUTION AUTHORIZING THE MAYOR TO SIGN CROWN CASTLE LEASE AMENDMENT (allowing placement of pad and cabinet within existing lease area of cell tower site) (Received from Administrator 2/2/11/Adjourned from RM 2/9/11; RM 2/23/11; RM 3/9/11; 3/23/11; 4/13/11)

18. RESOLUTION TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDDING A CONTRACT FOR DIGITAL VIDEO BASE STATION EQUIPMENT (Received from Administrator 4/21/11)

~~19.~~—RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A

CLOSTER MAYOR AND COUNCIL

REGULAR MEETING MINUTES – TUESDAY, APRIL 26, 2011 - 7:30 P.M.

CONTRACT WITH OASIS ARCHITECTURE AND PLANNING P.C. FOR HISTORIC ARCHITECTURAL SERVICES FOR THE ASSESSMENT OF EXISTING EXTERIOR CONDITIONS, AN OUTLINE SCOPE OF REMEDIAL WORK AND RECOMMENDATIONS FOR FUTURE MAINTENANCE PROCEDURES FOR THE CLOSTER BOROUGH HALL, FOR AN AMOUNT NOT TO EXCEED \$10,000.00, PLUS AN ALLOWANCE FOR EXPENSES OF \$500.00, OR A TOTAL AMOUNT OF \$10,500.00 (Received from Administrator 4/21/11)

Mayor Heymann explained that the resolution refers to repairs to Borough Hall only. to provide money for repair of the façade and roof and maintain its appropriateness for the Borough.

20. ~~POSSIBLE~~ RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEARS 2009, 2010 & 2011: B&C 210 INC. V. CLOSTER (Received from Borough Attorney 4/21/11)

21. ~~POSSIBLE~~ RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEARS 2009, 2010 & 2011: ZIPSE CL ASSOC. LLC V. CLOSTER (Received from Borough Attorney 4/21/11)

MOTIONS

22. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed via e-mail on 4/21/11) ABSTENTION: BARAD

- a. REGULAR MEETING OF APRIL 13, 2011
- b. WORK SESSION OF APRIL 13, 2011

23. MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO FILL THE FOLLOWING *NON-SALARIED* APPOINTMENTS MADE AT THE FOLLOWING MEETINGS (Which have not been accepted as of the time of preparation of this Agenda)

OFFICE

	<u>MEETING</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION				
Member	Reorg 1/4/11	<u>Grace Kim Kook</u>	2 Year	12/31/12
Member	RM 1/26/11	<u>Jay Pontrelli</u>	2 Years	12/31/12
Member	RM 2/23/11	<u>Christina Stratton</u>	2 Years	12/31/12
Alternate No. 1	RM 3/9/11	<u>Donna Arbietman</u>	2 Year Un-exp (Pereira)	12/31/11
Alternate No. 2	RM 3/9/11)	<u>Shiran Slutzky</u>	2 Years	12/31/12

24. MOTION GRANTING APPROVAL FOR CORE THE CENTER FOR FITNESS TO CONDUCT A 5K RACE ON SATURDAY, 5/7/11, BEGINNING AT 9:30 A.M. FOR APPROXIMATELY 1 ½ HOURS ON THE ROUTE PROVIDED (SWEAT FOR THE CURE FUNDRAISER TO BENEFIT ST. JUDE CHILDREN'S RESEARCH HOSPITAL) (Approval received from Risk Management Consultant 4/20/11)

25. REPORTS
(None received at time of preparation of this Agenda)

8b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

19. RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A CONTRACT WITH OASIS ARCHITECTURE AND PLANNING P.C. FOR HISTORIC ARCHITECTURAL SERVICES FOR THE ASSESSMENT OF EXISTING EXTERIOR CONDITIONS, AN OUTLINE SCOPE OF REMEDIAL WORK AND RECOMMENDATIONS FOR FUTURE MAINTENANCE PROCEDURES FOR THE CLOSTER BOROUGH HALL, FOR AN AMOUNT NOT TO EXCEED \$10,000.00, PLUS AN ALLOWANCE FOR EXPENSES OF \$500.00, OR A TOTAL AMOUNT OF \$10,500.00 (Received from Administrator 4/21/11)

In answer to Councilwoman Amitai, Borough Administrator advised that this matter was handled by the Historic Preservation Commission and three bids had been received. Irene Stella said she was not sure if the Andy Ouzoonian report was given to the bidders. Councilwoman Amitai felt a decision should not be made if all of the information was not provided to the bidders. Borough Administrator said that this bid was only to provide a study not to result in working drawings for the project. The

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – TUESDAY, APRIL 26, 2011 - 7:30 P.M.

study would provide recommendations for the next steps in the project; and a future contract would be necessary.

In answer to Jesse Rosenblum, 65 Knickerbocker Road, Mayor Heymann said the project is to safeguard the exterior of the building.

Motion to approve Consent Agenda Item No. 19 was made by Councilman Kashwick, seconded by Councilman Glidden.

BEFORE ROLL CALL VOTE, Councilwoman Amitai explained she would vote on it based on Mr. Ouzoonian's comments and that the Oasis architect Mr. Perlstein take them into consideration.

Said Motion was declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

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

In answer to Louise Boyarsky and Jerry Boyarsky, Venus Drive, Borough Engineer explained that a portion of Ruckman Road is being done. Mayor Heymann said that Ruckman Road is being done in sections because it is a wide street. Both Mayor Heymann and Nick DeNicola informed it would be from the Fire Department to past Reuten Drive.

26a. Motion approving the following Resolution at 9:30 p.m. was made by Councilman Glidden, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, 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)(4) "A collective bargaining agreement; and N.J.S.A. 10:4-012(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 4-6 weeks."

Mayor Heymann resumed the Regular Meeting at 10:20 p.m.

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

28. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:20 p.m. was made by Councilman Glidden, seconded by Councilman Dolson and declared unanimously carried by Mayor Heymann.

Provided via e-mail to the Mayor
and Council on May 5, 2011 for approval
at the Regular Meeting to be held
May 11, 2011

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held May 11, 2011
Consent Agenda Item No. 19a.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – TUESDAY, APRIL 26, 2011 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session at Borough Hall on Tuesday, April 26, 2011. Mayor Heymann called the meeting to order at 7:32 p.m.

1. PLEDGE OF ALLEGIANCE

Mayor Heymann 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 Notice of Meetings which was sent to The Record and published on January 9, 2011 and to the Press Journal and published on January 13, 2011, 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.

At this time, the Borough Clerk informed everyone that the flowers in the Council Chambers all came from Mayor Heymann's garden and everyone thanked the Mayor for same.

3. ROLL CALL

The following persons were present:

Mayor Sophie Heymann
Councilpersons John C. Glidden, Jr., Alissa Latner, John Kashwick, David Barad
(7:35 p.m.), Arthur Dolson and Victoria Amitai
Borough Administrator, Quentin Wiest
Chief Financial Officer/Treasurer, Michael Mariniello, Jr.
Borough Attorney, Edward T. Rogan
Borough Engineer, Nick DeNicola
Borough Clerk, Loretta Castano

Mayor Heymann explained that the flowers she brought for all the members present on the dais are in celebration of the Spring season and Passover and Easter in the past week. She announced that there will be a Spring concert on behalf of the victims of the tsunami and earthquake in Japan which is being held this Sunday by the high school students. The concert will take place at 2:00 p.m. at the high school following a brunch at 1:00 p.m. She encouraged all to attend, and, if not, to participate in the fund drive.

At this time, the Mayor explained that the meeting will begin with the Work Session as there were some people in the audience who may have not been here for a while.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF APRIL 14, 2011 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. No one wished to remove any items for discussion.

Dr. Barad entered the meeting at 7:35 p.m.

b. MAIL LIST OF APRIL 21, 2011 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item No. 6 was removed by Steve Isaacson.

Item No. 6: Received 04/20/11, dated 04/18/11 from Rose Tubito, Attorney at Law, to Building Inspector, Borough of Closter, c: Planning Board, Mayor and Council, Arthur Chagaris, Esq., Lenny Sinowitz, Construction Code Enforcer, Scott Pierce, re Gerber Auto Body, 434 Demarest Avenue, Closter, NJ, Lot 2 Block 1008 - Informing that Gerber Auto Body has vacated the premises and will be placing the premises on the real estate market for lease to another company; and requesting that before any C of O is granted to probable renters that they are made aware of the most recent application decided on by the Planning Board inclusive of any and all necessary conditions set in place; and that they comply prior to any such issuance; and informing once a C of O is issued, follow up will be made with the Borough and the proposed tenant to ensure all necessary zoning requirements including any and all resolutions and conditions are strictly adhered to

Steve Isaacson, 97 Columbus Avenue, voiced his praise for Attorney Rose Tubito for writing this letter because he feels it will be easier for the next person coming in to be made aware that a property is “maxed out”. He noted that if a potential purchaser wanted to do a deck or paver path, and could not do so unless they had to appear before a board for approval, it would become more evident; and this would be a good step in clear and transparent government.

RESOLUTIONS

13. RESOLUTION URGING THE LEGISLATURE TO QUICKLY ENACT, AND THE GOVERNOR TO APPROVE, S-54 WHICH WOULD CHANGE RESTRICTIONS ON CERTAIN COUNTY OR MUNICIPAL STREAM CLEANING ACTIVITIES (4. M.L. 4/14/11)

Councilman Kashwick asked that voting on this resolution be held off until the opinion of the Environmental Commission is received since stream clearing is involved. Mayor Heymann said that it is urgent that action is taken as soon as possible since it would enable Closter to keep clean waters in the municipality; and she also indicated her surprise that Senator Cardinale initiated the legislation which is a major asset. Borough Engineer explained that permits for C-1 streams are difficult to obtain and costly; and for these reasons, Closter has not had any stream clearing operations since 2004. Councilman Kashwick said that the legislation was just reintroduced and must go through committee; and, therefore, he felt there was no rush to adopt the resolution. Councilman Barad and Councilwoman Latner expressed their agreement and questioned if the legislation goes against environmental law. Borough Engineer said the legislation does not go against environmental law; it only makes it easier to obtain the necessary permits. Mayor Heymann advised that the Christie administration is trying to ameliorate the environmental laws. The resolution was removed from the Consent Agenda.

14. RESOLUTION AWARDING BID RECEIVED AT BID OPENING HELD 3/30/11 @ 11:30 A.M. FOR HERBERT AVENUE, SECTION 4 & MEMORIAL FIELD BASKETBALL COURT IMPROVEMENTS, TO LOW BIDDER AJM CONTRACTORS, INC. OF CLIFTON, NJ, FOR AN AMOUNT NOT TO EXCEED \$266,191.00, (Received from Administrator 4/21/11)

In answer to Councilman Barad, Borough Engineer explained that this is a three-part project partially funded with monies left over from a previous road program, open space monies and a Local Aid grant in the amount of \$150,000. The resurfacing of Herbert Avenue would cost approximately \$150,000; the basketball courts would be \$75,000 to \$80,000; and \$60,000 from a previous road program would be used for Ruckman Road. Councilman Barad asked that the title of the resolution be reworded to provide a better explanation.

15. RESOLUTION AWARDING BID RECEIVED AT BID OPENING HELD 4/20/11 @ 11 A.M. FOR 2012 INTERNATIONAL MODEL 7500 4X4 CHASSIS WITH A HOOK LIFT & BODIES AS SPECIFIED OR EQUAL, FOR THE BOROUGH OF CLOSTER, TO SOLE AND LOW BIDDER, DELUXE INTERNATIONAL TRUCKS, INC. OF HACKENSACK, NJ, FOR THE BASE BID PLUS OPTIONS 2 & 3, IN THE AMOUNT OF \$229,615.00 (Received from Administrator 4/21/11)

In answer to Councilman Kashwick, Borough Administrator explained that this is a truck chassis that provides for various attachments on the rear to run the chipper and an open top container. Other attachments are available that can be purchased at a later date such as snow plow and leaf machine attachments. This truck would replace a hookless system truck that we currently own. Five vendors picked up the specifications which were written around a piece of equipment that is suitable to our needs; and only one bid was submitted for the specified item. Councilman Glidden noted that this item was discussed at a Committee meeting; and current information indicated the mission of the vehicle far exceeds EPA standards but the gas mileage is low. He said that this should be investigated before any action is taken. Borough Administrator said he was not aware of this information and the matter could be held for a further meeting. Therefore, the resolution was removed from the Consent Agenda.

16. *POSSIBLE* RESOLUTION AWARDING CONTRACT TO _____ FOR PROFESSIONAL PLANNER – MASTER PLAN, RECEIVED AT OPENING HELD 3/30/11 @ 1:30 P.M. - TO BE PREPARED BY BOROUGH ATTORNEY

Mayor Heymann suggested that action on this resolution be held until after the Planning Board Meeting on Thursday for their recommendation. A decision would have to be made shortly thereafter inasmuch as the Council only has 60 days to award the bid after receipt of same. Councilman Dolson asked the status of the Council Sub-Committee meeting with the planners. Mayor Heymann noted that the Planning Board kept the prerogative to meet with the planners; and the finalists would be interviewed by the Planning Board this Thursday. Since the interviews would be held in Closed Session, only the members of the Planning Board would participate but ultimately the decision would be made by the Council. The resolution was removed from the Consent Agenda.

17. RESOLUTION AUTHORIZING THE MAYOR TO SIGN CROWN CASTLE LEASE AMENDMENT (allowing placement of pad and cabinet within existing lease area of cell tower site) (Received from Administrator 2/2/11/Adjourned from RM 2/9/11; RM 2/23/11; RM 3/9/11; 3/23/11; 4/13/11)

Mayor Heymann said that action on this resolution would be held until the next meeting.

7. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY - DOLSON (GLIDDEN/ KASHWICK)

1) STATUS REPORT RE CLOSTER WEBSITE – Councilman Dolson informed he had no updates regarding the web site at this time.

2) STATUS REPORT RE MUNICIPAL BUDGET – Councilman Dolson voiced his opinion that the Municipal Budget is in excellent shape. He reminded there is a hearing on it tonight; and informed there have not been any significant changes since the last time it was discussed. He urged the Council to consider it tonight because it really is a fair budget for the community, the residents, and the Borough employees.

3) REPORT – Councilman Dolson reported that the Board of Health adopted an Ordinance last week which he had previously discussed regarding re-inspection fees. A number of the establishments don't satisfy the health code; and our sanitarian is going back numerous times; therefore, they decided to place additional fees on re-inspections when they are repetitive.

B. PUBLIC SAFETY - GLIDDEN (DOLSON/LATNER)

1) REPORT – Councilman Glidden explained he had no Public Safety report.

In response to Mayor Heymann, he informed there has been nothing new in the last week to discuss regarding Interborough. The Mayor said the public might want to know the present situation with the dispatch system. Mr. Glidden explained the current arrangement has Dispatchers still operating out of Closter from downstairs but they now report to and work for the County; the County has taken over the dispatch system. He deferred to the Borough Administrator, since he is here every day; and questioned if he has gotten any feedback from the Dispatchers or Police Department as to any noticeable changes or problems that need to be worked out. Mr. Wiest informed he has not heard of any incident as far as any change in the service people have experienced at this point. He explained there is always a dispatcher present who was one of our former dispatchers. Anybody who was not one of our dispatchers who is here at the same time, is nevertheless an experienced dispatcher who is being exposed to these communities and the system for the first time. He clarified that there are always two dispatchers here; one of which is an experienced hand for us, so he has not heard any complaints as of yet. Mr. Glidden expressed his sentiments that it has been “so far, so good”; and Mayor Heymann noted they have been busy.

C. PUBLIC WORKS - LATNER (AMITAI/GLIDDEN)

1) REPORT – Councilwoman Latner informed that other than meeting with Billy (Dahle, DPW Superintendent) regarding some stormwater information that needed to be reviewed, there was nothing to report. Mrs. Latner said that Mr. Wiest would follow up on the truck, as mentioned earlier, so she had nothing further to report.

7. COMMITTEE REPORTS (Continued)

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad informed he had received a request from JoAnn (Riccardi) to delay the Ordinance Committee meeting for this month because she is up to her neck in Tax Appeal issues. He said that if nobody objected, the meetings would resume in June. Dr. Barad reported they have received some suggestions from meeting with Billy Dahle regarding parking and road opening issues; and they will be looking at that at the next meeting.

2) STATUS REPORT RE REQUEST FOR NAME CHANGE AT VETERAN'S MEMORIAL PARK AND A NEW SIGN (3. M.L. 2/17/11; referred to O&L Committee for W.S. 3/23/11) – Dr. Barad informed some conversations and e-mails had been had; and he believes the Legion has already purchased a new sign renaming the Park, though he does not know if it has been put up. He explained that although everyone had some thoughts about that, perhaps the best thing to do is to approve the change and move forward. He thinks they have been sitting on it for awhile; and the Council should talk about that. It is not really an Ordinance Committee issue; and he agreed with Mayor Heymann that this item could be placed on the Work Session Agenda for the next meeting.

3) REPORT – Councilman Barad reported they have been contacted by three folks interested in the cell tower. At this point, they have enough information to meet with them and discuss the Borough's needs for a contract going forward. His goal would be to get it out from the middle of town into another site. The other sites being considered are at the DPW or back by the chipping area at Blanch Avenue. He explained we have to sit with them to work it out in the near future, although we still have some time.

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick reported the HR Committee met twice in the past month. They had an in-person meeting to review job descriptions that were received from all of the non-contractual departments. He will be meeting with Mr. Wiest to review them and come up with a model of what they want them to look like. Mr. Kashwick informed he attended a course at Rutgers on Labor Relations which he felt was quite informative. The HR Committee had a conference call this afternoon, which has resulted in one matter for Closed Session tonight.

2) REPORT – Councilman Kashwick reported on the following:
a. Historic Preservation Commission – In March, the Hillsdale Historic Commission attended our meeting to see how we work things; and he voiced his opinion that it is nice to see our Commission is now taking a leadership role in the community with other communities wanting to model our ordinance and the things we do. Irene Stella will be meeting with Bill Dahle this week regarding the siting of the four new historic street signs. The Commission is looking at some other designations they plan to do throughout this year, generally individual properties. Mr. Kashwick deferred to the Borough Attorney and asked for confirmation that regarding the ordinance change, it is just a matter of changing one phrase; and Mr. Rogan affirmed same.

Mr. Kashwick reported that Max Beucler, an Eagle Scout, is preparing to do a project to help with the installation of a fence, as well as painting the flag pole and doing some landscaping at the cemetery (Susan Drive). At this time, he invited Mr. Beucler to speak.

7. COMMITTEE REPORTS (Continued)

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON) (Continued)

Max Beucler, 45 Van Horn Street, Demarest, introduced himself; and informed he has copies of a project for them which he distributed. He explained he is working on his Eagle Scout project; and he needs permission to do the walkway because it is technically Borough land. He recently got a plot and a map of the surrounding area; and what he would like to do is dig up a walkway because right now there are only woodchips. He would dig a path and put in railroad ties along the sides and fill it in with gravel and stone dust. He has discussed the project with Mr. Adriance, who suggested the gravel and stone dust because the woodchips start to look degraded from floating away in the rain storms; and the railroad ties would help keep the erosion problem under control. He informed that in the packets he provided, there are pictures of the proposed area and a map that he made that is about to scale.

Mr. Dolson asked if the stairway is something they used to refer to as erosion steps. He explained that they prevent degrading a hill as it is walked up over time and hold the dirt back because of the staggered pattern. Mayor Heymann explained steps can't be installed because heavy equipment would have to be brought in; and Mr. Kashwick clarified that if it was done from the Hickory Lane side, it would not be an issue. Mr. Beucler informed that Mr. Adriance was also concerned about wheelchair access; therefore, stairs would be no good. He also told him that he plans to keep the Hickory Lane entrance permanently locked so people could not use it as a cut through but that DPW equipment and other machinery would still be allowed through. Mayor Heymann thanked Mr. Beucler and said they look forward to working with him. She said she believes a Resolution was necessary to allow work on the Borough right-of-way; and the Borough Attorney said they should notify Glenn Parsells (Risk Management Consultant) about it. In response to Mrs. Amitai, the Borough Engineer informed he had not seen the plans for same. The Borough Attorney said he doesn't think they need insurance on file, but they should put JIF on notice; and informed he would notify Mr. Parsells.

b. Environmental Commission & Green Team – The Green Team had a successful cleanup on April 9; and he congratulated Brenda Cummings for an outstanding job rounding up participation from the community. At the last meeting, Ray Cywinski, the Mayor of Demarest, attended to find out more in consideration of establishing a Green Team in his Borough. There was discussion about bees and beekeeping and finding ways that volunteers could assist at the Nature Center and the MacBain Farm to try to get the hives active once again. There was considerable discussion at the Environmental Commission meeting regarding the pond at the Nature Center. Their Board voted unanimously to go ahead with draining and dredging the pond; and a lot of our members expressed concern about the loss of wildlife that recently occurred in the pond, as well as the plant life around the pond. He explained the plan is to keep it at a minimum; and the pond would be drained gradually so that creatures, such as turtles, can migrate over to the smaller ponds. Considering there aren't much fish left there, they believe this would be the best time to do this. He relayed the Nature Center's concerns about funding; and asked Mr. Dolson that at the next Finance Meeting they discuss the possibility of providing Open Space Funding for this project.

Mr. Kashwick informed that another Eagle Scout, Patrick Dolan, completed some work at the MacBain Farm that included a Celtic style patio, which was a 12' x 18' area of brick pavers made to accommodate disabled visitors that would otherwise have difficulty with the terrain on the farm, especially in inclement weather. He questioned the status of the guardrail on Durie Avenue; and Mr. DeNicola informed that it is being looked into by Gary (Ascolese, Assistant County Engineer), but it isn't high on their list because there is a major issue with handicapped

7. COMMITTEE REPORTS (Continued)

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON) (Continued)

ramps in the County right now. He has a feeling they will say the same thing about this. Mr. Kashwick asked if there was someone higher up at the County that we could approach to try to get this done; suggested the Mayor could write a letter requesting same; and she agreed to do so.

Mr. Kashwick reported they have several candidates for landmark trees; the Environmental Commission will be voting on that at their May meeting; and it will be sent to the Mayor and Council thereafter.

c. Shade Tree Commission – As reported at the last meeting, the Borough of Closter received Tree City USA designation for the 11th consecutive year. Arbor Day is scheduled for this Thursday, 4/28/11, at Tenakill School at 10 a.m. and Hillside School at 11 am. Each will have a tree planted by the Shade Tree Commission. On Saturday, 4/30/11, at 3 p.m. at Hagen Park on the corner of Tenakill Street and Durie Avenue a sugar maple will be planted at that location. The Commission is working on the planting and pruning schedule for this Fall. He hopes that everyone has had a chance to see Pollack Square over the last week or so with the new trees planted last year in bloom now – they really look exquisite.

At this time, Mayor Heymann commended the Eagle Scouts and Eagle Scouts to be for working with Closter. We really benefit from that volunteer work. She announced there will be more improvements made with volunteer funds to include a small walkway between the entrance to Memorial Park baseball field to make it possible for people in wheelchairs to access the field; and that will be taking place within days. She appreciates all the efforts made to get volunteers to complete those projects.

Dr. Barad asked for a point of information regarding the Green Team; and questioned if it was an appointment, a volunteer group, or a sub-part of the Environmental Commission. Mr. Kashwick explained that the Mayor appointed the Chair, Brenda Cummings. Mayor Heymann informed they have a very active Chair; and the group is growing. Dr. Barad asked if they have a web presence yet because last time he looked there wasn't. Mr. Kashwick informed there are currently about 19 members. Mayor Heymann explained that Brenda is the daughter-in-law of Olaf and Ingeborg Hagen, after whom Hagen Park is named, who were very active in Closter's environmental activities for many, many years.

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

1) REPORT – Councilwoman Amitai reported the Building Department is receiving more applications; and some new homes are being applied for. They have stopped some jobs that were illegal multiple family type situations, and have been asked to please resolve this as soon as possible. They are waiting for Locale, the first restaurant to apply for outdoor seating. So far, the month of April has not been financially as good as March, but it is better than last year, so they are hopeful.

The Planning Board will meet with five of the Planners who submitted their applications for the RFP, and that will be this Thursday, 4/28/11.

Mrs. Amitai informed the Improvement Commission is meeting right now; therefore, she cannot attend; but did wish to relay one question they had. Regarding the (Street) Fair, the

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

Commission plans to hold in September, which will have a “green” theme; they wanted to know if they raised money, could they give that money to the Green Team legally. The Borough Attorney responded in the negative; and stated that the Green Team should not have its own bank account; but if they had a designated account within the Borough, that would be fine. Mrs. Amitai asked for clarification that if they donated the money, they could request that it be used for only “green” purposes; and he affirmed that if it was so instructed, the spending of those funds could be restricted as such. In response to Mr. Kashwick, the Borough Attorney affirmed that as long as it complies with the Grant, it is okay. Mr. Mariniello clarified that any appropriations or expenditures still must have Council approval; they can make a request and the Council can approve it.

Mrs. Amitai continued reporting that the Fair is scheduled for September 18, 2011 and they have a subcommittee that is meeting to formulate the best way to go forward to draw the most attendance. Mayor Heymann informed she spoke to Wilson Reimers (Chair, CIC) earlier and explained to him that as soon as vendors are enrolled, they need to let the Borough know so the appropriate insurance and hold harmless papers can be filled out in a timely manner. Mrs. Amitai reported Chief Berrian informed them they could close the streets; and said if they write him a letter, he would forward it to the County. They plan to hold the Fair from the fork in the road up to Borough Hall. They would like to generate as much business as possible for the stores that are there.

Mrs. Amitai announced the flower containers are now in place; and they hope to be able to purchase five more if their budget allows for it.

7. OLD BUSINESS

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

Steve Isaacson, 97 Columbus Avenue, noted that the pond was dredged 50 years ago and has filled in since then; and there is no money to do something since the bulk of the spending is for recreation. He said the pond is an asset and should be cleaned up so that the fish would thrive. Mayor Heymann said that she has discussed the matter with Mary Mayer; and it will be taken care of. Mr. Isaacson reminded everyone that tomorrow is the School Election. He referred to a newspaper article indicating that Walmart is looking to locate mini stores throughout the country.

Jerry Boyarsky, 102 Venus Drive, thanked all who attended the (Chamber of Commerce) “Meet and Greet” and for the tree pruning in town. He referred to the Historical Element of the Master Plan, which he felt would have a bad effect on those living in this large zone. People will stop buying and selling homes in the community and burdens are being put on the residents. He urged everyone to read the plan since most people did not move here because of history but because of the town’s diversity and excellent school system. He said the way to capitalize on the history is to have a museum and noted that the residents will not be happy when they read the plan. Mayor Heymann said the Borough is obligated to set up the Master Plan but it does not mean

that it is implemented. She said that it is not the intent to make any section of town meet standards of 200 to 300 years ago; and there is nothing to fear at the present time about restrictive ordinances. She said the plan is a suggestion for work effort; and does not create ordinances on its own. All those who worked on the plan anticipated that the regulations that govern activities on the main street would be simplified.

Louise Boyarsky, 102 Venus Drive, read from page 26 of the plan about exterior renovations and noted that an ordinance starts with a plan. Mayor Heymann said there would be ample time for discussion on implementation of the plan. If there is ever an ordinance, it would be publicly advertised in the newspaper and on the website and at least two public sessions on same would be held.

Mike Yae, 140 O'Shaughnessy Lane, said investors are unsure of the direction this is taking; and by drafting a plan, you are indicating the direction you are taking. He said that he is not sure that the plan is the wrong direction or house values would be increased. He said that by definition whenever the Mayor and Council passes a law, it takes away our liberties and gives us more guidelines. Mayor Heymann said a similar historic designation was accepted unanimously on West Street. The intent of the Planning Board and the Council is to simplify procedures not to make same more onerous.

Michael Brown, Harrington Park, referred to the Master Plan and said there is a fear that things would become more restrictive. There should be appendices containing business names that would be affected. He suggested a central repository for the document and maps so that others can refer to it. He said that the plan does not indicate the concept of highest and best use. He said the plan could possibly be good for residential but not for commercial; and felt that less restrictions are needed. He expressed support for green construction; and referred to the newspaper articles and felt they were mostly positive.

In answer to Max Beucler, 45 Van Horn Street, Demarest, at Mr. Maurer's prompting to ask, Mayor Heymann said that it would take two weeks for the sign off on the Scout project.

Robert Maurer, 119 Kensington Avenue, said that the parking on Main Street and the town is ruined. He asked if the Chamber of Commerce has had input on the Street Fair. Councilwoman Amitai said that we have asked for representation of the Chamber on the Improvement Commission. Mayor Heymann said that it is intended to enhance the viability of the Main Street stores. Planning is in the beginning stages; and the support of the Chamber is necessary and welcome. Mr. Maurer referred to the Sign Ordinance Committee and hoped that retailers have been added to same. He referred to the proposed repaving of Closter Dock Road and expressed support for the return to angle parking.

Steve Isaacson, 97 Columbus Avenue, said that the school children are not being taught about history in this town. Closter is the hub of the Northern Valley and everyone is passing through. People need a reason to stop in the town.

Espina Demetriadis, 272 Closter Dock Road, said she has spoken to the Borough Administrator about the sidewalk in front of her building and needs to be repaired. She said a plan becomes a law; and there would be no freedom to do what she wants to do to her property

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – TUESDAY, APRIL 26, 2011 - 7:30 P.M.

Jerry Boyarsky, 102 Venus Drive, questioned why \$20,000 was spent on a plan at a time when there are financial problems. The money should have been spent on making this town better and bring business into the town.

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 Glidden, seconded by Councilman Barad and declared unanimously carried by Mayor Heymann.

Provided via e-mail to the Mayor and Council on May 5, 2011 for approval at the Regular Meeting to be held May 11, 2011.

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held May 11, 2011
Consent Agenda Item No. 19b.