

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – SEPTEMBER 27, 2017 - 7:30 P.M

Mayor Glidden called the meeting to order at 9:10 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, 2017, 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, Robert Di Dio, Joseph Yammarino, Jannie Chung
and Victoria Amitai
Borough Administrator, Arthur Braun Dolson
Borough Attorney, Edward T. Rogan
Deputy Borough Clerk, Arlene M. Corvelli
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine

The following persons were not present:
Borough Clerk, Loretta Castano

3. MAYORAL PRESENTATION(S)

4. MAYORAL APPOINTMENT(S) TO THE FOLLOWING BOARDS/COMMISSIONS:

Mayor Glidden advised that he is still looking for volunteers and the (Shade Tree Commission) appointee named at the last meeting could not comply with the Financial Disclosure requirements and therefore declined the appointment.

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Environmental Commission				
Member/Shade Tree Liaison	<u>Brian Stabile</u> (Elected to Council)	<u>NO APPOINTMENT</u>	3 Years Unexp. (Stabile)	31-Dec-17
Associate Member	<u>Arthur Goldberg</u> (Dep. 3/6/17)	<u>NO APPOINTMENT</u>	1 Year Unexp. (Goldberg)	31-Dec-17
Planning Board				
Class II/Rep. Gov’t of Closter	<u>Gary Montroy</u> (Resigned)	<u>NO APPOINTMENT</u>	1 Year Unexp. (Montroy)	31-Dec-17
Alternate No. 2	<u>Ansar Batool</u> (Moved to Class IV RM 3/8/17)	<u>NO APPOINTMENT</u>	2 Years Unexp. (Batool)	31-Dec-17
Shade Tree Commission				
Member/Environmental Commission Liaison	<u>Brian Stabile</u> (Elected to Council)	<u>NO APPOINTMENT</u>	5 Years 4 Years	31-Dec-21
Alternate No. 2	<u>John Kashwick</u> (Resigned eff. 5/25/17)	<u>NO APPOINTMENT</u>	Unexp. (Kashwick)	31-Dec-19

5a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item No. 6 was made by Councilman Di Dio seconded by Councilman Barad and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Yammarino, Chung and Amitai.

RESOLUTIONS

6. RESOLUTION AUTHORIZING THE CLOSTER ENVIRONMENTAL COMMISSION TO ERECT A BANNER AT THE ENTRANCE OF THE FIELDS ON A FENCE AT MAC BAIN FARM AS A TEMPORARY SPECIAL SIGN, PURSUANT TO BOROUGH CODE SECTIONS 173-83 E AND 173-87, FOR A PERIOD OF 180 DAYS BEGINNING ON OR ABOUT 10/1/17, SUBJECT TO REVIEW OF THE CLOSTER PROPERTY MAINTENANCE OFFICIAL, CHIEF OF POLICE AND INPUT FROM THE MAC BAIN FARM CARETAKER (Approved at RM 9/13/17) Received from Borough Attorney 9/21/17

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING MINUTES – SEPTEMBER 27, 2017 – 7:30 P.M.

7. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A CHECK IN THE AMOUNT OF \$7,161.73 **AND** ISSUE A RETURN OF PREMIUM FROM ESCROW IN THE AMOUNT OF \$41,500.00 TO CHRISTIANA T C/F CE1/FIRSTTRUST FOR THE REDEMPTION OF TAX SALE CERTIFICATE #17-00002 FOR PROPERTY LOCATED AT 450 PIERMONT ROAD, BLOCK 1602, LOT 3, SOLD AT THE MUNICIPAL TAX SALE HELD ON 6/28/17 FOR 2016 DELINQUENT TAXES (Received from Tax Collector 9/19/17)
8. RESOLUTION AUTHORIZING THE CLERK, CHIEF ADMINISTRATIVE OFFICER AND CHIEF FINANCIAL OFFICER TO SIGN THE CY2017 BEST PRACTICES INVENTORY (Deadline for Response: 10/20/17) Received from Borough Administrator’s Office 9/19/17
9. RESOLUTION AUTHORIZING PERSON-TO-PERSON **AND** PLACE-TO-PLACE TRANSFER OF PLENARY (*INACTIVE/ POCKET*) RETAIL CONSUMPTION LICENSE NO. 0207-33-007-009 FROM HARVEST RESTAURANT, LLC, TO S AND R LIQUOR CLOSTER, LLC FOR PREMISES LOCATED AT 252 SCHRAALENBURGH ROAD
10. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A: 4-87 FOR “DRUNK DRIVING ENFORCEMENT GRANT” IN THE AMOUNT OF \$2,690.22 (Received from Assistant CFO 9/21/17)
11. RESOLUTION AUTHORIZING THE IMPROVEMENT OF A PORTION OF WESTMINSTER AVENUE (Requested by Borough Attorney 9/21/17) ~~TO BE PREPARED BY BOROUGH ATTORNEY~~ Received from Borough Attorney 9/25/17
12. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN TREE BOND ESCROW FEES IN THE AMOUNT OF \$2,750.00 TO GIESE HOLLAND, LLC/AVITALION DUE TO SUCCESSFULLY MAINTAINING TREES AT BLOCK 2105, LOT 19, 1 TAYLOR DRIVE PER E-MAIL FROM CODE ENFORCEMENT OFFICIAL TREES DATED 9/19/17 (Received from Deputy Treasurer 9/21/17)
13. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN ZONING BOARD OF ADJUSTMENT LEGAL ESCROW FEES IN THE AMOUNT OF \$570.00 TO GRINDLEY, JUSTIN DUE TO SUCCESSFUL COMPLETION OF IMPROVEMENTS FOR BLOCK 205, LOT 2, 24 DEMAREST AVE (Received from Deputy Treasurer 9/21/17)

MOTIONS

14. APPROVING VELOCITY, COLUMBIA’S CHARITY BIKE RIDE TO END CANCER, BENEFITING COLUMBIA UNIVERSITY MEDICAL CENTER AND THE HERBERT IRVING COMPREHENSIVE CANCER CENTER, PARTIALLY THROUGH THE BOROUGH ON SATURDAY, 10/7/17, BETWEEN THE HOURS OF 11 A.M. AND 3 P.M., PER ROUTE MAPS ATTACHED (12. M.L. 9/21/17/Approval received from Risk Management Consultant 9/20/17)
15. MOTION APPROVING THE FOLLOWING *SALARIED* APPOINTMENT(S) NOT MADE AT THE REORGANIZATION MEETING HELD 1/3/17:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Planner to Implement Portions of the 2008 Master Plan	Caroline Reiter P.P., AICP Christopher P. Statile, PA	NO APPOINTMENT	1 Year	31-Dec-17

16. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/3/17:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Board of Health			2 Years Unexp. (Vacant)	31-Dec-17
Alternate No. 2	<u>Vacant</u>	<u>NO APPOINTMENT</u>		

17. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENT(S):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Historian	Arthur Goldberg (Dep. 3/6/17)	<u>NO APPOINTMENT</u>	1 Year Unexp. (Goldberg)	31-Dec-17

18. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 9/21/17)
 NO ABSTENTIONS

- a. REGULAR MEETING HELD SEPTEMBER 13, 2017
- b. WORK SESSION HELD SEPTEMBER 13, 2017

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – SEPTEMBER 27, 2017 – 7:30 P.M.

19. REPORTS

(None received at the time of preparation of this Agenda)

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

6. RESOLUTION AUTHORIZING THE CLOSTER ENVIRONMENTAL COMMISSION TO ERECT A BANNER AT THE ENTRANCE OF THE FIELDS ON A FENCE AT MAC BAIN FARM AS A TEMPORARY SPECIAL SIGN, PURSUANT TO BOROUGH CODE SECTIONS 173-83 E AND 173-87, FOR A PERIOD OF 180 DAYS BEGINNING ON OR ABOUT 10/1/17, SUBJECT TO REVIEW OF THE CLOSTER PROPERTY MAINTENANCE OFFICIAL, CHIEF OF POLICE AND INPUT FROM THE MAC BAIN FARM CARETAKER (Approved at RM 9/13/17) Received from Borough Attorney 9/21/17

Borough Administrator advised that there is no information in his office as to the specifications of the banner and Borough Attorney said this resolution reflects the presentation of Mr. Isaacson at the last meeting where there was a vote to grant permission for the placement of the banner at the Mac Bain Farm. Councilman Barad noted that the banner has been paid for.

Motion to approve was made by Councilman Barad, seconded by Councilwoman Latner and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio Yammarino, Chung and Amitai.

20. 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.

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

Motion approving the following Closed Session Resolution at 9:20 p.m. was made by Councilman Di Dio, seconded by Councilwoman Latner and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Yammarino, Chung 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)(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 10-12 weeks.”

Mayor Glidden resumed the Regular Meeting at 9:28 p.m.

22. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:28 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
October 5, 2017 for approval at the
Regular Meeting to be held
October 11, 2017

Arlene M. Corvelli, RMC
Deputy Borough Clerk

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

Approved at the Regular Meeting held October 11, 2017
Consent Agenda Item No. 20a

**BOROUGH OF CLOSTER
RESOLUTION AUTHORIZING THE CLOSTER ENVIRONMENTAL COMMISSION
TO ERECT A BANNER OVER BOROUGH PROPERTY**

WHEREAS, the Closter Environmental Commission has requested permission to erect a banner at the entrance of the fields on a fence at MacBain Farm beginning on or about October 1, 2017; and

WHEREAS, the Banner is a Temporary Special Sign which shall be erected on or over Borough property; and

WHEREAS, the Borough's Code Sections 173-83 E and 173-87 allow a Temporary Special Sign to be erected on or over Borough property without a permit with the permission of the Mayor and Council;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that the request of the Closter Environmental Commission to erect a banner on a fence at the entrance of the fields located on MacBain Farm for 180 days beginning October 1, 2017 is hereby approved by the Governing Body. This approval is subject to the review of the Closter Property Maintenance Official, Chief of Police, and input from MacBain Farm caretaker.

BE IT FURTHER RESOLVED that the Borough Clerk shall provide a copy of this Resolution to the Borough Environmental Commission, Property Maintenance Official, and caretaker of MacBain Farm.

COUNCILPERSON	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilman Yammarino			X			
Councilwoman Chung			X			
Councilman Di Dio			X			
Councilman Barad	X		X			
Councilwoman Latner		X	X			
Councilwoman Amitai			X			

Adopted: September 27, 2017

APPROVED BY:



 John C. Glidden, Jr. Mayor

ATTEST:



 Arlene M. Corvelli, Deputy Borough Clerk

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on September 27, 2017.

 Arlene M. Corvelli, Deputy Borough Clerk

**BOROUGH OF CLOSTER
BERGEN COUNTY**

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO
OUTSIDE LIENHOLDER**

WHEREAS, at the Municipal Tax Sale held on 28th day of June 2017, a lien was sold on Block **1602**; Lot **3**, also known as 450 Piermont Road in Closter, New Jersey for 2016 delinquent taxes, and,

WHEREAS, this lien, known as **Tax Sale Certificate #17-00002**, was sold to Christiana T C/F CE1/Firstrust,

WHEREAS, the *homeowner* has affected redemption of said property of TSC #17-00002 in the amount of \$7,161.73;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, New Jersey that the **Deputy Treasurer** is authorized to issue a check in the amount of **\$ 7,161.73** and **\$ 41,500.00** for **Premium Paid at Tax Sale** to **Christiana T C/F CE1/Firstrust** for redemption of said certificate.

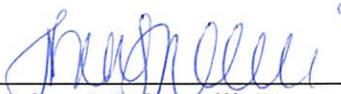
(Homeowner redeemed 9/20/2017)

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Barad		X	X			
Councilwoman Latner			X			
Councilman Di Dio	X		X			
Councilman Yammarino			X			
Councilwoman Chung			X			
Councilwoman Amitai			X			

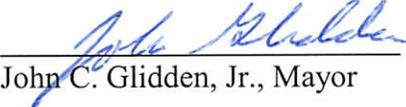
ADOPTED: September 27, 2017

ATTEST:

APPROVED:



Arlene M. Corvelli, Deputy Borough Clerk



John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held September 27, 2017.

Arlene M. Corvelli, Deputy Borough Clerk

BOROUGH OF CLOSTER
COUNTY OF BERGEN

RESOLUTION AUTHORIZING THE CLERK, CHIEF ADMINISTRATIVE OFFICER AND CHIEF FINANCIAL OFFICER TO SIGN THE BEST PRACTICES INVENTORY

WHEREAS, the Division of Local Government Services (DLGS) annually issues a Best Practices Worksheet/Inventory for review, response and certification by certain municipal officials; and

WHEREAS, signatures and certifications are required from the Municipal Clerk, Chief Administrative Officer (Borough Administrator) and Chief Financial Officer; and

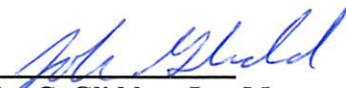
WHEREAS, the Borough must respond to DLGS by October 20, 2017.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that the Clerk, Borough Administrator and CFO are hereby authorized to respond as required by law and to sign the aforementioned Best Practices Inventory. The Borough Administrator is hereby authorized to file the executed document on or before the due date of October 20, 2017.

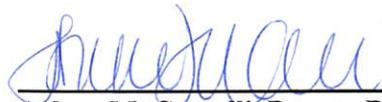
COUNCILPERSON	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilwoman Amitai			X			
Councilman Barad		X	X			
Councilwoman Chung			X			
Councilman Di Dio	X		X			
Councilwoman Latner			X			
Councilman Yammarino			X			

Adopted: September 27, 2017

APPROVED BY:


John C. Glidden, Jr., Mayor

ATTEST:


Arlene M. Corvelli, Deputy Borough Clerk

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on September 27, 2017.

Arlene M. Corvelli, Deputy Borough Clerk

**BOROUGH OF CLOSTER
BERGEN COUNTY, NEW JERSEY
RESOLUTION AUTHORIZING PERSON-TO-PERSON AND
PLACE-TO-PLACE TRANSFER OF PLENARY (INACTIVE/ POCKET) RETAIL
CONSUMPTION LICENSE NO. 0207-33-007-009**

WHEREAS, an application has been filed on behalf of S and R Liquor Closter, LLC for a person-to-person AND place-to-place transfer of Plenary Retail Consumption License No. 0207-33-007-009 heretofore issued to Harvest Restaurant, LLC as an inactive/pocket license; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the necessary inspections and approvals have been received from Borough Officials, and the Construction Official has notified the Borough Clerk that a Business Certificate of Continued Occupancy has been issued for the premises located at 252 Schraalenburgh Road; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Closter does hereby approve the transfer of the aforesaid Plenary Retail Consumption License from Harvest Restaurant, LLC to S and R Liquor Closter, LLC and from its former inactive/pocket status to the premises located at 252 Schraalenburgh Road; and

BE IT FURTHER RESOLVED and that the Mayor and Council of the Borough of Closter does hereby direct the Borough Clerk to endorse the license certificate as follows: "This license, subject to all its terms and conditions, is hereby transferred to S and R Liquor Closter, LLC for premises located at 252 Schraalenburgh Road".

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Barad		X	X			
Councilwoman Latner			X			
Councilman Di Dio	X		X			
Councilman Yammarino			X			
Councilwoman Chung			X			
Councilwoman Amitai			X			

Adopted: September 27, 2017

ATTEST:


Arlene M. Corvelli, Deputy Borough Clerk

APPROVED:


John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held September 27, 2017.

Arlene M. Corvelli, Deputy Borough Clerk

**BOROUGH OF CLOSTER
COUNTY OF BERGEN**

**RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND
APPROPRIATION UNDER N.J.S.A. 40A: 4-87 FOR
“Drunk Driving Enforcement Fund”**

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Closter hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$2,690.22 which item is now available as revenue from the **Drunk Driving Enforcement Fund,**

BE IT FURTHER RESOLVED that the total sum thereof of **\$2,690.22** is and the same is hereby appropriated under the caption of:

Chapter 159 – DDEF FY 2017

BE IT FURTHER RESOLVED, that the Chief Financial Officer will electronically submit this certified resolution along with the form to the Division of Local Government Services as per LFN 2014-11.

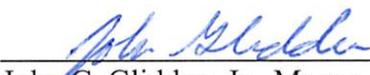
Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Barad		X	X			
Councilwoman Latner			X			
Councilman DiDio	X		X			
Councilman Yammarino			X			
Councilwoman Chung			X			
Councilwoman Amitai			X			

Adopted: September 27, 2017

ATTEST:


Arlene M. Corvelli, Deputy Borough Clerk

APPROVED:


John C. Glidden, Jr., Mayor

Certified to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held September 27, 2017.

Arlene M. Corvelli, Deputy Borough Clerk

BOROUGH OF CLOSTER
RESOLUTION AUTHORIZING THE IMPROVEMENT OF
A PORTION OF WESTMINSTER AVENUE

WHEREAS, in 1981 the Borough of Closter adopted a Master Plan pursuant to N.J.S.A. 40:55-28, and subsequent Reexamination Reports were adopted in 1996, 2002 and 2008 which supplemented the 1981 Master Plan; and

WHEREAS, in 1981 the Borough adopted the most recent Land Use Element of the Master Plan. This Element of the Master Plan identifies residential land uses and proposes modification in areas where existing conditions warrant change. The Master Plan specifically identifies the north side of John Street, west of Railroad Avenue, for a distance of approximately 315 feet with a recommendation for limited industrial use instead of residential zoning. This particular area of the Borough is identified as presently having the front and rear yard areas abutting industrial land uses and as such, the inappropriateness for continuation of a residential pattern in the specific environment; and

WHEREAS, in December of 1996 the Periodic Reexamination Report of the Master Plan was adopted, and recommends that the area of John Street mentioned above be used to act as a buffer between residential uses to the south and west, and the industrial uses to the north and east; and

WHEREAS, the most recent Reexamination Report- the 2008 Reexamination Report- (the "Reexamination Report") outlines various issues associated with the compatibility of residential and industrial areas in the Borough of Closter, particularly apparent in the John Street, West Street and Railroad Avenue area; and

WHEREAS, the Reexamination Report identifies those issues as including the lack of buffer or transitional area separating active industrial activities from abutting residential areas, the parking of trucks or commercial vehicles on residential properties or industrially or other business zoned properties where currently prohibited, and the lack of on-site parking for landscapers' vehicles overnight; and

WHEREAS, the Reexamination specifically suggests that a key to resolving the above-mentioned issues is to provide incentives for industrial operators to provide improvements on their property which will not only benefit them but which will also protect the adjacent residential use; and

WHEREAS, the Reexamination recommends a cooperative approach between industrial/business owners and residents to convene for the purpose of negotiating a fair and reasonable way of instituting improvements that will benefit both sides; and

WHEREAS, John Street is a street that connects West Street on the westerly side and Railroad Avenue on the easterly side, and Westminster Avenue- a paper street- runs parallel to John Street to the North; and

WHEREAS, Westminster Avenue separates the residential zones on the South side of John Street, from the commercial and industrial zones located north of John Street near Westminster Avenue; and

WHEREAS, the westerly portion of Westminster Avenue is improved, however the easterly section connecting to Railroad Avenue and the commercial/industrial zones is not improved; and

WHEREAS, three properties on the north side of John Street which act as through lots connecting to the unimproved portion of Westminster Avenue have been particularly affected by the residential and commercial compatibility issues outlined in the Reexamination Report, leading to the institution of several lawsuits involving the Mayor and Council and the Zoning Board of Adjustment which have spanned the last decade; and

WHEREAS, the lawsuits have resulted in inconsistencies in the permitted uses of the properties on the north side of John Street, exacerbating the incompatibility of residential and commercial uses in this area by thwarting any opportunity to provide adequate buffers for the residential uses and making it impossible to provide a seamless transition from residential to commercial/industrial zones in this area; and

WHEREAS, the three properties include 49 John Street (Block 1203, Lot 5), 51-63 John Street (Block 1203, Lots 2 and 4), and 35 John Street (Block 1203, Lot 7), hereinafter “the Properties”; and

WHEREAS, the owners of the Properties desire to utilize the front portion nearest John Street of each of their properties for residential purposes, consistent with the residential uses south of John Street, and the rear portion nearest Westminster Avenue of each of their properties for commercial/industrial equipment and overnight vehicle storage, consistent with the commercial and industrial uses north of Westminster Avenue; and

WHEREAS, the owners of the Properties have indicated a desire to work together to make improvements, at their cost to the currently unimproved portion of Westminster Avenue to a roadway width of 30 feet bordering the rear of each of their properties, which will permit the owners of the Properties to utilize Westminster Avenue for the ingress, egress, and storage of their commercial/industrial vehicles, eliminating the need to use John Street or another primarily residential street for this purpose; and

WHEREAS, the owner of Lot 11, Block 1204, which currently fronts on the same unimproved portion of Westminster Avenue, may also work together with the owners of the Properties for the improvement of Westminster Avenue as described herein; and

WHEREAS, the Mayor and Council find that limited improvement of a portion of Westminster Avenue will allow the Properties to act as transitional/buffer areas between the residential and commercial/industrial uses, and will further protect the adjacent residential property owners from the impact of any commercial and industrial uses north of Westminster Avenue by eliminating the need to use John Street for any commercial/industrial purpose which is consistent with and serves the stated goals of the Master Plan; and

WHEREAS, the improvement of Westminster Avenue shall not connect to the current improved portion of Westminster Avenue on the westerly side; an unimproved area will remain separating the westerly and easterly side of Westminster Avenue, so that commercial vehicles shall be able to enter and exit the Properties only from Railroad Avenue to the East; and

WHEREAS, the Mayor and Council find that the proposed improvements to Westminster Avenue will also resolve many of the long-standing compatibility issues identified in the John Street and Railroad Avenue area and identified in the Master Plan and periodic Reexamination Reports, by creating a solution that both affords the residential areas the protection and buffering it requires, and permits the mixed use nature of the Properties to act as a transition from the residential zone to the commercial/industrial zones with the rear portions of those Properties being utilized in a less intense commercial/industrial manner including storage of equipment and vehicles; and

WHEREAS, the Mayor and Council recognize that the Reexamination also recommends that the Borough continue to prohibit the overnight parking or storage of commercial vehicles on residential properties; and

WHEREAS, the Mayor and Council find that under the particular circumstances described herein including the unique characteristics of the Properties and the surrounding area, the prohibition and strict enforcement of overnight parking or storage of commercial vehicles on the Properties is unreasonable, contrary to the Master Plan’s stated goal to create a more seamless transition between the residential and industrial zones, and is inapplicable to the Properties; and

WHEREAS, the Mayor and Council desire to take action with respect to the development of land that furthers the goals set forth in the Borough’s Master Plan and Reexamination Report, and that promotes the health, safety and welfare of the citizens of the Borough; and

WHEREAS, by authorizing the improvements to Westminster Avenue, the Mayor and Council find that the following goals identified in the Reexamination Report will be achieved: (1) encouraging the compatibility of different land uses; (2) improve the condition and compatibility of industrially zoned land in the community; and (3) provide buffer zones between residential and non-residential areas; and

WHEREAS, the Mayor and Council are generally empowered by N.J.S.A. 40:67-1 et seq. to authorize persons to exercise a privilege granted to them in the use of any street, highway, alley or public place for any purpose, and to regulate the time, manner and terms upon which such privilege is exercised; and

WHEREAS, the Mayor and Council find that the proposed improvements to Westminster Avenue are a type of use contemplated by N.J.S.A. 40:67-1 et seq., being both consistent with the objectives and recommendations set forth in the Borough's Master Plan and Reexamination Reports and the purposes of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.; and

WHEREAS, the improvement of a portion of Westminster Avenue would be in the public's best interest to preserve and improve the characteristic of the residential zone and neighborhood located within it and would otherwise promote the health, safety and welfare of the citizens of the Borough, subject to the applicants dedicating sufficient right of ways necessary to accommodate a 30 foot roadway/driveway width, along with the requisite area, to provide for a detention/water quality basin for the new impervious areas, tapering down to no less than 24 foot width at the intersection with Railroad Avenue.

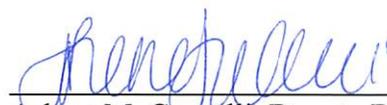
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter as follows:

1. In the event applications for development of the Properties are approved which include the use of the currently unimproved portion of Westminster Avenue for access to the rear portion of the Properties, then the owners of the Properties are authorized to make improvements to the currently unimproved section of Westminster Avenue that abuts the rear portion of their Properties, at their cost for the purpose of utilizing Westminster Avenue as a means of ingress and egress to and from Railroad Avenue and the Properties;
2. The proposed improvements shall include necessary property owner dedications of right of ways so to ensure and accommodate a 30 foot roadway/driveway width, along with the requisite area, to provide for a detention/water quality basin for the new impervious areas, tapering down to no less than 24 foot width at the intersection with Railroad Avenue. The proposed improvements shall be completed and inspected by the municipal engineer who will ensure that the improvements to be made shall be adequate for the safe and efficient use of the roadway for the stated limited purpose described herein and not necessarily to full municipal standards for road improvements;
3. The proposed improvements are subject to applicants obtaining the required requisite NJ DEP permits and/or jurisdictional determination from NJ DEP and any other State, County or local permits for such proposed improvements.
4. This Resolution shall take effect immediately.

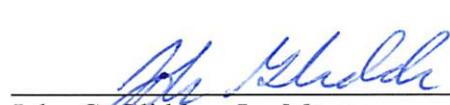
Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Barad		X	X			
Councilwoman Latner			X			
Councilman Di Dio	X		X			
Councilman Yammarino			X			
Councilwoman Chung			X			
Councilwoman Amitai			X			

Adopted: September 27, 2017

ATTEST:


 Arlene M. Corvelli, Deputy Borough Clerk

APPROVED:


 John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held September 27, 2017.

 Arlene M. Corvelli, Deputy Borough Clerk

**BOROUGH OF CLOSTER
BERGEN COUNTY
RESOLUTION**

WHEREAS, the Agreement for Giesi Holland, LLC/Avitalion, was required to post a Tree Bond in the amount of \$2,750.00 for maintaining trees at Block 2105, Lots 19, said bond posted on June 15, 2015/August 27, 2015; and

WHEREAS, the Building Department in an E-Mail dated September 19, 2017 attached a letter from Bill Fuch Code Enforcement Official Trees being satisfied that the applicant has fulfilled the requirements of the Agreement which consist primarily of maintaining trees

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Applicant</u>	<u>Amount</u>
2105	19	1 Taylor Drive	Giesi Holland, LLC/Avitalion	\$2,750.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that the Deputy Treasurer is and hereby authorized to release the \$2,750.00 tree bond escrow monies to the applicant

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Di Dio	X		X			
Councilwoman Amitai			X			
Councilman Yammarino			X			
Councilman Barad		X	X			
Councilwoman Latner			X			
Councilwoman Chung			X			

Adopted: September 27, 2017

ATTEST:



Arlene M. Corvelli, Deputy Borough Clerk

APPROVED:



John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held September 27, 2017

Arlene M. Corvelli, Deputy Borough Clerk

**BOROUGH OF CLOSTER
BERGEN COUNTY
RESOLUTION**

WHEREAS, the following applicant has posted legal escrow fee with the Closter Zoning Board of Adjustment

WHEREAS, Zoning Board of Adjustment professionals have determined that all required legal fees due for services rendered have been received for application at

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Applicant</u>	<u>Amount</u>
205	2	24 Demarest Ave	Grindley, Justin	\$570.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that the Deputy Treasurer is hereby authorized to release and return the remaining escrow funds to the applicants.

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Di Dio	X		X			
Councilwoman Amitai			X			
Councilman Yammarino			X			
Councilman Barad		X	X			
Councilwoman Latner			X			
Councilwoman Chung			X			

Adopted: September 27, 2017

ATTEST:



Arlene M. Corvelli, Deputy Borough Clerk

APPROVED:



John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held September 27, 2017

Arlene M. Corvelli, Deputy Borough Clerk

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – SEPTEMBER 27, 2017 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, September 27, 2017. 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 Notice of Meetings which was published in The Record and the Star Ledger on January 9, 2017, 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, Alissa Latner, Robert Di Dio, Joseph Yammarino, Jannie Chung
and Victoria Amitai
Borough Administrator, Arthur Braun Dolson
Borough Attorney, Edward T. Rogan
Deputy Borough Clerk, Arlene M. Corvelli
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine

The following persons were not present:

Borough Clerk, Loretta Castano

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF SEPTEMBER 14, 2017 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 3.I.a. was removed by Borough Attorney; Item No. 5 was removed by Deputy Borough Clerk.

Item No. 3.I.a.: Received 09/08/17, Dated 09/08/17, from Michael J. Darcy, CAE, Executive Director, NJS League of Municipalities, to Mayor re Weekly Round-Up: Weekly Update – September 8, 2017; I. State Issues; a. OPRA/OPMA Update (S-1045 amending Open Public Meetings Act & S-1046 Amending Open Public Records Act)

Borough Attorney said this is informational and requests that each municipality take a stand on proposed OPRA/OPMA legislation. He said there has been an increase in the burden of producing documents without State funding and over the years it has become almost too easy to get things. If they are sent via fax or email there is no charge and there are no provisions for the time takes up for staff in all departments to compile these documents. We have attorneys asking weekly or bimonthly for police reports and it has become a marketing lead for many professions. The public certainly has a right to know but it has gone to a new level where it is profit making for different organizations. He informed we have received Resolutions from several other towns and he urged the Council to read and consider same. Borough Administrator said some requests span records for an entire year and it is very cumbersome. Borough Attorney said we do object to a number of them, for instance when someone asks us to research for them or

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – SEPTEMBER 27, 2017 - 7:30 P.M.

if they're very broad requests. No objections were voiced and Mr. Rogan advised he would draft a Resolution for consideration.

Item No. 5: Received 09/11/17, Dated 09/11/17, from Annette Vasiloff, Chairperson, Food & Assistance Board - Requesting permission to hold 5th Annual Closter Town-Wide Yard Sale on 10/13, 10/14 & 10/15, 2017; Requesting garage sale fees be waived and for permission for participants to display signs on their own properties (Copy to Chief Kaine, Risk Management Consultant, Construction Official)

Deputy Borough Clerk reminded this item was approved at the Regular Meeting held September 13, 2017.

b. MAIL LIST OF SEPTEMBER 21, 2017 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item Nos. 5-5 and 6 were removed by Borough Administrator; Item Nos. 1a and 12 were removed by Deputy Borough Clerk.

Item No. 5-5: Received 09/18/17, Dated 09/18/17, from egg@dca.state.nj.us to Municipal Clerk re Accumulated Absence Liability – Proposed Amendments (Copy to Chief Financial Officer, Assistant Chief Financial Officer)

Borough Administrator explained that Accumulated Absences are unfunded liabilities upon retirement and are paid pursuant to contractual agreements or Borough Code. The State permitted a plan to be approved by the end of the year that a municipality may invest in a plan through a legally licensed firm and when that employee retires that money will be worth more than the original cost through an annuity program. Our unfunded liability is an excessive amount of dollars. We can't backpay anyone but we can go forward to stop the bleeding. He will share more as it becomes available.

Item No. 1a: Received 09/15/17, Dated 09/15/17, from Michael J. Darcy, CAE, Executive Director, NJS League of Municipalities re Weekly Round-Up: Weekly Update – September 15, 2017; II. Federal Issues; a. Contact Your Federal Representatives to Preserve Deductibility of Local Taxes (Copy to Tax Collector)

Deputy Borough Clerk wished to bring this item to attention as it pertains to local property taxes.

Item No. 12: Received 09/19/17, Dated No Date, from Leslie Weatherly, Administrative Secretary, Office of the Mayor and Administrator, to Borough Clerk re Forwarded e-mail with attachments from Joey Farmery, Velocity Ride Director, requesting to conduct Columbia's Ride to End Cancer benefitting Columbia University Medical Center and the Herbert Irving Comprehensive Cancer Center partially through the Borough on Sat., 10/7/17, between the hours of 11 a.m. and 3 p.m. (Risk Management Consultant approvals received from Leslie Weatherly on 9/20/17 @ 2:10 p.m.) Copy to Chief Kaine

Deputy Borough Clerk informed approvals have been received from the Risk Management Consultant and a Motion approving this item is on the Agenda this evening. Borough Administrator noted the ride goes through the whole Borough per the map.

c. MAIL LIST OF SEPTEMBER 28, 2017 – Deputy Borough Clerk informed two items requiring attention had been distributed for review tonight.

Item No. 4: Received 09/26/17 hand del'd, Dated 09/26/17, from Rabbi Mordechai Shain, Executive Director, Lubavitch on the Palisades re **REVISED** Request for permission to set up a Menorah in front of the Closter Borough Hall for the duration of the holiday from 12/12/17 through 12/20/17 AND arrange a Menorah Lighting event in front of Borough Hall, with entertainment and refreshments, on **Monday, 12/18/17 @7:00p.m.** *"We anticipate there the participation of local personalities to help with the celebration and the lighting, which will involve widespread media coverage"*; (Copy to Risk Management Consultant, Chief Kaine, William Dahle, III) Distributed 9/22/17

Deputy Borough Clerk informed we received this revised request yesterday afternoon. They requested Monday, December 18th for their lighting celebration and Leslie (Weatherly) forwarded the approved insurance from the Risk Management Consultant late this afternoon. If there were no objections to same, this Item will be placed on the next Regular Meeting Agenda for approval. No objections were voiced.

Deputy Borough Clerk reported this item was received and distributed to the Governing Body on Friday (9/22/17) for consideration this evening and informed Mr. Weissman was in the audience to address his Mail List item and invited him to the dais to speak on same.

Item No. 1: Received 09/22/17, Dated 09/22/17, from Neile Weissman, to Mayor and Council; c: Loretta Castano; Arlene Corvelli re Intent to speak at the 9/27 Council meeting during the public comments to ask for letter of support calling on the Port Authority to widen the bicycle paths on the George Washington Bridge as part of the upcoming recabbling (Distributed 9/22/17)

At this time, Neile Weissman addressed the governing body relative to the improvements to be made to the George Washington Bridge and its impact on the usage of the bridge by bicycle riders by maintaining the path at 7 feet in width thereby reverting the path to pedestrian use. He cited the contribution that biking and walking makes to the New Jersey Tourist economy and the fact that cycling, according to the World Health Organization and the Columbia School for Public Health, to be cost effective public health interventions. He noted that the planned transit upgrades and possible rail upgrades could see a significant increase in traffic and therefore a wider bike path could sustain 10,000 riders a day. He cited the municipalities in Bergen County that are in favor of the wider path and he requested a letter of support from Closter.

In answer to Mayor Glidden, Mr. Weissman noted that the Port Authority is removing the flights of stairs and restoring the area to the condition in 1931 which had a pair of pedestrian paths, which are inadequate for usage by bicycles. He cited studies by the National Association of Realtors relative to the availability of bike paths and the effect on property taxes. In answer to Councilman Barad, Mr. Weissman explained the construction of the bike path and noted that it would not be taking anything away from the roadway. The path can also be constructed through or around the towers. In answer to Councilman Di Dio, Mr. Weissman noted that the persons listed on the bottom of his letter were those he wished the Borough to contact with their support. Councilman Di Dio cited the exorbitant amount that the residents of Bergen County pay in tolls as compared to Rockland County, which pays a fraction of that amount. He said that part of the increase in tolls was to fund expansion of the lower level of the bridge from Route 9W and he felt there is not enough information at this time to make a decision based on the funding. Rockland County has gained more residents because the Tappan Zee Bridge is less expensive. Mr. Weissman noted that the one time expenditure and maintenance of same would have no incremental increase other than policing and snow removal. Mayor Glidden thanked Mr. Weissman and said he would consider the information he has provided and speak to his colleagues.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of September 27, 2017)

Mayor Glidden asked if any member of the Council wished to remove any items for discussion. No one wished to remove any item for discussion.

6. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY – YAMMARINO (BARAD/DI DIO)

1) REPORT RE CLOSTER WEBSITE

2) REPORT – Councilman Yammarino reported the Best Practices worksheet is completed and is included in the materials this evening. The Historic Preservation Commission did not meet but he has an update on Lustron House. At the last meeting the Borough Administrator reported the last architect submission was incomplete and it has now been completed and is available for review. Mr. Yammarino was pleased to report that Recreation Commission's Labor Day was quite successful and well attended. Mayor Glidden commended all for their hard work and cooperation.

Borough Administrator wished to add that as the timeframe approaches quickly for the Lustron House, there has been a plethora of electronic communication the architect. He advised the architect to resolve all the issues with the State as it would be wasteful in terms of time to be the middle man for these

6. COMMITTEE REPORTS (Continued)

A. FINANCE AND TECHNOLOGY – YAMMARINO (BARAD/DI DIO) (Continued)

issues. Communications have been working and Jonathan Kinney from the State has a very good rapport with him and they are finalizing details. Mr. Dolson is comfortable it will be done on time and he cursory read it and it is very comprehensive with photos and history and even includes instructions to build it. Councilman Barad noted that was affordable housing in those times. Councilwoman Amitai recalled previous conversations where there was talk about lifting it and moving to a park in a public space across the street some time ago. Mayor Glidden said that suggestion was made a long time ago and was passed on to the Historic Preservation Commission and they didn't like that idea because they feel the ground is as historic as the house. Mr. Dolson said he thought it might do it justice to not be in that location between the McMansions, but when he looked at the details we would have an undersized lot leftover and we could not build on it if we moved the house so it would not be beneficial. Mayor Emeritus Sophie Heymann, Historic Preservation Commission Member, says the architect's report stated should specifically the Lustron House should not be moved.

B. PUBLIC SAFETY - LATNER (DI DIO/CHUNG)

1) REPORT – Councilwoman Latner cited an article in the paper recently in regards to the Police Cards that will be coming out. She mentioned it to Mr. Baffa when she was at the Elementary school and everyone is very excited for them. They will be distributed by the Officers themselves and they would have to meet them to get them but everyone is excited for them.

Regarding the Library, Mrs. Latner reported the Fall Book Sale will be on 10/6/17 and 10/7/17 from 9 a.m. to 4 p.m. She said there is a lot of children's programming; the arrival of the new 3D printer sponsored by Whole Foods, adult book clubs and movies twice a month. On behalf of the Library she offers thanks to the Officers for running the Car Fit program. Mrs. Latner said the Library would like to make it annual event as 6 seniors signed up and there were walk-ins.

Councilwoman Latner reminded the Chamber of Commerce Fall meet and greet barbeque will be held 10/5/17 from 6:30 p.m. to 9 p.m. at The Barn.

In terms of the Northern Valley Regional High School, Mrs. Latner reminded Dr. Gordon had to leave due to State contract issues; and Mr. Santana was appointed Superintendent. Dr. Gouraige has been the Assistant Principal since 2013 and is now the functioning principal. She recalled the lawsuit from parents in terms of CPE and CP courses and the designation in how it affected transcripts by not being evenly weighted. At a recent meeting the Board determined they can't go retroactively back to fix grades but going forward will try to weight things more fairly. In answer to Councilwoman Chung she explained the classes are College Prep and College Prep Enrichment which is not quite CP but still more than average classes. The Board of Education doesn't want to do anything to incite a new lawsuit. The classes changed the GPAs and they will fix it going forward so that it is done more evenly.

C. PUBLIC WORKS - CHUNG (LATNER/AMITAI)

1) REPORT – Councilwoman Chung informed she had nothing to report tonight.

D. ORDINANCES - BARAD (YAMMARINO/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported the Ordinance Committee had a meeting the other day and he voiced his opinion that Celia (Bosco) is doing a great job and is well organized. The Committee was discussing the road improvement ordinance changes, regarding utilities. They made some additional changes to the draft ordinance and they will try to meet with DPW Superintendent, Construction Official and Borough Engineer to review the changes somehow. Dr. Barad reported they will be introducing a puppy and kitty mill ordinance not allowing the sale of animals from one of the breeder mills; but it will allow rescue animals and sales from hobby breeders. The Committee has been revisiting bamboo. It was determined existing bamboo will be grandfathered but new bamboo will have to be prevented from traveling by containment. Neighbors are responsible for invasive bamboo currently. Dr. Barad said any new plantings will have to be contained in pots and current ones must be maintained to not be a nuisance. Councilman Barad informed they are discussing an ordinance

6. COMMITTEE REPORTS (Continued)

D. ORDINANCES - BARAD (YAMMARINO/AMITAI) (Continued)

with the goal to get contractual and non-union employees in sync as far as vacation time. He said Mr. Rogan came up with an issue that may need to be resolved so they are looking further into that. Borough Attorney reported the DPW contract is in midst of being finalized which will end up capping vacation at 4 weeks after 15 years of service. He said we need to make our non-contractual consistent in his opinion and he would like to coordinate the two. DPW contract will be signed in the next couple of weeks and once that is complete we can address that; and he noted it will be for new hires only

2) REPORT - Councilman Barad noted there has been an issue with a private landscaper as the Administrator said the issue is they have reached their cap for the year. Dr. Barad said they thought we can use the DPW for some of this work and voiced his understanding that the Borough Clerk said it couldn't be done. Borough Attorney said the contract with the private landscaper is not a restrictive contract. He explained that in previous years there was so much of that cleanup to do that the DPW couldn't do it all and their regular duties; but he agreed they can certainly do it supplementally to the contractor. Borough Administrator said when the third party companies received these bills for cleanups they pay them promptly.

Dr. Barad reported the Environmental Commission will be holding the Mac Bain Farm festival on 10/14/17. They discussed a plan to have a collection box for donations to offset the cost of the collections of the pumpkins but there appears to be a reason to not be able to accept contributions in that way. Borough Administrator said not that they can't, in revenue and expense it needs to be put into the budget at adoption. It would have to be categorized as unanticipated revenue then flipped into surplus so it would not be able to offset a current expense. He suggested they ask for a donation towards the cost of the item instead of donation. Mr. Dolson said they can't sell or charge because there is no provision in the budget to take in revenue so it can only get carried over to next year. It can be used towards the following year and then they can anticipate revenue in successive years. In answer to Councilman Di Dio he said there is a budget but they have used most of it already. Borough Administrator said some Boards and Commissions can accept donations and others cannot; but soliciting sources of revenue cannot be permitted for that. New Jersey Procurement laws govern these kind of things.

Dr. Barad referred to the Mac Bain Farm agreement regarding maintenance of fences. He said it appears the contract is written as though it is the lessee's responsibility but there are some things like adding water fountain for volunteers and Scout projects that should be taken into consideration. The Farm is a Borough park and should be maintained in a similar manner. He requested they look at the contract and decide what makes sense going forward.

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

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Di Dio reported the Human Resources Committee recently met and are working on hopefully by the next meeting having a Contract for the Borough Administrator. Some items need to be clarified by the Borough Attorney.

2) REPORT - Mr. Di Dio reported school openings went smoothly and both elementary schools are looking for substitutes.

F. LAND USE AND CONSTRUCTION - AMITAI (BARAD/YAMMARINO)

1) REPORT – Councilwoman Amitai reported the Building Department is very busy with new homes and additions. She reported Gary's Liquors will be coming to the plaza. She voiced her understanding that perhaps a store front promoting a catering hall business will move in to the old medical building.

Mrs. Amitai reported that the application for 80 Knickerbocker property was denied by the Planning Board and the Judge told everyone to go home and iron it out. Former Planning Board Attorney Arthur Chagaris will be in court trying to mediate that.

Councilwoman Amitai reported the Improvement Commission will be holding a story hour of some sort, not at the Mac Bain Farm, but they hope all will be available. The new proposed date is Sunday, 11/19/17 from 7 p.m. to 9 p.m. and she forwarded the request to the Borough Clerk to use the Council

6. COMMITTEE REPORTS (Continued)

F. LAND USE AND CONSTRUCTION - AMITAI (BARAD/YAMMARINO) (Continued)

Chambers. At this time, she questioned what was taking place at the Burger King. Borough Engineer informed it was sold and they are doing major renovations in addition to curbs and sidewalk and parking. Borough Administrator said sidewalks had to be done first because of our paving program. In response to Mrs. Amitai, Borough Engineer said it doesn't need to go to the Planning Board as it only requires a construction permit for this type of work. Councilwoman Amitai informed the Planning Board is looking into drafting an ordinance that will limit height of accessory buildings to 15 feet; not mid-height but to the peak as suggested by Jack Peters. Previous accessory buildings have been built very high and are borderline encroaching on neighbors.

7. OLD BUSINESS

a. REVIEW OF CY2017-SFY 2018 BEST PRACTICES INVENTORY (15. M.L. 08/03/17/6. M.L. 08/10/17) Received from Assistant CFO 9/18/17

Borough Administrator noted that the questionnaire must be reviewed by the governing body and that same is due in October online. He noted that not having sufficient affirmative answers would limit State aid and in addition the questionnaire has been reduced to 25 questions from 50 and 21 are needed to get 100%. There are a few questions that the Borough continually gets wrong and he has sent out an e-mail with a directive requiring Boards and Commissions to submit agendas and minutes and post same on the website. Councilwoman Amitai said she was unaware of this requirement and could bring same up to the Improvement Commission. Relative to the Audit Report, he hoped that same could be cleaned up by the end of this year. In answer to Councilman Barad relative to question 4 on the questionnaire, Borough Administrator said that the only thing missing from the Commissions are the agendas and minutes and in answer to Councilwoman Amitai he said the agendas should be sent to both the Borough Clerk and Kevin Whitney.

Mayor Glidden said he sent a press release last week citing the Village School purchase by the Borough and Borough Attorney said pursuant to the court ruling in 2015 COAH was eliminated and the constitutional compliance was turned over to the courts. Since then we have been in litigation with Fair Housing and the old Trautwein Farm. The Mayor's committee has been meeting regularly and part of the plan was for the Borough to have its own component of affordable housing. If not in compliance with the rules a private developer could build under a builder's remedy which would only provide 15% of the units that are built. He cited the history of the plan to acquire the Village School and at this point a lot has to be done including the adoption of an ordinance, which he would provide at the next meeting. In addition court approval would be needed to obtain funds from the Affordable Housing Trust Fund prior to approval of our affordable housing plan which also includes zoning changes to increase density for affordable housing. He felt the judge would release the money early since the Village School owners want to move this forward. Under our contract, the sellers have agreed to clean up the asbestos and partially demolish the unstructural portion of the school. Fair Housing has indicated they may not oppose the process and we would only be dealing with the one intervenor. He said in discussions with Fair Housing we should have 2 years before we have to actually start construction which would allow us to team up with Bergen County Housing Authority who would do the construction and management of the 35 affordable unit rentals with a credit for over 40. If there was a builders remedy, we would have to permit 260 – 275 units. We may need to have a trial with the intervenor before the same judge to allow the intervenor to challenge the plan's constitutional compliance. In answer to Councilwoman Amitai, Borough Attorney said the Borough should get credit for more than 40 units but under 50 units depending on the settlement. Borough Attorney said we have been working with Bergen County Housing Authority and the process is on hold until the Borough has ownership of the property. Councilwoman Amitai noted that the house next door to the Village School is for sale and she questioned if same was need for parking. In answer to Councilwoman Chung, Borough Administrator said that the Trust Fund balance is approximately \$1 million and Borough Attorney said

funds are constantly being collected. Borough Administrator said that there are grants available for some of these projects and he would be keeping in touch with Community Development on this matter. Borough Attorney said there were no COAH credits relative to the litigation of Closter Plaza.

8. NEW BUSINESS

9. OPEN MEETING TO THE PUBLIC FOR ANY MATTER PER NJSA 10:4-12(A) (SUBJECT TO A 5-MINUTE LIMIT PER GENERAL RULE NUMBER 11) EXCEPT FOR ITEMS SCHEDULED FOR PUBLIC HEARING AT THE REGULAR MEETING

Ann Brewster, 15 Taillon Terrace, questioned the Borough Hall parking lot improvements, and Mayor Glidden said the project as it stands now was approved by the Council and he cited a newspaper article that was published after the approval. The curbed islands have not been removed and only the peninsula would be removed to provide two more parking spaces for police vehicles and no safety problems were found by the Police Department. Mayor Glidden said the curbing is not changing only being replaced where same was deteriorated. There is no loss of trees in the current plan and the wood that was uncovered during digging was not from live trees but from previously dead trees. There would not be less greenery with the improvement and the parking by the Senior Center would remain the same in addition to the clothing bins. The original plan was widely circulated and was reviewed by the Environmental Commission and former Mayor Heymann and the plan was changed to conform with the approved plan by the Mayor and Council. He read Mayor Heymann's e-mail that her fears were not realized, the contours will not be altered, except for a slight change in the Police Department area, the new curbs are in the same location, the tree roots were from dead trees and the pavement would be repaired and leveling to minimize puddling. Mayor Glidden said there is no deviation from what was approved and noted this has received an undue amount of attention from Ms. Brewster and Mr. Bianco and elsewhere. Borough Administrator noted there was discussion about replacing what was taken out but nothing has been taken out.

Steve Isaacson, 97 Columbus Avenue, gave the background of the MacBain Farm Fest and cited the attendance increase this year with a suggested \$5 donation this year. He has been told that private donations are not allowed from private enterprises such as food from Stop and Shop because it is not in the by-laws of the Environmental Commission or the Borough Code. He cited that in addition to the fund raising and donations conditions, entertainment would require insurance and a w-9 form. He said there are too many roadblocks. Mayor Glidden said that State and municipal laws must be followed. Borough Attorney said he was not aware of the issue but he would look into. Borough Administrator said the State law indicates revenue cannot be anticipated without having it in the previous period. Mr. Isaacson questioned if donation can be requested from Stop and Shop and Councilman Di Dio questioned if the money in the budget can be used. Borough Administrator noted that nothing has been used as yet but last year \$805 was used out of an \$850 budget.

Steve Isaacson noted the need for more bus shelters and the use of landscaping contractors for snow removal on sidewalks and corners. He said he spent over \$20,000 to have bamboo removed. He questioned the expiration date of the recycling contract and felt pickup should be done weekly. He questioned the availability of agendas and minutes of the COAH committee and Borough Attorney advised that an Ad-Hoc committee is not required to publish same but they are available. Mr. Isaacson questioned if the public can access public records themselves without an OPRA request and Borough Attorney said it depends on the record and availability.

Mayor Emeritus Sophie Heymann invited all to the Library to look at the wall with exhibit of Palisades Interstate Park. There will be a presentation in the coming weeks.

10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

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

12. ADJOURNMENT

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

Provided to the Mayor and Council
on October 5, 2017 for approval at
the Regular Meeting to be held
October 11, 2017

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

Arlene M. Corvelli, RMC
Deputy Borough Clerk

Approved at the Regular Meeting held October 11, 2017
Consent Agenda Item No. 20b