

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

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

The Mayor and Council of the Borough of Closter held a Regular Meeting at Borough Hall on Wednesday, January 6, 2010. Mayor Heymann called the meeting to order at 8:09 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.

3. ROLL CALL

Those present were the following:

Mayor Sophie Heymann  
Councilpersons John C. Glidden, Jr., Alissa Latner, John Kashwick, David Barad,  
Arthur Dolson  
Borough Administrator, Quentin Wiest  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola

The following persons were absent:

Councilwoman Victoria Amitai

At this time Mayor Heymann asked for a Moment of Silence in memory of two active citizens, Marilyn London, a teacher at Hillside School, and Marcia Mufson, who was active in the Closter Democratic Party and whose husband is on the Library Board of Trustees.

4a. VOTE ON CONSENT AGENDA ITEMS

Motion to approve the Consent Agenda minus Item No. 7 was made by Councilman Barad, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

4a.1) INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING –  
FEBRUARY 23, 2011 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE  
HEARD:

ORDINANCE NO. 2010:1086, "AN ORDINANCE AUTHORIZING THE USE OF A THIRD PARTY  
DISBURSEMENT SERVICE ORGANIZATION FOR PAYROLL" (Received from Administrator  
1/24/11)

RESOLUTIONS

5. BILL RESOLUTION – JANUARY 31, 2011  
TO BE PREPARED BY DEPUTY TREASURER

6. TRANSFER RESOLUTION NO. 4 (Requested by Administrator 1/20/11)  
TO BE PREPARED BY TREASURER/CFO

Mayor Heymann explained that the transfer resolution is an internal fiscal measure to equalize our budget accounts.

~~7. —~~ POSSIBLE APPOINTMENT(S) OF SALARIED EMPLOYEES (NOT MADE AT THE

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

REORGANIZATION MEETING HELD 1/4/11; Adjourned from RM 1/12/11):  
RESOLUTIONS TO BE PREPARED BY ADMINISTRATOR

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
DEPUTY COURT ADMINISTRATOR	<u>Ruth F. Murphy, C.M.C.A.</u>	_____	1 Year	12/31/11

- 8. RESOLUTION AUTHORIZING THE ADVERTISEMENT OF BIDS FOR SANITATION/  
TRASH COLLECTION (Received from Borough Attorney 1/11/11)
- 8a. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL  
ENGINEERING RELATING TO THE PROVISION OF ENGINEERING SERVICES IN  
CONJUNCTION WITH A NJDOT 2011 MUNICIPAL AID GRANT FOR HERBERT AVENUE  
IMPROVEMENTS (Received from Mayor 1/26/11 @ 11:30 a.m.)

Mayor Heymann advised that the Municipal Aid Grant is in the amount of \$150,000.

MOTIONS

- 9. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES  
(Distributed via e-mail on 1/21/11) NO ABSTENTIONS:
  - a. REGULAR MEETING OF JANUARY 12, 2011
  - b. WORK SESSION OF JANUARY 12, 2011
- 10. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS (NOT  
MADE AT THE REORGANIZATION MEETING HELD 1/4/11; ADJOURNED FROM RM 1/12/11):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
BOARD OF ETHICS (R) Member Library Recommendation	<u>Vacant</u>	<u>D. Hollender</u>	5 Year Un- exp (Archer)	12/31/13

Mayor Heymann advised that David Hollender is a retired Closter Police Officer and also served in the National Guard. He has a Bachelors Degree in Accounting, which should serve him well as a member of the Ethics Board.

IMPROVEMENT  
COMMISSION

Member	<u>Anne C. McConnell</u>	<u>Jay Pontrelli</u>	2 Years	12/31/12
Member	<u>Vacant</u>	_____	2 Years	12/31/12
Alternate No. 2	<u>Jeanette DiCarlo</u>	_____	2 Years	12/31/12

Mayor Heymann advised that Jay Pontrelli, a former Police Officer in Demarest and FBI Agent in New York, is presently working for the Milburn LLP law firm as an investigator.

- 11. ACCEPTANCE OF THE FOLLOWING REPORTS:
  - a. CHIEF OF POLICE – SUMMARY MONTHLY REPORTS FOR DECEMBER 2010  
(Received 1/11/11)
- 4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA
- 12. 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. 10)

Mayor Heymann opened the meeting to the public. No one wished to be heard.

- 13. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY

Councilman Kashwick questioned the status of the By-laws and asked that same be addressed as early as possible.

- 13a. Motion approving the following Closed Session Resolution at 8:16 p.m. was made by

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

Councilman Kashwick, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Dolson.

OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12 (b) (5), “A matter involving the expenditure of public funds for the acquisition of real property” 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 6-8 weeks.

Mayor Heymann resumed the Regular Meeting at 9:02 p.m.

14. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:04 p.m. was made by Councilman Glidden, seconded by Councilman Kashwick and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on  
February 3, 2011 for approval at the  
Regular Meeting to be held  
February 9, 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 February 9, 2011  
Consent Agenda Item No. 17a.

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

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

The Mayor and Council of the Borough of Closter held a Work Session at Borough Hall on Wednesday, January 26, 2011. Mayor Heymann called the meeting to order at 7:30 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.

3. ROLL CALL

The following persons were present:

Mayor Sophie Heymann

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

Borough Administrator, Quentin Wiest

Borough Attorney, Edward T. Rogan

Borough Clerk, Loretta Castano

Borough Engineer, Nick DeNicola

The following persons were absent:

Councilwoman Victoria Amitai

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF JANUARY 13, 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.

b. MAIL LIST OF JANUARY 20, 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.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of January 26, 2011)

Mayor Heymann asked if any member of the Council or public wished to discuss any

item(s) on the Consent Agenda and invited comments at this time.

The following items were removed by the following individuals: Mr. Wiest removed Items 4a and 8a. Councilman Kashwick removed Item No. 8.

4a.1) INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING –  
FEBRUARY 23, 2011 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE  
HEARD:

ORDINANCE NO. 2010:1086, “AN ORDINANCE AUTHORIZING THE USE OF A THIRD PARTY DISBURSEMENT SERVICE ORGANIZATION FOR PAYROLL” (Received from Administrator 1/24/11)

Borough Administrator explained that this ordinance authorizes the Borough to use a third party payroll service, which has been done for some years by the Borough; and according to the Borough Auditor, an ordinance is required by the State for this service. This ordinance will put the Borough in compliance with the New Jersey Administrative Code. The ordinance also designates the Chief Financial Officer as the approval officer and also requires the payroll provider to bring to our attention any irregularities that might occur.

RESOLUTIONS

8. RESOLUTION AUTHORIZING THE ADVERTISEMENT OF BIDS FOR SANITATION/  
TRASH COLLECTION (Received from Borough Attorney 1/11/11)

Councilman Kashwick said for the record he is opposed, in principle, to the privatization of our sanitation but that he would be voting in favor of the resolution because it is important to check out our options.

8a. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL  
ENGINEERING RELATING TO THE PROVISION OF ENGINEERING SERVICES IN  
CONJUNCTION WITH A NJDOT 2011 MUNICIPAL AID GRANT FOR HERBERT AVENUE  
IMPROVEMENTS (Received from Mayor 1/26/11 @ 11:30 a.m.)

Borough Administrator advised that the Borough was notified only a few days ago that we were awarded the aforesaid grant for 2011; and we are asking that a contract for the plans and specifications be awarded to Boswell Engineering in the hopes of receiving an early bid for the project to get the best possible price. Borough Engineer advised that awards are normally announced in November, after the Election, to allow for bidding in the Spring. Since this announcement was made in mid-winter, work is late in being started; and this resolution will allow us to bid the project before other municipalities.

6. COMMITTEE REPORTS

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

1) STATUS REPORT RE CLOSTER WEBSITE – Councilman Dolson informed he was fortunate enough to have a brief encounter with Kevin Whitney (IT Coordinator) with whom he discussed the improvement of the Borough website pertaining to the Borough Clerk’s office. He submitted a copy of the document that Arlene Corvelli (Assistant to Borough Clerk) provided

6. COMMITTEE REPORTS (Continued)

A. FINANCE AND TECHNOLOGY - DOLSON (GLIDDEN/ KASHWICK) (Continued)  
to him. Kevin asked him to spread the word that each committee, department, board or commission that might have a piece of website, to review it and make any necessary corrections or updates for 2011. Mr. Dolson requested they each inform their respective committees, boards and commissions so, hopefully, they can get that done. He is certain it will give Kevin a lot of work to do, but he feels it is for the benefit of the public. Mayor Heymann emphasized that the timeliness of the website is the first thing people judge. Kevin cannot improve on it without our input; he is not responsible for the copy, only getting it onto the web. Please bring to the boards and commissions the need to get it up to date and keep it up to date; also, the more they put, the more interesting it is. Councilman Glidden commented he feels it is becoming more important in our daily activities here in Closter. He informed that we have folks in the audience from the Chamber of Commerce and invited that if they have any comments or suggestions for our website it will be helpful. Mr. Glidden informed them to make a suggestion to anyone and it will be addressed.

2) REPORT – Councilman Dolson reported on the following:

a. The Zoning Board of Adjustment had their Reorganization Meeting and all seated officers were re-elected with Bobby Knee as Chairman; Lorin Sonenshine as Vice Chairman and Steven Freesman as Secretary.

b. The Board of Health had their Reorganization Meeting and their officers were reinstated as well: Donald Winters as President, Anthony Neusch as Vice President and Vi Caputo as Secretary/Registrar.

c. Mr. Dolson informed he had nothing to report regarding finances other than noting what he expressed was a conservative Transfer Resolution. He reported that it looks like the Budget is in pretty good shape and finalized for the year 2010. He said they will need to review that and get ready for the audit. He is hopeful they succeeded again.

B. PUBLIC SAFETY - GLIDDEN (DOLSON/LATNER)

1) REPORT – Councilman Glidden informed that there have been a few Public Safety Committee meetings in the last 30 days; and he reported on the last one at the last meeting.

The Recreation Commission had a meeting last week; and all of the appointees were sworn in. He feels we have a good Recreation Commission this year and it is good to have new faces.

C. PUBLIC WORKS - LATNER (AMITAI/GLIDDEN)

1) REPORT – Councilwoman Latner informed she had nothing to report other than the snow removal is being taken care of and everything was going along alright with that.

Mrs. Latner reported that at the Library Board meeting the other night, they received some sad news about Mrs. Mufson. She informed they also had a presentation at the Library from a woman who was here from Trenton in terms of the libraries and she explained what is going on there as well.

Mayor Heymann asked her to add to it noting that the heavy snow storms have been handled exceptionally well in Closter. The storm of December 26, 2010 was declared a State of Emergency and is eligible for FEMA restitution. We had a very detailed and accurate inventory of our expenses; and those who questioned the expenses as published in The Record over the weekend – the reason Closter's figures are higher than some other municipalities is because Closter was very careful in requesting legitimate expenses from FEMA. The towns that had the low numbers didn't keep track of their expenses; it is not that they spent less. During the following storm we were very, very fortunate; we had no overtime costs on that storm at all. She feels the

6. COMMITTEE REPORTS (Continued)

C. PUBLIC WORKS - LATNER (AMITAI/GLIDDEN) (Continued)

DPW is doing very well and congratulated them for same.

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad informed they did not hold an Ordinance Committee meeting in January; and the next one is scheduled for 2/1/11. They did have a report forwarded to them back in April from the Zoning Board of Adjustment with some recommendations for potential changes to some zoning ordinances. He informed he wished to mention them at this time because the idea is to forward the recommendations to the Planning Board for review to potentially be discussed at the Joint Meeting in March so they can move forward. We cannot work on these things until we get some advice from the Planning Board. Some of the areas to be discussed are: bizarre and ambiguous language that we have in our ordinance pertaining to two family dwellings – it begins by saying they are permitted and then goes on to tell us how they are not permitted. We would just like to clarify that and at least get some advice and discuss it. The other two have to do with making a more practical way for homeowners to calculate the permitted setback for construction in residential areas; and the other is that we have an apparently archaic enumerated listing of permitted business uses in District 3 – it actually lists the uses; and since there are newer businesses now than when it was written, we would like to modernize that ordinance to reflect what is going on. We are waiting for recommendations from the Planning Board; and he will report further on same at a later date.

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick reported that the Human Resources Committee met two times in past month to discuss various issues such as longevity, job descriptions and a couple of employee issues; the next meeting is scheduled for 2/8/11.

2) REPORT – Councilman Kashwick reported on the following:

a. The Environmental Commission swore in its newest Member, Brenda Cummings. They had discussions regarding people walking dogs without leashes at Hagen Park and further discussion on the “Green Team”. Last Sunday, 1/23/11, we had the dedication of the sign at Hagen Park.

b. Shade Tree Commission swore in their newest members – Adam Nock and Kathi Cochran. Nils Abate was again elected as the Chair and Louise Ungar is Secretary. We are working on the 2010 accomplishment reports to be submitted by 2/15/11. The pruning of the pear trees in the downtown area has likely not been completed yet, but will be shortly.

c. Historic Preservation Commission had a change, electing Jennifer Rothschild as the Chairperson. They received the proposed change to the ordinance; and they would like to tweak that so there will be further discussion. We are preparing to take several courses at Drew University this year to keep everyone up to date.

F. PRIVATE CONSTRUCTION, LAND USE, ZONING ENFORCEMENT & NEW BUILDINGS – AMITAI (BARAD/DOLSON)

1) REPORT – Mayor Heymann reported that Vicky and her husband are still domiciled at the Clinton Inn, but Mrs. Amitai said Nathan is feeling better so she thinks she will be able to make it to the next meeting.

6. COMMITTEE REPORTS (Continued)

F. PRIVATE CONSTRUCTION, LAND USE, ZONING ENFORCEMENT & NEW BUILDINGS – AMITAI (BARAD/DOLSON) (Continued)

Dr. Barad informed there was an item regarding the CIC he wished to bring to the Mayor's attention in Mrs. Amitai's absence. Last year, the CIC had bought flower pots for Main Street, and it was their plan to buy further flower pots this year. Under Eric's (Mattes) guidance, they had selected some high quality pots and could not do them all at once. Apparently, the Borough had used part of the CIC's budget to make some other purchases towards the end of the year – perhaps to buy flags or something for the Fire Department, or the fire house; is how it was related to him. Mayor Heymann affirmed same and said it was for the poles on Main Street. Dr. Barad informed that the Commission wasn't aware that we were spending their budget on something they were not aware that we were spending it on; his suggestion for the future although we obviously have discretion, is we should make sure that somebody there is aware. Mayor Heymann explained there was a need and it was categorized in there. Dr. Barad again requested that it be communicated with them; and Mayor Heymann informed that if they required funds, we would find a way to get it for them.

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 10) EXCEPT FOR ITEMS SCHEDULED FOR PUBLIC HEARING AT THE REGULAR MEETING

Jerry Boyarsky, from Chamber of Commerce, commended the Borough on the website. Members of the Chamber of Commerce that were present in the audience introduced themselves. Louise Boyarsky, Mike Brown, Caldwell Banker next door; Anthony Gorga, Gorga Consulting, Ted Sollod, The Farm in Closter, Bob Maurer, Chef Bob, Steve Isaacson, Isaacson Associates. He congratulated the newly elected members of the governing body. Relative to the rewriting of the sign ordinance, he said that signs are very important to the businesses in town; and he hoped that the Chamber could have some input in the discussion in addition to any revisions to the zoning ordinance. Mayor Heymann said that the potential changes to the Zoning Ordinance would be discussed at a joint meeting of the Land Use boards on (Saturday) March 19. At this meeting there would be an initial discussion and you would be able to make suggestions on the current ordinance and any changes you wish to see accomplished. No action will be taken at the meeting. Councilman Glidden said the meeting would provide an opportunity to express opinions as to what should be changed in the current ordinance. Mr. Boyarsky said that, as a group, the Chamber would meet on the sign ordinance and report back to the Mayor and Council. Mayor Heymann said there would be a special ad-hoc committee to discuss the signs; and, as in the past, the committee would accept input from the merchants and business owners.

Louise Boyarsky, from the Chamber of Commerce, asked that the website be more specific relative to items on an agenda that pertain to the businesses in Closter. Mayor Heymann said that items are listed on the agenda and explained. Borough Engineer explained the information provided by the Land Use Boards. Councilman Barad and the Borough Attorney explained the procedure for the introduction of ordinances which are published in the newspaper for public

review prior to (public hearing) and adoption.

Anthony Gorga, Gorga Consulting, questioned the payroll service and Borough Administrator advised that the service must meet certain State requirements. He noted, as a CPA, that none of these companies provide oversight. Mr. Wiest explained we create all the payroll information; they do not provide that for us.

Steve Isaacson, 97 Columbus Avenue, said that prior meetings of the joint boards did not have public input but were held only for the Boards to be on the same page. He asked if the Closter Improvement Commission could apply for grant monies for the planters. He noted that he had posted on his message board a notice about the Closter History Channel, a 21-minute video. Mayor Heymann informed that the Library has it. He referred to emergency services and the retirement of Chief Berrian and voiced his feeling that Closter was losing its identity because it is like a predecessor to regionalization of our Police Departments. He voiced his opinion that Demarest would be the head of the district, not Closter. He reminded that we are the hub of the Northern Valley; we have one of the best police departments in the area and it should be preserved. Closter should be the head of the police departments.

- 10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
- 11. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
- 12. ADJOURNMENT

Motion to adjourn the Work Session at 8:07 p.m. was made by Councilman Glidden, seconded by Councilman Kashwick and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on  
February 3, 2011 for approval at the  
Regular Meeting to be held  
February 9, 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 February 9, 2011  
Consent Agenda Item No. 17b.