

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES - JANUARY 10, 2018 - 7:30 P.M

Mayor Glidden called the meeting to order at 8:58 p.m.

1. 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 6, 2018, 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.

3. ROLL CALL

The following persons were present:

Mayor John C. Glidden, Jr.  
Councilpersons: Scott Devlin, Alissa Latner, Dolores Witko, Joseph Yammarino, Jannie Chung  
and Victoria Amitai  
Borough Administrator, Arthur Braun Dolson  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Chief of Police, Dennis Kaine

The following persons were also present:

Doctor David Barad

4. MAYORAL PRESENTATION(S)

During the Work Session, Mayor Glidden presented Mike DiLuzio with a Certificate of Congratulations commemorating his 44 years of service as a member of the Department of Public Works.

5. PRESENTATION

BY EXECUTIVE BOARD OF "WE DO OF BERGEN COUNTY" TO COUNCILWOMAN DOLORES WITKO (Requested as Item No. 11. on the Mail List of 1/4/18) – This presentation was addressed in the Work Session

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

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
<b>*Environmental Commission</b>				
Member/ Shade Tree Liaison	<u>VACANT</u>	<u>NO APPOINTMENT</u>	3 Years	31-Dec-20
<b>*Planning Board</b>				
Class IV	<u>Sophie Heymann</u>	<u>NO APPOINTMENT</u>	4 Years	31-Dec-21
Alternate No. 2	<u>VACANT</u>	<u>NO APPOINTMENT</u>	2 Years	31-Dec-19
<b>*Shade Tree Commission</b>				
Member / Environmental Commission Liaison	<u>VACANT</u>	<u>NO APPOINTMENT</u>	5 Years (Unexp. Vacant)	31-Dec-21

7a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 11, 13 and 15 was made by Councilwoman Amitai, seconded by Councilwoman Latner and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino, Chung and Amitai.

RESOLUTIONS

8. RESOLUTION AUTHORIZING THE HIRING OF ONE DPW EMPLOYEE (PAUL SALVATORE BAUDONE – SANITATION/COLLECTOR TIER 2, STARTING, NON-CDL AT A SALARY OF \$44,763.00 PER ANNUM PURSUANT TO COLLECTIVE BARGAINING AGREEMENT WITH LOCAL 125 TEAMSTERS, EFFECTIVE JANUARY 16, 2018) Received from Administrator’s Office 1/3/18
9. RESOLUTION OF THE BOROUGH OF CLOSTER, NEW JERSEY ENDORSING PARTICIPATION IN VALLEY MEDICAL GROUP POLICY RENEWAL (Received from Administrator’s office 1/4/18)
10. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN \$384.81 TO APPLICANT: PROLINE CATV INC., 102 LIPPINCOTT ROAD, WALLKILL, NY 12589, FOR SUCCESSFUL COMPLETION OF POLICE TRAFFIC DIRECTOR SERVICES IN COMPLIANCE WITH LOCAL FINANCE NOTICE 2000-14 (Received from Chief of Police 1/5/18)
- ~~11.~~ RESOLUTION AUTHORIZING THE BOROUGH OF CLOSTER THROUGH THE CLOSTER POLICE DEPARTMENT TO FILE AN APPLICATION TO PARTICIPATE IN THE FEDERAL 1033 PROGRAM TO ENABLE SAID DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT (Received from Administrator’s Office 1/5/18)
12. RESOLUTION DESIGNATING THE BOROUGH OF CLOSTER AS A STIGMA-FREE ZONE (Received from Borough Attorney 1/5/18)

MOTIONS

- ~~13.~~ MOTION APPROVING THE FOLLOWING **SALARIED** APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/18:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
<b>Construction/Building Department</b>				
P/T Code Enforcement Official	<u>James Whitney</u>	<u>NO APPOINTMENT</u>	1 Year	31-Dec-18
Building /Technical Inspector	<u>Giuseppe LaMastra</u>	<u>NO APPOINTMENT</u>	1 Year	31-Dec-18
*Electrical Sub-Code Official	<u>James C. Hoffman</u>	<u>NO APPOINTMENT</u>	4 Years	*TENURE
*Elevator Sub-Code Official	<u>Richard F. Keeley</u>	<u>NO APPOINTMENT</u>	4 Years	*TENURE
Code Enforcement Official (Trees)	<u>Bill Fuchs</u>	<u>NO APPOINTMENT</u>	1 Year	31-Dec-18
Technical Assistant	<u>Paul Demarest</u>	<u>NO APPOINTMENT</u>	1 Year	31-Dec-18
Technical Assistant	<u>Rose Mitchell</u>	<u>NO APPOINTMENT</u>	1 Year	31-Dec-18
<b>Fire Prevention</b>				
Inspector/Secretary	<u>Mark Meyers</u>	<u>NO APPOINTMENT</u>	1 Year	31-Dec-18
Inspector/Secretary	<u>Alphonso Young, Jr</u>	<u>NO APPOINTMENT</u>	1 Year	31-Dec-18
Inspector/Secretary	<u>Michael Hunken</u>	<u>NO APPOINTMENT</u>	1 Year	31-Dec-18
<b>Municipal Court</b>				
Alternate Prosecutor	<u>Andrew M. Cimiluca, Esq.</u> <u>Law Offices of</u> <u>Andrew M. Cimiluca, PC</u>	NO PROPOSALS RECEIVED AT OPENING HELD 12/5/17	1 Year	31-Dec-18
<b>Borough Planner</b> <b>(Master Plan Reexamintation)</b>	<u>NO APPOINTMENT</u>	<u>NO APPOINTMENT</u>	1 Year	31-Dec-18

CLOSTER MAYOR AND COUNCIL  
 REGULAR MEETING MINUTES – JANUARY 10, 2018 – 7:30 P.M.

14. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/18:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
<b>Bergen Municipal Coalition</b>	<u>Mayor John C. Glidden, Jr.</u>	<u>Mayor John C. Glidden, Jr.</u>	1 Year	31-Dec-18
<b>Emergency Management</b>				
Coordinator	<u>Capt. James Winters</u>	<u>Kevin Whitney</u>	3 Years	31-Dec-20
Deputy Coordinator	<u>Kevin Whitney</u>	<u>William Dahle, III</u>	1 Year	31-Dec-17
Committee	<u>Mayor John C. Glidden, Jr.</u>	<u>Mayor John C. Glidden, Jr.</u>	1 Year	31-Dec-18
Administrator	<u>Arthur Braun Dolson</u>	<u>Arthur Braun Dolson</u>	1 Year	31-Dec-18
	<u>Mark Meyers</u>	<u>Mark Meyers</u>	1 Year	31-Dec-18
	<u>Michael Hunken</u>	<u>Michael Hunken</u>	1 Year	31-Dec-18
	<u>Leslie Weatherly</u>	<u>Leslie Weatherly</u>	1 Year	31-Dec-18
<b>Joint Insurance Fund</b>				
Safety Delegate	<u>William Dahle III</u>	<u>William Dahle III</u>	1 Year	31-Dec-18
Safety Alternate	<u>Tony Lupardi</u>	<u>Tony Lupardi</u>	1 Year	31-Dec-18
Safety Committee	<u>Councilman David Barad</u>	<u>Councilman Scott Devlin</u>	1 Year	31-Dec-18
Safety Committee	<u>Mark Lupardi</u>	<u>Mark Lupardi</u>	1 Year	31-Dec-18

15. MOTION APPROVING THE FOLLOWING APPOINTMENTS TO BOARDS AND COMMISSIONS NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/18:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
<b>Food and Assistance Board</b>				
Member	<u>Katie McDermott</u>	<u>NO APPOINTMENT</u>	2 Years	31-Dec-19
Member	<u>VACANT</u>	<u>NO APPOINTMENT</u>	2 Years	31-Dec-19
<b>Improvement Commission</b>				
Member	<u>Susan Iafrate</u>	<u>NO APPOINTMENT</u>	2 Years (Unexp. Iafrate)	31-Dec-18
Alternate No. 1	<u>Keven Morrow</u>	<u>NO APPOINTMENT</u>	2 Years	31-Dec-19

16. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 1/5/18):

a. SINE DIE MEETING HELD JANUARY 2, 2018 – ABSTENTIONS: DEVLIN, WITKO

- 16-1. MOTION APPROVING RAFFLES APPLICATION FOR ON PREMISE CASINO NIGHT AT 180 PIERMONT ROAD ON THURSDAY, FEBRUARY 1, 2018 FROM 7:30 P.M. TO 11:30 P.M. Completed application and appropriate fees paid 1/9/18)

17. REPORTS

- a. CONSTRUCTION OFFICIAL – DECEMBER 2018 (Received 1/5/18)  
 b. CHIEF OF POLICE – DECEMBER 2018 (Received 1/8/18)

7b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

11. RESOLUTION AUTHORIZING THE BOROUGH OF CLOSTER THROUGH THE CLOSTER POLICE DEPARTMENT TO FILE AN APPLICATION TO PARTICIPATE IN THE FEDERAL 1033 PROGRAM TO ENABLE SAID DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT (Received from Administrator’s Office 1/5/18)

CLOSTER MAYOR AND COUNCIL  
 REGULAR MEETING MINUTES – JANUARY 10, 2018 – 7:30 P.M.

Councilman Devlin requested that paragraph number 6 be removed from the resolution and Borough Attorney suggested that the 7<sup>th</sup> paragraph be revised to read “BE IT FURTHER RESOLVED that the Mayor and Council finds that the Closter Police Department may request “*of the governing body*” and acquire ....” since he believed that is the intent of the resolution. This would be a diminimus change and there should be no problem with the Department of Defense. No objections were made to the revision offered by the Borough Attorney as follows:

**From:** “BE IT FURTHER RESOLVED that said Mayor and Council finds that the Closter Police Department may request and acquire certain DEMIL B through H (controlled) property in the RTD system.....

**To:** “BE IT FURTHER RESOLVED that said Mayor and Council finds that the Closter Police Department may request **of the governing body** and acquire certain DEMIL B through H (controlled) property in the RTD system....

Motion of approval was made by Councilman Devlin, seconded by Councilwoman Latner and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino, Chung and Amitai.

15. MOTION APPROVING THE FOLLOWING APPOINTMENTS TO BOARDS AND COMMISSIONS NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/18:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
<b>Food and Assistance Board</b>				
Member	<u>Katie McDermott</u>	<u>NO APPOINTMENT</u>	2 Years	31-Dec-19
Member	<u>VACANT</u>	<u>NO APPOINTMENT</u>	2 Years	31-Dec-19
<b>Improvement Commission</b>				
Member	<u>Susan Iafrate</u>	<u>Yuval Tal</u>	2 Years (Unexp. Iafrate)	31-Dec-18
Alternate No. 1	<u>Keven Morrow</u>	<u>NO APPOINTMENT</u>	2 Years	31-Dec-19

Councilwoman Amitai advised that Yuval Tal has indicated that he wished to join the Improvement Commission; and the members of the Commission support his appointment. Mayor Glidden said he has met the individual and he would nominate him as a member of the Improvement Commission for a 2 year term.

Motion of approval was made by Councilwoman Amitai, seconded by Councilwoman Latner, and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino, Chung and Amitai.

16-2. At this time, Mayor Glidden nominated Police Chief Dennis Kaine to be the Closter representative to the Public Safety Communications Advisory Board (to fill the unexpired term of Captain James Winters) and asked for a motion of approval.

Motion of approval was made by Councilwoman Latner, seconded by Councilwoman Amitai and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino, Chung and Amitai.

Borough Attorney advised he would prepare a resolution for the Regular Meeting to be held on January 24, 2018.

18. 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.

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

19a. Motion approving the following Closed Session Resolution at 9:10 p.m. was made by Councilwoman Amitai seconded by Councilwoman Latner and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino, Chung and Amitai.

CLOSTER MAYOR AND COUNCIL  
REGULAR MEETING MINUTES – JANUARY 10, 2018 – 7:30 P.M.

OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(7), “Pending or anticipated litigation or contract negotiations” and “A matter falling within the attorney-client privilege”; and that the items under discussion in the closed meeting would be disclosed to the public at the conclusion of the matters which should be within 6 weeks.

Mayor Glidden resumed the Regular Meeting at 9:31 p.m. and asked for a motion to adjourn the Regular Meeting.

20. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:31 p.m. was made by Councilwoman Latner seconded by Councilwoman Witko and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on  
January 18, 2018 for approval at the  
Regular Meeting to be held  
January 24, 2018

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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 January 24, 2018  
Consent Agenda Item No. 17b

**BOROUGH OF CLOSTER  
COUNTY OF BERGEN**

**RESOLUTION AUTHORIZING THE HIRING OF ONE DPW EMPLOYEE**

**WHEREAS**, the Mayor and Council of the Borough of Closter is aware of certain personnel needs in the Borough’s Department of Public Works; and

**WHEREAS**, Borough of Closter’s DPW Superintendent has reviewed the qualifications and recommended the hiring of an individual to the following position effective January 16, 2018:

*Paul Salvatore Baudone* – Sanitation/Collector  
Tier 2, Starting, Non-CDL salary of \$44,763.00 per annum; and


**WHEREAS**, the above salaries are established pursuant to the Collective Bargaining Agreement between the Borough and Local 125 Teamsters; and

**NOW THEREFORE BE IT RESOLVED**, the Mayor and Council are hereby authorizing the hiring of *Paul Salvatore Baudone* – Sanitation/Collector Tier 2, Starting, Non-CDL at a salary of **\$44,763.00 per annum**. The hire will be effective on **January 16, 2018** at the contractual starting salary rate.


Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai	X		X			
Councilwoman Chung			X			
Councilman Devlin			X			
Councilwoman Latner		X	X			
Councilwoman Witko			X			
Councilman Yammarino			X			

Adopted: January 10, 2018

APPROVED BY:

  
John C. Glidden, Jr., Mayor

ATTEST:

  
Loretta Castano, Borough Clerk

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on January 10, 2018.

\_\_\_\_\_  
Loretta Castano, Borough Clerk

**BOROUGH OF CLOSTER**  
**COUNTY OF BERGEN, NEW JERSEY**

**RESOLUTION ENDORSING PARTICIPATION IN  
VALLEY MEDICAL GROUP POLICY RENEWAL 2018**

**WHEREAS**, the Borough of Closter works to provide its employees with assistance through numerous programs that enhance the lives of its employees;

**WHEREAS**, the Borough of Closter has a policy for alcohol and drugs abuse testing of applicants and/or employees and requires alcohol and drug testing services from the Valley Medical Group, and;

**WHEREAS**, Valley Medical Group (VMG) has provided the most competitive rates for comprehensive coverage, and;

**WHEREAS**, the Borough of Closter has reviewed the coverage and services provided through the Valley Medical Group at the Mayor and Council Meeting held on January 10, 2018, and;

**NOW, THEREFORE, BE IT FURTHER RESOLVED** the Mayor and Council of the Borough of Closter have determined that the Valley Medical Group would be of benefit to borough and to its employees, and;

**NOW, THEREFORE, BE IT FURTHER RESOLVED** the Mayor of Closter is authorized to execute the renewal of the Valley Medical Group, 15 Essex Road, Suite 506, Paramus, New Jersey 07652 as the program for alcohol and drug testing services with a renewal period of 01/01/18 to 12/31/18.

**CERTIFICATE OF AVAILABILITY OF FUNDS**

I, Joseph Luppino, Chief Financial Officer of the Borough of Closter, hereby certify, pursuant to NJSA 40A:9-140.1, et seq. and NJAC 5:30.4, that the funds are available to the Borough of Closter for calendar year 2018.

Dated: January 10, 2018

  
\_\_\_\_\_  
Joseph Luppino, CFO

<b>Councilperson</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstain</b>
Councilwoman Amitai	X		X			
Councilwoman Chung			X			
Councilman Devlin			X			
Councilwoman Latner		X	X			
Councilwoman Witko			X			
Councilman Yammarino			X			

Adopted: January 10, 2018

ATTEST:

  
\_\_\_\_\_  
Loretta Castano, 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 on January 10, 2018.

\_\_\_\_\_  
Loretta Castano, Borough Clerk



**BOROUGH OF CLOSTER  
BERGEN COUNTY  
RESOLUTION**

WHEREAS, the following vendor has posted escrow with the Borough of Closter for Police Traffic Director Services in compliance with Local Finance Notice 2000-14; and

WHEREAS, the Chief of Police, having been satisfied that all payments to the Police Officers for said services have been accounted for as well as a 25% Administrative Fee retained by the Borough, recommends release of all remaining funds to:

<u>Applicant</u>	<u>Amount</u>
<b>Proline CATV Inc 102 Lippincott Road Wallkill NY 12589</b>	<b>\$ 384.81</b>

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that the Deputy Treasurer is and hereby authorized to return the remaining escrows to the above named vendor.

COUNCILPERSON	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilwoman Amitai	✗		✗			
Councilwoman Chung			✗			
Councilman Devlin			✗			
Councilwoman Latner		✗	✗			
Councilwoman Witko			✗			
Councilman Yammarino			✗			

Adopted: January 10, 2018

ATTEST:

  
\_\_\_\_\_  
Loretta Castano, 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 January 10, 2018.

\_\_\_\_\_  
Loretta Castano, Borough Clerk



**BOROUGH OF CLOSTER**  
**COUNTY OF BERGEN**

**Resolution Authorizing the Borough of Closter through the Closter Police Department to File an Application to Participate in the Federal 1033 Program to Enable Said Department to Request and Acquire Excess Department of Defense Equipment**

WHEREAS, the United States Congress authorized the 1033 Program to make use of excess US Department of Defense equipment y making such equipment available to local, county and state levels of government; and,

WHEREAS, under the 1033 Program, law enforcement agencies may request resources, and the Defense Logistics Agency (DLA) mandates that all acquired 1033 equipment be under the control of the requesting law enforcement agency who requests it; and,

WHEREAS, Senate Bill No. 2364-1(a) recently enacted by the New Jersey Legislature as P.L. 2015 Chapter 23, requires that all local or county law enforcement agencies wanting to apply to the 1033 Program, be approved by Resolution by a majority of the full membership of the governing body of that jurisdiction and the said DLA requires that applications for Program participation be submitted every 365 days; and,

WHEREAS, the said Mayor and Council is aware that certain equipment available in the RTD system will not be approved by the New Jersey State Coordinator for the Program; these include bayonets, combat gloves and simulated rocket launchers; and,

WHEREAS, the Borough of Closter Mayor and Council at its January 25, 2017 meeting reviewed this matter and is recommending it to the Closter Police Department; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, and State of New Jersey that it hereby authorizes the Closter Police Department to participate in the Federal 1033 Program administered through the law Enforcement Support Office (LES)) and that said Department may acquire any DEMIL A (non-controlled) property in the RTD system without restriction; and,

BE IT FURTHER RESOLVED that the Mayor and Council finds that the Closter Police Department may request of the governing body and thereafter acquire certain DEMIL B through H (controlled) property in the RTD system and it has been determined that based on the needs of this venue, law enforcement may not acquire armored tactical vehicles or marine vessels over 28' without specific approval of the governing body; and

BE IT FURTHER RESOLVED that any special application for weapons, aircraft, or MRAP's must be authorized by the governing body prior to the submission of the application and that these resources are not available in the RTD system and require special application; and

BE IT FURTHER RESOLVED that said Mayor and Council of the Borough of Closter further requires that the designated LESO Point of Contact for this venue submit a monthly report regarding acquired 1033 Program property and in the event that any property had been obtained contrary to the intent of P.L. 2015 c23, the State Coordinator shall be contacted and equipment shall be transferred or returned via the federal inventory database system (FEPMIS); and,

BE IT FURTHER RESOLVED that said Board recognizes that the acquisition of 1033 Program property is time-sensitive as resources are allocated to all State based on time-stamp of requisition and in the event that a LESO Point of Contact requests an item in good faith and said item is determined to be contrary to the intent of this resolution, the LESO Point of Contact may cancel the request prior to the acquisition of the property, without being in violation of P.L. 2015 c.23.

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai			X			
Councilwoman Chung			X			
Councilman Devlin	X		X			
Councilwoman Latner		X	X			
Councilwoman Witko			X			
Councilman Yammarino			X			

Adopted: January 10, 2018

APPROVED BY:

*John C. Glidden, Jr.*  
John C. Glidden, Jr., Mayor

ATTEST:

*Loretta Castano*  
Loretta Castano, Borough Clerk

DK 1/10/18  
ADD 1/11/18

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on August January 10, 2018.

\_\_\_\_\_  
Loretta Castano, Borough Clerk

**BOROUGH OF CLOSTER**

**RESOLUTION DESIGNATING THE BOROUGH OF CLOSTER AS A STIGMA-FREE ZONE**

**WHEREAS**, the Bergen County Executive and the Board of Chosen Freeholders, along with the Bergen County Department of Health Services, supports the designation of stigma-free zones in every municipality; and

**WHEREAS**, at the June 2013 meeting of the Bergen County Mental Health Board, Members of the Board learned from Care Plus NJ staff that the agency was working collaboratively to establish a stigma-free zones within the County of Bergen; and

**WHEREAS**, Ryan Roy of Saddle Brook gave a presentation before the Closter Mayor and Council urging it to designate the Borough of Closter as a Stigma-Free Zone at its meeting of November 8, 2017; and

**WHEREAS**, the members of the mental health Board supported the initiative and recognized that the initiative was aligned with the Board's mission to raise awareness of the disease of mental illness; and

**WHEREAS**, the National Institute of Mental Health reports that one in four adults experiences mental illness in a given year, and one in seventeen adults live with a serious mental illness such as schizophrenia, major depression, or bi-polar disorder; approximately 20% of youth ages 13 to 18 and 13% of youth ages 8 to 15 experience severe mental disorders in a given year; and

**WHEREAS**, the stigma associated with the disease of mental illness is identified as the primary reason individuals fail to seek the help they need to recover from the disease; and

**WHEREAS**, stigma-free zones aim to inspire public interest and open dialogues about stigma, raise awareness of the disease of mental illness and create a culture wherein residents who have the disease of mental illness feel supported by their community and neighbors and feel free to seek treatment for the disease without fear of stigma; and

**WHEREAS**, promoting awareness that there can be no "health" without mental health will break down barriers and encourage residents of all ages to be mindful of their mental health and ask for help when needed; and

**WHEREAS**, local resources are available to treat the disease of mental illness so no one resident needs to suffer alone or feel helpless; and

**WHEREAS**, establishing stigma-free zones will raise awareness of resources and encourage residents to engage in care as soon as the need is identified so recovery can begin, hope is inspired, and tragedies are avoided.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Closter, recognizes the community needs and supports the efforts of the County of Bergen in designating the Borough of Closter as a Stigma-Free Zone.

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Devlin			X			
Councilwoman Latner		X	X			
Councilwoman Witko			X			
Councilman Yammarino			X			
Councilwoman Chung			X			
Councilwoman Amitai	X		X			

Adopted: January 10, 2018

APPROVED BY:

ATTEST:

  
 \_\_\_\_\_  
 Mayor John C. Glidden, Jr.

  
 \_\_\_\_\_  
 Loretta Castano, Borough Clerk

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held on January 10, 2018.

\_\_\_\_\_  
 Loretta Castano, Borough Clerk

ETA  
 1/11/18

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION NOTES – JANUARY 10, 2018 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, January 10, 2018. Mayor Glidden called the meeting to order at 7:31 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 2018 Annual Notice of Meetings which was sent to The Record and The Star Ledger for publication on January 6, 2018, 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.

3. ROLL CALL

The following persons were present:

Mayor John C. Glidden, Jr.

Councilpersons Kevin Devlin, Alissa Latner, Dolores Witko, Joseph Yammarino, Jannie Chung,  
and Victoria Amitai

Borough Administrator, Arthur Braun Dolson

Borough Attorney, Edward T. Rogan

Borough Clerk, Loretta Castano

Borough Engineer, Nick DeNicola

Chief of Police, Dennis Kaine

MAYORAL PRESENTATION(S)

At this time Mayor Glidden asked Mike DiLuzio, who is retiring after 44 years of service in the Borough of Closter Department of Public Works, to come forward. Mayor Glidden read the Certificate of Congratulations. Mr. DiLuzio wished everyone the best and a Happy New Year and the public offered a round of applause.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

At this time, Mayor Glidden wished to divert to the January 4, 2018 Mail List as there was an individual in the audience present to discuss an item.

d. MAIL LIST OF JANUARY 4, 2018 – Mayor Glidden explained this was a request for waiver of Borough construction fees in excess of \$9,000 for reconstruction of The Reformed Church of Closter and asked Pastor Ju to come forward to discuss his request.

Item No. 1: Received 12/29/17, Dated 12/28/17, from Sun Ju, Pastor, Reformed Church of Closter, 300 West Street – Work Street Location 311 High Street re Request for waiver/or reduction of construction permit fees, pursuant to Ms. Loretta Castano's letter dated December 27, 2017 (Copy to Construction Official, Borough Attorney)

Pastor Sun Ju thanked the Mayor and Council for their time and offered his blessings to all present. He explained the Church experienced heavy snow in January 2016 that caused the ceiling beam to become cracked due to the heavy weight; and the ceiling in the sanctuary has dropped down. After hiring several experts, it was determined that it involves repair of a major structure. Pastor Ju noted the Church was

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established in 1862 and it is the original building; so the whole ceiling has to be demolished; and as a result, the renovation fee is over \$303,500. They worked with the insurance company and a major part will be covered by them. The Pastor explained this is the first church that was established in town and continues to work with the community; therefore, he humbly requested that they consider waiving the construction fees of \$9,100. Pastor Ju again offered a blessing to all present.

The Mayor informed the Council would discuss the matter in Closed Session. At this time, he invited any questions while the Pastor was present. Councilwoman Amitai voiced her understanding that in certain instances it might be customary to reduce the fees to the 20% mark and understands some numbers, such as the \$577 DCA fee cannot be waived. Mayor Glidden agreed some fees cannot be waived and asked to discuss it further in Closed Session. Councilwoman Chung asked if this was an historic site that was being preserved; and the Pastor informed it was and said he received the permission from the County and the State for the repairs. He just presented the fees to the parish and they will discuss it on Sunday. Mrs. Chung voiced her understanding that it becomes a more difficult process when preservation is involved. Borough Administrator said the Pastor came to his office and together they researched the State requirements, similar to when we started with the Lustron House; and they directed us to a cultural/historical preservation site that deals with non-profit organizations. He gave the information to the Pastor and voiced his hopes that the church will fall under those auspices to obtain assistance. Mrs. Chung explained she inquired with the hopes there would be aid or grants available from the County or the State to help with the fees or repairs. The Mayor thanked Pastor Ju for coming to speak with them; and informed he would call him tomorrow after discussing the request in Closed Session tonight.

At this time, Councilwoman Amitai referred to the “Schepisi-O’Scanlon Bill” and asked the Borough Attorney if he had time to review same. He informed he did not have the opportunity to read same in full and Mrs. Amitai noted she has no idea what they are talking about. She could not find in her notes but recalled it pertained to interest arbitration and it came from the League. The Mayor asked if she had anything to say about it and she said she was just hoping to get a better understanding of it. Borough Attorney informed he would look into it and report back. (2.a.I.a. Received 12/29/17, Dated 12/29/17, from Michael J. Darcy, CAE, Executive Director, NJS League of Municipalities re **a.** Weekly Update re Weekly Round-Up December 29, 2017: I. State Issues: a. IA Cap Set to Expire: Efforts to Continue into 2018 - Assembly Bill A-2123 attached (Copy to Chief Kaine).

Item No. 6: Received 01/02/18, Dated 01/02/18, from Kelly Adamcik, Rutherford Borough Clerk’s Office, to Bergen County Municipal Clerks re Certified copy of Resolution adopted Opposing the New Beekeeping Regulations as proposed by the New Jersey Department of Agriculture (Copy to Board of Health, Environmental Commission)

Councilwoman Amitai explained the Resolution indicates that what these regulations propose is not fair to the bees or to the municipalities because it will be difficult to enforce. She requested support for a Resolution opposing these regulations and Mayor Glidden said we could have same at the next meeting.

Item No. 7: Received 01/02/18, Dated 01/02/18, from Marc N. Schrieks, Deputy Chief of Staff, County Executive James J. Tedesco III, to Bergen County Municipal Clerks re Ice Skating at Van Saun Park Flyer – Open from 1/5/18 - 1/28/18, Cost \$10; Hours: 6 p.m. - 9 p.m. on Tuesday, Thursday & Friday; 10 a.m. - 9 p.m. on Saturday; 10 a.m. - 7 p.m. on Sunday @ Van Saun County Park, 216 Forest Avenue, Paramus

Councilwoman Amitai questioned the fees and asked what family of four should have to pay \$40 to ice skate for an hour.

Item No. 8a: Received 01/03/18-01/05/18, Dated 01/03/18-01/05/18, from Bergen County Municipal Clerks to Closter Borough Clerk from **a.** Borough of Old Tappan; **b.** Fair Lawn; **c.** Maywood; **d.** Franklin Lakes; **e.** Rutherford; **f.** Bergenfield; **g.** Saddle River; **h.** Norwood re Certified copies of Resolutions adopted re Authorizing Participation in the Mutual Aid Plan & Rapid Deployment Force Interlocal Service Agreement (Copy to Chief Kaine)

Councilwoman Amitai voiced her support for this mutual aid. Chief Kaine explained it is a SWAT Team with a Rapid Deployment Force in place so when the County is called out we can send our men. Sergeant Fehsal is a member of the SWAT Team and this is just an annual renewal of something we have been doing for years.



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Item No. 14: Received 01/03/18, Dated 01/03/18, from Stephanie Sayki, Director of Volunteer Services, Morris Habitat for Humanity re Invitation to Annual Meeting and Volunteer Recognition Reception on Sunday, 1/28/18, from 3 p.m. to 5 p.m. at St. Catherine of Siena, 10 North Pocono Road, Mountain Lakes; RSVP by 1/17/18

Councilwoman Amitai said this is an invitation to a great event that honors volunteerism and it is a great opportunity to get people to come out.

Item No. 11: Received 01/04/18, Dated 01/04/18, from Bergen WE DO Executive Board, to Loretta Castano re Requesting approval to make a presentation to Council-woman Dolores Witko at the next Council Meeting

Mayor Glidden invited Cristina Cutrone of Bergen WE DO and Councilwoman Witko to the front for a presentation.

Cristina Cutrone, President, explained Bergen WE DO is the Women Empowered Democratic Organization and said it was her absolute pleasure and delight to be in attendance to present a Certificate of Achievement to Councilwoman Dolores Witko. She thanked the Mayor for the opportunity to present same and read as follows: The Women in Power Democratic Organization of Bergen County presents this Certificate of Achievement to Councilwoman Dolores Witko for being elected to serve the community of Closter. She again thanked the Mayor and Council for letting her come to the meeting to make her presentation.

a. MAIL LIST OF DECEMBER 14, 2017 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 3.a.I.b. was removed by Councilman Yammarino; Item No. 5 was removed by Mayor Glidden; Item Nos. 3.a.I.a. and 3.a.II.c. were removed by Councilwoman Amitai.

Item No. 3a.I.b.: Received 12/08/17, Dated 12/08/17, from Michael J. Darcy, CAE, Executive Director, NJS League of Municipalities re *Revised* Weekly Update re Weekly Round-Up December 8, 2017: I. State Issues: b. Final Report of Pension and Health Benefits Study Commission (copy attached)

Councilman Yammarino noted he read the entire report and found it to be interesting, and urged everyone to read it. It talks about the problems the State is facing in terms of pensions and health benefits, etc.

Item No. 5: Received 12/14/17, Dated 12/06/17, from Michael Garrett, formerly of 465 High Street re Letter expressing gratitude to Patrolman Aldo Guerino for saving his life and thanking all of the first responders who aided in the 10/23/17 fire at 465 High Street (Copy to Chief Kaine)

Mayor Glidden noted this is a commendation for Patrolman Aldo Guerino and asked Chief Kaine if he had any comments on same. The Chief noted he reported on it some time ago and while he was on duty Ptl. Guerino had seen smoke and responded to the residence.

Item No. 3a.I.a.: Received 12/08/17, Dated 12/08/17, from Michael J. Darcy, CAE, Executive Director, NJS League of Municipalities re *Revised* Weekly Update re Weekly Round-Up December 8, 2017: I. State Issues: Coalition Letters Calls for Extension of IA Cap (copy attached)

Councilwoman Amitai requested passage of a Resolution to support extending the 2% interest arbitration cap. Borough Clerk noted we passed a Resolution last year and Borough Attorney affirmed same was already done.

Item No. 3. II.c.: Received 12/08/17, Dated 12/08/17, from Michael J. Darcy, CAE, Executive Director, NJS League of Municipalities re *Revised* Weekly Update re Weekly Round-Up December 8, 2017: II. Federal Issues: Continuing Resolution Averts Federal Government Shutdown-Action Needed on Gateway

Councilwoman Amitai explained this item talks about having commuters pay for part of the Amtrak Gateway funding to build two tunnels by increasing the rate for commuters who use Amtrak over a 20 year period and she thinks this is a terrible burden. She suggested writing to Senator Cardinale to voice our opposition to New Jersey residents having to foot the bill. Borough Administrator voiced his understanding that the Governor had it in front of him and turned it down. Mrs. Amitai requested sending a letter to the incoming Murphy administration. Mayor Glidden suggested a Resolution be considered at the next meeting (to support the funding included in H.R. 3353).

b. MAIL LIST OF DECEMBER 21, 2017 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 2.a.IV.b was removed by Councilwoman Amitai.

Item No. 2.a.IV.b.: Received 12/15/17, Dated 12/15/17, from Michael J. Darcy, CAE, Executive Director, NJS League of Municipalities re Weekly Update re Weekly Round-Up December 15, 2017: IV. Also of Interest, Alert from the NJ Department of Agriculture – Invasive Insect and Christmas Trees

Councilwoman Amitai noted this referred to Christmas trees. She wanted to comment for the DPW because there is an insect that is spreading in states very close to New Jersey, that if they don't already do so, they should chip the trees. Councilman Yammarino voiced his understanding that they already do chip them as they pick them up. Borough Administrator said it is the most efficient way rather than carrying whole trees around.

c. MAIL LIST OF DECEMBER 28, 2017 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 2 was removed by Councilwoman Witko.

Item No. 2: Received 12/19/17, Dated No Date, from Victoria L. Sidrow, M.P.A., President & CEO, Vantage Health System, to Mayor and Council (in individually addressed envelopes); c: Borough Administrator, Board of Health re Informing of a loss in State funding resulting in less new admissions for service for children, adolescents and adults; and offering availability to attend a Council or Board of Health meeting to discuss available programs with Vantage Health System Brochure (Copy to Board of Health - letter only!)

Councilwoman Witko suggested that as there is a Resolution to be voted on this evening making Closter Stigma Free, that Ms. Sidrow should be invited to come speak to us regarding the programs they offer educating various agencies on same. She said there is also mental health first aid training offered; and it could be useful for the Police, Fire and Ambulance Corps. Mayor Glidden asked her to follow up with Ms. Sidrow and invite her to come to the next meeting or another time that is convenient for her and find out how much time she needs; and Mrs. Witko agreed to do so.

d. MAIL LIST OF JANUARY 4, 2018 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. (Mayor Glidden addressed this Mail List at the start of "Review and Discussion of Communications Items" earlier in the meeting.)

e. MAIL LIST OF JANUARY 11, 2018 – Borough Clerk informed she received an item late in the day today which will be on the Mail List for tomorrow and the Mayor has asked that it be addressed.

Item No. 7: Received 1/10/18 @ 3:41 p.m from Mayor Glidden re Public safety Communications Advisory Board

Mayor Glidden explained this is a County level appointment that has been requested to replace retiring Captain James Winters as the representative with Chief Kaine. Borough Attorney informed a voice vote could be taken during the Regular Meeting; and said he would prepare a Resolution memorializing this appointment for the next meeting. Borough Clerk informed she located the previous Resolution of appointment which she would send to the Borough Attorney for his use; noted at that time there was no term originally provided for the appointment and Chief Kaine informed that the e-mail received 1/2/18 stated it was a 3-year term.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of January 10, 2018)

Borough Clerk noted the addition of a Motion approving for Temple Emanu-El to conduct an On-premise Casino Night in addition to Reports from the Police Chief and Construction Official.

Councilman Devlin said he wished to discuss Item Nos. 11 and 14.

11. RESOLUTION AUTHORIZING THE BOROUGH OF CLOSTER THROUGH THE CLOSTER POLICE DEPARTMENT TO FILE AN APPLICATION TO PARTICIPATE IN THE FEDERAL 1033 PROGRAM TO ENABLE SAID DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT (Received from Administrator’s Office 1/5/18)

Councilman Devlin referred to the items that could be requested from the Department of Defense and questioned the budgetary effects relative to eventual repair of the equipment. Chief Kaine said that this is a renewal of the program that was in place last year; and basically the equipment is for normal police purposes. Military combat equipment would require a separate approval of the Mayor and Council. Mayor Glidden affirmed that any type of large equipment would have to come before the Council for approval; and this program is mainly being utilized for free items. Mr. Devlin requested a listing of the items received last year under this program; and Chief Kaine advised that the Department has not received any equipment but this year we would be applying for tactical equipment.

14. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/18:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
<b>Bergen Municipal Coalition</b>	<u>Mayor</u> <u>John C. Glidden, Jr.</u>	<u>Mayor</u> <u>John C. Glidden, Jr.</u>	1 Year	31-Dec-18
<b>Emergency Management</b>				
Coordinator	<u>Capt. James Winters</u>	<u>Kevin Whitney</u>	3 Years	31-Dec-20
Deputy Coordinator	<u>Kevin Whitney</u>	<u>William Dahle, III</u>	1 Year	31-Dec-17
Committee	<u>Mayor</u> <u>John C. Glidden, Jr.</u>	<u>Mayor</u> <u>John C. Glidden, Jr.</u>	1 Year	31-Dec-18
Administrator	<u>Arthur Braun Dolson</u>	<u>Arthur Braun Dolson</u>	1 Year	31-Dec-18
	<u>Mark Meyers</u>	<u>Mark Meyers</u>	1 Year	31-Dec-18
	<u>Michael Hunken</u>	<u>Michael Hunken</u>	1 Year	31-Dec-18
	<u>Leslie Weatherly</u>	<u>Leslie Weatherly</u>	1 Year	31-Dec-18
<b>Joint Insurance Fund</b>				
Safety Delegate	<u>William Dahle III</u>	<u>William Dahle III</u>	1 Year	31-Dec-18
Safety Alternate	<u>Tony Lupardi</u>	<u>Tony Lupardi</u>	1 Year	31-Dec-18
Safety Committee	<u>Councilman</u> <u>David Barad</u>	<u>Councilman</u> <u>Scott Devlin</u>	1 Year	31-Dec-18
Safety Committee	<u>Mark Lupardi</u>	<u>Mark Lupardi</u>	1 Year	31-Dec-18

Councilman Devlin asked what his appointment to the Safety Committee would entail and Councilwoman Latner advised that there are periodic meetings and the committee is involved in public safety hiring and issues brought to the committee by citizens or relative to retirements. The committee works as a liaison with the Police Department. Councilwoman Chung voiced her understanding that Councilman Devlin might have been referring to the Safety Committee for the Joint Insurance Fund not the Public Safety Committee.

Mayor Glidden invited former Councilman David Barad to explain as he was previously on the Committee. In answer to Councilwoman Amitai, Dr. Barad informed that (Joint Insurance Fund Commissioner) Fred Pitofsky never invited him to any of the meetings. The Mayor explained that if a safety issue came up related to the Joint Insurance Fund, a meeting would be called; and he does not recall it ever having taken place.

- 16-1. MOTION APPROVING TEMPLE EMANU-EL TO CONDUCT AN ON-PREMISE CASINO NIGHT AT 180 PIERMONT ROAD ON THURSDAY, FEBRUARY 1, 2018, FROM 7:30 P.M. TO 11:30 P.M. (Completed application filed and appropriate fees paid 1/9/18)

17. REPORTS

- a. CONSTRUCTION OFFICIAL – DECEMBER 2017 (Received 1/5/18)
- b. CHIEF OF POLICE – DECEMBER 2017 (Received 1/8/18)

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

1) STATUS REPORT RE CONTRACT FOR THE PURCHASE OF MULTIPLE CONDOMINIUM UNITS AT VILLAGE SCHOOL SITE (RM 11/24/14) – Borough Attorney reported the Trust funds have been released to the seller for purposes of beginning the partial demolition of the building as well as asbestos removal. The contractor has applied for permits and the Building Department is requiring them to come in with a plan to show how the partial demolition will not affect the remaining building, so due to safety issues. Mr. Rogan spoke to Conrad Roncati, the architect hired by the seller, yesterday and he is working on that plan. Once the plan is approved by the Building Department, it is anticipated that the asbestos removal and partial demolition process will take approximately 10-12 weeks. At that point, we will be in a position to actually talk about a closing date so the Borough can take title to the property.

In consultation with the Mayor and Borough Administrator this week, we have once again reached out to the Bergen County Housing Authority and requested a follow-up meeting to explore whether they will be partnering with us for the purposes of overseeing the construction of the affordable housing. We would like to get this in the position where right after we take title, we can move it along and not have the bond outstanding with nothing happening. Hopefully, we will hear back from Bergen County Housing Authority in the next day or so and we will have a tentative meeting with them so that we can start entering into a written agreement with them. They would not agree to a written agreement until they were convinced we were going to get title of the property. Even though we do not have title yet, we have bonded and obtained a court order releasing the \$800,000 towards the purchase price; so it is pretty much a set deal and hopefully they can commit to us at this point.

At this time, Mayor Glidden wanted to report we were approached by a private developer who would be basically doing the same thing, and would give us a proposal to design, build, operate and rent the place out. The developer from South Jersey has some pretty good experience so we may be getting a proposal from them. He wants us to consider if we go to the Housing Authority we already know we will get the PILOT (Payment in Lieu of Taxes) payment which can help offset the bond issue that we have to float to buy the property; but he thinks it will be very interesting to have a proposal from a private developer who does the exact same thing in order to compare what they offer. He expressed his concern about the Bergen County Housing Authority in terms of how much they have on their plate; they may very well not have too much now but might by the time they get to our project; and we don't want to have a lot of delays to affect our settlement with Fair Share Housing.

Borough Attorney informed we have two years from the date the fairness hearing occurs to "start construction". He explained that "start construction" is not that well defined, so he believes it means having a contractor ready to go and shovels in the ground; he doesn't think it means we have to have it completed. He said the fairness hearing has not yet been scheduled but he does need to report back to the Judge at the end of this month to let them know the status. We have been working on a very rough draft settlement agreement with the Fair Housing Authority; and Caroline Reiter, the COAH Planner is reviewing that for purposes of trying to explain what our proposed ordinance changes might be. She has been meeting with

6. PROFESSIONAL REPORTS (Continued)

A. BOROUGH ATTORNEY (Continued)

the Planning Board to discuss those changes. Mr. Rogan reminded that under the last court order we don't have to guarantee that the ordinances are going to be exactly as they are; we just have to guarantee that within 180 days of the fairness hearing that some type of ordinances will be adopted that are substantially similar providing realistic development for fair housing. Not everything needs to be in place prior to the hearing; so we have time to go back and forth with the Planning Board and Zoning Board of Adjustment regarding recommended changes. In terms of a zoning change recommendation, it would be sent to us by the Planning Board for review by the Mayor and Council and then we would respond back; so there is a dual process. The Planning Board plans and the Mayor and Council adopts so there is a back and forth process so there is some agreement on what changes will be agreed upon. This is really starting to come together and he suspects over the next several months this affordable housing plan will really be coming to a head. We have not heard from the Intervenor at this point and that is okay. He expects to hear back from Josh Bowers, the attorney for Fair Housing, sometime in the next week or so with his reaction to our rough settlement agreement. Depending on what their comments are, we may take it back to the COAH Committee and then before the full Council for discussion; but at this point, we are in the position to present them with a rough draft of a settlement agreement.

In answer to Councilwoman Amitai, Mr. Rogan said the demolition will probably be started within the next couple of weeks once Conrad Roncati presents his plan. Joe Zavarino informed him this evening that it doesn't have to be that detailed because it's not a huge deal. At this time, he informed he had one issue pertaining to COAH to discuss in Closed Session. He explained that once the plan is done, his understanding is that the asbestos removal has to be completed before demolition can start. The contractor has already been on site and started applying for permits; so it should be starting shortly.

2) REPORT – Mr. Rogan reported the Rosenblum v. Closter/Watkins farm assessment appeal is a case that has already been litigated at the State level; and the Appellate Division has already ruled in our favor. Mr. Rosenblum has now applied for what is called certiorari from the Supreme Court and there has been no word on that; though he said the Supreme Court very rarely takes a case on certiorari. He reminded this is an issue that goes back several years questioning whether the Borough properly designated the Watkins Blanch Avenue property as a legitimate farm. For many years, up until recently, you could appeal somebody else's taxes allowing you to target another person you don't like and take them to court saying they haven't paid enough taxes; and that is what this case is about. Mr. Rogan said there is another case that will be going before the Appellate Division a week from Monday on Rosenblum v. Miele regarding the llamas at the property on Piermont Road and his assertion that it is not a farm. There have been at least 7 lawsuits on that property and two different Tax Court Judges, a Superior Court Judge and two Appellate Division Judges ruled in our favor. Mr. Rosenblum is appealing yet again; so we will be in front of the Appellate Judge again for that.

On the same day, coincidentally, before the Appellate Division regarding one of the Closter Plaza lawsuits, a case will be heard regarding the one building/one lot ordinance. Mr. Rogan reminded that the Plaza property is 16 acres but only technically one lot and under a 1980-ish zoning change that was permitted. The Council had concerns; and after consulting with the Planners, the Planning Board and the Joint Board of the Planning and Zoning Boards, they looked to discourage big boxes. On a 16 acre lot, in order to really maximize it, you would have to build one really huge building. The idea was to try to step away from the big boxes and for a more aesthetically pleasing development such as the Plaza, which is four different buildings on one lot. Mr. Rosenblum is contending that the Council had to give a heightened notice to the entire business district and every business property owner in town for that change. We won at the trial level before Judge Meehan; and it will be heard on appeal one week from Monday.

Borough Attorney informed he had a few items he would like to discuss in Closed Session. The first one pertains to Ken's Tree Care. He reminded the Borough has an agreement for them to pick up trees and brush and mulch it and using our mulch pile in exchange. We have gone out to bid for this over the last several years and Ken's Tree Care has been the only bidder the last couple of times; but he reminded there is no monetary value to this contract. Under the current contract which expires in February, the Borough has the option to renew; and though it is not mandatory, it is an option; and if we decline, then we will have to go out to bid again. There are pros and cons to that as there was only one bidder; and the bidding process

6. PROFESSIONAL REPORTS (Continued)

A. BOROUGH ATTORNEY (Continued)

is expensive. Mr. Rogan said he would defer to Bill Dahle (DPW Superintendent) if he has any recommendations or comments as he oversees the operations at the mulch pile. In answer to Councilwoman Amitai, he explained that Ken's Tree Care takes the trees and mulches them for us in a tub grinder as opposed to us having to do it ourselves. Mr. Dolson further noted that he has come to the aid of the Borough during events of severe inclement weather when the streets were blocked and he took care of that. Borough Attorney said he would reach out to Mr. Dahle for input to the Mayor and Council.

Mr. Rogan reported that Suez Water is looking to obtain a permanent easement in and around the Wellington Avenue site for access. The Borough Engineer has reviewed the paperwork in addition to himself, and they have come to an agreement with the Suez attorney as to the wording of the easement. He informed an easement like this needs to be done by ordinance to give them access to make repairs to an underground water pipe. Mr. DeNicola explained the Borough abandoned a section of Wellington Avenue some approximately 20-25 years ago because they didn't want through traffic to come through the residential area by the railroad. In abandoning that roadway, the water line still existed; and they reconstructed the water line and want to form an easement for them to have maintenance rights. He reviewed it and determined it to be legitimate, so the easement will consist of approximately 15 feet. The only thing left to do is submit it formally so they have to sign and seal it and the Mayor and Council can approve it. Borough Engineer clarified it is the section of road between Miele and West Street. Councilwoman Amitai questioned if they had recently received some kind of notice that whatever easement problems exist regarding water is the responsibility of the resident; and Mr. DeNicola said he was not aware of same. He informed it may have been referring to storm water drains. Borough Attorney explained this water main is for drinking water.

At this time, Borough Attorney reported he had an item for Closed Session regarding the cell tower lease. One provider has approached us with a proposal even though that contract isn't up yet; and it will need to be discussed.

B. BOROUGH ENGINEER

1) STATUS REPORT RE SWIM CLUB PHASE II CONTAMINATION INVESTIGATION (Authorized RM 7/9/14)

a. REPORT RE AMEC FOSTER WHEELER RISK ASSESSMENT (Authorized RM 4/26/17) – Borough Engineer explained some of the history behind the issue

for new Council members and reminded there was PCB contamination; and after the Swim Club went bankrupt, the property reverted back to the Borough. He said we have been dealing with the DEP as we submitted an HDSRF (Hazardous Discharge Site Remediation Fund) for reimbursement through a grant for funds we have already expended for which they have approved \$67,000. The Borough Administrator wrote a letter to the DEP yesterday informing the Borough will accept the funds, so they will be sending us that money for those efforts. There is currently a proposal into the Borough for \$4,000 for the next round. Before the Borough accepts that proposal, another form needs to be filled out and submitted to secure approximately \$750,000 from the DEP for the clean-up phase. He explained all of the work up until this point has been the requisite legwork – paperwork and delineation and testing as required. This money would go towards the estimated clean-up cost of \$1M and the DEP would reimburse up to 75% provided the Borough agreed to keep the property on the deed as Recreational Open Space. He cautioned that before anything else is done, the Borough needs to decide if they want to do that because once you apply to the DEP and they grant it, you are locked into that easement. In answer to Councilwoman Amitai, the Mayor said passive recreation is one of the things they can do; and reminded we have received a proposal for an indoor swimming facility. Mr. DeNicola advised that use would be acceptable but the DEP needs further information on it to actually approve it. Mr. Dolson further explained that there would be no tax revenue because by accepting a grant the Borough owns the property. He reminded in the first application round we suggested renting the facility out to schools and the DEP objected that saying if taxpayers are spending the money, they should be allowed to use it. The Mayor said in making an indoor swimming facility, we would be making it available for the taxpayers use and could perhaps at times rent space out to the high schools for their swim teams which would be a source of revenue. In answer to Mrs. Amitai, the Borough Attorney



6. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER (Continued)

said only a non-profit could rent the facility such as the Closter Swim Club did for 50 years. The Mayor said we would hire someone such as an operator to do it as we don't have the ability in this town to operate an indoor swimming facility. Mr. Dolson asked if she was familiar with the River Vale Golf Club noting they own it now and they hired an operator to run it and it pays for itself. It's similar to affordable housing with a private enterprise running public housing. Borough Engineer informed Foster Wheeler did complete that Risk Assessment and he will incorporate it into the report and submit the final RI (Remedial Investigation Report) to the DEP.

2) STATUS REPORT RE FOLLOWING DEVELOPER'S AGREEMENTS: Mr. DeNicola reported a Temporary Certificate of Occupancy has been issued for both developments as there are still outstanding issues with both. There are paving and lighting issues to be resolved for Chase and the Plaza has a lot of issues including the sidewalks.

- a. BLOCK 1607/LOT 1 & BLOCK 1310/LOT 2 (CLOSTER MARKETPLACE (EBA) LLC AND CENTENNIAL AME ZION CHURCH) (Approved RM 4/22/15)
- b. BLOCK 1607/LOT 1.02 FOR CHASE BANK (17 VERVALEN STREET) AND AMENDED SITE PLAN FOR BLOCK 1607/LOT 1 & BLOCK 1310/LOT 2 (CLOSTER MARKETPLACE (EBA) LLC AND CENTENNIAL AME ZION CHURCH) Approved RM 6/14/17

3) REPORT RE BOROUGH OF CLOSTER COMPOST FACILITY RECERTIFICATION (Authorized RM 6/22/16) – Borough Engineer reported there has been no change in the status of this item as we have submitted to the County for recertification and have not yet received approval.

4) REPORT RE CROSS CLOSTER TRAIL FHA INDIVIDUAL PERMIT AND FRESHWATER WETLANDS GENERAL PERMIT NO. 17 FOR NATURE TRAIL & BOARDWALK FOR A TOTAL ESTIMATED COST OF \$7,000 (RM 7/13/16) – Mr. DeNicola reminded this is a trail that goes through the Buzzoni Farm and it was submitted to the DEP because it is wetlands; and they indicated they will be approving the application. One of the conditions is that the Borough put up educational signs; and we expect that approval within the next 30-60 days.

5) STATUS REPORT RE 2017 ROAD PAVING PROGRAM (Approved RM 5/24/17) INCLUDING NJDOT FISCAL YEAR 2017 MUNICIPAL AID PROGRAM FOR HOMANS AVENUE (SECTION 4) IN THE AMOUNT OF \$165,627 (Approved RM 12/14/16) Notification of award rec'd 3. M.L. 6/1/17 – Borough Engineer reported this project has been completed and there are two punch list items including signs and the requisite bond to be posted. This project should come in at approximately \$15,000 under budget.

6) STATUS REPORT RE BOUNDARY AND TOPOGRAPHIC SURVEY OF WEST STREET BETWEEN WESTMINSTER AVE. & CLOSTER DOCK ROAD FOR AN AMOUNT NOT TO EXCEED \$7,600 (Approval Memorialized at RM 6/28/17) - Mr. DeNicola reported that this is for installation of sidewalks and the proposal was submitted to the Administrator. He believes the town needs to approach the homeowners to obtain the rights to those properties to do the construction.

7) REPORT – The foregoing items concluded the Borough Engineer's 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) REPORT RE PREPARATIONS FOR 2020 CENSUS – Borough Administrator reported he registered with them on April 20, 2017. They have sent us an inquiry survey about the Borough finances; and from there, they will reach out to the homes. They will have something new this year where there will be stations all over the County so people can come in as opposed to having people showing up independently at homes; therefore, it looks to be well organized and he hopes it is successful. He said every community relies on an accurate resident count for their benefits with upper level government.

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

3) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED

1. 2017 BERGEN COUNTY COMMUNITY DEVELOPMENT GRANT APPLICATION IN THE AMOUNT OF \$9,000.00 FOR THE BOROUGH OF CLOSTER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE BOROUGH OF HAWORTH AS LEAD AGENCY FOR SENIOR TRANSPORTATION SERVICES FOR THE SENIOR AND DISABLED POPULATION IN THE BOROUGH OF CLOSTER (RM 9/28/16) – Mr.

Dolson reported he has been in communications with the Chief Financial Officers of Haworth and Harrington Park. It turned out the County created a new format this year making Haworth the lead agency which is why we have not received the contract; so they will send him a copy. From that we can enter into a contract accepting Haworth as a lead agency. There were some logistic issues that delayed things up to this point including federal money delays. In answer to Councilwoman Chung, he explained the contract is between the County and Haworth as a lead agency; and there is a separate contract between Haworth, Harrington Park and Closter for using the shared service.

2. NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION ~ GREEN COMMUNITIES PROGRAM 2017 GREEN COMMUNITIES GRANT, SUBSEQUENT COMMUNITY FORESTRY MANAGEMENT FIVE YEAR PLAN, COMMUNITY FORESTRY MANAGEMENT PROGRAM, FOR AN AMOUNT NOT LESS THAN \$3,000 AND NOT MORE THAN \$3,000, BOROUGH AGREES TO MATCH \$3,000 OF THE TOTAL PROJECT AMOUNT, IN COMPLIANCE WITH THE MATCH REQUIREMENT OF THE AGREEMENT; AVAILABILITY OF THE MATCH WHETHER CASH, SERVICES OR PROPERTY IS HEREBY CERTIFIED 50% OF THE MATCH TO MADE UP OF IN-KIND SERVICES (RM 2/22/17) - Borough Administrator

reported this grant is ongoing but nearing completion. Hopefully, this will be wound up soon and we can apply for the \$3,000 reimbursement.

3. NJ DEPARTMENT OF TRANSPORTATION FOR THE HOMANS AVENUE (SECTION 5) PROJECT (MA-208- Homans Avenue (Section 5) – 00020) Approved RM 9/13/17 – Mr. Dolson explained this project would cover from Piermont Road up to

Anderson Avenue and has been submitted by the Borough Engineer. We are waiting for the NJDOT to make their awards.

4. THE NEW JERSEY DEPARTMENT OF TRANSPORTATION LOCAL FREIGHT IMPACT FUND GRANT FOR THE CLOSTER BOROUGH PROJECT APPLICATION: LFIF-2018-RAILROAD AVENUE-00068 (Approved RM 12/13/17) – Borough

Administrator explained this grant could potentially get us some aid for Railroad Avenue to repair it from the heavy truck traffic, particularly the railroad crossing nobody wants to own or repair. He said this is a use-specific grant.

b. AWARDED - To be announced by Administrator

1. 2017 BERGEN COUNTY COMMUNITY DEVELOPMENT GRANT APPLICATION IN THE AMOUNT OF \$6,000.00 FOR THE SENIOR CENTER TO ENHANCE THE QUALITY OF PROGRAMS AVAILABLE TO THE SENIOR POPULATION IN THE BOROUGH OF CLOSTER (RM 9/28/16) Notification of Award in the amount of \$3,211 rec'd 5. M.L. 11/9/17 – Mr. Dolson reported this grant has been approved and we went into

contract after Council approval at the end of last year. Once the Seniors' activities cross the \$3,000 threshold, we send off a packet to the County and they reimburse us.

2. 2017 BERGEN COUNTY COMMUNITY DEVELOPMENT GRANT APPLICATION IN THE AMOUNT OF \$9,000.00 FOR SENIOR TRANSPORTATION SERVICES FOR THE SENIOR AND DISABLED POPULATION IN THE BOROUGH OF CLOSTER (RM 9/28/16) Notification of Award in the amount of \$2,500 rec'd 5. M.L. 11/9/17 –

Borough Administrator said this is kind of a follow up on the van service he spoke about just before. The County is not really paying for the van; they're only paying for the driver of the van which is only about 30% of the cost of the service. In answer to the Borough Attorney, he said Haworth owns the van and it's wearing out; so he doesn't know what they're going to do unless they get a grant for a new van.

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

- c. TO BE FILED - To be announced by Administrator  
4) REPORT

B. BOROUGH CLERK

- 1) REPORT RE 2018 APPOINTMENTS – Borough Clerk reported all outstanding appointments are being maintained on the Regular Meeting Agenda.
- 2) REPORT RE 2018 OATHS OF OFFICE – Ms. Castano reported Arlene (Gray, Deputy Borough Clerk) is working diligently having sent Oaths to all Borough Officers and Employees and Borough Professionals for signature and return to her office. Borough Attorney will be preparing the contracts for the Borough Professionals. Arlene has also prepared and is providing to Borough Boards and Commissions not only the white Oaths to be attested to by the Municipal Clerk, but the blue Citizen Leadership forms to be attested by Chairpersons of each Board/Commission and returned to the Borough Clerk’s office.
- 3) REPORT RE 2018 LICENSES – Borough Clerk reported three (3) Borough licenses for 2018 have been issued. Cinemex Movie Theater License (for 5 theaters) is on hold waiting for the Construction official to issue a Certificate of Occupancy. Mayor Glidden voiced his understanding that we cannot issue the theater license until the Certificate of Occupancy has been issued and the Borough Engineer said it would be a Temporary CO. Borough Attorney said there are various other issues in addition to construction.
- 4) REPORT RE 2018 MEETING DATES – Ms. Castano reported the 2018 Annual Notice of Meetings was published in The Record and Star Ledger on 1/6/2018 and has been distributed to the appropriate Boards and Commissions and provided to our IT Coordinator for placement on the web site. She noted the Board of Health had to cancel their 1/4/18 meeting and rescheduled due to the snow storm bomb cyclone, so the Board of Health Secretary has advertised the rescheduled Reorganization Meeting to be held on 1/18/18.
- 5) REPORT RE ADOPTED 2017 ORDINANCES TO BE SENT TO GENERAL CODE FOR CODIFICATION – Borough Clerk reported there are twenty (20) ordinances that have been adopted in 2017. First we will send the 8 recently adopted ordinances (Nos. 2017:1230 through 2017:1237) to General Code for placement on the Borough web site as an addition to the “New Laws”. After that we will request an estimate for codification of the 20 ordinances as Supplement No. 24.
- 6) REPORT – Ms. Castano requested that since this is the beginning of the new year, she is asking that everyone adhere to the deadline for Agenda items to be provided to her office by 12 Noon the Thursday before each Mayor and Council Meeting as her office is flooded with last-minute items requiring follow up. She said she will have the reputation of being that person who has to say no but she will have to do so unless it is an absolute emergency. Mayor Glidden affirmed saying same was fair enough.

At this time, in follow up to the Borough Clerk’s report, the Borough Administrator said it was brought to his attention that the Board of Ethics has no email address; so he authorized the IT Coordinator to create one since they were using their personal e-mail addresses. Official communications will come from [BoardofEthics@closternj.us](mailto:BoardofEthics@closternj.us).

C. CHIEF OF POLICE

- 1) REPORT – Chief Kaine reported he sent the Department’s Monthly Report on Monday. He said they had a busy month with seven (7) driving under the influence (DUI) occurrences over the holidays and weather-related issues helping residents with frozen pipe issues and water main breaks. Councilwoman Chung questioned if auto theft was still as big a problem as it was several months ago. The Chief said it has been big in the area but not in Closter for a while. Councilwoman Latner asked when they planned to have another “Coffee with a Cop” event and the Chief said sometime in April when the weather gets nicer and they’ll also do another DWI detail. He noted we were reimbursed by the State for the last detail. In answer to the Mayor, he informed Captain James Winters is retiring March 1, 2018.

7. REPORTS (Continued)

D. MAYOR

1) REPORT – Mayor Glidden reported he sat in on a conference call with Congressman Gottheimer concerning the tax issue and the idea of coming up with a charitable tax payment. It was set up for all of the Mayors in his District. He did find it to be an interesting idea and said a lot has come out in the papers on this issue. He doesn't know if it will work or not because it involves the IRS, but he is not recommending putting anything into place in Closter until more information and legal opinions have been issued. In answer to the Mayor, the Borough Attorney said people certainly are aware of what is going on due to the publicity that they could pay up to two (2) quarters of 2018 taxes in 2017. The issue the Mayor is talking about that Congressman Gottheimer discussed is very unique because several states have gotten away with things close to that but they are very specific about what it is for. The charitable donation cannot just benefit the person that is giving and that seems to be the criticism of that concept that you are giving in addition to paying your property taxes. The IRS hasn't issued a ruling on that yet, so he thinks we have time to see how it plays out. If you were going to pre-pay, it had to be done before the end of 2017 anyway; so it won't affect anyone in town. He thinks we need to see how it plays out to see if this is something that is even feasible; and if it is, at that point the governing body will have to take action. Councilwoman Latner mentioned that Paramus, Park Ridge and Fair Lawn set up something; and Mr. Rogan said it was a charitable trust. He explained they may have done it in concept but they haven't taken any money yet because they cannot do so. If that works, you're not going to give your full year's tax in January. He reiterated we will have time to react to this and watch what other states are doing. He reminded we cannot collect anyway because we don't have a tax rate set. Although they set something up on paper, there is no tax rate and no money has been collected. Mayor Glidden said he would put something in the next Mayor's Newsletter. Borough Attorney said to advise residents we are monitoring the situation.

Mayor Glidden mentioned the movie theater is open and he went to talk to the manager late Monday afternoon. He sat in the theater and watched a movie and it was quite an experience.

8. OLD BUSINESS

9. NEW BUSINESS

Councilwoman Chung advised she was contacted by Freeholder Tracy Zur who is having a day of service for 5<sup>th</sup> to 8<sup>th</sup> graders on Monday, January 15, from 12:30 p.m. to 3:30 p.m. with lunch and snacks to be provided. The day of service would include performance of service oriented items such as crafts for children with cancer as well as packing lunches for the homeless. She said she would provide an e-mail for the members of the governing body and the schools.

10. OPEN MEETING TO THE PUBLIC FOR ANY MATTER PER NJSA 1 0:4-12(A) (SUBJECT TO A 5-MINUTE LIMIT PER GENERAL RULE NUMBER 11) EXCEPT FOR ITEMS SCHEDULED FOR PUBLIC HEARING AT THE REGULAR MEETING

Leslie Banks, 424 Homans Avenue, said we should be participating in any dialogue with our Congressmen and Governor and not just waiting to see what someone else does. She said she was on the school board for 9 years in the years of the flood and she referred to publications at that time relative to the Village School. Councilwoman Latner recommended that Mayor Glidden appoint Ms. Banks to a committee and Ms. Banks advised that she would like to be on the Condo Commission. She is retired and has nothing better to do than harass all of you.

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 8:58 p.m. was made by Councilwoman Latner, seconded by Councilwoman Witko and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council  
on January 18, 2018 for approval at  
the Regular Meeting to be held  
January 24, 2018

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held January 24, 2018  
Consent Agenda Item No. 17c