

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – AUGUST 26, 2015 - 7:30 P.M.

Mayor Glidden called the meeting to order at 8:55 p.m.

1. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was published in The Record and The Star Ledger on January 9, 2015, was posted on the Municipal Clerk's bulletin board and has remained posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

2. ROLL CALL

The following persons were present:

Mayor John C. Glidden, Jr.  
Councilpersons: David Barad, Alissa Latner, Thomas Hennessey, Arthur Dolson  
and Victoria Amitai  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Chief of Police, Dennis Kaine

The following persons were absent:

Councilman Robert Di Dio  
Borough Administrator, Jonathan M. DeJoseph

3. APPOINTMENTS - (Not made at the Reorganization Meeting held 1/5/15 - Requiring Council confirmation)

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Planner to Implement Portions of the 2008 Master Plan	Francis J. Banisch, III Banisch Associates, Inc.	_____	1 Year	31-Dec-15
Treasurer	VACANT	_____	1 Year	31-Dec-15

4a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda was made by Councilman Barad, seconded by Councilman Dolson and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Hennessey, Dolson and Amitai.

RESOLUTIONS

5. A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE (Received from Administrator 8/14/15)
6. RESOLUTION AUTHORIZING SUBMISSION OF TRUST FUND APPLICATION BY MUNICIPAL ENDORSING RESOLUTION TO THE BERGEN COUNTY OPEN SPACE TRUST FUND FOR THE RUCKMAN PARK WALKING PATH LIGHTING PROJECT IN THE AMOUNT OF \$137,500.00 (Received from Administrator 8/18/15)
7. RESOLUTION ENDORSING AND URGING PASSAGE OF STATE LEGISLATION TO PROTECT THE VIEWSHED OF THE HUDSON PALISADES (Received from Mayor's Office 8/18/15)
8. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING TO PROVIDE ENVIRONMENTAL ENGINEERING SERVICES FOR THE UST SITE INVESTIGATION LOCATED AT THE CLOSTER DEPARTMENT OF PUBLIC WORKS FOR AN AMOUNT NOT TO EXCEED \$5,800 PER PROPOSAL DATED 4/8/15 (Ordinance 2015-1188; Capital Account C-04-15-188-012-001) Received from Administrator 8/18/15
9. RESOLUTION AUTHORIZING REVISIONS TO RESOLUTION NO. 13 ADOPTED AT THE REGULAR MEETING HELD 8/12/15 AUTHORIZING THE UPGRADES TO SENIOR CENTER UNDER THE NEW JERSEY DIRECT INSTALL PROGRAM (Ordinance 2015-1188; Capital Account C-04-15-188-006-003) TO LIME ENERGY IN THE AMOUNT OF \$7,389.44 TO INCREASE THE TOTAL PRICE BY \$40.90 FOR A REVISED TOTAL OF \$7,430.34 (Received from Administrator 8/18/15)

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10. RESOLUTION AUTHORIZING AMENDMENT OF THE COAH PLANNER'S PROFESSIONAL SERVICE AGREEMENT (ORIGINALLY AWARDED 5/13/15) TO PAY ADDITIONAL COMPENSATION NOT TO EXCEED \$5,000 (Received from Borough Attorney 8/19/15)
11. RESOLUTION ESTABLISHING AND APPOINTING MEMBERS TO BOROUGH'S AD HOC COAH/FAIR HOUSING SUBCOMMITTEE: Mayor John Glidden; Borough Administrator Jonathan DeJoseph; Borough Attorney, Edward T. Kogan; Planning Board Liaison and Council Member Vicky Amitai; Zoning Board Liaison and Council Member, Arthur Dolson; Zoning Board Chairman, Joseph Bianco; Planning Board Chairman, Mark Maddaloni, Construction Code Official, Gary Montroy; and Borough COAH Planner, Caroline Reiter (Received from Borough Attorney 8/19/15)
12. RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH NORTHALE FOR THE CLOSTER POLICE FIRING RANGE AND AUTHORIZING MAYOR AND CLERK TO EXECUTE AGREEMENT (Received from Administrator 8/19/15)
13. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$25,566.80 AND ISSUE A RETURN OF PREMIUM FROM ESCROW IN THE AMOUNT OF \$10,500.00 TO US BANK CUST NEW JERSEY BOARDWALK, LLC FOR THE REDEMPTION OF TAX SALE CERTIFICATE #13-00002 FOR PROPERTY LOCATED AT 180 HERBERT AVENUE, BLOCK 1207, LOT 6, SOLD AT THE MUNICIPAL TAX SALE HELD ON 4/18/13 FOR 2012 DELINQUENT TAXES (Received from Tax Collector 8/19/15)
14. RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE T-MOBILE LETTER OF CONSENT AUTHORIZING UPGRADES OF EXISTING EQUIPMENT AND ADDITION OF THREE (3) NEW ANTENNAS UNDER EXISTING LEASE TO THE CELLULAR TOWER (Received from Borough Attorney 8/20/15)
15. RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CREDIT THE FOLLOWING ACCOUNT FOR TAX YEAR 2015 DUE TO RECIPROCAL EASEMENT AGREEMENT WITH THE BOROUGH WHICH STIPULATED A PROPORTIONAL 22% TAX ABATEMENT ON THE LAND VALUE FOR PROPERTY USED BY THE BOROUGH IN THE AMOUNT OF \$1,195.35 TO CAEA, LLC (Charles & Elaine Amorosso), BLOCK 1302 LOT 21 (Received from Tax Collector 8/20/15)
16. RESOLUTION AUTHORIZING TAX COLLECTOR TO CANCEL THE FOLLOWING AMOUNTS FROM THE TAX RECORDS FOR THE YEARS 2015/2016 DUE TO A RECIPROCAL EASEMENT AGREEMENT (SECTION 13C) FORMULATED IN SEPTEMBER 1994 FOR THE TROKHAH LAND GROUP, LLC, FOR BLOCK 1302 LOT 13, 3<sup>RD</sup> AND 4<sup>TH</sup> QUARTERS 2015, IN THE AMOUNT OF \$2,900.41 AND 2016 PRELIMINARY TAX TOTALING \$2,821.82 (Received from Tax Collector 8/20/15)
17. RESOLUTION AUTHORIZING THE CONSUMPTION OF ALCOHOLIC BEVERAGES DURING CERTAIN LABOR DAY ACTIVITIES PURSUANT TO CHAPTER 67 OF THE CLOSTER CODE (Approval received from Risk Management Consultant 8/21/15)
18. MOTIONS  
MOTION APPOINTING RICHARD DALY AS ZONING BOARD OF ADJUSTMENT MEMBER FOR AN UNEXPIRED 4-YEAR TERM (WEST) TO 12/31/16 (I. M.L. 8/20/15)
19. MOTION GRANTING APPROVAL FOR B.P.O.E. #2304 CLOSTER LODGE TO CONDUCT ON PREMISE CASINO NIGHT AT 148 RAILROAD AVENUE ON SATURDAY, 10/3/15, FROM 6:30 P.M. TO 12:00 A.M. (Completed application filed and appropriate fees paid 8/20/15)
20. MOTION GRANTING APPROVAL FOR CLOSTER LIONS CLUB TO CONDUCT ON-PREMISE 50/50 CASH RAFFLE AT THE 8<sup>TH</sup> ANNUAL CHARITABLE FOUNDATION CAR, TRUCK & MOTORCYCLE SHOW TO BE HELD AT THE CLOSTER COMMONS, 370 PIERMONT ROAD, ON SUNDAY, 9/27/15, FROM 11 A.M. TO 3 P.M.; DRAWING TO BE HELD AT 2:30 P.M. (RAIN DATE: SUNDAY, 10/4/15) Application received and fees paid 8/20/15
21. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 8/20/15) NO ABSTENTIONS:
  - a. REGULAR MEETING HELD AUGUST 12, 2015
  - b. WORK SESSION HELD AUGUST 12, 2015
- 21-1. MOTION GRANTING APPROVAL FOR NEW YORK CYCLE CLUB, INC. TO CONDUCT CHARITABLE BICYCLE RIDE "ESCAPE NEW YORK" PARTIALLY THROUGH THE BOROUGH ON SATURDAY, 9/26/15, FROM 8 A.M. TO 5 P.M. (Approval received from Risk Management Consultant 8/26/15 @9:56 a.m.)

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22. REPORTS  
(None received at time of preparation of this Agenda)
- 4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA
23. OPEN MEETING TO PUBLIC FOR ANY MATTER PER N.J.S.A. 10:4-12 (a)  
(Subject to 5-minute limit per By-Laws General Rule No.11)
- Mayor Glidden opened the meeting to the public. No one wishing to be heard, Mayor Glidden closed the meeting to the public.
24. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY
- 24a. Motion to join the Affordable Housing Consortium in an amount not to exceed \$2,000 was made by Councilwoman Amitai, seconded by Councilman Barad and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Hennessey, Dolson and Amitai.
- Borough Attorney advised he would prepare a Resolution memorializing this action for the next Regular Meeting because time is of the essence if it is needed by September 1.
- 24b. Motion approving the following Closed Session Resolution at 9:03 p.m. was made by Councilman Barad, seconded by Councilwoman Latner and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Hennessey, Dolson and Amitai.
- OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(7), "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.
25. ADJOURNMENT
- Motion to adjourn the Regular Meeting at 9:25 p.m. was made by Councilman Hennessey, seconded by Councilman Dolson and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on  
September 3, 2015 for approval at the  
Regular Meeting to be held  
September 9, 2015.

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held September 9, 2015  
Consent Agenda Item No. 19a.

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION NOTES – AUGUST 26, 2015 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, August 26, 2015. Mayor Glidden called the meeting to order at 7:32 p.m.

1. PLEDGE OF ALLEGIANCE

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

At this time, Mayor Glidden presented a certificate to Ryan Alweiss, a member of the 2016 United States team during the 56<sup>th</sup> International Mathematical Olympiad. The team won 1<sup>st</sup> Place and individually Ryan placed 10<sup>th</sup> in the world.

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, which was published in The Record and the Star Ledger on January 9, 2015, was posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

3. ROLL CALL

The following persons were present:

Mayor John C. Glidden, Jr.  
Councilpersons David Barad (7:37 p.m.), Alissa Latner, Thomas Hennessey,  
Arthur Dolson and Victoria Amitai (7:38 p.m.)  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick De Nicola  
Chief of Police, Dennis Kaine

The following persons were absent:

Councilman Robert Di Dio  
Borough Administrator, Jonathan M. DeJoseph

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF AUGUST 13, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 7 was removed by Borough Clerk; Item No. 11 was removed by Councilman Hennessey; and Item No. 14 was removed by Councilwoman Latner.

Item No. 7: Received 08/10/15, dated 08/10/15 from Brad Saladucha, S&B Construction, to Jonathan M. DeJoseph re Request for permission to tie into the sanitary sewer main located on Anderson Avenue for Alpine property located at 393 Anderson Avenue, Block 78 Lot 2 (included

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in original 7/27/94 Agreement between the Borough of Closter and Borough of Alpine)

Borough Clerk noted receipt of this item and voiced her understanding the Borough Engineer was following through on same. Mr. DeNicola informed he spoke to DPW Superintendent, the contractor and the Administrator; and explained this is a property that was included in an earlier agreement with Alpine and this property is permitted to tie in. Bill Dahle will perform the inspection as there is no sanitary sewer extension lateral to tie into it so it will be inspected for conformity to Closter requirements. In answer to the Borough Clerk, Borough Attorney affirmed there will need to be a Resolution of approval; and he inquired if the cost has increased since the last tie-in. Borough Engineer explained the fee to tie in has not increased but the service fee for treatment of the flow has increased; and suggested obtaining same from the Borough Administrator. Borough Attorney will speak to Bill Dahle and prepare a Resolution for the next meeting.

Councilman Barad entered the meeting at 7:37 p.m.

Item No. 11: Received 08/11/15, dated 08/11/15 from Mayor Emeritus Sophie Heymann, Coordinator/contact person of 2013 Trail Proposal Grant, Closter Environmental Commission re Request for waiver of insurance coverage for Kevin Riley to allow the Environmental Commission to proceed by utilizing his knowledgeable trail building services to assist them in utilizing the grant – deadline to expend funds: May 2016 - Hold Harmless Agreement to be provided by Mr. Riley (distributed 8/12/15)

Councilman Hennessey wished to discuss the waiver of insurance and hold harmless agreement request. The Borough Attorney advised a waiver cannot be granted and said he spoke to the Administrator regarding same, having suggested making the person a part-time employee if the individual is not willing to provide insurance and sign a hold harmless agreement. He could also be made a seasonal part-time employee as long as he is not eligible for benefits and is paid straight hourly and covered under all of the Borough's insurances. Mr. Rogan strongly advised against putting this through as an outside contractor because it is too much of a risk.

Councilwoman Amitai entered the meeting at 7:38 p.m.

Item No. 14: Received 08/12/15, dated 05/12/15 from Nick R. DeMauro, Executive Director/Chief Executive Officer, L.E.A.D. Inc. and Robert J. Kugler, President, NJ L.E.A.D., Chief of Police, Saddle Brook, NJ, to Mayor re Information regarding the L.E.A.D. (Law Enforcement Against Drugs) Program with talking points and copy of letter sent to Chief of Police

Councilwoman Latner thanked Chief Kaine for forwarding this information to everyone and asked if there have been any further communications. Chief Kaine informed at this time there has not been anything further. Mrs. Latner informed she will be attending a meeting at the high school in the near future and will inquire about same because the previous Superintendent had been trying to coordinate this as well.

b. MAIL LIST OF AUGUST 20, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item Nos. 1, 8 and 10 were removed by Councilwoman Latner.

Item No. 1: Received 08/14/15, dated 08/12/15 from Dr. Theodore West to Mayor John Glidden re Resignation as Member of Zoning Board of Adjustment effective immediately (unexpired 4 year term to 12/31/16) Copy to LUC/Zoning Board of Adjustment, Board of Ethics

questions. Councilwoman Amitai recalled during discussions for the property use that 16-foot box trucks had been mentioned and Councilman Barad recalled same. Councilman Dolson questioned the possibility that plants are being brought in and the property is no longer used as a farm but as a retail establishment. Mr. Rogan advised that unfortunately, the way the law is written, the State regulations bend over backwards for these “farms”; and as long as 50% of their sales are generated from their property, they are allowed to import other produce. The State’s policy is to protect as many farms as possible. His office does monitor the farm in addition to all of the others in town once a year; and just last week, they paid a visit to Metro Farm and collected receipts and inspected operations. He noted this is a 14-acre property whereas the others are on the border of minimum acreage required. The Borough Attorney said this is definitely something they will look into because it is a concern of the Borough; and he doesn’t understand why an 18-wheeler would be needed to bring produce to that property. Councilwoman Latner voiced her agreement with Mr. Garfunkel; and suggested letting the owner know if there is no favorable option that they would have to regulate more specific favorable times or trucks for these deliveries. Mayor Glidden voiced his support for setting up a meeting regarding same.

Karin Nahmmacher, 96 Bradley Place, said she understands this is a business but doesn’t think they should have 18-wheelers making deliveries. She said recently she saw this monster truck two days in a row; and just a few days ago, she was going up Alpine (Drive) and saw this extraordinary 18-wheeler all colorfully painted with a car in it and a police escort tearing up the street. In answer to Mayor Glidden, Chief Kaine responded that it was not a police escort, because the 18-wheeler took out some power wires and the delivery was not made to Metropolitan; it was an antique car dropped off to a residence which was purchased online. Ms. Nahmmacher said since the farm opened, there has been a huge amount of traffic and a lot of speeding along Bradley Place. Mayor Glidden said the Borough will look into the issue right away.

(Marie) Ree Hartwell, 1 Bradley Place, said she sees these trucks all the time that turn and then have to back up. She would really appreciate it if there were smaller trucks because they use the residential driveways to back up and turn around. Ms. Hartwell said there is no reason why there should be 18-wheelers up at that farm; and she rephrased to call it an “enterprise” because she said she doesn’t really know what it is anymore but they don’t grow anything there. Ms. Hartwell said especially around the holidays there are trucks one after another.

The Borough Attorney questioned if she was seeing multiple 18-wheelers in a day and Ms. Hartwell said she has seen 2 or 3 in a day. She asked for more enforcement because although it is a 4-ton limit, there are exceptions to the rule like moving trucks; but there does not need to be 18-wheelers in a residential area. Councilman Barad asked if this has been increased or it is a steady amount of traffic. Ms. Hartwell said it has been increasing and then mentioned that something is going on in or near the chicken coop with machinery. She said even at 7:20 this evening there was still noise; and asked if there was a noise ordinance to regulate the hours. Mayor Glidden informed there is, but there is no provision or equipment for measuring decibels. He said there have been complaints about noise in the other parts of the Borough. In answer to the Mayor, Borough Attorney informed the best way we can enforce it is by limiting the hours through the Police Department.

Ms. Nahmmacher inquired about the enforceability of the 4 ton weight limit sign and the Borough Attorney informed it only applies to non-local deliveries.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of August 26, 2015)
6. RESOLUTION AUTHORIZING SUBMISSION OF TRUST FUND APPLICATION BY MUNICIPAL ENDORSING RESOLUTION TO THE BERGEN COUNTY OPEN SPACE TRUST FUND FOR THE RUCKMAN PARK WALKING PATH LIGHTING PROJECT IN THE AMOUNT OF \$137,500.00 (Received from Administrator 8/18/15)

Mayor Glidden explained a number must be inserted in the grant application for submission to the County. Borough Engineer said based on the lighting plan developed by Dave Murphy Associates, the construction cost would be approximately \$250,000, which includes lighting foundations, lights, bollards, conduit, wires, control panels and meter cabinets - 50% of the cost would be provided by the County and 50% from the Borough. An additional 10% of the cost would have to be provided for engineering and inspection fees. In answer to Councilman Dolson, he said he did not know if wetlands in the area would have an impact on the plan requiring a permit that would add additional cost. He would recommend that \$275,000 be included in the resolution; and Borough Attorney said that the grant application would be for \$137,500.

7. RESOLUTION ENDORSING AND URGING PASSAGE OF STATE LEGISLATION TO PROTECT THE VIEWSHED OF THE HUDSON PALISADES (Received from Mayor's Office 8/18/15)

In answer to Councilwoman Amitai, Mayor Glidden said that this resolution would cover the entire Palisades not just Englewood Cliffs. Councilman Hennessey noted that the legislation would protect the view by having a building height restriction of 35 feet.

8. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING TO PROVIDE ENVIRONMENTAL ENGINEERING SERVICES FOR THE UST SITE INVESTIGATION LOCATED AT THE CLOSTER DEPARTMENT OF PUBLIC WORKS FOR AN AMOUNT NOT TO EXCEED \$5,800 PER PROPOSAL DATED 4/8/15 (Ordinance 2015:1188; Capital Account C-04-15-188-012-001) Received from Administrator 8/18/15

In answer to Councilwoman Amitai, Borough Engineer said that UST refers to Underground Storage Tank.

18. MOTION APPOINTING Richard Daly AS ZONING BOARD OF ADJUSTMENT MEMBER FOR AN UNEXPIRED 4-YEAR TERM (WEST) TO 12/31/16 (1. M.L. 8/20/15)

Mayor Glidden noted that Mr. Daly has been interviewed by himself, a number of Council members and the Zoning Board Chairman. No objections were expressed to the appointment.

- 21-1. MOTION GRANTING APPROVAL FOR NEW YORK CYCLE CLUB, INC. TO CONDUCT CHARITABLE BICYCLE RIDE "ESCAPE NEW YORK" PARTIALLY THROUGH THE BOROUGH ON SATURDAY, 9/26/15, FROM 8 A.M. TO 5 P.M. (Approval received from Risk Management Consultant 8/26/15 @9:56 a.m.)

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WORK SESSION NOTES – AUGUST 26, 2015 - 7:30 P.M.

Borough Clerk asked that this item, which was received after the Agenda was prepared, be included. Risk Management approval was received this morning. No objections were expressed by Council members.

6. COMMITTEE REPORTS

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

1) STATUS REPORT RE CLOSTER WEBSITE – Councilman Hennessey reported the Finance Committee did not meet this month but they will meet in September. Mayor Glidden voiced his understanding that an initial letter was sent out by the Administrator for preliminary 2016 Budget; and Mr. Hennessey affirmed the Department Heads will meet with the Finance Committee.

2) REPORT

B. PUBLIC SAFETY - DOLSON (AMITAI/LATNER)

1) REPORT – Councilman Dolson informed he had no report for Public Safety. As Liaison to the Zoning Board of Adjustment, he reminded the Council they have had two visits from the same attorney in the past regarding an application before the Zoning Board. Last week, the Board unanimously rejected the application. In answer to the Mayor, he explained it is a mixed use residential property on John Street; and the attorney informed the Board that the Mayor and Council had told him they would review the zoning code; and Mr. Dolson clarified for the attorney that was not the answer he was given. At that point, the attorney made some very disparaging remarks accusing us of being derelict in our responsibilities in regards to the Master Plan; and he reminded the attorney that the paragraph that is being referred to has been in the plan for the past 30 years. The attorney then went ballistic and left with his tail between his legs. Councilman Dolson requested a Closed Session regarding personnel.

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

1) REPORT – Councilwoman Latner reported they will be setting up a DPW Committee meeting soon as they have a lot of things to discuss. She noted the recent article in The Record announcing the Fire Department’s \$10,000 grant award from Trivedi-Capacity Associates, LLC and Fireman’s Fund Insurance Company. She said it was impressive to see what they were able to acquire with those funds. Mrs. Latner reminded the Library does not meet in the summer but said there are still things going on at that she wanted to share. They did receive some sculptures that were donated by Natalie Firer and Ullna Novina, sculptors from Harrington Park. The Belskie Museum funded the pedestals and installation from the grant received from The Caples Fund and Deutsche Bank. Mrs. Latner said the Library has recently received a lot of praise and voiced her opinion it was very nice to see other towns noticing Closter.

Councilwoman Latner reported she will be attending a meeting tomorrow with the new Superintendent (of NVRHS) and said she will follow up on the Referendum. She noted it has already been determined that there will be no implementation of a 24/7 policy which would allow them to follow up with students if anything drug or alcohol related outside of school. The Northern Valley Coalition would like to have ultimate Frisbee and she has spoken to the Police Chief and Police Chief because the Coalition would like to set something up where the men volunteer so they are working on that. They are also working on setting up “safe homes” which is a program where parents sign a pledge that they will not allow alcohol consumption in their homes.



6. COMMITTEE REPORTS (Continued)

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

At this time, Councilwoman Latner wished to inform the Borough Clerk that the meeting scheduled for 9/23/15 is Yom Kippur and she would not be able to attend. Borough Clerk informed she had guidance from Mayor Emeritus Sophie in regards to the 2015 calendar and scheduled accordingly.

At this time, Mayor Glidden informed Mrs. Latner he would be attending the meeting tomorrow with her and said Lenny Albanese dropped off an entire list of questions for us to ask on the Referendum which he will provide to her. Borough Clerk requested that Mrs. Latner impress upon the Board that communication was so poor with the Municipal Clerks in the towns involved for the last Special Election that there needs to be more effort this time as they are the ones who are in charge of the election.

D. ORDINANCES - BARAD (HENNESSEY/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad  
informed he had no report this evening.  
2) REPORT

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

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Di Dio was not present this evening, therefore, no report was provided.  
2) REPORT

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

1) REPORT RE STATUS OF DISCUSSION IN SUBCOMMITTEE RE CHANGE IN ZONE 5 (Requested by Mayor Heymann WS 8/13/14)  
2) REPORT – Councilwoman Amitai informed she had no report this evening but did have an item she wished to discuss under Old Business.

7. OLD BUSINESS

Councilwoman Amitai referred to the pavers downtown noting that many are out of place; and questioned if other trees could be planted that are more conducive to the area which could be obtained through an Open Space grant. She pointed out that with the new Closter Plaza being constructed, this would make everything cohesive on both sides of town. Borough Engineer noted that the previous improvement was accomplished through a T-21 grant as a federally funded project. Councilwoman Amitai questioned if the Closter Improvement Commission could have permission to purchase more flowerpots through a grant to continue the project going east to the new development. Mayor Glidden suggested she contact the Borough Administrator and himself the next morning to discuss the matter.

8. NEW BUSINESS

Borough Engineer advised that Whole Foods is scheduled to be completed late summer/early fall next year and are responsible for paving Vervalen Street along their frontage to a three-lane width. Closter would have to pave the remaining three-lane roadway; and he suggested that

the Borough submit a Local Aid Application for this street, which should be a strong application because of the commercial usage and the traffic. The street would have two lanes going east and one lane going west; and he explained the rationale for going to a three-lane roadway from a four-lane roadway.

Borough Attorney reported that the COAH Committee met Monday evening and discussed that the Borough should join the Affordable Housing Consortium to develop a plan for the purpose of determining the affordable housing fair share figure. He said there is still time to join the consortium which presently consists of 200 municipalities. The Planner that was hired is doing an analysis for the fair housing share for each town. The cost would be up to \$2,000 with the possibility of a lower cost if more municipalities join the consortium. He recommended that the Council join the consortium for a flat fee of \$2,000. The Planner would provide the formula for the affordable housing number regional share over the entire state. Regional contribution agreements were entered into years ago but have been ruled as unfair by the court. Mayor Glidden expressed support; and verbal approval was given to join the consortium to be formalized during the Regular Meeting.

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

George Papadogiannis, 17 Poplar Street, said he was before the Council several months ago for a sidewalk waiver and noted that the house has been completed. He said that his pillars are encroaching on Borough property due to a miscalculation by the mason. The curb to the end of the pillars is 12 ½ feet and noted there is no electric included in the pillars. His two options are to remove the pillars, which he does not want to do, or to request that the Borough allow the pillars to remain. Borough Engineer noted that there is a question of liability in case of an injury due to the pillars inasmuch as same is an above-ground structure. Borough Attorney said a driveway or a sidewalk in New Jersey under Stewart v. Wallace determined there is no liability unless you do something affirmatively to create the hazard. The pillar is different since you have built a structure on Borough property, which is a problem. Councilman Hennessey said that this issue has come up several times before the Zoning Board; and the consensus was that same should be removed.

Steve Isaacson, 97 Columbus Avenue, questioned the inspections for the pillars; and Borough Engineer said there are lots of questions that would have to be answered. Mr. Isaacson questioned the alleyway between Celebrity and Empty Vase; and Councilwoman Amitai said she spoke to the owner of Empty Vase, who welcomes the improvement of the property; but she did not get rousing support from the Council. Mr. Isaacson noted that the trees are still on Borough property on Durie Avenue and same has been landscaped; and nothing has been done by the Mayor and Council to remove the trees from Borough property. He referred to the Lustron House where he felt the Council is putting a business in a residential area. Regarding the lighting in Ruckman Field, he questioned the amount of pedestrians who use the park after dark and who would use same after dark if lighting was installed. He cited all the other improvements to Borough parks and questioned how much money has been invested so far. He referred to the citations in the Borough Audit relative to the Recreation Department. He questioned the establishment of the Ad Hoc COAH Committee to be established by resolution this evening but noted that a meeting of same was held on Monday. Borough Attorney said that the resolution is a memorialization of the appointments by the Mayor several meetings ago and the meeting with the Planner was to discuss

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Councilwoman Latner wished to thank Dr. West for his service to the Borough. Mayor Glidden said Dr. West served two terms on the Council and very many years on the Zoning Board. He reminded they had a Proclamation prepared for the last meeting but Dr. West was unable to attend so they presented same to him the next day.

Item No. 8: Received 08/19/15, dated 06/18/15 from a. Tim Park and b. Sarah Lackey re Letters addressed to Mayor Glidden from Tenakill School Students in Ms. Levy's class urging increase in e-waste recycling (Originals to Mayor Glidden 8/20/15)

Councilwoman Latner explained this is a similar campaign from students at Tenakill School regarding recycling and noted these talks about e-waste; and she asked if the Mayor had an opportunity to read same. Mayor Glidden affirmed he had and informed he responded to both students individually in addition to each of the students from the last campaign. She voiced her understanding that Bill Dahle was obtaining preliminary information on the type of truck needed for recycling and informed they would also discuss e-waste at the next DPW Committee meeting.

Item No. 10: Received 08/19/15, dated 08/19/15 from Councilwoman Alissa Latner to Loretta Castano; c: Jonathan DeJoseph, Mayor, Council re Forwarded email from resident at 96 Bradley Place regarding 18 wheelers on Bradley Place with photographs

Councilwoman Latner voiced her understanding there has been a good deal of 18-wheeler traffic on Bradley (Place) and Hickory (Lane) to the point where it has been disruptive to homeowners. She informed she had reached out to some of those residents and had invited a few others to attend this evening's meeting to discuss same. Mayor Glidden invited any of the residents present to speak on the matter at this time.

David Garfunkel, 3 Wendy Lane, informed he read that several people were upset about the truck traffic and said he lives on the other side of the street and is not affected by this issue, but does have a few concerns. Firstly, he reminded there was a previous request to remove the "No Left Turn" onto Hickory Lane sign and voiced his support of not removing that sign. Mayor Glidden assured him the Borough has no intention of removing that sign at this time. Mr. Garfunkel voiced his confusion as to what 18-wheelers would be traveling up to the farm and reminded we were all aware there would be truck activity in that vicinity with the addition of the greenhouse. He referred to a recent article in the NY Times and recalled the recent accidental death of a child in Cresskill caused by a truck driver. His concern is that particularly 18-wheelers do not fit on most of these roads. Mr. Garfunkel imagines it is very hard for a truck that large to make a local delivery. Additionally, he is aware that a truck carrying hazardous materials cannot just cross the George Washington Bridge as they please because there is a mechanism in place to ensure safety. These trucks have to stop and register and declare the contents of their truck prior to crossing. In his opinion, 18-wheelers going to Metropolitan Plant would be a rare thing and the town should be aware when and why they have to go there. In answer to Mayor Glidden, Chief Kaine informed the posted weight restriction is 4 tons except for local deliveries; and at the present time, larger trucks can travel on Hickory Lane. The Borough Attorney said the Borough could talk to the property owner about the issue but in terms of a truck on a road – that is controlled by Interstate Commerce; and if it is a moving truck, it could very well be that size. He said the problem is we cannot selectively enforce and place restrictions on certain properties. Mr. Rogan said it is possible, based on Mr. Garfunkel's suggestions, that we could ask the business owner why it is necessary; and, perhaps, arrangements can be made for smaller trucks to do the deliveries. He does not know why an 18-wheeler would be delivering flowers but it is something they could find out from the business owner. Mayor Glidden suggested setting up a meeting to answer these

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what the Borough must do. Declaratory action must be filed by 9/7/15. Mr. Isaacson suggested changing the name of Vervalen Street to Whole Foods Way and let them pave the whole street.

Mayor Emeritus Sophie Heymann said the Palisades legislation refers to the area north of the George Washington Bridge and the Alpine state line. She said the Borough had an issue with pillars built on Borough property on Closter Dock Road and the Council made them take the pillars down. She noted that the Borough fixed the sidewalk in front of Borough Hall for under \$500; and according to our ordinance, individual owners are responsible for sidewalk repair but they are balking because they had nothing to do with planting the trees. If the Borough repairs the sidewalks, it will be done properly; and the trees will not be a problem if the trees are pruned and given an area to grow. In answer to Councilwoman Amitai, Mayor Emeritus Heymann said that pear trees are fragile and will not last forever but they are very attractive but suitable for the places in which they are planted. Ginko trees are not suitable because they are huge and drop smelly seeds. There were four ginkos between Ruckman and Princeton that are no longer there.

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 8:50 p.m. was made by Councilman Barad, seconded by Councilwoman Latner and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on  
September 3, 2015 for approval at the  
Regular Meeting to be held  
September 9, 2015.

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held September 9, 2015  
Consent Agenda Item No. 19b.