

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – OCTOBER 14, 2015 - 7:30 P.M.

Mayor Glidden called the meeting to order at 8:45 p.m.

1. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Annual Notice of Meetings which was published in The Record and the Star Ledger on January 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.

2. ROLL CALL

The following persons were present:

Mayor John C. Glidden, Jr.  
Councilpersons David Barad, Alissa Latner, Robert Di Dio, Thomas Hennessey and  
Arthur Dolson  
Borough Administrator, Jonathan DeJoseph  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Chief of Police, Dennis Kaine  
Fire Chief, Brian Pierro

The following persons were absent:

Councilwoman Victoria Amitai

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

Mayor Glidden asked that the following item be removed from this Agenda and future 2015 Agendas as none are anticipated to be made for the remainder of the year:

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

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

This Ordinance was introduced at the Regular Meeting held 9/21/15 and was published in The Record on 9/28/15 as stated in the Municipal Clerk’s affidavit of publication. Reprint of this Ordinance was posted on the Municipal Clerk’s Bulletin Board in accordance with statutory requirements and copies have been made available to the general public.

ORDINANCE NO. 2015:1197, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTERS 30, 110 AND 200 OF THE CODE OF THE BOROUGH OF CLOSTER”

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

Motion approving adoption of Ordinance No. 2015:1197 was made by Councilman Dolson, seconded by Councilman Hennessey and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey and Dolson.

5a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item No. 21, which was removed by the Borough Attorney, was made by Councilman Barad, seconded by Councilman Dolson and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey and Dolson.

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6. INTRODUCTION OF THE FOLLOWING BOND ORDINANCE – PUBLIC HEARING - MONDAY, 11/9/15 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD  
(Received from Bond Counsel 10/7/15)

BOND ORDINANCE NO. 2015:1198, “AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING SECTION 3(e) OF ORDINANCE NO. 2014:1164 OF THE BOROUGH FINALLY ADOPTED ON MAY 14, 2014, PROVIDING FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$1,505,600 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,430,570 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME”

RESOLUTIONS

7. BILL RESOLUTION – OCTOBER 15, 2015 (Received from Deputy Treasurer 10/8/15)
8. 2015 COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT RESOLUTION (IN THE AMOUNT OF \$2,000.00) FOR CLOSTER SENIOR ACTIVITIES, CLOSTER SENIOR CENTER, CLOSTER, NJ (Received from Administrator 10/2/15)
9. RESOLUTION APPOINTING MICHAEL HEFLICH AS ON-CALL ELECTRICAL INSPECTOR AT THE CORRECT SALARY OF \$37.02 PER HOUR EFFECTIVE DECEMBER 12, 2012 (ORIGINALLY DUE TO A TYPO THE AMOUNT WAS \$27.00 PER HOUR) (Received from Administrator 9/30/15)
10. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN \$1,933.75 TO APPLICANT: DIAMOND ENGINEERS AND DEVELOPERS, 166 ALPINE DRIVE, CLOSTER NJ 07624 FOR SUCCESSFUL COMPLETION OF POLICE TRAFFIC DIRECTOR SERVICES IN COMPLIANCE WITH LOCAL FINANCE NOTICE 2000-14 (Received from Chief of Police 9/28/15)
11. RESOLUTION GRANTING APPROVAL FOR SUBMISSION OF GRANT APPLICATION AND EXECUTION OF GRANT CONTRACT WITH THE NJ DEPARTMENT OF TRANSPORTATION FOR THE VERVALEN STREET IMPROVEMENT PROJECT (Received from Administrator 10/2/15)
12. RESOLUTION APPROVING THE SETTLEMENT OF TAX APPEALS FOR THE YEAR 2015: RIVERHEAD CONSTRUCTION CO. (220-222 CLOSTER DOCK ROAD) V. CLOSTER (Received from Borough Attorney 10/1/15)
13. RESOLUTION APPROVING BOROUGH OF CLOSTER TO INCREASE THE BID THRESHOLD (TO \$40,000) AND QUOTE THRESHOLD (TO \$6,000) (Received from Administrator 9/29/15)
14. RESOLUTION AWARDED CONTRACT FOR EMERGENCY MEDICAL VEHICLE FOR THE CLOSTER VOLUNTEER AMBULANCE & RESCUE CORPS, RECEIVED AT BID OPENING HELD 9/30/15 – TO SOLE BIDDER - BAY HEAD INVESTMENTS, INC. D/B/A VCI EMERGENCY VEHICLE SPECIALISTS, BERLIN, NJ IN THE AMOUNT OF \$249,936.00 (Received from Administrator 10/26/15)
15. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN REMAINING ZONING BOARD OF ADJUSTMENT LEGAL ESCROW FEES IN THE AMOUNT OF \$795.00 TO BRUCE FRANK & ODELIA SWED FOR SUCCESSFUL COMPLETION OF LEGAL SERVICES RENDERED FOR BLOCK 612 LOT 11, 384 KNICKERBOCKER ROAD (Received from Deputy Treasurer 10/6/15)
16. RESOLUTION APPROVING RENEWAL OF INACTIVE/POCKET LICENSE NO. 02007-33-006-009, FOR PIERMONT ROAD LIQUOR LLC FOR THE 2015-2016 LICENSE TERM WHICH WAS SUBJECT TO 12.39 SPECIAL RULING FROM THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL (Special Ruling received 9/21/15)
17. RESOLUTION AUTHORIZING THE CLERK, CHIEF ADMINISTRATIVE OFFICER AND TEMPORARY CHIEF FINANCIAL OFFICER TO SIGN THE CY2015 BEST PRACTICES INVENTORY (3. M.L. 9/17/15)
18. RESOLUTION AWARDED PURCHASE OF EQUIPMENT FROM SPECIALTY AUTOMOTIVE EQUIPMENT COMPANY (BOROUGH ORDINANCE 2015:1188, CAPITAL ACCOUNTS C-04-15-188-001-02 AND C-04-14-188-001-003) (Received from Administrator 10/7/15)
19. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 FOR BOROUGH HALL PHONE SYSTEM (Ordinance 2015:1188; Capital Account C-04-15-188-006-001) (Received from Administrator 10/8/15)

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20. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR “SENIOR CITIZENS ACTIVITIES” (received from Temporary CFO 10/8/15)
- ~~21.~~ RESOLUTION APPROVING RENEWAL OF *INACTIVE/POCKET* LICENSE FOR PLENARY RETAIL CONSUMPTION LICENSE NO. 0207-33-009-012 FOR JBS MACK, LLC, FOR THE 2015-2016 LICENSE TERM (Tax Clearance Certificate for 2015-2016 Renewal received 10/6/15) (Received from Borough Attorney 10/9/15)
22. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 FIRE DEPARTMENT SUV (BOROUGH ORDINANCE 2015:1188, Capital Account C-04-15-188-003-001) (Received from Administrator 10/8/15)

MOTIONS

23. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 10/8/15) NO ABSTENTIONS:  
a. REGULAR MEETING HELD SEPTEMBER 21, 2015  
b. WORK SESSION HELD SEPTEMBER 21, 2015
24. MOTION GRANTING APPROVAL FOR LUBAVITCH ON THE PALISADES TO PLACE A MENORAH IN FRONT OF BOROUGH HALL FROM 12/6/15 TO 12/14/15; AND CONDUCT A MENORAH LIGHTING CEREMONY TO BE HELD AT RUCKMAN PARK ON 12/8/15 AT 7:00 P.M. (4. M.L. 7/16/15/Approval received from Risk Management Consultant 9/22/15)
25. MOTION GRANTING APPROVAL FOR THE POLICE DEPARTMENT TO IMPOSE A 9:00 P.M. CURFEW ON CABBAGE NIGHT, FRIDAY, 10/30/15, AND HALLOWEEN, SATURDAY, 10/31/15 (Received from Chief of Police 10/8/15)
26. MOTION GRANTING APPROVAL FOR THE RECREATION COMMISSION TO CONDUCT THE ANNUAL HALLOWEEN PARADE ON SUNDAY, 10/25/15; PARADE TO FORM BEHIND THE BOROUGH HALL AT 12:30 P.M. TO START AT 12:50 P.M. SHARP PROCEEDING THROUGH THE CENTER OF TOWN TO TENAKILL SCHOOL FOR COSTUME JUDGING (5. M.L. 1/22/15)

27. REPORTS

- a. CONSTRUCTION OFFICIAL – SEPTEMBER 2015 (Received 10/1/15)  
b. FIRE CHIEF – SEPTEMBER 2015 (Received 10/8/15)  
c. CHIEF OF POLICE – SEPTEMBER 2015 (Received 10/12/15)

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

21. RESOLUTION APPROVING RENEWAL OF *INACTIVE/POCKET* LICENSE FOR PLENARY RETAIL CONSUMPTION LICENSE NO. 0207-33-009-012 FOR JBS MACK, LLC, FOR THE 2015-2016 LICENSE TERM (Tax Clearance Certificate for 2015-2016 Renewal received 10/6/15)

Borough Attorney noted that there was confusion on the part of the applicant relative to the change in corporate structure and he recommended that action on this resolution be held to the next meeting. It is unclear as to the intent of the applicant as to ownership of the license until the matter is straightened out.

28. 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.

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

Relative to the Lustron House, Borough Administrator confirmed that the Council wished to have a request for proposal or bid for a Caretaker for the property for a two-year term. The list of items submitted by the Historic Preservation Commission should be included in the bid specifications after review of same by the Council. Included in same should be insurance requirements. Borough Administrator noted that Councilman Hennessey and DPW Superintendent Dahle would be meeting tomorrow with the contractor relative to the installation of necessary electrical service; and thereafter the natural gas and water would be connected. The Borough would ultimately be responsible for the utilities and fire insurance; and the tenant would be responsible for tenant insurance that would cover their belongings. Maintenance of the building, snow removal and lawn mowing would be the responsibility of the Borough. Mayor Glidden noted that the structure can be used by the successful bidder for an office during the day; and Borough Attorney noted that this may be a problem since the property is located in a

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residential zone. Councilman Dolson said that the home should be available for other options. Councilwoman Latner noted that it was her impression was that the structure is owned by the Borough and could subsequently be used for historical meetings after same was restored by the bidder while cleaning walls and answering a business call. Councilman Hennessey said the bidder would have the responsibility for administration and maintenance of the house. Mayor Glidden said we want the bidder to restore and improve the structure and in turn he may use the property to store work tools in the garage. Mayor Glidden established a sub-committee consisting of Councilman Hennessey, Borough Attorney and Borough Administrator to discuss the bid specifications and the use of the building. In answer to Councilman Di Dio, Borough Attorney said that the owner or the successful bidder would have to apply to the Zoning Board for a variance for use of the structure as an office.

30. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:10 p.m. was made by Councilman Di Dio, seconded by Councilman Dolson and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on  
October 22, 2015 for approval at the  
Regular Meeting to be held  
October 28, 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 October 28, 2015  
Consent Agenda Item No. 18a.

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION NOTES – OCTOBER 14, 2015 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, September 9, 2015. Mayor Glidden called the meeting to order at 7:30 p.m.

1. PLEDGE OF ALLEGIANCE

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

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Annual Notice of Meetings which was published in The Record and the Star Ledger on January 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 (7:45 p.m.), Alissa Latner, Robert Di Dio, Thomas Hennessey  
and Arthur Dolson  
Borough Administrator, Jonathan DeJoseph  
Borough Attorney, Edward T. Rogan (8:01 p.m.)  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Chief of Police, Dennis Kaine  
Fire Chief, Brian Pierro

The following persons were absent:

Councilwoman Victoria Amitai

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF SEPTEMBER 24, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 11 was removed by Borough Clerk.

Item No. 11: Received 9/24/15, dated 9/24/15 from Eileen K. DeBari, Chairwoman; Richard L. Miller, Secretary; Paul A. Juliano, Commissioner; Jamie H. Sheehan-Willis, Commissioner, Bergen County Board of Elections, to Borough Clerk re Effective 8/10/15, an amendment in Title 19(N.J.S.A. 19:63-4(a) was made concerning the "return of voted mail-in ballots by "bearers". The new law limits to **three (3)** the number of qualified voters that a person may serve as a bearer in an election. Also - The bearer is required to provide proof of his/her identity via driver's license or another form of identification issued or recognized as official by the federal government

Borough Clerk referred to this item to bring to everyone's attention that the limit was imposed after it was discovered the individuals were voting more than once via Absentee Ballot. She affirmed this is occurs when a bearer returns the voted ballot(s) to the County.

- b. MAIL LIST OF OCTOBER 1, 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. 7: Received 09/29/15, dated 09/29/15 from Neil L. Winger, Jr., Orange and Rockland Electric Company, to Borough Clerk Political Candidates: re Please Do Not Post Campaign Signs on Utility Poles – request for posting on municipal web site!

Borough Clerk noted the correction of “Winger” to “Winter” and called attention to the fact that this request be posted on our website.

- c. MAIL LIST OF OCTOBER 8, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 3 was removed by a member of CGI Holistic Fitness & Spa.

Item No. 3: Received 10/02/15, dated 10/02/15 from CGI Holistic Fitness & Spa Management re Request to address Mayor and Council at Work Session to be held 10/14/15 for approval to place banner at Ruckman Park to advertise free yoga class/immunity boosting workshop to be held on Sundays at 6 p.m. until the park closes for winter (end of October) (Copy via e-mail to Jim Oettinger)

Kyla Heo, from CGI Holistic Fitness, explained she came to formally submit items required for the request including mark up of signs, certificate of insurance and Hold Harmless Agreement. Mayor Glidden explained we received communication from the Recreation Director indicating he is excited about the yoga exercises but advises against using a sign. Councilman Dolson voiced his understanding this would have to be scheduled around other previously scheduled activities. Mayor Glidden agreed and said they will most likely not approve the signs but expressed his excitement about the yoga classes. He asked that she speak to the Administrator tomorrow. Councilwoman Latner requested that once this is approved, it be placed on the Borough website. Borough Administrator suggested deferring approval of this item to a later date per the email from the Recreation Director as it appears to conflict with soccer season during the fall. He suggested that patrons doing yoga in the park would be a conflict for both parties. Ms. Heo informed they were already told there was a conflict; and said the start date they were looking for would be May 1<sup>st</sup> (2016). In answer to Councilman Hennessey, she said it would be a free class once a week for 15-60 minutes in the park for the summer.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of October 14, 2015)

No one wished to remove any item from the Consent Agenda for discussion.

6. PROFESSIONAL REPORTS

Mayor Glidden informed the Borough Attorney would be arriving late and started with the Borough Engineer’s report.

A. BOROUGH ATTORNEY

1) STATUS REPORT RE NEGOTIATIONS WITH PBA LOCAL 233 (8. M.L. 8/21/14/ 8. M.L. 9/25/14) – Borough Attorney reported the PBA Committee will meet with PBA representatives again at the end of the month. He will review potential proposals with the Administrator to give to Mr. Lockke in advance of that meeting and they will report back to the Council. He noted the proposals will be within the parameters the Committee has previously established.

2) STATUS REPORT RE CONTRACT FOR THE PURCHASE OF MULTIPLE CONDOMINIUM UNITS AT VILLAGE SCHOOL SITE (RM 11/24/14) – Mr. Rogan reported he met with Mr. Watkins on Saturday for both the farm and Village School issues. He said an application has been filed for 33 units; and Mr. Watkins indicated based on the configuration, they could provide the Borough with 3 or 4 units as opposed to 7, but they would be prorated. He explained the original contract called for 7 units based on there being additional units which was proportionate to the

requirements. He said this difference would leave us that much more money in our Trust Fund for locations the COAH Committee could potentially utilize for other affordable housing units. The bad news is that last Thursday, the DCA filed for an extension to file an appeal of the decision that was recently made in the Borough's favor because they contend they were unable to obtain a copy of the transcript of the oral argument between himself and the Deputy Attorney General. Their contention is that they are permitted to intervene. Mr. Rogan figures the Appellate Court will grant the extension to get the transcripts but it doesn't necessarily mean anything because they may need to brief it; and our Declaratory Judgment is moving along. He said that as a practical matter this may not even come up before we receive our ultimate decision but it is up to the Appellate Division. In response to Dr. Barad, he explained that to some extent if the ultimate decision is made before the appeal is completed, then yes you have a decision; but our argument is that once the COAH decision-making authority was removed from them and given to the Superior Court Judge, and if the Judge approves our plan, it is his understanding that we are done and would be able to utilize our affordable housing funds. At that point we could contend to the Appellate Court that we are in fact using the money as intended and approved by COAH under the Superior Court Judge.

Mr. Rogan noted the Committee has had the opportunity to review a draft of Dr. Burchell's report he was working on at the time of his stroke. He said he can't say it's completely helpful; and the methodology didn't provide an exact number; but it will help our COAH Planner determine some sense as to where a prior planner was involved. In response to Mrs. Latner, he said he does not know Dr. Burchell's condition and he does know he will not be continuing to work on this particular report. Mr. Rogan noted we have not heard back from the new vendor as of yet but neither have the other 190 municipalities involved. Some towns have requested extensions because of this but Closter does not need to do so as he filed it on the day it was due; therefore, our time has already been extended. If time starts to get close for those who filed timely, he suggests we seek an additional extension to provide time for whatever report is forthcoming.

Mayor Glidden informed the COAH Committee has been meeting at least once a week to get the information together so we can be able to report that we are in compliance with all of the COAH housing requirements even though we are not entirely sure what they are at this point. The Committee has looked at several properties in town; and they will be working on a report to suggest potential zoning changes to the Planning Board so that we can be in compliance with COAH. Once the Planning Board can review them, they will be presented to the Mayor and Council for consideration.

3) REPORT

Councilman Barad entered the meeting at 7:45 p.m.

B. BOROUGH ENGINEER

1) STATUS REPORT RE DPW REMEDIATION (Authorized /RM 4/23/14) – Borough Engineer reminded this was to finalize the underground storage tank remediation to achieve an NFA (No Further Action) for an old case from the 1990's. Unfortunately, in our testing, we got a hit on some contamination that came up. It was not for oil, but for what they call a PAH or Polyaromatic Hydrocarbon. He explained an example would be if you burn wood and bury the ashes you would get a PAH hit. Because of that, we had to do additional testing; and Boswell is putting together a packet of the results. In response to Councilman Barad, he explained the samples were taken at the site of the old tank and about three feet down from the surface; and said because it is a DPW yard, there are many things that could have produced that result. Mr. DeNicola explained the sample came back not far over the threshold, so they can do additional sampling and average the results out; and if it's less than the average threshold, we can risk it away. He said they will first delineate the area then average it to determine the next step. In response to Councilman Hennessey, he explained if we can prove the delineation is small and the results average in less than the requirement of the DEP, then no remediation would be required. Councilman Dolson referred to recent issues in many cities heavy with industry and the problems of this type they are facing. Borough Engineer reiterated we need to take another round of samples to delineate the area and then average them out to hopefully get below that threshold to figure out the next step.

2) STATUS REPORT RE SWIM CLUB PHASE II CONTAMINATION INVESTIGATION (Authorized/RM 7/9/14) – Mr. DeNicola reported he submitted a

proposal from Foster Wheeler to the Council to risk a lot of the contamination away because a lot of it is in the wetlands area which is beneficial. He explained it is an inherent benefit to maintain wetlands so if we go in and excavate to remediate a relatively low amount of contamination, you really aren't doing the environment a lot of justice, so we can risk a lot of that away. He said the report was given to the Administrator; and it is his understanding it will be discussed with the Finance Committee in the near future. Boswell submitted a proposal with rough figures that showed remediating the property completely to NJDEP standards and a second one risking some of that away instead. In answer to Dr. Barad, he explained the delineation phase is done; and we are still in the study phase of the contamination. Once we have everything, we send it to the DEP with a plan and begin the remediation phase once it is approved. Dr. Barad asked what happens when you have an area that the DEP says you have to fix but you can't fix it. Mr. DeNicola explained they wouldn't say you can't fix it but they would allow you to leave it there, place a deed restriction on that area and fence it off; and that is a great savings. In answer to Mayor Glidden he said that particular area could not be built on as it is wetlands but that any other area with contamination would be required to be remediated prior to building. He affirmed that these are all very rough estimates and we have not received any quotes from any vendors for anything yet as far as remedial action is concerned.

3) STATUS REPORT RE CONTRACT AWARDED TO ROCKBORN TRUCKING AND EXCAVATION, INC. @RM 3/11/15 FOR HICKORY LANE IMPROVEMENTS AND 2014 MUNICIPAL ROAD PROGRAM IN THE BASE BID AMOUNT OF \$484,253.50

Borough Engineer reported this project should be finishing up this week noting the contractor has to rectify the street signs as they previously installed signs with lettering below Federal standards; and they should be completed on Friday. After completion, we can invoice and submit to the NJDOT for reimbursement.

4) STATUS REPORT RE DEVELOPER'S AGREEMENT FOR BLOCK 1607, LOT 1 & BLOCK 1310, LOT 2 (CLOSTER MARKETPLACE (EBA) LLC AND CENTENNIAL AME ZION CHURCH) Approved RM 5/21/15 – Mr. DeNicola reported site work has not

commenced yet but is expected to on Thursday or Friday with the installation of sanitary sewers in the streets and parking lots. As of right now, they are finishing demolition and building foundations and framing. In response to Mr. Hennessey he explained that inspections of site work falls under Boswell and inspections inside of the buildings falls under the Building Department. The connection being worked on tomorrow is under the supervision of Bill Dahle.

5) REPORT

7. REPORTS

A. BOROUGH ADMINISTRATOR

1) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S):

a. Mail List requests re Insurance: None at the time of preparation of this Agenda.

2) STATUS REPORT RE EXTERIOR REPAIRS AND ROOF REPLACEMENT AT BOROUGH HALL (Contract Awarded/RM 5/28/14 to 3 Sons Restoration, LLC, Union, NJ - \$499,000.00) – Borough Administrator reported he met with the contractor and roofer

earlier in the week to look at some leaks and work on the punch list. They were supposed to be here at the end of last week or early this week to finish up, and they have not shown; so he will call the contractor again to follow up.

At this time, Mr. DeJoseph reported he received a final payment application today from Bismarck Construction for the Recreation bathrooms and said we kept the project at \$180,000. There is potentially a change order in the amount of \$8,000; but as we have not received any paperwork on same, he told the contractor the Borough will pay the contract amount and that was it. In response to Councilman Barad, he said a review of his notes indicated it was for a possible water main at Schauble Park and the Borough declined. Mr. DeJoseph informed he received the Maintenance Bond for one year and it is already in effect; so payment will be made in the November bills.



- 3) REPORT RE ACQUISITION AND INSTALLATION OF EMERGENCY GENERATORS FOR THE CLOSTER DEPARTMENT OF PUBLIC WORKS, CLOSTER PUBLIC LIBRARY AND KNICKERBOCKER HOOK & LADDER COMPANY (Funding from FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) HAZARD MITIGATION GRANT PROGRAM SUB-GRANT AGREEMENT HMGP-DR-4086-NJ-0219-R FOR THE PUBLIC LIBRARY GENERATOR PROJECT IN THE AMOUNT OF \$90,000 (Resolution Authorizing Execution of Sub-Grant Agreement at RM 4/22/15) and Bond Ordinance No. 2015:1188 adopted 6/24/15 ) – Mr. DeJoseph reported he and Lt. Winters met with the contractor a few days ago to look at the Library and DPW sites; and we anticipate a quote within a month or so to determine the best course of action.
- 4) STATUS REPORT RE PREPARATION OF SPECIFICATIONS TO BID FOR AN AMBULANCE FOR THE CLOSTER VOLUNTEER AMBULANCE CORPS (Bond Ordinance No. 2015:1188 adopted 6/24/15 – Authorization to bid RM 7/22/15) – Borough Administrator reported there is a Resolution on the Consent Agenda this evening awarding contract to the lowest bidder; and said it would be about 6-8 months for delivery of a Ford chassis with VCI body.
- 5) STATUS REPORT RE FOLLOWING CONTRACTS AWARDED RM 8/12/15 (Bond Ordinance No. 2015:1188 adopted 6/24/15):
  - a. PHASE TWO RENOVATION OF POLICE DEPARTMENT FIRING RANGE TO ACTION TARGET IN THE AMOUNT OF \$26,897.18 – Mr. DeJoseph reported this project is in progress and Action Target has an order on the way. Chief Kaine informed the order was in transit for deliver. The Administrator said for the next meeting, he will put forth a proposal to do the canopy design work including footing and design inspections.
  - b. UPGRADE of the RECORDS MANAGEMENT SYSTEM POLICE DEPARTMENT TO ENFORSYS POLICE SYSTEMS, INC. IN THE AMOUNT OF \$20,750.00 – Borough Administrator reported he spoke with the Chief yesterday; and two vendors will be meeting to speak on same. They anticipate installation for the beginning of the year.
  - c. RESOLUTION AUTHORIZING UPGRADES TO BOROUGH HALL UNDER THE NEW JERSEY DIRECT INSTALL PROGRAM TO LIME ENERGY IN THE AMOUNT OF \$17,551.14 – Mr. DeJoseph reported he is waiting for an update from the vendor for the pre-inspection they performed two weeks ago; and he anticipates this being completed by the end of the year.
  - d. RESOLUTION AUTHORIZING UPGRADES TO SENIOR CENTER UNDER THE NEW JERSEY DIRECT INSTALL PROGRAM TO LIME ENERGY IN THE TOTAL AMOUNT OF \$7,389.44 (Amended RM 8/26/15 TO INCREASE THE TOTAL PRICE BY \$40.90 FOR A REVISED TOTAL OF \$7,430.34)
- 6) STATUS REPORT RE LEASE OF REAL PROPERTY AND TOWER SPACE FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A WIRELESS COMMUNICATION FACILITY (Published in The Record 6/5/15 – Bid Opening held 6/30/15 @ 11 a.m./Contract awarded to Verizon at RM 7/22/15) – Borough Administrator reported the contract was signed at the last meeting to replace the old Nextel shelter next to the building with a new brick building. In answer to Councilman Hennessey, he said once the Building Department issues a permit, the fees can begin to be collected. He reminded this is \$36,000 per year revenue.
- 7) ONGOING REPORT RE OUTSTANDING ITEMS ON CORRECTIVE ACTION PLAN APPROVED AT RM 7/22/15 (Requested by Councilman Barad @WS 7/8/15) – Mr. DeJoseph reported the Finance Department is working on it. He referred to the Best Practices Checklist and noted some of these items were contained therein and they continue to work on it.
- 8) REPORT RE PREPARATION OF REQUEST FOR PROPOSALS FOR BANKING SERVICES (Authorized RM 8/12/15)
- 9) REPORT RE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE (Authorized RM 8/26/15)  
Borough Administrator reported the Auction is closing this week with some of the items already having met the minimum bid; and he hopes the remaining two items will surpass the minimum reserve by that time.

- 10) REPORT RE PREPARATION OF AN ORDINANCE APPROPRIATING \$5,000 FROM CLOSTER OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND TO SUPPORT DEVELOPMENT OF NATURE CENTER'S FOREST STEWARDSHIP PLAN (Requested by Lori Spechler 7/14/15 – 8. M.L. 8/6/15/Discussed at WS 8/12/15) – Mr. DeJoseph reported the ordinance was on the last meeting so this project is completed and can be removed from this Agenda.
- 11) REPORT RE CY2015 BEST PRACTICES INVENTORY TO BE FILED NO LATER THAN 10/16/15 (RM AGENDA 10/14/15) – Borough Administrator noted he reported that the Checklist will be discussed later.
- 12) TEMPORARY CFO REPORT RE SALE OF \$116,000 ON 9/25/15 OF BOROUGH OF CLOSTER SPECIAL EMERGENCY NOTES (Federally taxable) Per Resolution No. 14 adopted 10/26/11 – Maturity Date: 9/23/16 – Mr. DeJoseph reported as follows: “The Borough had SEN's which are Special Emergency Notes, in the amount of \$232,000 which we paid down by \$116,000 this year. He explained these were for previous retirements in the Police Department – roughly over \$500,000. The current interest rate is 71 basis points; last renewal was 1.21% so we almost cut the rate in half for that.” In response to Mayor Glidden he noted it was last renewed last year; and this is the last year of this, so next year will be the last year with \$116,000 plus interest in the Budget.
- 13) REPORT – Mr. DeJoseph reported he would be requesting the following Resolutions for the next meeting: Canopy Engineer for the Pistol Range; a Resolution from the Fire Department for lighting on the Chief's vehicle which is still being worked on for the best solution and has a budget of about \$12,000-\$14,000; Five (5) Resolutions to hire temporary part-time seasonal employees for the DPW to get through leaf season with two (2) workers out on worker's compensation leave plus regular seasonal; a Resolution regarding a retirement at the DPW effective 11/1/15 so this will be for that terminal payout and includes one payment in November for the first payroll and the remaining balance in January 2016; a Resolution is for electrical services to have the contract in place with the vendor based on our threshold being over \$17,500 to prevent an audit finding and comply with State statute; and the last Resolution is for the new software for the Building Department.

Mr. DeJoseph reported he is in receipt of a traffic study for Hickory Lane based on concerns and comments from the Mayor and Council and residents. He wanted to get the opinion of the Council to determine the next step. Mayor Glidden explained this came as the result of numerous complaints from residents on Hickory Lane regarding the large trucks to and from the farm and said the Borough requested a quote for a traffic study. Mr. DeJoseph said it is quoted for a price not to exceed \$5,000. The Mayor suggested asking the Administrator to meet with the vendor for additional details. Dr. Barad voiced his concerns that there have been other complaints about other roads and asked if this was only for Hickory Lane. The Mayor noted Closter Dock Road has received numerous complaints. Mr. Hennessey noted the quoted study is for Hickory Lane and the adjacent streets – Bradley Place and Alpine Drive. Councilman Di Dio asked if we could include Closter Dock Road and the Mayor said it's in a completely different location. The Borough Engineer reminded that Closter Dock is a County road and was built for heavy traffic. Borough Administrator suggested asking Chief Kaine to contact the County's traffic bureau about a study for that.

Borough Attorney entered the meeting at 8:01 p.m.

In answer to Mr. Di Dio, Chief Kaine said he will call and noted there have already been “weight teams” out about 3 years ago on Closter Dock Road to issue violations to tractor trailers violating the restrictions. He explained that they usually stick with the highways but they will come out if there is a local issue. Councilwoman Latner voiced her support for trying again as a show of goodwill to the residents that we are doing everything we can to address their concerns and getting any more ideas for Hickory Lane. Councilman Dolson questioned if the County agency would be able to advise us if any of these activities are illegal or could be curtailed or would it just indicate to us there is traffic. Mr. DeJoseph asked for suggestions to make to the County. Mr. Dolson said if the study will tell us that they saw 17 trucks out there – the residents can tell us the same thing and it won't do us any good. He questioned if they know something we don't know to help us better regulate. Mayor Glidden said our Police have been up there several times recently in reference to a call from a resident; and he received the latest (incident) report this

morning which indicated there was a large truck in the driveway, but not doing anything illegal – only making a delivery; and we can't do anything about that. The Mayor asked the Administrator to gather additional information and report back to the Council at the next meeting.

Borough Attorney informed he met with David Watkins this past Saturday regarding this issue to discuss the size of the trucks but not necessarily the deliveries themselves. He said he would speak with Mr. Vastano as to whether most if not a good part of these delivery trucks can be box trucks as opposed to tractor-trailers. Mr. Rogan reiterated the Borough's concerns that there are deliveries as opposed to produce being taken out which raises a concern on his own personal part that there is a requirement that at least 50% of what is sold is produced on the property to qualify as a farm. Mr. Watkins had indicated he understood the Council was getting complaints and said he would speak with the owner but couldn't promise anything.

At this time, Mayor Glidden invited the Borough Attorney to address his report (see above 6. Professional Reports, A. Borough Attorney).

**B. BOROUGH CLERK**

- 1) STATUS REPORT RE 2015 APPOINTMENTS – Borough Clerk reported this is current with outstanding appointments being maintained on the Agenda. A memo requesting 2016 Appointments will be sent next week.
- 2) STATUS REPORT RE 2015 OATHS OF OFFICE – Ms. Castano reported that of the two (2) Oaths outstanding one was taken care of this evening.
- 3) STATUS REPORT RE 2015 LICENSES – Borough Clerk reported all Borough Licenses are current. Regarding Liquor Licenses, she had hoped the remaining license for JBS Mack would be renewed this evening for the 2015-2016 term but she had to refer it to the Borough Attorney as there are too many complications which have to be resolved.
- 4) STATUS REPORT RE 2015 MEETING DATES – Ms. Castano reported we are current for 2015 and they are beginning to circulate the calendar for 2016 to all Borough Boards and Departments for response by 12/1/15.
- 5) STATUS REPORT RE ELECTIONS – Borough Clerk reported last night was the last day to register to vote in the General Election. Her office was open to the public from 8:30 a.m. to 6:30 p.m. and no one came to register. We received word that the Voting Machines will be delivered on October 20 to Hillside and Tenakill Schools. The General Election will be held Tuesday, 11/3/15. Polls are open from 6 a.m. to 8 p.m. The customary memo was sent to Chief Kaine on 11/13/15 regarding election procedures.
- 6) STATUS REPORT RE PREPARATIONS FOR LEAGUE OF MUNICIPALITIES CONFERENCE TO BE HELD FROM 11/16/15 TO 11/19/15 – Ms. Castano reported the rooms at Bally's have been paid for and we await pre-registrations to be distributed upon receipt to attendees.
- 7) REPORT

**C. CHIEF OF POLICE**

- 1) REPORT – Chief Kaine reported he emailed the Monthly Report to all on Monday. Today the Department conducted an evacuation drill at both schools with Tenakill going to St. Mary's Church and Hillside gathering at King Place and Brodil Court. He reported the Department completed their 4<sup>th</sup> mandated qualification for firearms and Northvale, Norwood and Cresskill will be at the range the next few weeks doing theirs. Once the range is paved it will make for easy cleanup and he was pleased to report everything was going well. In answer to Mayor Glidden, Chief Kaine informed the only reported problem to date is that a resident was having an open house and they could hear the activity at the range. He said that occasionally we get a call about hearing shots fired but we explain to them what it is they are hearing. Mr. Hennessey inquired if the slats that were to be installed to muffle the sound helped and the Chief noted it has been very helpful in reducing the noise. The prisoners ran out of time so they will either finish it themselves or ask the DPW to help the next time they come.

Chief Kaine reported there was a house fire over the weekend and the Bergen County Arson Squad came to assist the Detective Bureau with the investigation. Two officers were injured off-duty and have been out for over a month now, so the Department ran at a bare minimum and overtime increased. He

informed he would send the Administrator a spreadsheet indicating the costs for same.

The Chief reminded that Homans Avenue will be closed tomorrow between Lewis Street and Piermont Road to connect a sewer line which unfortunately runs across the entire street. He will have officers posted on both sides to allow traffic for CGI and the Post Office and other establishments towards Piermont. There will be additional officers on Vervalen Street and Piermont Road during school to assist with drop-off. Since 9/1/15, the Department has run 21 radar details on Hickory Lane and speeding is not an issue as they gave verbal warnings to two motorists for speeding in that time. They are also keeping an eye on the truck traffic and it is all local deliveries. In answer to Councilman Barad he said most of the volume is actually landscapers working in the area. There was a tractor trailer at 6:30 one morning making a delivery to Metro (Farm) but other than that it is landscapers.

At this time, Councilwoman Latner asked if the Chief could clarify what someone told her that there were 9 cars stolen in Demarest, some of which were in driveways. The Chief noted there were two Range Rovers and a Mercedes stolen out of a driveway in Demarest off Anderson Avenue. He said there is a rash in this whole area and a lot of these people are leaving their key fobs in the console.

Mrs. Latner inquired if the Chief received the email regarding participation in the Northern Valley Coalition Ultimate Frisbee Challenge on 10/25/15 from 6:30 – 10:00 p.m. at Memorial Field under the lights. The idea is to have one team of Officers from all 7 local towns compete against the kids; and they need at least 7 people per team. Chief Kaine said he will forward it to our Delegate, Officer Sarubbi, once he receives it.

At this time, Councilman Hennessey referred back to the discussion of truck traffic on Closter Dock Road and noted when we wanted to change the speed on High Street that the Mayor and Chief wrote a letter to the County to have the street monitored; and questioned if we could do the same in this instance. Chief Kaine said it is very difficult as Piermont Road and Closter Dock Road are both 40 mph speed limits. Mr. Hennessey clarified he's not interested in reducing the speed but to have the trucks and the weights monitored. Chief Kaine explained that Closter Dock Road is designated as County Road 502 truck route for anywhere in Bergen County. He said it is 10 tons except for Bergen County deliveries where they can exceed 10 tons. Councilman Di Dio noted those signs are at 9W and Closter Dock Road and Piermont Road. Chief Kaine affirmed they can go all the way up to Mahwah on County truck routes. Councilman Dolson said as a resident of Closter Dock Road he believes that the noise they are hearing are the jake breaks. Chief Kaine affirmed that unfortunately there is nothing more they can do about it since it is a County road.

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED

1. NEW JERSEY TRANSIT 5310 GRANT PROGRAM TO INITIATE FUNDING FOR THE TRANSPORTATION ASSISTANCE PROGRAM IN THE BOROUGH OF CLOSTER (Authorized at RM 4/22/15) – Mayor Glidden reported this grant was for a vehicle for senior and disabled bus service and we are waiting anxiously to hear on that one which should be imminent.

2. NEW JERSEY DEPARTMENT OF TRANSPORTATION FY2015 DISCRETIONARY AID APPLICATION FOR CEDAR LANE PROJECT IN THE AMOUNT OF \$180,000 (Authorized at RM 4/22/15) – Mayor Glidden said we were told to check back in two weeks on awards for this grant and we will follow up on same.

b. AWARDED

1. To be announced by Mayor

c. TO BE FILED

1. To be announced by Mayor – Mayor Glidden reported we will be submitting an application for the FY2016 Local Aid Grant for Vervalen Street and we are working on that now.

2) REPORT

8. OLD BUSINESS

9. NEW BUSINESS

Relative to the Best Practices Checklist, Borough Administrator reported that the Finance Committee met with the Temporary Chief Financial Officer and himself yesterday to review at length the questions on the Checklist; Closter was able to answer the 41 questions affirmatively and the Borough would not be losing any State Aid. He explained he e-mailed to the governing body mid-day today for their information. Mrs. Latner said it was very interesting to see the different requirements and specifications. Mr. DeJoseph explained the problem is that they had not anticipated the different questions this year and Mr. Dolson voiced his expectation that they will find something different to ask for next year.

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

Mayor Glidden opened the meeting to the public.

Steve Isaacson, 97 Columbus Avenue, announced that the Environmental Commission is holding its 8<sup>th</sup> Annual MacBain Farm Fest on October 24<sup>th</sup> starting at 3 p.m. He noted that Alpine has done traffic studies on Closter Dock Road; and information on same could be obtained from the Borough. Borough Administrator said he would contact the Borough of Alpine. Mr. Isaacson said that according to the Building Department, Metropolitan Farm has made application to open a farm on the other side. Borough Attorney said that this was incorrect noting that they were looking at an old map that had nothing to do with any application being filed. Mr. Isaacson noted that Mr. McCaffrey is getting a great deal by living on our farm and he does not pay taxes because it is non-profit; but he questioned a payment in lieu of taxes. Borough Attorney said in exchange for living there, Mr. McCaffrey has to upkeep the property and he reminded that this had been the subject of a public bid. When the lease is up, the Borough can consider any number of options. Mr. Isaacson noted that on his block 6 trees have been cut down; and Borough Administrator said the two trees on the south end of Columbus Avenue were removed based on discussions with Orange and Rockland and Shade Tree Commission. The Borough would be replacing those trees this fall. Regarding the disposition of the wood, he would look into same, but, generally speaking, the removal company takes care of the wood. Borough Engineer said that Orange and Rockland is doing the disposition of the wood on their own; and if the Borough was responsible for same, a contractor would have to be hired which would cost the Borough more in the long run. Mr. Isaacson cited two past traditions he would like to see restored: The Health Fair and a Candidates Night. He also noted that there are still no lights on the cell tower and Borough Administrator said according to Lieutenant Winters there have never been lights on the cell tower.

Ms. Toni Paul, (1 Railroad Avenue, Room 104) cited the egregious and illegal operations at the Van Sciver Home which is falling apart. She cited the ground toxicity, the stench from the ground, the electrical tower, trucking company and DPW trucks. She said she is always calling the police with complaints and noted that smoke is coming through the vents of the building turning her lungs black and also various accidents she has had that no one has done anything about. The owners are trying to evict her. She said she is mentally well and she is broken hearted about the people living there who are really sick and being pushed around. The building should have never passed inspections by HUD. Leases are not signed by the owners and not given to the residents. Mayor Glidden said he does not have an answer to her complaints but the Borough will look into same. Councilwoman Latner said this is the first time we are hearing about this problem and Borough Attorney said that this building was part of Affordable Housing Program and this was the property that Vantage asked for. He said that he would look into the matter and get back to her.

11. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

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

Motion to adjourn the Work Session at 8:45 p.m. was made by Councilman Di Dio, seconded by Councilwoman Latner and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on  
October 23, 2015 for approval at the  
Regular Meeting to be held  
October 28, 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 October 28, 2015  
Consent Agenda Item No. 18b.