

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MARCH 9, 2011 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:35 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 and Victoria Amitai
Borough Administrator, Quentin Wiest
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, David Berrian
Officer in Charge, Dennis Kane

4. MAYORAL PROCLAMATION DECLARING THE FOLLOWING:

- a. MONTH OF MARCH AS "WOMEN'S HISTORY MONTH" (6. M.L. 2/24/11)

Mayor Heymann read and so declared.

- b. WEEK OF MARCH 20-26, 2011 AS "POISON PREVENTION WEEK"
(Received from Mayor 3/1/11)

Mayor Heymann read and so declared.

5a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item No. 21 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 and Dolson.

6. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING – 4/13/11
@ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

- a. ORDINANCE NO. 2011:1088, "AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED ~~\$232,750.00~~ \$244,750.00 FROM THE CLOSTER OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS (Received from Administrator 3/2/11)

- b. ORDINANCE NO. 2011:1089, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 TO FUND CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES (Received from Administrator 3/3/11)

RESOLUTIONS

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING MINUTES – MARCH 9, 2011 - 7:30 P.M.

7. BILL RESOLUTION – MARCH 15, 2011
TO BE PREPARED BY DEPUTY TREASURER
8. RESOLUTION TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDING CONTRACTS FOR RECREATION FIELD MAINTENANCE AND RECREATION UNIFORMS (Received from Administrator 2/17/11)
9. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$4,799.65 TO WELLS FARGO RE TAX SERVICES FOR BLOCK 1402 LOT 17 DUE TO A 2011 TAX OVERPAYMENT (Received from Collector 2/18/11)
10. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$5,584.56 TO CHASE HOME FINANCE LLC SERVICES FOR BLOCK 2303 LOT 9 DUE TO A 2011 TAX OVERPAYMENT (Received from Collector 2/23/11)
11. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$11,993.54 TO SOO KAY REALTY & SCHNECK LAW GROUP LLC FOR BLOCK 1305 LOT 1 DUE TO REFUND OF 2009 TAX OVERPAYMENT (TCJ RENDERED 02/10/11) (Received from Collector 2/24/11)
12. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$1,953.62 TO ASAP TITLE AGENCY FOR BLOCK 502 LOT 4 DUE TO A 1ST QUARTER 2011 DUPLICATE TAX PAYMENT (Received from Collector 2/28/11)
13. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$3,521.68 TO LESSACK & MC GLADE, COUNSELLORS AT LAW, FOR BLOCK 2406 LOT 19 DUE TO TAX OVERPAYMENT CREATED BY A DUPLICATE PAYMENT IN THE 2ND QUARTER 2010(Received from Collector 3/3/11)
14. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$5,315.68 TO BAC TAX SERVICES CORPORATION FOR BLOCK 2406 LOT 16 DUE TO TAX OVERPAYMENT CREATED BY A DUPLICATE PAYMENT IN THE 4TH QUARTER 2009 (Received from Collector 3/3/11)
15. RESOLUTION AWARDING CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES TO LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES (In an amount not to exceed \$2,250.00, for completion of a Receptor Evaluation in conjunction with the remediation of contamination located at the Closter DPW facility) (Received from Administrator 3/1/11)
16. RESOLUTION FOR THE BOROUGH OF CLOSTER’S APPROVAL OF PLANS AND SPECIFICATIONS FOR THE PROJECT KNOWN AS HERBERT AVE IMPROVEMENTS, MEMORIAL FIELD BASKETBALL COURT RECONSTRUCTION & OTHER ROAD IMPROVEMENTS (Received from Administrator 3/1/11)
17. RESOLUTION AUTHORIZING BOSWELL MC CLAVE ENGINEERING TO BID THE PROJECT KNOWN AS HERBERT AVENUE AND OTHER ROAD IMPROVEMENTS AND MEMORIAL FIELD BASKETBALL COURT RECONSTRUCTION (\$150,000 Local Aid Grant to install improvements to Herbert Avenue/\$36,500 Bergen County Open Space Trust Fund Grant as a match to available Borough funds to reconstruct the Memorial Field Basketball Courts/Leftover funds from the Closter 2009 Road Improvement Program for other road improvements and crack sealing in the Borough (Received from Administrator 3/1/11)
18. RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE DEVELOPER’S AGREEMENT FOR BLOCK 1305, LOTS 5 & 6 (JAE MANAGEMENT, LLC) (Received from Borough Attorney 3/1/11)
19. *POSSIBLE* APPOINTMENT(S) OF *SALARIED* EMPLOYEES (NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/11; Adjourned from RM 1/12/11; 1/26/11; 2/9/11; 2/23/11): RESOLUTION(S) 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>	<u>Monica Chalarca</u>	1 Year	12/31/11

20. APPOINTMENTS OF THE FOLLOWING *SALARIED* EMPLOYEES MADE AT

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING MINUTES – MARCH 9, 2011 - 7:30 P.M.

THE REORGANIZATION MEETING HELD 1/4/11 (Which have not been accepted at time of preparation of this Agenda) TO BE PREPARED BY ADMINISTRATOR

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
DESK DISPATCHER			
PART TIME	<u>Charles X. Anders, IX</u>	Undetermined	
PART TIME	<u>Christopher Elarde</u>	term not	
PART TIME	<u>Neal Richards</u>	to exceed	
PART TIME	<u>Justin Krapels</u>	1 Year	

21. 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)
22. RESOLUTION ADOPTING 2011 BY LAWS OF THE BOROUGH OF CLOSTER (Received from Borough Attorney 3/1/11)
23. RESOLUTION APPOINTING CHRIS OSENBRUCK AS PART-TIME DESK DISPATCHER FOR A ONE YEAR TERM ENDING 12/31/11, AT AN HOURLY RATE OF \$21.82, EFFECTIVE 3/16/11 (Received from Chief of Police 3/2/11)
 Mayor Heymann noted that Chris Osenbruck was formerly a full time dispatcher who is switching over to part time. Councilman Kashwick questioned if the term of office should be “not to exceed one year” and Borough Attorney expressed his agreement. Therefore the Resolution was corrected to read as follows:
23. RESOLUTION APPOINTING CHRIS OSENBRUCK AS PART-TIME DESK DISPATCHER FOR AN UNDETERMINED TERM NOT TO EXCEED ONE YEAR, AT AN HOURLY RATE OF \$21.82, EFFECTIVE 3/16/11
24. RESOLUTION AWARDING CONTRACT FOR THIRD-PARTY PAYROLL SERVICES (Received from Administrator 3/3/11)
25. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING RELATING TO THE PROVISION OF ENGINEERING SERVICES IN CONJUNCTION WITH A BOUNDARY SURVEY AND PRELIMINARY ENVIRONMENTAL ASSESSMENT OF BLOCK 1805 LOT 1 (Received from Administrator 3/4/11)
26. RESOLUTION CANCELING CAPITAL ORDINANCE BALANCES IN THE AMOUNT OF \$90,267 TO CAPITAL SURPLUS (Requested by Administrator 3/4/11)
TO BE PREPARED BY ADMINISTRATOR
27. ~~POSSIBLE~~ RESOLUTION ACCEPTING ~~REJECTING~~ LOW BID(S) RECEIVED AT BID OPENING HELD 3/3/11 @ 11:30 A.M. FROM M. INGANNAMORTE & SON, INCORPORATED FOR 2010 CDBG BARRIER FREE SIDEWALK RAMPS IN THE AMOUNT OF \$35,716.00 FOR THE BASE BID PLUS ALTERNATES A & B
- 27a. 2010 POLICE CONSOLIDATION RESOLUTION AMENDMENT

In answer to Councilman Barad, Mayor Heymann said that the Borough is advising the Prosecutor’s office that we are going to accept the offer to finance this consolidation study to be made by the professional group who was the low bidder or a bid proposal of our own could be issued. If the recommendation of the study is not accepted, the Boroughs would have to pay for same however there is a good possibility that the study would also give various options. Councilman Glidden noted that an agreement would have to be entered into and approved in addition to analyzing under what conditions we would accept the recommendations of the study. It was his understanding that there are certain reasons why we could not accept the recommendations; and, therefore, the money would not have to be repaid. Mayor Heymann explained that the resolution originally included Demarest and Haworth; and as yet, Haworth has not indicated full approval. The funds are limited and there may not be sufficient monies to provide for all Bergen County municipalities; and the financial burden on Closter, if the recommendations were not accepted, would be less than \$10,000. Borough Attorney advised that firstly an agreement with the Borough of Demarest is necessary to express an interest in the study; and at this time, no agreement with the County has been received or signed. Mayor Heymann said that the resolution in question is to request participation in the program after which a contract would be proposed to the Borough. Borough Attorney noted that if the study makes recommendations that the Council does

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING MINUTES – MARCH 9, 2011 - 7:30 P.M.

not agree with, the Council would have to provide justification for same or pay its share of the cost of the study. Councilman Barad asked that the resolution be subject to the approval of the final agreement.

MOTIONS

28. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES
 (Distributed via e-mail on 3/4/11) ABSTENTIONS: GLIDDEN, BARAD

- a. REGULAR MEETING OF FEBRUARY 23, 2011
 b. WORK SESSION OF FEBRUARY 23, 2011

29. MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO FILL THE FOLLOWING *NON-SALARIED* APPOINTMENTS MADE AT THE REORGANIZATION MEETING HELD ON 1/4/11 (Which have not been accepted as of the time of preparation of this Agenda)

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
BOARD OF ETHICS			
(D) Member			
Public Member	<u>Steve Roland</u>	5 Years	12/31/15
CLOSTER IMPROVEMENT COMMISSION			
Member	<u>Grace Kim Kook</u>	2 Years	12/31/12
RECREATION COMMISSION			
Associate Member	<u>Mark Sheeran</u> D. Pangburn	1 Year	12/31/11
Associate Member	<u>Joseph Yammarino</u>	1 Year	12/31/11
Associate Member	<u>Karen Farber</u>	1 Year	12/31/11
Associate Member	<u>James Thompson</u>	1 Year	12/31/11

Borough Clerk advised that signed Oaths of Office have been received from Board of Ethics Member, Steve Roland, and Recreation Commission Associate Member, Joseph Yammarino.

30. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS (NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/11; ADJOURNED FROM RM 1/12/11; 1/26/11; 2/9/11; 2/23/11):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION				
Alternate No. 1	<u>Pontrelli/vacant</u>	<u>Donna Arbietman</u>	2 Year un-expired	
			(Pereira) to	12/31/11
Alternate No. 2	<u>Jeanette DiCarlo</u>	<u>Shiran Slutsky</u>	2 Years	12/31/12

31. MOTION APPOINTING THE FOLLOWING INDIVIDUAL(S) TO FILL THE FOLLOWING *NON-SALARIED* APPOINTMENTS MADE AT THE REGULAR MEETING HELD ON 1/26/11 (Which have not been accepted as of the time of preparation of this Agenda)

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION				
Member	<u>Jay Pontrelli</u>		2 Years	12/31/12

32. MOTION GRANTING APPROVAL FOR FAMILY PROMISE OF BERGEN COUNTY (formerly The Interreligious Fellowship for the Homeless of Bergen County) TO CONDUCT 18TH ANNUAL BIKE BERGEN PARTIALLY THROUGH THE BOROUGH ON 4/3/11 BEGINNING AT 1 P.M. AT THE DEMAREST DUCK POND AND FOLLOWING ROUTE THROUGH CLOSTER PER PROPOSED RIDE/BIKE ROUTE (3. M.L. 2/24/11/ Approval received from Risk Management Consultant on 3/1/11)

Mayor Heymann advised that United Water is sponsoring a half marathon on the Sunday before Labor Day and will proceed along the reservoir route with a sizable component in Closter affecting the 5K event on that day. Jim Oettinger is in touch with United Water on this matter.

33. MOTION APPROVING/DENYING THE FOLLOWING APPLICATION FOR HAWKER &

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – MARCH 9, 2011 - 7:30 P.M.

PEDDLER PERMIT TO OPERATE A CATERING TRUCK ON RAILROAD AVENUE ONLY, SUBJECT TO APPROVAL BY THE BOARD OF HEALTH (Received from Chief of Police 3/2/11):

a. NO. 2011-001 FOR AMA CATERING, 125 DAVIS DRIVE, RIVER EDGE, NJ 07661, TO OPERATE CATERING TRUCK FOR SALE OF COFFEE, SODAS, SANDWICHES

34. MOTION APPROVING RAFFLES APPLICATION FOR CLOSTER P.T.O. TO CONDUCT ON-PREMISE 50/50 RAFFLE AT TENAKILL MIDDLE SCHOOL, 275 HIGH STREET, CLOSTER, NJ, ON FRIDAY, 4/29/11; DRAWING TO BE HELD AT 10:30 P.M. (Completed Application filed and appropriate fees paid 3/3/11)

35. MOTION GRANTING APPROVAL FOR THE RECREATION COMMISSION AND POLICE DEPARTMENT TO CONDUCT THE ANNUAL FISHING CONTEST AT RUCKMAN POND ON 5/7/11 FROM 9:00 A.M. UNTIL 12 NOON (7. M.L. 3/3/11)

Councilman Kashwick asked for an amendment to the motion that prior to the contest, Lieutenant D'Amico and Mary Mayer make sure that the pond is amply stocked so that the children would not be disappointed. Mayor Heymann said that this is being discussed; and the Recreation Commission has donated \$1,000 to stock the pond as they do every year; and other measures are being taken as well.

36. ACCEPTANCE OF THE FOLLOWING REPORTS:

a. CONSTRUCTION OFFICIAL – ~~MARCH~~ FEBRUARY 2011 (Received 3/3/11)

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

No items were removed for discussion.

The following actions were taken at this time:

In response to Councilman Kashwick's request, motion approving the following Resolution, to be memorialized by the Borough Attorney, 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 and Dolson.

- 1) RESOLUTION FOR RFP FOR MASTER PLANNER
- 2) MOTION APPROVING PARTICIPATION IN (EARTH HOUR BY WWF - HOUR WITHOUT LIGHT) ON SATURDAY, MARCH 26, 2011, FROM 8:30 P.M. TO 9:30 P.M. (discussed in the Work Session)

Motion of approval 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 and Dolson.

37. 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)

No one wished to be heard.

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

38a. Motion approving the following Closed Session Resolution at 9:10 p.m. 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 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", 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 12 weeks."

Mayor Heymann resumed the Regular Meeting at 9:55 p.m.

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – MARCH 9, 2011 - 7:30 P.M.

38b. RESOLUTION AMENDING THE BOROUGH'S OPEN SPACE AND RECREATION PLAN (OSRP)

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

38c. RESOLUTION AUTHORIZING THE BOROUGH ATTORNEY TO PREPARE PROPOSED RESOLUTION AUTHORIZING THE PAYMENT OF SICK TIME TO DISPATCHERS BEING LAID OFF DUE TO THE CONTRACT BETWEEN THE COUNTY OF BERGEN AND THE INTERBORO RADIO BASED UPON A FINANCIAL SAVINGS OF PROHIBITING THEM OR ATTEMPTING TO PREVENT THEM FROM TAKING ALL OF THEIR SICK TIME BETWEEN TODAY AND THE ACTUAL DATE THAT THE COUNTY TAKES OVER WHICH WILL SAVE COSTS FOR UNIFORMED OFFICERS TO COVER THE DESK
TO BE PREPARED BY BOROUGH ATTORNEY

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

39. ADJOURNMENT

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

Provided to the Mayor and Council on
March 17, 2011 for approval at the
Regular Meeting to be held
March 23, 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 March 23, 2011
Consent Agenda Item No. 28a.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – MARCH 9, 2011 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session at Borough Hall on Wednesday, March 9, 2011. Mayor Heymann called the meeting to order at 7:33 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 for publication on January 9, 2011 and The Press Journal for publication on January 13, 2011, posted on the Municipal Clerk's bulletin board and has remained posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

3. ROLL CALL

Those present were the following:

Mayor Sophie Heymann
Councilpersons John C. Glidden, Jr., Alissa Latner, John Kashwick, David Barad
Arthur Dolson and Victoria Amitai (7:36 p.m.)
Borough Administrator, Quentin Wiest
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, David Berrian
Officer in Charge, Dennis Kane

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF FEBRUARY 24, 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 MARCH 3, 2011 – Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. The following items were removed by the following individuals: Item No. 4 was removed by Councilman Barad.

Item No. 4: Received 03/01/11, dated 02/28/11 from John McTigue, President, PBA Local 233 re Informing of the creation of a regionalization committee regarding police consolidation studies and police merger talks and offering their assistance at any future Council meetings regarding same.

Councilman Barad voiced his appreciation that the PBA is looking into these issues and he is sure that in terms of regionalization we can use all of the input we can to move forward; and he values their offer. Councilman Glidden expects some input from the PBA regarding the

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MARCH 9, 2011 - 7:30 P.M.

consolidation of police services.

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

6. INTRODUCTION OF THE FOLLOWING ORDINANCE(S) – PUBLIC HEARING – 4/13/11
@ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

a. ORDINANCE NO. 2011:1088, “AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$232,750.00 FROM THE CLOSTER OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS (Received from Administrator 3/2/11)

Borough Administrator said that \$13,200 for the purchase and installation of street signs in the Historic District must be added to the listing and that Exhibit A., “Item No. 6”, for historic tree signage should be deleted. The new total is \$244,750.00.

RESOLUTIONS

9. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$4,799.65 TO WELLS FARGO RE TAX SERVICES FOR BLOCK 1402 LOT 17 DUE TO A 2011 TAX OVERPAYMENT (Received from Collector 2/18/11)

Councilman Kashwick questioned the tax payment posting process; and Mayor Heymann explained she is still awaiting an answer from the Tax Collector on the cause of the number of tax overpayment refunds.

10. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$5,584.56 TO CHASE HOME FINANCE LLC SERVICES FOR BLOCK 2303 LOT 9 DUE TO A 2011 TAX OVERPAYMENT (Received from Collector 2/23/11)

11. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$11,993.54 TO SOO KAY REALTY & SCHNECK LAW GROUP LLC FOR BLOCK 1305 LOT 1 DUE TO REFUND OF 2009 TAX OVERPAYMENT (TCJ RENDERED 02/10/11) (Received from Collector 2/24/11)

12. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$1,953.62 TO ASAP TITLE AGENCY FOR BLOCK 502 LOT 4 DUE TO A 1ST QUARTER 2011 DUPLICATE TAX PAYMENT (Received from Collector 2/28/11)

13. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$3,521.68 TO LESSACK & MC GLADE, COUNSELLORS AT LAW, FOR BLOCK 2406 LOT 19 DUE TO TAX OVERPAYMENT CREATED BY A DUPLICATE

CLOSTER MAYOR AND COUNCIL
 WORK SESSION NOTES – MARCH 9, 2011 - 7:30 P.M.

PAYMENT IN THE 2ND QUARTER 2010(Received from Collector 3/3/11)

- 14. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$5,315.68 TO BAC TAX SERVICES CORPORATION FOR BLOCK 2406 LOT 16 DUE TO TAX OVERPAYMENT CREATED BY A DUPLICATE PAYMENT IN THE 4TH QUARTER 2009 (Received from Collector 3/3/11)
- 19. *POSSIBLE* APPOINTMENT(S) OF *SALARIED* EMPLOYEES (NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/11; Adjourned from RM 1/12/11; 1/26/11; 2/9/11; 2/23/11): RESOLUTION(S) 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>	<u>Maria Chalarca</u>	1 Year	12/31/11

- 21. 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)
- 30. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS (NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/11; ADJOURNED FROM RM 1/12/11; 1/26/11; 2/9/11; 2/23/11):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION		Christina Stratton		
Member	<u>Vacant</u>	<u>RM 2/23/11</u>	2 Years	12/31/12
Alternate No. 1	<u>Pontrelli/vacant</u>	_____	2 Year un-expired	12/31/11
			(Pereira) to	
Alternate No. 2	<u>Jeanette DiCarlo</u>	_____	2 Years	12/31/12

- 31. MOTION APPOINTING THE FOLLOWING INDIVIDUAL(S) TO FILL THE FOLLOWING *NON-SALARIED* APPOINTMENTS MADE AT THE REGULAR MEETING HELD ON 1/26/11 (Which have not been accepted as of the time of preparation of this Agenda)

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION				
Member	<u>Jay Pontrelli</u>	_____	2 Years	12/31/12

- 36. ACCEPTANCE OF THE FOLLOWING REPORTS:
 - a. CONSTRUCTION OFFICIAL FEBRUARY 2011 (Received 3/3/11)
- 6. PROFESSIONAL REPORTS
 - A. BOROUGH ATTORNEY
 - 1) STATUS REPORT RE CONTRACTS:

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MARCH 9, 2011 - 7:30 P.M.

a. **BOROUGH ADMINISTRATOR (RM 5/13/09)** - Borough Attorney reported the Administrator and the Borough have reached an agreement on the contract; all terms and conditions have been agreed to, subject to Mike Mariniello (CFO) reviewing a portion of it regarding compliance with regulations we need to abide by with the State. No further negotiations are needed.

b. **MAC BAIN FARM AGREEMENT** - The Borough Attorney informed this issue has been resolved. He explained he had previously indicated to the Council there had been some hesitation on Mr. McCaffrey's part to sign the Agreement for an issue that was separate and apart from the contract that we are renewing. Mr. McCaffrey's attorney contacted his office earlier this week and informed that his client no longer had any issues to stop him from signing the contract; so he expects to have a signed contract from Mr. McCaffrey for the Mayor to sign later this week. The Borough Attorney informed that both of the above items could likely be removed in the future.

2) **REPORT RE PREPARATION OF SPECIFICATIONS FOR ADVERTISEMENT OF BIDS FOR SANITATION/TRASH COLLECTION (RM 1/26/11)** – Mr. Rogan reported they are still awaiting some information from the DPW; and suggested that the Borough Administrator may have a further update on this matter. Mr. Wiest informed he believes they have all of the information together at this point; and should be able to forward it to the Borough Attorney's office by the end of the week. Mr. Rogan asked that this item be carried to the next Agenda in anticipation of it being close to completion.

3) **REPORT** – The Borough Attorney reported that, in terms of lawsuits, there have been a couple of changes in the past few weeks. Regarding the Rosenblum vs. Boro of Closter and Miele lawsuit which had a full trial and then an appeal to the Appellate Division which had an oral argument a few weeks ago, we received the decision from the Appellate Division notifying the Borough was successful in defending that lawsuit; so it has been dismissed by the Appellate Division. He explained this lawsuit involved the issue of a Deed Restriction going back to some time in the 80's or 90's and the question of whether that property should revert. The Appellate Division agreed with the trial court that the Borough was correct in its position that it took in that matter.

Regarding Closter Plaza, there was an order entered by the Bankruptcy Court in that case which lifted the stay for the limited purpose to conducting its tax sale and rescheduling the tax sale for the 2010 taxes, arrears and penalties. He informed he spoke to Maria Passafaro (Tax Collector) earlier in the week, and that it is now in the process of being scheduled. Ms. Passafaro indicated that she needs 5 weeks before that can be set for the date. He asked if she could ensure that would be held by the last week of April to which Ms. Passafaro agreed. Mayor Heymann informed that may not be possible because that falls at tax time so it may take an extra month. Mr. Rogan informed he spoke to Maria just yesterday; and Mayor Heymann clarified that she does not want him to have misinformation. She explained because tax season falls within that time, we may postpone it because she doesn't think it will have any effect on the approach to Closter Plaza. She had spoken to Mike Mariniello, and his major concern was whether we had a major cash flow at that point; and he felt that we didn't for that one month that she would like to push it ahead. The Borough Attorney clarified for Dr. Barad that two weeks ago we did not have permission to hold the sale and now we do. He explained this sale was originally scheduled for December and it was

6. PROFESSIONAL REPORTS (Continued)

A. BOROUGH ATTORNEY (Continued)

stopped by the bankruptcy filing the day before the sale. Exactly what we are trying to do has been

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MARCH 9, 2011 - 7:30 P.M.

accomplished because we received first quarter 2011 taxes from them and the sale will get the 2010 back taxes and penalties.

Regarding A&P & Rosenblum vs. Irani and the Borough of Closter, the matter was scheduled for a trial this Monday, which had to be changed. Rather than putting it off, the Court asked for a status conference so all parties did appear before Judge De La Cruz on that matter and she directed the Plaintiffs: either A&P or Mr. Rosenblum, to file a motion in Bankruptcy Court in an attempt to get a lifting on the stay so that this matter can proceed. She has given them 30 days to do so; and anticipates a pre-trial conference in April or May and a trial in either late May or June. This case has been stayed for two reasons: both parties filed bankruptcy: Irani, who was a party originally, and A&P, who is a plaintiff in that case. The attorney for A&P, Mr. Segretto indicated on the record that he has permission from A&P to continue the case though he has not seen an order to that effect yet. Mr. Rogan expressed his opinion that we are starting to make some progress in reducing some of these cases.

The Borough Attorney informed he has a number of items for Closed Session regarding contract negotiations, purchase of property, potential litigation and personnel.

B. BOROUGH ENGINEER

1) STATUS REPORT RE 2009 SAFE STREETS TO SCHOOL SIDEWALK

PROJECT – NJDOT \$275,000 (not to exceed \$52,100) RM 6/24/09 - The Borough Engineer said they should all have his status report; and informed, unfortunately, this project is still on hold in Trenton. They are talking about possibly requiring borings to determine if the sites contain historic remnants; and voiced his dismay that this review has not come to an end. In response to the Mayor, he informed this is an ongoing issue, he has called several times and always gets the same answer. He doesn't think they are working on it all the time but the problem is there. He had hopes to get this done in the Summer months this year, but that is not going to happen at this point because the federal process is a very lengthy one. He explained that if it was a Borough project, it could have been completed in 4 months; but the federal process involves a lot of red tape.

2) REPORT RE NJDOT 2011 MUNICIPAL AID PROGRAM – HERBERT AVENUE SECTION 4 (\$150,000 awarded 1/26/11) 11. M.L. 2/3/11 – The

Borough Engineer reported that plans have been completed and there is a Resolution on the Agenda tonight authorizing the bidding of this project combined with the basketball project at Memorial Field, the resurfacing of a portion of Ruckman Road from the DPW driveway to Reuten Drive as well as a crack sealing program in the Borough. He explained we had discussed doing a portion of Durie Avenue from Lake Shore Drive to the CSX tracks; and after speaking with the Mayor and Billy Dahle (DPW Supt.), it is felt the money would be better spent in preserving existing roads in the Borough through crack sealing. They estimate it to be between 10,000 and 20,000 linear feet of cracks that will be sealed with that money.

3) REPORT – The Borough Engineer reported the County will be resurfacing Main Street this Spring or Summer in concert with handicapped ramps throughout the town. He reminded that at the last meeting he reported the Historic Preservation Commission had coordinated with him to come to an agreement regarding the color of the detectable warning

6. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER (Continued)

surfaces; and explained those are the truncated domes on the ramp. He informed this issue has

been resolved at this point in time. In answer to Dr. Barad, he explained they don't have a time frame yet because all of the handicapped ramps have to be replaced, then they can come through and resurface. There are two separate contracts they are working with. Dr. Barad requested a heads up when the time is coming because it will affect businesses and the sidewalk sale etc.; and Mr. DeNicola agreed to inform of same. Mr. Kashwick questioned if the curb is belgian block and brick, will the County be replacing it in kind; and Mr. DeNicola affirmed, explaining that they will be replacing it in kind with the ADA ramps being installed on the paver surfaces and new blocks put around it.

7. REPORTS

A. BOROUGH ADMINISTRATOR

- 1) STATUS REPORT RE NEW BOROUGH WEB SITE
- 2) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S): None at this time
- 3) STATUS REPORT RE COORDINATION OF ADVERTISEMENT OF BIDS FOR VARIOUS EQUIPMENT AND IMPROVEMENTS (RMA 10/13/10) – The

Borough Administrator informed the next bid to go out in terms of the recent capital ordinance that was adopted in late 2010 will be the roll-off truck and related equipment purchase for the DPW; and they will be sending that over to counsel's office before the end of the week along with the specs for solid waste.

4) STATUS REPORT RE PURSUIT OF "FAIR AND OPEN" PROCESS IN AWARDED IN THE BOROUGH OF CLOSTER (RMA 11/8/10) – Mr. Wiest informed he has been waiting some time for comments from Kevin Whitney (Fire Prevention Official) and he believes this will need to be advertised because it will be very close to the bid threshold.

- 5) REPORT RE STATUS OF AWARD OF CONTRACT FOR THE FOLLOWING BIDS RECEIVED AT THE BID OPENINGS HELD 2/10/11 FOR THE FOLLOWING DPW EQUIPMENT (RM 1/26/11/published in The Record 1/28/11):

- a. 10 a.m. - ONE VERMEER MODEL 1800XL BRUSH CHIPPER OR EQUAL
- b. 10:30 a.m. - 2011 JD 624K WHEEL LOADER OR APPROVED EQUAL

Mr. Wiest reported that the Borough Attorney, Purchasing Agent and the DPW Superintendent met with him and reviewed the bids received on 2/10/11 for the brush chipper and the front end loader. The low apparent bids in each of those cases were for alternate pieces of equipment and several exceptions were taken to the specifications. We have reviewed those exceptions and determined that the low apparent bids were not responsive to the original bid specifications. They plan to send a letter to the apparent low bidders in those cases and plan to submit awards for the second low bidders in each of those cases for the next meeting.

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

Mrs. Latner expressed her pleasure that there is movement on the fire house roof

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MARCH 9, 2011 - 7:30 P.M.

replacement because at the meeting last week she had been asked again and asked the Borough be on alert they were concerned with the area renovated last year because they don't want any leaks or anything. She questioned an approximate rough bid timeframe so she can respond to their concerns. Mr. Wiest expressed he expected the bid to be out after the advertisement has been out for about 3 weeks and he expects they would take bids at the end of March or beginning of April to accomplish the work in the Spring. Mrs. Latner informed at this time that the ramp in front is in disrepair and wanted to make sure the Borough was aware of that also. Mr. Wiest responded that he was not familiar with that but would look into it.

B. BOROUGH CLERK

- 1) STATUS REPORT RE 2011 APPOINTMENTS - Ms. Castano reported we are current with 2011 appointments; and they are being maintained on the Agenda if Oaths have not been received.
- 2) REPORT RE 2011 OATHS OF OFFICE - Borough Clerk informed of the current statistics: Of 141 appointments made at the Reorganization Meeting, as of today 132 oaths have been received and 9 are outstanding.
- 3) STATUS REPORT RE 2011 LICENSES - The Borough Clerk informed there is no change regarding Borough licenses.
- 4) REPORT RE 2011 MEETING DATES - Ms. Castano reported meeting dates are current.
- 5) REPORT RE IMPLEMENTATION OF CITIZEN SERVICE ACT (LOCAL FINANCE NOTICE -LFN 2009-24, 11/12/09) - Ms. Castano reported that implementation has been very successful; and as of today, there are only 7 outstanding oaths that have to be provided by the Boards from the following Boards and Commissions: Improvement Commission, Recreation Commission and Local Assistance Board.
- 6) REPORT RE FINANCIAL DISCLOSURE STATEMENTS - The Borough Clerk reported that out of 108 FDS that were sent out, 72 have been returned. She explained this was excellent because she has already made two submissions to the Local Finance Board. The Board of Ethics met on 3/8/11 and they accepted all but four which had to be sent for correction and return. She informed that the first submission had 38 and the second had 29. As of today we have 34 outstanding. Ms. Castano expressed appreciation that we are making progress, the Board of Ethics is formed and meeting and reviewing Financial Disclosure Statements on a regular basis, which is much better than we had in the past. She reminded that April 30th is the deadline and this is only the first week in March.

Ms. Castano informed the Borough Attorney is reviewing Ordinance No. 2011:1087 which had to do with amendments to the Ethics ordinance. She is holding that number until the revisions are received; and the Borough Attorney informed he would be sending something to the Ordinance Committee to review between now and the next meeting.

- 7) REPORT – The Borough Clerk reported on the following:
 - a. E-mailing of unapproved minutes, meeting dates and agendas has worked very well. Our packets on Friday are to the Mayor and Council and there are not that many having to be mailed out to anyone; and everyone is very happy about it. She informed we received the Borough Engineer's latest status report via e-mail which allows us to copy and paste as necessary to follow

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

through on the additional information he provides in those reports. Mayor Heymann thanked Ms.

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MARCH 9, 2011 - 7:30 P.M.

Castano for her initiatives.

b. Borough Clerk/Office Manager of Northvale, Wanda Worner gave an informative presentation/demonstration at our last Work Session, and Ms. Castano sees most of them were very appreciative of her input. She expressed her opinion that Ms. Worner made us feel very comfortable because she was able to show us and demonstrate so we could see how it does work. At this time, she wished to know the Mayor and Council's sentiments on how to proceed, whether she should obtain quotations for the necessary equipment and the software for our scanner. Upon their approval, she can obtain estimates for the laptops.

In response to Mrs. Amitai, the Borough Clerk reminded that Ms. Worner estimated the cost to be between \$500 and \$700 per laptop. At this time, Mayor Heymann asked Ms. Castano if they could try one thing at a time. She suggested obtaining the necessary software to be able to scan documents and send them via e-mail to the Council and see if that works and then go to the next step. Ms. Castano raised the question as to whether or not she would still need to provide paper documents at the meetings since everything is and will be a dual system – we have paper and the computer. She anticipates the computers alone should last, as she has had the laptop she is currently using for at least 10 years; and although it may not be as fast, it still works. Ms. Castano pointed out that the Borough Clerk's office does not cost the Borough that much because most of what we do is labor intensive; they can see how hard her office is working. She noted she has never gone over budget and has always tried to cut costs.

Dr. Barad agreed that if we could cut out the printing, that would save some labor and materials as well. Ms. Castano affirmed and reminded that their homes are being filled with paper as well. Mayor Heymann expressed her understanding that if the materials that are not directly on the computer, as many of the things they received this month are not, the materials that could be scanned in can be sent my e-mail; and she doesn't see a problem with that. She explained that what she thinks Loretta is pointing out is that they will not have the papers in front of them; and since they all look for different things, it would be justifiable for those who want the paperwork in front of them to print it out themselves; it doesn't have to go to everybody.

Dr. Barad voiced his understanding that the only thing Loretta is asking to do at this point is obtain estimates, not decide what we are going to do. He suggested if she can provide an estimate to go paperless, perhaps she can also provide an estimate of what it costs in personnel and materials to print all of the same information so they can make a rational decision whether to switch over or not. Dr. Barad asked if a Kindle was less expensive; and many responded that it is not usable in this fashion.

Mrs. Latner explained that at the last meeting, at which Dr. Barad was not present, Ms. Worner explained a lot of things they could do and how to navigate to individual items and retrace the history and such; and she agrees it would need to be on a computer. Mr. DeNicola added that they could also edit and highlight things that way. Dr. Barad questioned the clutter and the capabilities of being able to do other things during a meeting. Mr. Kashwick informed that the internet would be disabled on the computers. Mayor Heymann clarified that Ms. Worner and Loretta explained that nothing else can be accessed on the laptops during a meeting.

Mr. Kashwick explained he did not see any problem with looking into obtaining an estimate. Ms. Castano asked about the sentiments of the rest of the Council members; and they responded as follows: Mrs. Amitai said to definitely get an estimate; Mr. Dolson agreed; Mr.

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

Glidden stated that he is highly in favor of getting rid of paper and would like to go 100%

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MARCH 9, 2011 - 7:30 P.M.

electronic.

Mr. Glidden questioned if there were any restrictions to using their own laptops at the meeting; and Ms. Castano informed she was unsure if it would be coordinated with what we have. but reminded that it would have to be locked while they are in the Council Chambers. Mrs. Amitai questioned, as an example, all of the materials they have tonight from the League of Municipalities is backup information from what was on the mail list; otherwise, they still receive a lot of information from the Clerk via e-mail from the League. Ms. Castano responded in the affirmative and explained that right now we receive physical documents for the mail list. We don't have the capability to send all of those documents to you via e-mail; once we can scan all those documents in we can get them to you via e-mail. Mrs. Amitai asked how they could help her get that done because it seems like something that would be really good and important and a quick fix. Ms. Castano voiced her opinion that paperless is the way to go; and reminded that she has wanted to do this since 2003. Mr. Kashwick asked if she would be able to get The Press Journal as a pdf to email as well. Dr. Barad affirmed his support; and said it was a fiscally responsible decision.

c. Ms. Castano reported receiving the paperwork from The Board of Elections which she provided to the Chairpersons of the Closter Republican and Democratic Clubs. The deadline for filing of primary petitions for Council is 4 p.m. on Monday, April 11, 2011 in the Borough Clerk's office. She explained that the last day to register to vote in the School Election is April 6, 2011; and explained that our office will be open to the public from 9 a.m. to 9 p.m.

At this time the Borough Clerk reminded as follows: Since the School Election is scheduled to be held Wednesday, 4/27/11, from 2 p.m. to 9 p.m., our Mayor and Council Meeting will be held on Tuesday, 4/26/11, @ 7:30 p.m.

At this time, Mayor Heymann informed she finally received her election calendar from the County and questioned if Ms. Castano received hers yet; Mrs. Latner informed she too had received hers today. Ms. Castano responded that the Mayor and Council usually get theirs first and then the Clerk's office receives their copies.

C. CHIEF OF POLICE

1) REPORT – Chief Berrian informed that Sgt. Dennis Kaine (Officer in Charge) will be providing this evening's report. Sgt. Kaine reported they just completed their 2010 accreditation under the plan; and explained it took until February because they had to complete all of the 2010 evaluations for officers and dispatchers. With one year down, we have two more to go before we have to go through the re-accreditation process. With the hiring of Officer Barbieri, we were able to activate our accreditation field training program which is run by Lt. Doerr and Patrolman Buccola. Officer Barbieri rode with them for 6 weeks and passed with flying colors; and is now on the road by himself. With the 2010 evaluations completed, we have started the 2011 evaluations of all patrol personnel, which he explained is an ongoing monthly evaluation that culminates at the end of the year.

Sgt. Kaine informed they have narrowed down the more than 60 applications they received to 25 for interviews with the Committee downstairs; which will then be narrowed down to 10 for Public Safety review for any future hires list which will be held for 3 years.

7. REPORTS (Continued)

C. CHIEF OF POLICE (Continued)

This morning they met with the Interborough Chiefs Association and discussed

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MARCH 9, 2011 - 7:30 P.M.

Interborough Radio; and a meeting will be scheduled with the County Police Department regarding that issue.

Sgt. Kaine reported that Officer (Jack) McTigue is now being trained, schedule permitting, to be in the Detective Bureau.

Mayor Heymann invited any questions regarding Sgt. Kaine's report; and Councilman Glidden requested further elaboration on their meeting with the Interborough Chiefs and going to the County. He asked if there were any concerns expressed by the other towns. In response, Sgt. Kaine explained that they all want to know when the plan is going to happen, when it will take effect and what the procedures will be. Mr. Glidden asked for Sgt. Kaine's own personal feeling about the County taking over the radio; and he explained this was the first meeting he has attended so he is not really familiar with all of the prior stuff. Mr. Glidden asked him if he will get into it because he feels it is a very important issue, especially for all of the emergency services in Closter and would appreciate Sgt. Kaine's opinion; the Sgt. agreed and affirmed same.

Mr. Dolson wished to generally comment at this time and noted in all of the information regarding the Interborough Agreement he has read, it refers to "911" answering; and questioned what happens to all of the other calls that come in to 768-5000. The Borough Attorney voiced his understanding that they would still be answered here by the Closter Police Department; and Sgt. Kaine informed that was not the case, that everything is being transferred to Mahwah. Mr. Rogan asked for clarification that non emergency phone calls would also be transferred to Mahwah; and Sgt. Kaine affirmed that everything was being transferred. Mrs. Amitai expressed her surprise and the Borough Attorney stated that was not what they initially said; Mayor Heymann affirmed that everything is being transferred. Mr. Kashwick questioned if someone worked here and their family needed to speak to them that they would have to go through the switchboard with Mahwah to get to here; and Sgt. Kaine affirmed same. Mr. Glidden explained they will then be switched over to an extension here which is a change from what they originally told us just as the Borough Attorney had just said. Mrs. Amitai asked to know where the line will be funneled to because she did not hear the first time; and Mr. Glidden repeated that 768-5000 will go to the County Dispatch Center in Mahwah. Mrs. Latner voiced her surprise and said that sometimes people just call that number because it is not an emergency and they want to just ask a question. Mayor Heymann explained it will be received as a non-emergency call and handled the same way. Since the airwaves are no barrier for communication, she suggested that nobody would even know the difference. The Mayor explained that if she called 768-5000 and wanted to speak to one of the Officers, that would go through Mahwah and she would get connected to that Officer. Sgt. Kaine said if they are working, and they are at headquarters, they can still take a message and have them call you back. Dr. Barad questioned if it was a computer exchange or if somebody would answer the phone; and Sgt. Kaine informed that if they dial 784-0600, they can just dial the extension and leave a voicemail.

Mr. Kashwick asked if there were any candidates out of the ones they received that would increase the diversity of our talent pool; and Sgt. Kaine responded that he has not looked at the candidates as Lt. Doerr and Sgt. D'Amico qualified the top 25 candidates. Chief Berrian added that he would like to schedule a Public Safety Meeting in the near future; and Mr. Glidden informed he would take care of it.

7. REPORTS (Continued)

D. MAYOR

- 1) STATUS REPORT RE FOLLOWING GRANTS: Mayor Heymann reported there

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MARCH 9, 2011 - 7:30 P.M.

is nothing new on any of the grants at this time.

a. FILED

- 1) DEP Greenhouse Grant Reduction (pre-application) WS 12/9/09
- 2) 2011 ROID GRANT (REC OPPS FOR INDIVIDUALS WITH DISABILITIES DIFFERENTLY ABLED CHALLENGER RECREATION PROGRAM) WS 9/7/10
- 3) CDBG GRANT APPLICATION (\$20,000) TO IMPROVE ACCESSIBILITY TO THE CLOSTER PUBLIC LIBRARY (RM 8/11/10)
- 4) 2010 BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND GRANT APPLICATION (Municipal Park Improvement Program/Purchase of Playground Equipment/Memorial Park - \$37,500/match – RM 9/22/10)

b. AWARDED

1. 2010 COMMUNITY DEVELOPMENT BLOCK GRANT FOR BARRIER FREE CURB CUTS - \$50,000 AWARDED (2. M.L. 6/17/10)
2. BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL IMPROVEMENT PROGRAM 2009 Grant (\$37,000) basketball courts/Memorial Field (filed 7/27/09) Award of \$36,500 reported WS 6/9/10
3. FY09 BUFFER ZONE PROTECTION GRANT PROGRAM (BZPP) FOR TARGET HARDENING OF THE ORADELL DAM - \$24,608 AWARDED (RM 2/9/11 Authorizing execution of grant documents)

c. TO BE FILED - To be announced by Mayor

- 2) REPORT – Mayor Heymann reported on the following matters:

She pointed out an e-mail everyone received from Rutgers School of Continuing Studies and encouraged everyone who has taken some courses to continue with that and get the certification; and for those who haven't taken any, she noted they are really very valuable and it is no problem to get the review and take those courses. Mr. Kashwick informed that they have a tendency to cancel classes very easily as he has signed up for a number of them; and the one he was supposed to take last Saturday was cancelled. A gentleman he spoke to informed him there were not that many people enrolling in them. Mayor Heymann explained that when she took the courses many years ago, everybody was taking them. She figures people are busier these days. Mr. Kashwick informed he has signed up for a couple of classes if anyone wishes to attend with him.

Mayor Heymann congratulated the Tenakill Dancers, who won several prizes. The Junior Team won a 1st place championship trophy in the Junior Jazz Division of the Garden State Regional Classic Competition and 2nd place in the hip hop division. The Youth Team won a 1st place trophy in the Youth Jazz Division. She informed she would pass the article around and that she wanted to comment on it on the record that we congratulate them. Mrs. Latner informed her daughter participated and she has many videos of it. Mayor Heymann noted it has been around for many years and the children do very well with it; and Mrs. Latner said the volunteers do a wonderful job.

7. REPORTS (Continued)

D. MAYOR (Continued)

Mayor Heymann called attention to a wedding announcement she received which she

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MARCH 9, 2011 - 7:30 P.M.

thought everyone should be aware of.

At this time, the Mayor wished to explain something that could cause some confusion which may have never occurred. At one point, we were concerned that any appointees to a commission or board, in order to serve a board and be a voting member would have to sign an Oath of Office – was not in sync with Federal and State regulations. She explained that for Federal officials, that does hold true; but within the State there is no specific regulation of that sort. Therefore, if a nominee is willing to take the Oath of Office although not yet a citizen, but intends to be one; then that would be acceptable. She reiterated she wanted everyone to be aware of this.

Mayor Heymann wished to bring to everyone's attention the unfortunate fish kill at Ruckman Pond. She informed it was listed in the newspaper and they have been e-mailed on the subject. She doesn't think it will happen again in the future because we have learned our lesson now; but there were well over 1,300 fish; some of which were 20 and 25 lb. fish. She did not realize that our pond had such a large population, and that may have been one of the problems, too many fish in the pond for the size of the pond which caused a lack of oxygen.

Mayor Heymann informed that on March 26, 2011 there is a global hour without light (Earth Hour – WWF). She explained this is a part of a global way to indicate support of sustainable energy issues; and the idea is to indicate this on the 26th from 8:30 pm to 9:30 p.m. She checked with the Chief and Borough Officials and we can shut the lights in the Borough buildings, but not on the streets, in parking lots, and traffic lights. She asked that if all are in accord with that if they could pass a motion, as that is all this would require. Mrs. Amitai asked what time of day it would be and the Mayor so informed her.

At this time, the Mayor reminded that March 19, 2011 is the Joint (Land Use) Boards Meeting and she hopes everyone can attend. She informed that a comprehensive e-mail tip has been e-mailed to them in preparation for that.

Mayor Heymann commended the Emmaus Mission Church which is hosting homeless families for the better part of the week. She voiced her opinion that it is good citizenship and reflects well on all of us.

The Mayor announced that we were asked to provide a ramp at Memorial Field by the George Potterton Memorial in order to accommodate some youngsters in wheelchairs who are having a hard time using the field. She informed she has discussed the issue with the Borough Engineer and invited his comments at this time. Mr. DeNicola reported he reviewed the grade differentials and the slopes of the existing ground. He explained it would be an elaborate ramp system because we need to meet certain maximum slopes for it to be ADA compliant; to make it a formal ADA approved ramp like zig-zag back and forth and have level platforms every once in a while. He spoke to the Mayor and suggested it would be better, from a cost standpoint, to run a sidewalk through the existing driveway down by the field house where the driveway comes to the fence, run it along the back of the fence to the Little League field. He feels it would be less

7. REPORTS (Continued)

D. MAYOR (Continued)

expensive and obtrusive. Mayor Heymann clarified that there is a hill which is too great to pass

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MARCH 9, 2011 - 7:30 P.M.

ADA; but if we take a sidewalk from the driveway, it bypasses the hill. Mr. DeNicola explained it is the fence along the Harrington Avenue side and it runs flat from the driveway along the fence, so it is safer and less expensive. He estimates it is 100-150 feet of sidewalk. Mayor Heymann will be looking into grant applications to affect the project.

Dr. Barad questioned if they needed to do anything for Crown Castle to be able to inspect; do we need a Resolution. Mayor Heymann informed the Resolution regarding Crown Castle has been removed (Item No. 21) because they are not ready for anything yet.

8. OLD BUSINESS

9. NEW BUSINESS

Dr. Barad informed that all may be aware that they are looking into taking the existing cell tower down because it is an eyesore for the whole town. He explained that it may have some impact on our Dispatch so we need to get additional information from the Police Department. New locations being considered are as follows: by the DPW, or even further back by the composting area. It had occurred to them that the Environmental Commission or other people may have some thoughts about having the tower appear at the DPW back by the Nature Center or even the other spot so they are only looking into it at this point. He suggested everyone start having discussions about the issue. Mr. Kashwick asked if they could get one that looks like a tree; Mr. Dolson informed he has seen the ones with the rubber branches on them. Mrs. Amitai asked if we didn't have other technology at this point that would not longer require us to have the tower; Dr. Barad responded that probably in the future, but not within the next 5 years. Mayor Heymann informed that she had posed the same question as Mrs. Amitai and Crown Castle responded that they are very interested in pursuing this and would like a 25 year contract. She feels it will be to our benefit because according to what Dr. Barad is saying, they won't even need it for that long. Mrs. Amitai questioned if anyone was willing to make a decision for 25 years down the road. Dr. Barad explained that right now we are not making any decisions. Mayor Heymann added "if it brings us money..."

Dr. Barad referred to the musical held at Northern Valley Regional High School and voiced his opinion that they did a wonderful job and some of the kids were wonderful to watch. Mayor Heymann noted she is proud of our whole Northern Valley system because the performance at Old Tappan was so good that the female lead got a standing ovation in the middle of the program because people were so enthusiastic about it. She expressed her sentiments that our kids are doing very well and we should all be proud of them.

Mayor Heymann announced that we are in the process of exchanging rooms right out side of here and explained the small meeting room will become the copy room; and the existing copy room will become the new meeting room, giving them a little more room and is in sync with how we are trying to improve upon the limited space that we have in the Borough.

Borough Attorney referred to a letter (dated 2/28/11) received from Planning Board Attorney, Arthur Chagaris, which is on the Mail List (9. M.L. 3/3/11) requesting that the Council authorize an RFP for the purpose of retaining a Master Planner to review certain items relative to

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MARCH 9, 2011 - 7:30 P.M.

John Street, Railroad Avenue District, the industrial area, Piermont Road between High Street and Homans Avenue and the implementation of a Comprehensive Conservation Zone. He explained that the Planning Board requires some clarification and direction in addition to what the Master Plan indicates. No objections were expressed by the Council members.

Mayor Heymann reminded that each year the Board of Education invites the Finance Committee of the Council to meet with them to discuss the Board Budget. The Superintendent provided a single date for the meeting, which was the night before the Board meeting, to announce the budget; and this date conflicts with a Council meeting. Another date has not been forthcoming as of yet. Councilman Dolson suggested that a copy of the budget report be provided to the Council for review prior to the meeting. It was recommended that Councilman Dolson provide the Board with convenient meeting dates.

10. OPEN MEETING TO THE PUBLIC FOR ANY MATTER PER NJSA 10:4-12(A) SUBJECT TO A 5-MINUTE LIMIT (PER GENERAL RULE NUMBER 10) EXCEPT FOR ITEMS SCHEDULED FOR PUBLIC HEARING AT THE REGULAR MEETING

Steve Isaacson, 97 Columbus Avenue, referred to the billboard in front of Borough Hall, which he said cannot be seen at night; and questioned why there is publicity of Northern Valley High School listed on same since there are a number of other items that could be publicized. Relative to the paperless meetings, he suggested that the CD be prepared and downloaded on the Council personal laptops as a trial. If this procedure is deemed viable, the Borough can then invest in the necessary hardware. As to the legal ramifications, Borough Attorney advised that there are OPRA concerns of intermingling the home computer with Borough documents. The courts have indicated that potentially a home computer could be seized if there is a dispute so that it is better to do it the way it was indicated in the presentation made. Using the CD without importing the files into a home computer as a reader would be acceptable as long as there was no exchange of material with other members of the governing body.

Mr. Isaacson referred to the fish kill noting that this would be the time to clear out the excessive vegetation in the pond. He noted that referendum to exceed the CAP could be voted on at the School Election and Mayor Heymann explained that the deadline for same has passed.

11. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

12. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY

13. ADJOURNMENT

At 8:35 p.m., Mayor Heymann asked whether the Council wished to take a recess; and

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – MARCH 9, 2011 - 7:30 P.M.

all were in agreement for her to proceed to the Regular Meeting.

Provided to the Mayor and Council on
March 17, 2011 for approval at the
Regular Meeting to be held
March 23, 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 March 23, 2011
Consent Agenda Item No. 28b.