

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – OCTOBER 24, 2018 - 7:30 P.M

Mayor Glidden called the Meeting to order at 9:22 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 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.

2. 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

3. MAYORAL PRESENTATION(S)

4. PRESENTATION(S)

- a. DUMONT TROOP 1345 BOY SCOUT TYLER PENDLETON PRESENTATION RE EAGLE SCOUT PROJECT FOR CONSTRUCTION OF A SHED AT MACBAIN FARM (Requested by Mayor Glidden 10/19/18) Presentation was made during the Work Session

5. 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	<u>Keren Kuperman</u> <i>(Moved out of town)</i>	<u>NO APPOINTMENT</u>	3 Years Unexp. (Kuperman)	31-Dec-18
Associate Member	<u>Steve Lopez</u> <i>(Non-acceptance of re-appointment)</i>	<u>Jeffrey Lee</u>	1 Year	31-Dec-18
Associate Member	<u>Shucui Zhu</u> <i>(Non-acceptance appointment)</i>	<u>Miriam Lockhart</u>	1 Year	31-Dec-18

6a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos.7, 14 and 15 was made by Councilwoman Latner, seconded by Councilman Yammarino and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino, Chung and Amitai.

RESOLUTIONS

7. ~~POSSIBLE~~ RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AGREEMENT BETWEEN THE BOARD OF EDUCATION AND THE BOROUGH OF CLOSTER REGARDING POLICE DEPARTMENT ACCESS TO REAL TIME VIDEO FEED OF SECURITY CAMERAS (Received from Borough Attorney 9/21/18 – Waiting for input from Chief of Police) Carried from RM 9/26/18/Carried from RM 10/10/18

8. RESOLUTION AWARDING PURCHASE of EQUIPMENT FROM Certified Speedometer Service BOROUGH (BOND) ORDINANCE 2018:1241, Capital Account C-04-18-241-001-004 IN AN AMOUNT NOT TO EXCEED \$17,500.00 PER THE ATTACHED QUOTE DATED 8/20/18 (Received from Borough Administrator 10/3/18) Carried from RM 10/10/18  
 Borough Attorney noted that the amount should be amended to read \$17,750.

9. RESOLUTION RENEWING LUSTRON HOUSE CARETAKER SERVICES CONTRACT TO PERFORM BASIC MAINTENANCE FOR A PERIOD OF ONE YEAR (Received from Borough Attorney 10/3/18) Carried from RM 10/10/18

CLOSTER MAYOR AND COUNCIL  
 REGULAR MEETING MINUTES – OCTOBER 24, 2018 – 7:30 P.M.

10. RESOLUTION APPROVING ISSUANCE OF AD INTERIM PERMIT NO. 5 FOR PLENARY RETAIL CONSUMPTION LIQUOR LICENSE NO. 0207-33-006-009 (CINEMEX)
11. RESOLUTION APPROVING ISSUANCE OF AD INTERIM PERMIT NO. 5 FOR PLENARY RETAIL DISTRIBUTION LIQUOR LICENSE NO. 0207-44-008-005 (CLOSTER WINE & SPIRITS, INC.)
12. RESOLUTION APPROVING SETTLEMENT OF TAX APPEAL FOR THE YEAR 2017: STAVROU FAMILY LLC v. BOROUGH OF CLOSTER (Received from Borough Attorney 10/17/18)
13. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN REMAINING PLANNING BOARD PLANNER ESCROW FUNDS IN THE AMOUNT OF \$1,622.50 TO EXQUITY REALTY, LL FOR 132 HERBERT AVENUE, BLOCK 1207, LOT 25 (Received from Deputy Treasurer 10/1/18)
14. RESOLUTION APPROVING PREPARATION OF PROFESSIONAL SERVICES AGREEMENT FOR TEMPORARY/INTERIM ZONING BOARD OF ADJUSTMENT ATTORNEY (Requested by Borough Attorney WS 10/10/18 and on 10/16/18 – 5. M.L. 10/04/18) TO BE PREPARED BY BOROUGH ATTORNEY (Received 10/23/18)
15. RESOLUTION TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDED CONTRACTS FOR CERTAIN CONTRACTS AWARDED IN THE BOROUGH OF CLOSTER FOR 2019 PROFESSIONAL SERVICES – WS 10/10/18 - TO BE PREPARED BY BOROUGH ATTORNEY (Received 10/23/18)

MOTIONS

16. MOTION APPROVING THE FOLLOWING MINUTES – NO ABSTENTIONS
  - a. REGULAR MEETING HELD OCTOBER 10, 2018
  - b. WORK SESSION HELD OCTOBER 10, 2018
17. MOTION APPROVING TEMPLE EMANUEL TO CONDUCT AN ON-PREMISE CASINO NIGHT AT 180 PIERMONT ROAD ON THURSDAY, DECEMBER 6, 2018 FROM 7:30 P.M. TO 11:30 P.M. (Completed application filed and appropriate fees paid 10/18/18)
18. MOTION APPROVING THE FOLLOWING APPOINTMENTS TO BOARDS AND COMMISSIONS NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/18 (Not made to date):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
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**Food and Assistance Board**

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

19. MOTION APPROVING THE FOLLOWING APPOINTMENTS TO BOARDS AND COMMISSIONS:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
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**Historic Preservation Commission**

Alternate No. 2	<u>Ellen Lutvak</u> <i>(Declined appointment)</i>	<u>NO APPOINTMENT</u>	2 Years	31-Dec-19
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**Improvement Commission**

Member	<u>Andrew Albaum</u> <i>(Non-acceptance of re-appointment)</i>	<u>NO APPOINTMENT</u>	2 Years	31-Dec-19
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20. REPORTS  
(No reports received at the time of preparation of this Agenda)

21. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

14. RESOLUTION APPROVING PREPARATION OF PROFESSIONAL SERVICES AGREEMENT FOR TEMPORARY/INTERIM ZONING BOARD OF ADJUSTMENT ATTORNEY (Requested by Borough Attorney WS 10/10/18 and on 10/16/18 – 5. M.L. 10/04/18) TO BE PREPARED BY BOROUGH ATTORNEY (Received 10/23/18)

Motion of Approval was made by Councilwoman Chung, seconded by Councilwoman Latner and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Latner, Witko, Yammarino, Chung and Amitai. Councilman Devlin voted No.

15. RESOLUTION TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDING CONTRACTS FOR CERTAIN CONTRACTS AWARDED IN THE BOROUGH OF CLOSTER FOR 2019 PROFESSIONAL SERVICES – WS 10/10/18 - TO BE PREPARED BY BOROUGH ATTORNEY (Received 10/23/18)

Motion of approval was made by Councilwoman Chung seconded by Councilwoman Witko and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Latner, Witko, Yammarino, Chung and Amitai. Councilman Devlin voted no.

Upon voting no, Councilman Devlin cited the results of the recent fair and open process noting that there was only one applicant for the position of Borough Auditor; and the State Comptroller recommends that the Auditor be changed every 10 years. We have had ours for over 20 years. He noted that this process only produced one applicant for the Zoning Board Attorney and hoped that a different process would mean more applicants.

22. 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.

- 22a. Motion approving Resolution to go into closed session at 9:29 p.m. was made by Councilwoman Latner seconded by Councilman Devlin and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, 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)(7), “A matter falling within the attorney client privilege”; and N.J.S.A. 10:4-12(b)(8) “A matter involving public employees”; and that the items under discussion in the closed meeting would be disclosed to the public at the conclusion of the matters which should be within 10-12 weeks.

Mayor Glidden resumed the Regular Meeting at 10:01 p.m.

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

24. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:02 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  
November 1, 2018 for approval at the  
Special Meeting to be held  
Monday, November 5, 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 Special Meeting held Monday, November 5, 2018  
Consent Agenda Item No. 11a

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

**RESOLUTION AWARDING PURCHASE of EQUIPMENT FROM  
 Certified Speedometer Service  
 BOROUGH ORDINANCE 2018:1241, Capital Account C-04-18-241-001-004**

**WHEREAS**, there is a need for one Center Post Variable Message Sign; and

**WHEREAS**, the Chief of Police requested quotes from three (3) vendors. Three (3) vendors submitted quotes to provide the aforementioned services; and

**WHEREAS**, the lowest responsible quote was obtained from Certified Speedometer Service, Inc. 9 Jay Street, Old Tappan, NJ 07675 in the amount of seventeen thousand, seven hundred and fifty dollars (\$17,750.00), (copy attached hereto as EXHIBIT A), and,

**WHEREAS**, this purchase is in conformance with the requirements promulgated pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and which satisfies the best interests of the Borough; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey as follows:

1. The purchase of the PCMS-548-CP Center Post Variable Message Sign, as outlined in the attached quote dated August 20, 2018 is hereby awarded to Certified Speedometer.

**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, Capital Account C-04-18-241-001-004.

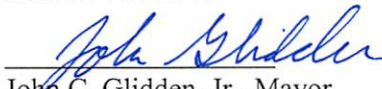
Dated: October 10, 2018

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

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

October 24, 2018  
 Adopted: ~~October 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 ~~October 10, 2018~~ October 24, 2018.

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

# CERTIFIED SPEEDOMETER SERVICE

INC.  
9 JAY STREET  
OLD TAPPAN, NJ 07675

## QUOTE

Chief Dennis Kaine  
Closter Police Dept.

Aug. 20, 2018

Dear Chief Kaine,

Thank you for your recent inquiry regarding a message sign. The Ver-Mac variable message sign is in wide use by police departments throughout the State of New Jersey. This portable trailer mounted unit has proven itself for reliability and performance. The VMS comes complete with batteries and on-site programming capabilities.

**PCMS-548-CP**

**Center -Post Variable Message Sign**

This newly designed popular center-post model, when raised to it's operating position, is capable of being rotated a full 360 degrees. This rotational feature allows the sign face to be directed in any position without having to move the trailer. An electric hydraulic feature for elevating the mast is available as an option.

**Basic Unit**

\$15,250.00

**Options Available:**

*Electric/ Hydraulic Mast	\$950.00
*Radar	\$1000.00
*Touch Screen Programming	\$650.00
*Solar Panel	\$600.00
*Battery Charger	\$175.00
*Wheel Lock	\$125.00
*Communication	No Charge

The Center-Post model, equipped with options marked with an \*, is available at a total cost of **\$18,750.00**. If you require further information, require references, or desire a demonstration, please do not hesitate to call. We have more than 300 units in use throughout N.J. and we service what we sell. Thank you for your interest.

- \$1,000.00 Discount

Total \$17,750.00

Sincerely,

John Kramer Jr.

AED - 10/25/17

# VER-MAC

Ver-Mac Inc  
1781, Bresse Street  
Quebec City, Quebec  
Canada, G2G 2V2

## Quote

Quote date: 09/06/2018  
Valid Until: 10/06/2018  
Quote #: VM62400  
Subject: Closter 548

### BILL TO:

Dennis Kaine / Closter PD  
295 Closter Dock Rd  
Closter  
NJ, 07624  
USA  
dkaine@closterpolice.org

### SHIP TO:

Ver-Mac Sales Rep: Richard Tatkow  
Phone: 973-387-5302  
E-Mail: richard.tatkow@ver-mac.com

Product Detail	Qty	Pricing	Total
PCMS-648/HYD Ver-Mac Mini-Size Full-Matrix Trailer-Mounted Message Sign 45" x 80" display panel, 30 x 56 pixels Hydraulic lift 3 x 85 watt solar panels, 2 batteries 4G Modem & 10-Year Cell Plan, Non-SWZ V-Touch 2.0 NTCIP Graphic Touchscreen Controller Radar, Battery Charger, Wheel Lock	1	\$19,250.00	\$19,250.00
FREIGHT	1	\$500.00	\$500.00
		Sub-Total	\$19,750.00
		Taxes	\$0.00
		Total	\$19,750.00

### Additional notes:

Hitch (Circle one): 2" Ball / 2" 5/16 / 3" Pintle / Other \_\_\_\_\_

Plug (Circle one): 4 pin flat / 7 pin RV style / Other \_\_\_\_\_

Delivery Type (circle one): Dock: tongues facing door / Forklift: tongues facing cab

### Terms & Conditions

Terms: Net 30 Days

SIGNATURE:

P.O NUMBER:

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# QUOTATION

HIGHWAY TRAFFIC SUPPLY

40 W. WASHINGTON AVE. SUITE D  
PEARL RIVER, N.Y. 10965

Date	Estimate #
11/10/2015	2393

<b>NAME / ADDRESS</b>
Closter Police Dept. Att. dennis Kaine

Rep	P.O. NO.	Terms

ITEM	JOB NUMBER	DESCRIPTION	QTY	UNIT	Total
MISC.		CENTER POST VARIABLE MESSAGE SIGNS (Pcms-548-cp)	1	15,950.00	15,950.00
MISC.		ELECTRIC / HYDRAULIC MAST	1	1,250.00	1,250.00
MISC.	optional	touch screen programming	1	675.00	675.00
MISC.	optional	Solar Panel	1	625.00	625.00
MISC.	optional	Wheel Lock	1	125.00	125.00
MISC.	optional	Battery Charger	1	195.00	195.00
MISC.	optional	RADAR	1	1,125.00	1,125.00
MISC.	optional	COMMUNICATIONS (10 YEARS FREE)	1	750.00	750.00

				<b>Sales Tax (0.0%)</b>	\$0.00
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SIGNATURE \_\_\_\_\_

<b>Total</b>	\$20,695.00
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**BOROUGH OF CLOSTER**  
**COUNTY OF BERGEN**

**RESOLUTION RENEWING LUSTRON HOUSE CARETAKER SERVICES CONTRACT TO PERFORM BASIC MAINTENANCE FOR A PERIOD OF ONE YEAR**

**WHEREAS**, the Governing Body of the Borough of Closter on December 28, 2016 determined that there was a need to award a Professional Service Agreement for a Caretaker for the Lustron House to perform basic maintenance; and

**WHEREAS**, the Borough of Closter engaged in a Fair and Open process and solicited proposals for these services; and

**WHEREAS**, it is a barter agreement; and

**WHEREAS**, one person responded, Michael Pisano, and submitted a timely proposal to provide the services; and

**WHEREAS**, the Borough of Closter entered into a Caretaker Service Contract and was provided with all appropriate insurance policies and a hold harmless agreement; and

**WHEREAS**, the Caretaker Service Contract has expired; and

**WHEREAS**, the Mayor and Council has determined it to be in the best interests of the Borough to renew the agreement with Michael Pisano, which is exempt from New Jersey's bidding law;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Closter that Michael Pisano, 44 Columbus Avenue, Closter, New Jersey 07624, is hereby reappointed as Caretaker-Lustron House to provide basic maintenance for a period of one (1) year pursuant to the terms and conditions of the Caretaker Service Contract and subject to receipt of updated certificate of insurance and hold harmless agreement.

**BE IT FURTHER RESOLVED**, that the Borough Attorney is hereby authorized to prepare the renewal agreement; the Mayor and Clerk are hereby authorized to execute the aforementioned agreement; the Clerk shall advertise the terms of the agreement as required by law and shall keep a copy of the agreement on file for public inspection.

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

Adopted: ~~October 10, 2018~~ October 24, 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 ~~October 10, 2018~~. October 24, 2018.

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



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

**RESOLUTION NO. 5  
AUTHORIZING THE ISSUANCE OF AN AD INTERIM PERMIT**

WHEREAS, the Liquor Licenses within the Borough of Closter expire on June 30<sup>th</sup> of each year; and

WHEREAS, certain Licensees have applied for renewal but have been unable to obtain a Tax Clearance Certificate from the Division of Taxation; and

WHEREAS, the Licensees may apply for a temporary permit to continue operation under the Liquor License pending receipt of the Tax Clearance Certificate;

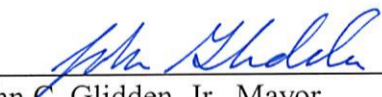
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that the Borough of Closter does not object to the issuance of an Ad Interim Permit to the following Licensee:

<u>LICENSEE</u>	<u>LICENSE NO.</u>
CINEMEX NJ, LLC t/a CMX 130 Vervalen Street	0207-33-006-009

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

Adopted: October 24, 2018

**APPROVED:**

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

**ATTEST:**

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

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 October 24, 2018.

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

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

**RESOLUTION NO. 5  
AUTHORIZING THE ISSUANCE OF AN AD INTERIM PERMIT**

WHEREAS, the Liquor Licenses within the Borough of Closter expire on June 30<sup>th</sup> of each year; and

WHEREAS, a certain Licensee, holding License No. 0207-44-008-004 has properly applied for renewal, has received Tax Clearance from the Division of Taxation on May 15, 2018 and has paid renewal fees to the Division of Alcoholic Beverage Control on April 24, 2018 and the Borough of Closter on May 7, 2018; and

WHEREAS, a Change in Corporate Structure was filed with the Borough and sent to the Division of Alcoholic Beverage Control and provided to the Detective Bureau for review and approval on November 20, 2017; and

WHEREAS, the paperwork for completion of the Change in Corporate Structure has not yet been approved by the Police Department; and

WHEREAS, good faith efforts have been made on the part of the Licensee to clarify the required paperwork for the completion of the investigation regarding the Change in Corporate Structure; and

WHEREAS, the Licensee may apply for a temporary permit to continue operation under the Liquor License pending receipt of approval from the Police Department regarding the Change in Corporate Structure, at which time the governing body may act upon the renewal for the 2018-2019 License Term;


NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter that the Borough does not object to the issuance of an Ad Interim Permit to the following Licensee:

<u>LICENSEE</u>	<u>LICENSE NO.</u>
Closter Wine & Spirits, Inc. t/a Gary's Wine 67 Vervalen Street (Closter Plaza)	0207-44-008-004

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

Adopted: October 24, 2018

**APPROVED:**

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

**ATTEST:**

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

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 October 24, 2018.

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

**BOROUGH OF CLOSTER**

**RESOLUTION APPROVING SETTLEMENT OF TAX APPEAL FOR THE YEAR 2017: STAVROU FAMILY LLC v. BOROUGH OF CLOSTER**

**WHEREAS**, the taxpayer, Stavrou Family LLC, appealed the assessment levied on Block 1302, Lot 20 for the year 2017 in an action in the Tax Court of New Jersey bearing docket no. 013349-2017; and

**WHEREAS**, the subject property’s street address is 217 Closter Dock Road; and

**WHEREAS**, the taxpayer and the assessor have agreed to compromise the appeal on the following terms: The assessment on the property for 2017 shall be reduced from \$843,700.00 to \$768,700.00; and

**WHEREAS**, the taxpayer has agreed that the refund due as a result of this settlement shall be satisfied through a credit applied against future real estate taxes due on the property; and

**WHEREAS**, the assessor is of the opinion that the revised valuation is consistent with the true value of the property;

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that:

The proposed settlement for the 2017 tax appeal captioned Stavrou Family LLC v. Borough of Closter as hereinbefore set forth is approved, and the Borough Attorney or a member of his firm is authorized to execute all documents necessary to effectuate its terms.

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

Adopted: October 24, 2018

Attest: Loretta Castano  
Loretta Castano, RMC, Municipal Clerk

Approved: John C. Glidden, Jr.  
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 Meeting held on October 24, 2018.

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

**BOROUGH OF CLOSTER  
BERGEN COUNTY  
RESOLUTION**

**WHEREAS**, the following applicant has posted Planner escrow fee with the Closter Planning Board

**WHEREAS**, Planning Board professionals have determined that all required Planner 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>
1207	25	132 Herbert Ave	Exquity Realty,LLC	\$1622.50

**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 applicant.

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

Adopted: October 24, 2018

**ATTEST:**

**APPROVED:**

  
\_\_\_\_\_  
Loretta Castano, 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 October 24, 2018

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

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

**RESOLUTION AWARDING CONTRACT FOR PROFESSIONAL SERVICES FOR ZONING BOARD ATTORNEY TO FILL UNEXPIRED TERM**

**WHEREAS**, the Governing Body of the Borough of Closter has determined that there is need to replace its Zoning Board Attorney for the remaining portion of the calendar year 2018; and

**WHEREAS**, the Borough engaged in a Fair and Open process to solicit proposals for these services; and

**WHEREAS**, Gittleman, Muhlstock and Chewcaskie, LLP, by and through its associate, Nylema Nabbie, submitted a timely proposal (attached hereto as Exhibit "A") to provide the services; and

**WHEREAS**, the Zoning Board of Adjustment of the Borough of Closter has requested this appointment be made; and

**WHEREAS**, the Governing Body has determined it is in the best interests of the Borough to appoint Nylema Nabbie of the firm Gittleman, Muhlstock and Chewcaskie, LLP and that this agreement shall be a Professional Service Agreement which is exempt from New Jersey bidding law.

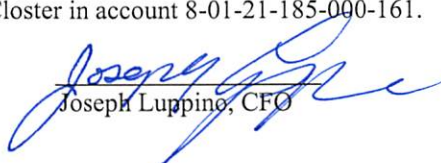
**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Closter that Nylema Nabbie of the law firm Gittleman, Muhlstock and Chewcaskie, LLP, 2200 Fletcher Avenue, 9W Office Center, Fort Lee, New Jersey 07024 is hereby appointed as Zoning Board Attorney at the rates listed in the attached Exhibit "A" for the remaining portion of 2018 and subject to the terms of an agreement that shall be executed between the parties.

**BE IT FURTHER RESOLVED** that this is a Fair and Open Professional Service Agreement and that the Borough Attorney is hereby authorized to prepare the agreement; the Mayor and Clerk are hereby authorized to execute the aforementioned agreement; the Clerk shall advertise the terms of the agreement as required by law and shall keep a copy of the agreement on file for public inspection.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I, Joseph Luppino, Chief Financial Officer of the Borough of Closter, hereby certify, pursuant to N.J.S.A.40A:-9140.1, et seq. and N.J.A.C 5:30-5.4, that the funds, which are required for the **Professional Services for Zoning Board of Adjustment** are available to the Borough of Closter in account 8-01-21-185-000-161.

October 24, 2018

  
Joseph Luppino, CFO


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

Adopted: October 24, 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 October 24, 2018.

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

EXHIBIT "A"



ETA 10/25/18



S

**GITTLEMAN, MUHLSTOCK & CHEWCASKIE, L.L.P.**

**ATTORNEYS AT LAW  
2200 FLETCHER AVENUE  
9W OFFICE CENTER  
FORT LEE, NEW JERSEY 07024  
(201) 944-2300**

**MELVIN GITTLEMAN (1930-2019)  
STEVEN MUHLSTOCK  
BRIAN M. CHEWCASKIE  
NYLEMA NABBIE (N.J. & N.Y.)**

**TELECOPIER  
(201) 944-1497**

**ZONING BOARD ATTORNEY QUALIFICATIONS STATEMENT**

September 17, 2018

**VIA OVERNIGHT MAIL**

Loretta Castano, RMC  
Borough of Closter  
295 Closter Dock Road  
Closter, New Jersey 07624

**RE: Zoning Board Attorney Qualifications Statement,  
Letter of Intent and Letter of Qualification**

Dear Ms. Castano:

Enclosed are original and one copy of my qualifications statement, letter of intent and letter of qualifications with respect to the position of Borough of Closter Zoning Board Attorney.

I enclose both my and our firm's resumes, which indicate our expertise in municipal and governmental representation. Also enclosed is information as to the Firm's Principals and Associate. In addition to our current positions as attorneys for the Borough of Oakland and attorneys for the Township of Mahwah, we also serve as municipal tax appeal attorney for Fort Lee, Oakland, Mahwah, Leonia, and South Hackensack, as well as special tax counsel for the Borough of Franklin Lakes and the Borough of Hasbrouck Heights, and as planning board attorneys for the Township of North Bergen. We have served as the Planning Board attorneys for the Borough of Hillsdale since 2014. We also represent the West New York Zoning Board of Adjustment, which is handled by Nylema Nabbie, as well as the River Edge Joint Land Use Board. We are conflict counsel to the Fort Lee Zoning Board of Adjustment. We have experience and knowledge with the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. We have numerous reported Superior Court and Tax Court Opinions, as noted on the resume. Our trial experience includes trying to conclusion at least 40 to 50 prerogative writs, bidding matters, land use matters or redevelopment issues. In addition, we have tried at least 45 tax appeals to conclusion, many of which have been reported cases. We have handled tax appeal and municipal matters at both the Appellate Division and Supreme Court levels.

During our term as the Borough of Hillsdale Planning Board Attorney in 2014, we attended regular meetings and special meetings and provided legal advice to the Planning Board on all pending development applications from the date of our appointment in February of 2014 through the date of this letter. As part of our representation of the Hillsdale Planning Board, we have obtained familiarity with Borough and Board personnel, as well as with the Borough's government and its various agencies, including its ordinances, personnel policies, etc., which has allowed us to handle matters expeditiously and without unnecessary research and/or obtainment of backup information. Ms. Nabbie and Mr. Muhlstock handle the North Bergen Planning Board meetings and on limited occasions, Ms. Nabbie has handled the Mahwah Township Council meeting. The majority of meetings of the Oakland Council are handled by Brian Chewcaskie and Steven Muhlstock. Court appearances, motions and pre-trial proceedings are handled by each of the Firm's attorneys. If selected, the Firm will accept the terms for compensation: (1) \$250.00 for attendance, per each meeting; (2) hourly rate of \$200.00 per hour for services chargeable to applicants' escrow accounts; and (3) \$125.00 per hour for litigation involving the Closter Zoning Board of Adjustment.

Nylema Nabbie has handled all meetings of the Hillsdale Planning Board and a copy of her Resume is enclosed herewith. Ms. Nabbie has served as a member of the Board of Directors of the Land Use Section of the New Jersey State Bar Association from 2009 to approximately 2016. The Land Use Section monitors and reviews developments in land use from a regulatory, judicial and legislative perspective. The Land Use Section stays abreast of such developments in order to counsel municipal and private clients with respect to the land use process on local, County and State levels. Ms. Nabbie served as a member of the Teaneck Planning Board for 6 years and as Chairperson from 2001 to 2004. Mr. Chewcaskie is Director of the Land Use Section of the New Jersey State Bar Association.

Our firm is composed of two partners, Brian M. Chewcaskie and Steven Muhlstock. Nylema Nabbie is a full-time associate. The Firm also employs several paralegals and office personnel. As a small firm, we are not bound by formal affirmative action requirements, but have and will certify full compliance with those requirements. A copy of our Certificate of Employee Information Report is attached. The firm has been in business under the present partnership name for 15 years, although the firm has been in existence, with other partners, for over 28 years. There have been no malpractice judgments against the firm, no bankruptcy or reorganization proceedings. All attorneys are licensed in the State of New Jersey and our federal identification number is 22-2978440. None of our relatives are employed by the Borough of Closter.

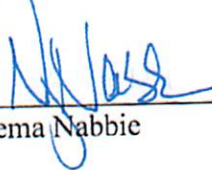
In accordance with the Borough's Criteria for Submission of Qualifications for Professional Contracts Under the Fair and Open Process, we enclose the Firm's Business Registration Certificate and Certificate of Employee Information Report.



Naturally, if you have any questions or desire further references, please do not hesitate to contact the undersigned.

Very truly yours,  
Gittleman Muhlstock & Chewcaskie, LLP

By:   
Brian M. Chewcaskie

By:   
Nylema Nabbie

NN/cj  
enclosure

GITTLEMAN, MUHLSTOCK & CHEWCASKIE, L.L.P.

ATTORNEYS AT LAW  
2200 FLETCHER AVENUE  
9W OFFICE CENTER  
FORT LEE, NEW JERSEY 07024  
(201) 944-2300

MELVIN GITTLEMAN (1930-2013)  
STEVEN MUHLSTOCK  
BRIAN M. CHEWCASKIE  
NYLEMA NABBIE (N.J. & N.Y.)

TELECOPIER  
(201) 944-1497

LETTER OF QUALIFICATION

September 17, 2018

Loretta Castano, Borough Clerk  
Borough of Closter  
295 Closter Dock Road  
Closter, New Jersey 07624

Dear Ms. Castano:

The undersigned has reviewed our Qualification Statement submitted in response to the Request for Qualifications (RFQ) issued by the Zoning Board of Adjustment of the Borough of Closter ("Board"), in connection with the Zoning Board's need for Legal Services - Zoning Board Attorney. If selected, I am available to start immediately.

We affirm that the contents of our Qualification Statement (which Qualification Statement is incorporated herein by reference) are accurate, factual and complete to the best of our knowledge and belief and that the Qualification Statement is submitted in good faith upon express understanding that any false statement may result in the disqualification of Nylema Nabbie.

  
\_\_\_\_\_  
NYLEMA NABBIE

**GITTLEMAN, MUHLSTOCK & CHEWCASKIE, L.L.P.**

**ATTORNEYS AT LAW  
2200 FLETCHER AVENUE  
9W OFFICE CENTER  
FORT LEE, NEW JERSEY 07024  
(201) 944-2300**

**MELVIN GITTLEMAN (1830-2018)  
STEVEN MUHLSTOCK  
BRIAN M. CHEWCASKIE  
NYLEMA NABBIE (N.J. & N.Y.)**

**TELECOPIER  
(201) 944-1497**

**LETTER OF INTENT**

**September 17, 2018**

**Loretta Castano, Borough Clerk  
Borough of Closter  
295 Closter Dock Road  
Closter, New Jersey 07624**

**Dear Ms. Castano:**

The undersigned, as Respondent, has submitted the attached Qualification Statement in response to a Request for Qualifications (RFQ), issued by the Zoning Board of the Borough of Closter ("Board"), in connection with the Borough Zoning Board's need for Legal Services - Zoning Board Attorney.

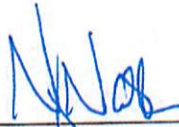
**Nylema Nabbie HEREBY STATES:**

- 1. The Qualification Statement contains accurate, factual and complete information.**
- 2. Nylema Nabbie agrees to participate in good faith in the procurement process as described in the RFQ and to adhere to the Borough's procurement schedule.**
- 3. Nylema Nabbie acknowledges that all costs incurred by Gittleman, Muhlstock & Chewcaskie, LLP in connection with the preparation and submission of the Qualification Statement and any proposal prepared and submitted in response to the RFQ, or any negotiation which results therefrom shall be borne exclusively by the Respondent.**
- 4. Nylema Nabbie hereby declares that the only persons participating in this Qualification Statement as Principals are named herein and that no person other than those herein mentioned has any participation in this Qualification Statement or in any contract to be entered into with respect thereto. Additional persons may be subsequently included as participating Principals, but only if acceptable to the**

Borough. Nylema Nabbie declares that this Qualification Statement is made without connection with any other person, firm or parties who has submitted a Qualification Statement, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.

5. Nylema Nabbie acknowledges and agrees that the Borough may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Borough shall have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFQ.
6. Nylema Nabbie acknowledges that any contract executed with respect to the provision of tax appeal services must comply with all applicable affirmative action and similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws.

By: \_\_\_\_\_



NYLEMA NABBIE

Gittleman, Muhlstock & Chewcaskie, LLP

Dated: September 17, 2018

## STATEMENT OF THE FIRM

### Introduction

Gittleman, Muhlstock & Chewcaskie, LLP is a full service, general practice law firm. We offer a full range of legal services to our clients, including regulatory, land development, banking, corporate, litigation, municipal, matrimonial, tax and real estate law.

### General

The Firm has a particular expertise in the following areas:

**Municipal and Government.** The Firm represents numerous municipalities and public entities in Bergen, Hudson and Passaic Counties.

**Corporate.** The Firm can assist corporations and other entities in the acquisition, operation and divestiture of businesses, and can also represent banks in structuring and documenting complex loan transactions.

**Land Development & Real Estate.** The Firm represents municipalities and individuals in real estate tax appeals and represents developers in securing governmental approvals and structuring real estate transactions.

**Banking.** The Firm represents leading institutions in real estate financing transactions.

### Experience

Our attorneys have acted or continue to act as counsel or special counsel to a number of municipalities. They include the following governmental entities in the State of New Jersey:

Bogota  
Dumont  
Edgewater  
Edison  
Englewood Cliffs  
Fort Lee  
Franklin Lakes  
Guttenberg  
Hackensack  
Mahwah  
North Bergen  
Oakland  
Palisades Park

**River Vale  
Saddle Brook  
South Hackensack  
Union City  
West New York  
Woodcliff Lake**

The Firm has recently or continues to represent the following private major land development clients:

**Vornado Realty Trust  
McDonald's  
Midland Enterprises  
Treeco  
7-Eleven  
Englewood Hospital & Medical Center**

The Firm represents or has represented the interests of a number of corporate clients and/or businesses, including:

**Amerada-Hess  
Benzel Busch  
First Constitution Bank  
Haseko  
North Jersey Community Bank  
Panasia Bank  
Samsung Life Insurance Co., Ltd.  
Samsung Realty of America, Inc.  
Vornado Realty Trust  
Mitsuwa International**

Our experience is extensive and covers the full range of New Jersey public and private representation. We are committed to providing our clients with the highest level of quality service at a reasonable cost.

**PUBLIC DISCLOSURE INFORMATION**


Chapter 33 of the Public Laws of 1977 provides that no Corporation or Partnership shall be awarded any State, city, Municipal or Schools District contracts for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the bid or accompanying the bid of said corporation or partnership there is submitted a public disclosure information statement. The statement shall set forth the names and addresses of all stockholders in the corporation or partnership who own ten percent (10%) or more of its stock of any class, or of all individual partners in the partnership who own ten percent (10%) or greater interest therein.

**PARTNERS:**

Name	Address	% Owned
Brian M. Chewcaskie	115 Fox Drive Allendale, NJ	50%
Steven Muhlstock	6 London Court Teaneck, NJ	50%

  
\_\_\_\_\_  
Brian M. Chewcaskie  
Partner

Sworn to and subscribed before  
me this 14<sup>th</sup> day of September, 2018

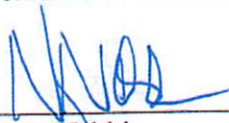
  
\_\_\_\_\_  
Carol Ann Janelli, Notary Public of N J  
My Commission expires 10/22/21

**NON COLLUSION AFFIDAVIT**

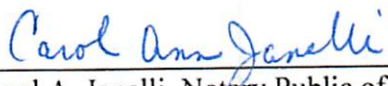
STATE OF NEW JERSEY     )  
  ).ss:  
COUNTY OF BERGEN        )

I certify that I am Nylema Nabbie, an associate in the firm of Gittleman, Muhlstock & Chewcaskie, LLP, the bidder making the proposal for the above named project, and that I executed the said proposal with full authority so to do; that said bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the Borough of Closter relies upon the truth of the statements contained in said proposal and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by (N.J.S.A. 52:34-25).

  
\_\_\_\_\_  
Nylema Nabbie

Sworn to and subscribed to before  
me this 14<sup>th</sup> day of September, 2018

  
\_\_\_\_\_  
Carol A. Janelli, Notary Public of NJ  
My Commission Expires 10/22/21



**BRIAN M. CHEWCASKIE**  
**Attorney at Law**  
**115 Fox Drive**  
**Allendale, NJ 07401**

- Experience:** Gittleman, Muhlstock & Chewcaskie, LLP  
2200 Fletcher Avenue  
Fort Lee, NJ 07024  
Partner 1989 to Present  
Managing Partner for multi-disciplined law firm.  
Practice areas include municipal law, land use  
and zoning, real estate and commercial litigation
- Education:** Seton Hall University Hall of Law  
One Newark Center  
Newark, New Jersey 07102  
J.D. 1984 - Cum Laude
- Fordham University - College of Business Administration  
Fordham Road  
Bronx, New York 10402  
B.S. 1981 - Cum Laude
- Affiliations:** Chairman - Northwest Bergen County Utilities Authority - 2012 to 2017
- Commissioner - Northwest Bergen County Utilities Authority  
2005 - Present
- Member of New Jersey State Bar Association Land Use Section  
Board of Directors
- Member of District II Ethics Committee (District IIB - Bergen County)  
1996 - 2000
- Member of Bergen County Bar Association
- Member of New Jersey State Bar Association
- Member of The 200 Club of Bergen County
- Instructor for Bergen County Bar Association - Land Use Committee  
Land Use Symposium

**NYLEMA NABBIE, ESQ.**

**EDUCATION**

Seton Hall University School of Law, 1996  
Admitted in New York (1997) and New Jersey (1996)

Seton Hall University, 1988-1992  
Cum Laude

**MEMBERSHIPS**

Director, Land Use Section, New Jersey State Bar Association - 2009 to 2016

**EXPERIENCE**

***Gittleman Muhlstock & Chewcaskie, LLP - 2004 to present***

Substantial experience in zoning and land use in the State of New Jersey. Land use experience includes prosecution/defense of actions in lieu of prerogative writs on behalf of land use boards and developers. Commercial litigation experience, including successful challenge as to the constitutionality of municipal zoning ordinances pursuant to Federal and State Constitutions. Counsel to various land use boards, including the Hillsdale Joint Land Use Board from 2014 to present. Responsible for representing the Firm's land use boards, including the West New York Board of Adjustment, North Bergen Planning Board and River Edge Municipal Land Use Board. Counsel to private developers. Worked with Borough counsel on potential redevelopment of areas in need of redevelopment. Counsel to various municipalities and experienced in affordable housing litigation on behalf of municipal clients. Well versed in affordable housing issues within the State of New Jersey. Substantial experience in handling of complex commercial real estate transactions and preparation of relevant agreements. Responsible for lease preparation, negotiation and review on behalf of private and corporate clients. Experienced in the representation of lenders and private individuals on commercial, construction and residential loan transactions. Responsible for the preparation of public offering statements and registration of multi-family projects with the Department of Community Affairs. Tax appeal experience.

***Hersh Ramsey & Berman- 2002 to 2004***

Experienced in zoning and land use, as well as prerogative writ, commercial, construction defect and federal litigation. Relevant land use experience includes working with developers on redevelopment projects and counseling the Firm's clients. Experience included the representation of T-Mobile and other cellular carriers before land use boards throughout the State of New Jersey. Experienced in the representation of condominium associations throughout the State of New Jersey. Served as counsel to various condominium associations. Extensive commercial real estate experience.

***Schepisi & McLaughlin - 1999-2002***

**Experienced in commercial, construction defect and Mount Laurel litigation. Represented lenders and private individuals on commercial, construction and residential loan transactions. Extensive commercial and residential real estate experience.**

## **RESUME**

**STEVEN D. MUHLSTOCK, ESQ.**

**GITTLEMAN MUHLSTOCK & CHEWCASKIE, LLP**

2200 FLETCHER AVENUE

FORT LEE, NEW JERSEY 07024

TELEPHONE (201) 944-2300

FAX (201) 944-1497

Born New York, NY, January 23, 1952; admitted to bar 1976, New Jersey; 1977, New York. Education: Rutgers University (A.B., 1973); New York Law School (J.D., 1976). Notes and Comments Editor, New York Law Forum, 1975-1976. Author: "Expungement of Arrest Records," 21 New York Law Forum 1, 1975.

Real Property Tax Appeal Attorney (past and present) for Dumont, Englewood Cliffs, Fort Lee, Leonia, Hackensack, Mahwah, Oakland, Saddle Brook, South Hackensack, Woodcliff Lake.

Special Tax Appeal Counsel for Edgewater, Edison, Fair Lawn, Franklin Lakes, Hasbrouck Heights, Teaneck, Woodland Park.

Private corporate clients include Jos. L. Muscarelle, Inc., Mitsuwa, Onyx Equities, LLC, Red Roc Realty, TREECO Properties, Ward Trucking, LLC.

### **Reported Tax Cases:**

Humble Oil v. Borough of Englewood Cliffs, 71 N.J. 401 (1976).

Inganamort, t/a Mediterranean Towers v. Borough of Fort Lee, 202 N.J. Super 87 (App. Div. 1985).

Americana Associates v. Borough of Fort Lee, 202 N.J. Super 92 (App. Div. 1985).

Southbridge Park, Inc. v. Borough of Fort Lee, 201 N.J. Super 91 (App. Div. 1985). Set forth basis for valuation for cooperative apartment buildings.

CPC In., Inc. v. Borough of Englewood Cliffs, 193 N.J. Super 261 (App. Div. 1985). Refined the concept of functional obsolescence.

Clemente v. South Hackensack, 27 N.J. 255 (Tax Ct. 2015).

Red Roc Realty v. Lyndhurst, 28 N.J. 272 (App. Div. 2014).  
Forsgate Ventures IX v. South Hackensack, decided 01/26/16 (approved for publication), \_\_\_ N.J. Tax \_\_\_ (Tax Ct. 2016)

Seatrain Lines, Inc. v. Borough of Edgewater, 192 N.J. 535 (App. Div. 1983).

Berkeley Arms Apartment Corp. v. City of Hackensack, 7 N.J. Tax 457 (Tax Ct. 1985). Set forth principles regarding challenges to complete municipal assessment proceeding.

Linwood Properties, Inc. v. Fort Lee Borough, 7 N.J. Tax 305 (Tax Ct. 1985).

Southbridge Park, Inc. v. Borough of Fort Lee, 6 N.J. Tax 351 (App. Div. 1984).

Inwood Owners, Inc. v. Township of Little Falls, 216 N.J. Super 485 (App. Div. 1987).

Highview Estate v. Borough of Englewood Cliffs, 6 N.J. Tax 194 (Tax Ct. 1983). Commercial office valuation.

Berkeley Arms Apartment Corp. v. City of Hackensack, 6 N.J. Tax 260 (Tax Ct. 1983). Established the methodology of valuation of cooperative apartment structures.

Seatrain Lines v. Edgewater Borough, 4 N.J. Tax 378 (Tax Ct. 1982). Specialty property (waterfront) valuation.

Mahwah Township v. Fort Lee Borough and Englewood Cliffs Borough, et also., 3 N.J. Tax 513 (Tax Ct. 1981).

Leonard Rothman and Mildred Rothman v. City of Hackensack,  
4 N.J. Tax 529 (App. Div. 1981).

Devonshire Development Associates v. City of Hackensack, 184  
N.J. Super 371 (Tax Ct. 1981). Established principle that  
County Board had jurisdiction to raise assessments.

9W Contractors, Inc. v. Englewood Cliffs Borough, 176 N.J.  
Super 603 (Tax Ct. 1980). Vacant commercial property.

Leonard Rothman and Mildred Rothman v. City of Hackensack,  
1 N.J. Tax 438 (Tax Ct. 1980).

Gabrellian and Jessourian Associates v. Oakland, 11 N.J. Tax  
310 (1990).

City of Hackensack v. Hackensack Medical Center, 9 N.J. Tax  
460 (1988). (Exemption)

Borough of Englewood Cliffs v. Director, Division of Taxation,  
18 N.J. Tax 662 (App. Div. 2000). (Ratio Challenge)

Bestfoods v. Englewood Cliffs, 19 N.J. Tax 266 (Tax Ct. 2001), aff'd.  
20 N.J.  
Tax 237 (App. Div. 2002). (Corporate Headquarters)

Chesapeake Hotel L.P. (Marriott) v. Saddle Brook, 22 N.J. Tax 525  
(Tax Ct. 2005) (Hotel Valuation)

09/24/04

Taxpayer Identification# 222-978-440/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Hotline at (609)292-1730.

We wish you continued success in your business endeavors.

Sincerely,

*John E. Tully*  
John E. Tully, CPA  
Acting Director

STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE		DEPARTMENT OF TREASURY/ DIVISION OF REVENUE PO BOX 252 TRENTON, NJ 08646-0252
TAXPAYER NAME: GITTLEMAN, MUHLSTOCK & CHEWCASKIE, LLP	TRADE NAME:	
TAXPAYER IDENTIFICATION#: 222-978-440/000	SEQUENCE NUMBER: 0551011	
ADDRESS: 2200 FLETCHER AVE 9W OFFICE CT FORT LEE NJ 07024	ISSUANCE DATE: 09/24/04	
EFFECTIVE DATE: 01/27/97		
FORM-BRC(08-01)		

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.

Certification  
**CERTIFICATE OF EMPLOYEE INFORMATION REPORT 25465**

**RENEWAL**  
This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of

15-SEP-2012 to 15-SEP-2019



GITTLEMAN, MUHLSTOCK, & CHEWCASKIE, LLP  
2200 FLETCHER AVE.  
FORT LEE NJ 07024



Andrew P. Sidamon-Eristoff  
State Treasurer

*Handwritten mark or signature at the bottom of the page.*



**BOROUGH OF CLOSTER  
RESOLUTION TO PURSUE A "FAIR AND OPEN" PROCESS IN AWARDING CERTAIN  
CONTRACTS IN THE BOROUGH OF CLOSTER**

**WHEREAS**, the laws of the State of New Jersey regarding the awarding of certain municipal contracts requires that said contracts be awarded pursuant to the provisions of N.J.S.A. 19:44A-20, et. seq., commonly called the "Pay to Play" law; and

**WHEREAS**, the governing body desires to pursue the "Fair and Open" process set forth in the law in awarding contracts for the following positions for 2019:

- Borough Attorney
- Borough Bond Attorney
- Borough Appraiser - Commercial Properties
- Borough Appraiser – Residential Properties
- Borough Public Defender
- Borough Prosecutor
- Borough Alternate Prosecutor
- Attorney to the Planning Board\*
- Attorney to the Zoning Board of Adjustment\*
- Borough Planner (Master Plan Reexamination)\*
- COAH Planner
- Borough Auditor
- Borough Engineer; including Planning Board and Zoning Board of Adjustment
- Financial Advisory Services
- Risk Manager
- Landscaper for Foreclosed and Abandoned Properties
- Qualified Purchasing Agent
- Duly licensed personnel to carry out the following public health activities:
  - (a) Public Health Administration: health officer, electronic information notification (LINCS), health education.
  - (b) Environmental Health Services – Registered Environmental Health Specialist (Approximately 24 hours per week but additional hours may be assigned subject to Board of Health approval).
- All of the services described in a & b above shall meet "Public Health Practice Standards of Performance for Local Boards of Health in New Jersey."


**\*WHEREAS**, the governing body recognizes that under the law, the Planning Board and Zoning Board of Adjustment may make the final decision as to whether or not to use the Fair and Open process when awarding their contracts; however, the governing body strongly recommends that these Boards use the Fair and Open process.


**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Closter that the governing body desires to pursue the Fair and Open Process in awarding contracts for the positions set forth above and the Borough Clerk is hereby authorized to advertise for said positions pursuant to the law.

**BE IT FURTHER RESOLVED** that the Borough Clerk shall provide a copy of this Resolution to the Board of Health, the Planning Board, and Zoning Board, and the Borough Clerk and Borough Attorney are hereby authorized to take all further steps necessary to carry out the governing body's desire to pursue the Fair and Open process in awarding the contracts for the positions set forth above.

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

Adopted: October 24, 2018

ATTEST:  
  
 Loretta Castano, 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 October 24, 2018.

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

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION NOTES – OCTOBER 24, 2018 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, October 24, 2018. Mayor Glidden called the meeting to order at 7:32 p.m.

1. PLEDGE OF ALLEGIANCE

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

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 6, 2018, 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 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

At this time, Mayor Glidden deviated from the Agenda and informed that he would address the Presentation scheduled for the Regular Meeting to avoid having anyone wait around.

4. PRESENTATION(S)

- a. DUMONT TROOP 1345 BOY SCOUT TYLER PENDLETON PRESENTATION RE EAGLE SCOUT PROJECT FOR CONSTRUCTION OF A SHED AT MACBAIN FARM (Requested by Mayor Glidden 10/19/18)

Tyler Pendleton, Dumont Boy Scout Troop 1345, explained the purpose of his Eagle Scout Project is to provide a shed for the MacBain Farm, which will measure 10' by 10' to house all the tools and equipment in addition to benches and tables for the pergola. The roof will be barn shaped and will either be stained or painted to match the house on the property. The location, which has been discussed with the Environmental Commission, will be down the hill from the barn. The cost will be approximately \$3,500; and all of the logs will come from local trees and will be milled by John McCaffrey of Alpine Gardens. Tom Colwell, member of the Environmental Commission, said the location is where the road slopes down to the lower field under the trees where it will not stand out but have easy access from the road. Tyler said the other expenses will be the purchase of the shingles, pavers and pressure treated wood to sit under the shed. In answer to Councilwoman Chung, he said he chose Closter for the project because he started as a Cub Scout in Closter and all his friends are located here. The Closter troop does not meet as often as he would like and his father runs a Boy Scout Camp and had made a presentation for the Dumont troop, so he attended to see what the Troop was like. He said at his first meeting in Dumont, he was welcomed into the troop and he felt like he had been with them forever. Mayor Glidden said the Closter Boy Scout Troop has endorsed the project. In answer to Councilwoman Amitai relative to the funds needed for the project, Tyler said he must submit a fund raising application to the Boy Scout Council. It was the consensus of the Council to approve

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the project and include a resolution on same at the next meeting. Mayor Glidden thanked Tyler for attending the meeting and wished him the best of luck on his project.

At this time, as he said has been a recent custom, Mayor Glidden opened the meeting to the public.

Mike Pisano, 44 Columbus Avenue, advised that there is heat at the Lustron House and the garage sale was held two weeks ago. He gave house tours at that time and there was a great turn out. Irene Stella did a brochure on the house. He cited the political sign, which showed two political sides working together for the community, and said it was a breath of fresh air. Councilwoman Chung expressed appreciation for the comment. Mayor Glidden cited the political divisiveness in the federal government; and said we are making a statement with the political sign. The Council does not have sharp division on party lines.

Irene Stella, noted that there are plans for a similar event at the Lustron House but a group cleaning is still needed. Mayor Glidden said the wheels of government move slowly and contracts and public bidding take time.

Dr. David Barad, (26 Kinkaid Avenue), expressed appreciation for the political sign. He noted that Maria Kim is resigning from the Closter Improvement Commission and she has served the commission really well. He hoped that she will be recognized for her service. He urged the Council to do something to express their appreciation for all that Mrs. Kim has done for Closter; and Mayor Glidden expressed agreement. Dr. Barad noted that the Planning Board is working on the Ordinances for Affordable Housing issues; and they need to be voted on in a timely fashion but we must keep in mind the potential opportunity for developers. The ordinances must be read carefully. Mayor Glidden noted that the Planning Board would be holding a meeting tomorrow night and on November 1 there will be a vote on same to send the ordinances to the Council at which time they will be reviewed by the Council and ultimately sent back to the Planning Board. After it is determined that same are consistent with the Master Plan, they will be sent back to the Council for final adoption.

Mayor Glidden noted that Mike Reuten is here today and said we received a letter from Reuten Properties regarding their property on Herbert Avenue and the request to form a redevelopment zone. He said it is listed as a Mail List item. We will need to discuss the matter.

Mike Reuten, 239 Herbert Avenue, said we have two properties, 231 and 239 Herbert Avenue; and noted that 231 Herbert Avenue is a very old complex which was the family's manufacturing business. It has served us well; but at this time, it is obsolete; and there is a higher and better use for the property for the town. He said we would like to redevelop the property into a high-end senior living community, which will serve the town well. It will be a shot in the arm for downtown Closter. We look forward to working with the town on this project.

Mayor Glidden closed the meeting to the public and continued with the Agenda.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF OCTOBER 11, 2018 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 2b.IV.a was removed by Councilwoman Latner; Item No. 9 was removed by Borough Clerk.

Item No. 2b.IV.a: Received 10/05/18, Dated 10/05/18, from NJLM – New Jersey State League of Municipalities re Weekly Round-Up – October 5, 2018: IV. Also of Interest: Attorney General 21/21 Community Policing Project

In answer to Councilwoman Latner, Chief Kaine informed these programs pertain to big cities.

Item No. 9: Received 10/11/18, Dated 10/11/18, from Lion Ron, The Closter Lions Pancake Breakfast Committee re Request to place thirty-six (36) signs at major intersections in Closter (not specified) to advertise the annual Pancake Breakfast to be held on 10/28/18 at Northern Valley Regional High School

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(No Certificate of Insurance or Hold Harmless Agreement provided) Copy to Construction Official/Zoning Officer, Risk Management Consultant

In answer to the Borough Clerk, Mayor Glidden explained the Lions are having their Annual Pancake Breakfast this Sunday; and said it is a public event that raises money for the town; and he highly recommends we do so. He asked for a voice vote – just to add to all the campaign signs. Borough Attorney reported that there was an Ordinance Committee meeting last week; and he was directed to come up with rules for this going forward for signage and possibly asking the Council to consider differentiating between a for-profit application for signs as opposed to a municipal entity or a charitable or religious foundation. Right now everything is kind of on the same timetable; and over the past several years, as discussed at prior meetings, because it has been lax in terms of enforcement, people have gotten away from asking for permission in a timely manner. It has become a problem; and we need to enforce it going forward, although it would not affect this particular request. Mayor Glidden asked if there were any objections to approving same; and none were voiced.

b. MAIL LIST OF OCTOBER 18, 2018 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 1 was removed by Councilwoman Amitai; Item No. 3b was removed by Councilwoman Latner; Item No. 4a.IV.a. was removed by Councilman Yammarino; Item No. 6 was removed by Councilwoman Chung.

Item No. 1: Received 10/12/18, Dated 10/12/18, from Maria Kim, Chair, Improvement Commission, to Loretta Castano; c: Leslie Weatherly, Arthur Dolson, Mayor Glidden re Request for permission to hold tree lighting ceremony on Thursday, 12/6/18 @ 7 p.m. at Borough Hall (Rain date: Friday, 12/7/18 @ 7 p.m.) Copy to Risk Management Consultant, Chief Kaine, DPW Superintendent

Councilwoman Amitai informed there is a little problem as the Fire Department is usually in charge of putting the lights on the tree; and this year they don't have the equipment because it is out being serviced or something of that nature. Borough Administrator explained it was not the Fire Department but the Lupardi Family who has been handling this for years including paying for all of the lights and doing all of the work. He said the connection to the Fire Department is that the only way they can get to the tree is by using the ladder truck or platform truck. There was a defect in the truck and it was sent for evaluation for service; so it hasn't been fixed yet; but we hope just for the public safety of the community that we're going to borrow a truck; but we hope it will be back in a reasonable amount of time. The service may or may not affect the schedule of the lighting; but if it does, they will borrow a truck.

Councilwoman Amitai thanked the Lupardi family for all of their volunteerism over the decades. At this time, she informed the event start time has been changed from 7 p.m. to 6 p.m. as that is the time they can get the Wells Fargo carriage. She voiced her hopes that next year they can sign up earlier and get the carriage during daylight hours. Mr. Dolson noted he anticipated the evening would start with the carriage; and explained they have a system they follow for the transport and assembly/disassembly of the carriage as it comes from Delaware.

Item No. 3b: Received 10/12/18, Dated 10/12/18, from Kerry Kirk Pflugh, Director, Office of Local Government Assistance, NJDEP re NJDEP Weekly Update – October 12, 2018: Deer Rutting Season

Councilwoman Latner cited the dangers of the deer at night and requested that some of the safety warnings be posted on the website as daylight savings time is coming; and it will be getting darker earlier. The Mayor asked Mrs. Latner to send him a sentence or two for the newsletter next week.

Item No. 4a.IV.a: Received 10/12/18, Dated 10/12/18, from NJLM – New Jersey State League of Municipalities re Weekly Round-Up – October 12, 2018: IV. Also of Interest: NJ Homeowners Guide to Property Taxes

Councilman Yammarino said he downloaded this and went through it; and it really explains the property tax bill for those who may not understand it. He said there is a website [www.NJPropertyTaxGuide.com](http://www.NJPropertyTaxGuide.com) where this can be downloaded. Councilwoman Chung suggested some of the literature be available at the Tax Collector's office. Mayor Glidden asked Councilman Yammarino to send him the information for the newsletter. He explained he gets a lot of requests to add content and he tries to include all of the important matters; and he feels this is one is important.

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Item No. 6: Received 10/17/18, Dated 10/17/18, from Alexandra M. Goodman, Closter Board of Health Secretary/Licensing Official/Registrar, to Loretta Castano; c: Borough Attorney, Borough Administrator, Board of Health Members re Certified copy of Ordinance No. 2018-2, “An Ordinance Amending Code Section 250-33, Food Handlers and Managers Certification” (Introduced at the Special Meeting held 10/16/18; Public Hearing and Adoption scheduled to be held 11/15/18)

In answer to Councilwoman Chung, Borough Attorney explained they are adopting a State Statute pertaining to Food Handling and incorporating the State Statute as a whole by reference instead of rewriting the Code section every time it is updated. Borough Clerk noted that the Public Hearing and Adoption for this Board of Health Ordinance is scheduled to be held 11/15/18.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of October 24, 2018)

Mayor Glidden asked if any member of the Council wished to remove any item for discussion. Item No. 7 was carried by the Borough Attorney. Item Nos. 8 and 14 were removed by Councilman Devlin; Item No. 9 was removed by Councilwoman Chung.

7. *POSSIBLE* RESOLUTION AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE AGREEMENT BETWEEN THE BOARD OF EDUCATION AND THE BOROUGH OF CLOSTER REGARDING POLICE DEPARTMENT ACCESS TO REAL TIME VIDEO FEED OF SECURITY CAMERAS (Received from Borough Attorney 9/21/18 – Waiting for input from Chief of Police)

Borough Attorney said a draft is being sent to the Police Department for a final review; and requested that this Resolution be carried.

8. RESOLUTION AWARDED PURCHASE of EQUIPMENT FROM Certified Speedometer Service BOROUGH (BOND) ORDINANCE 2018:1241, Capital Account C-04-18-241-001-004 IN AN AMOUNT NOT TO EXCEED \$17,500.00 PER THE ATTACHED QUOTE DATED 8/20/18 (Received from Borough Administrator 10/3/18) Carried from RM 10/10/18

Borough Attorney cited a typographical error noting that the amount not to exceed should be **\$17,750**; and the resolution matches the low quote of \$17,750. The Borough Auditor has indicated that the Borough Administrator, as the Interim QPA, has the authority to sign off. We just need to verbally correct the diminimus error on the Agenda. The statute under which the Borough Administrator was appointed Interim QPA, has no cap of \$17,500. Borough Administrator noted that up to \$40,000 competitive quotes are allowed, but over that there must be public bidding.

9. RESOLUTION RENEWING LUSTRON HOUSE CARETAKER SERVICES CONTRACT TO PERFORM BASIC MAINTENANCE FOR A PERIOD OF ONE YEAR (Received from Borough Attorney 10/3/18) Carried from RM 10/10/18

Councilwoman Chung said she reviewed the contract and requested clarification as to the caretaker’s responsibilities and the Borough’s responsibilities. Borough Attorney said the caretaker cannot use motorized equipment; and the JIF position is that because this is a volunteer situation, there is no workers compensation insurance; and if there is an injury, it would open the Borough to liability. Under Workers Comp, the employer’s insurance company directs treatment so that costs are contained and there is no potential lawsuit for pain and suffering. Power drills on the Lustron House would probably be prohibited but non-power tools can be used. Councilwoman Chung said that there should be clarity that the DPW would take full responsibility for the use of motorized equipment. She questioned the chain of command and was advised by Mike Pisano that if he had a problem, he would address same with Irene Stella who said that the Preservation Plan said the work should be done under the direction of an Historic Architect. Sophie Heymann said she felt a full-time architect is not necessary; and she is trying to have Bill Martin do that job. Mayor Glidden said that in an emergency, the DPW should be called right away; but in the long term, problems should go to the caretaker, architect and subsequently to the Borough Administrator. Mike Pisano referred to the asbestos evaluation and he said he would like to be informed as to what is going on with the house. Borough Administrator emphasized that he has been including Mr. Pisano in all e-mails.

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14. RESOLUTION APPROVING PREPARATION OF PROFESSIONAL SERVICES AGREEMENT FOR TEMPORARY/INTERIM ZONING BOARD OF ADJUSTMENT ATTORNEY (Requested by Borough Attorney WS 10/10/18 and on 10/16/18 – 5. M.L. 10/04/18) TO BE PREPARED BY BOROUGH ATTORNEY (Received 10/23/18)

Councilman Devlin expressed concern about the new attorney citing past cases the firm has been involved with. He handed out news articles on these issues and said he felt the firm has been having problems. In answer to Mayor Glidden, Borough Attorney said he does not have an opinion on the law firm; that sometimes a lawyer has to do what his/her client wants to be done; and noted this is a temporary position until the end of this year. The Zoning Board voted to approve this individual; and it is on our agenda for approval of the contract. The position will be re-advertised in January; and more submissions should be available. He said he has started working with the Borough Clerk's office on next year's (fair and open) bids for professional services, as noted below.

15. RESOLUTION TO PURSUE A "FAIR AND OPEN" PROCESS IN AWARDING CONTRACTS FOR CERTAIN CONTRACTS AWARDED IN THE BOROUGH OF CLOSTER FOR 2019 PROFESSIONAL SERVICES – WS 10/10/18 - TO BE PREPARED BY BOROUGH ATTORNEY (Received 10/23/18)

16. MOTION APPROVING THE FOLLOWING MINUTES – NO ABSTENTIONS

- a. REGULAR MEETING HELD OCTOBER 10, 2018
- b. WORK SESSION HELD OCTOBER 10, 2018

Councilwoman Latner cited mistakes in the Minutes of the Work Session noting that during the Moment of Silence for Mr. Hagen, the college he attended was Haverford/not Haverwood and the correct spelling should be Mr. Stamberg/not Stanberg.

Councilwoman Amitai said that the Borough Clerk does amazing minutes.

6. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY – YAMMARINO (DEVLIN/WITKO)

- 1) REPORT RE FINANCE COMMITTEE MEETINGS – No report.
- 2) REPORT RE TECHNOLOGY COMMITTEE MEETINGS – Councilman Yammarino informed there were several outstanding items to discuss and they will try to get together in the next week or two. He informed he had one item to discuss in Closed Session regarding potential litigation.

- 3) LIAISON REPORTS – Councilman Yammarino had no report on the following items:
  - a. Historic Preservation Commission – The Commission did not meet this month.
  - b. Recreation Commission – No report.

B. PUBLIC SAFETY - LATNER (CHUNG/YAMMARINO)

- 1) REPORT RE PUBLIC SAFETY COMMITTEE MEETINGS – Councilwoman Latner informed the Closter Public Schools have a new alert system that was installed as well as cameras. It is her understanding they will be adding to the cameras so it is much better than it was a few months ago. Mrs. Latner noted the Borough Clerk gave her an article Arlene (Gray, Deputy Borough Clerk) copied for her from a recent issue of the Northern Valley Press that the Demarest campus of the high school now has Demarest Officer Don Cho as their full-time School Resource Officer; and she said it is nice to have an Officer back at the school. They previously had one from 2001-2012 but when the State imposed the 2% budget cap, it was no longer possible to have one.

Mrs. Latner congratulated Councilwomen Chung and Witko on last evening's Stigma Free meeting because it was very well received and had a very good turnout. She learned about crisis intervention training that she wanted to bring to the attention of Chief Kaine. The Chief reported the Department attended the mandated crisis intervention training and they are certified.

6. COMMITTEE REPORTS (Continued)

B. PUBLIC SAFETY - LATNER (CHUNG/YAMMARINO) (Continued)

1) REPORT RE PUBLIC SAFETY COMMITTEE MEETINGS (Continued)

At this time, Chief Kaine reminded the Governing Body passed a Resolution to participate in the government's 1033 Military Surplus Program. We have the opportunity right now to do an intra-agency exchange to pick up a non-armored Humvee. Last Friday, he, the Borough Administrator and DPW Mechanic went to look at the vehicle which is located at the Bogota Police Department. The mechanic went over it and it runs well; so there would be minimal paperwork required to affect the transfer if it is approved by the Council. In answer to Councilwoman Latner, he explained it can be used in Closter, as seen with the last rains when Piermont Road and Homans Avenue are flooded with numerous residents getting stranded. He doesn't want to put a police car out there to get flooded or washed away. It will also be of assistance during major snowstorms; and when not in use, it would be parked in the back of the DPW. The Chief said he was able to get approval for twenty-one (21) portable first aid kits that include tourniquets and quick clots for the members free of charge; we only have to pay \$25 shipping. Normally they cost \$90.00 each, so we're getting a \$1,900 value for only \$25. The Chief informed we only have 14 days to act on the quick clots; and if we don't act on the shipping, the cost will go back to the Officers' portion. Mayor Glidden asked if there were any objections on same; and no objections were voiced to the first aid kits; however, Councilman Devlin objected to the Humvee. Mr. Devlin voiced his understanding that the 1033 Program requires us to maintain that vehicle and keep it in good operating order; and he presumes that the parts for a Humvee are probably pretty expensive. He said we are a small town with a small number of residents; and Bogota is probably trying to get rid of it for a reason. Borough Administrator informed Bogota is getting two new Humvees which is why they are getting rid of this one. Mayor Glidden supported acquisition of the Humvee. Councilwoman Chung questioned what the maintenance costs would be and Chief Kaine said it depends on the use; but the Borough Mechanic went over it, and there seemed to be no problems. Mr. Dolson voiced his recollection they were told that any parts needed would also be coming through the same program and the Chief concurred. Mr. Dolson further explained it is like a rent/lease program where they support the maintenance of the vehicle; and should the need ever arise, the vehicle would go back to the government. Mayor Glidden asked for a consensus to give the Chief direction; and no objections were voiced, with the exception of Councilman Devlin who said he objected but it appears there would be enough votes for it to pass.

Chief Kaine reminded that the DEA Drug Takeback Program would be held this Saturday. In answer to the Borough Attorney, the Chief said no Resolution showing any action was required because the Borough already adopted a Resolution earlier this year authorizing participation. Only larger vehicles and tactical equipment would require individual resolutions.

2) LIAISON REPORTS

a. Board of Education – NVRHS - Councilwoman Latner reported NVRHS will be holding a Trunk or Treat on 10/30/18 from 5 p.m. to 7 p.m.; and she would ask Kevin Whitney to post same on the website and Facebook. Additionally, they are collecting candy donations at the Police Departments until 10/29/18. She said the marching band won several awards and Girls Tennis North won sectional championships earlier in October. Several students were recognized for outstanding presentations at a STEM competition. Superintendent Sabatini recently accepted awards on behalf of both high school campuses by the New Jersey School Boards Association. It was reported that 122 senior students recently registered to vote as part of a student led initiative.

b. Library Board of Trustees – Mrs. Latner reported they are painting and cleaning up some columns outside the Library; and there is still a constant leak in the children's room they are still working on and have hired an x-ray technician to look into it further to try and resolve it. She thanked the Borough Attorney for providing the sick leave policy. Mrs. Latner was pleased to report all of the programs are moving smoothly and that our BCCLS system lends out more books than we take in. The recent book sale raised \$2,900. She provided a chart of previous book sale comparisons to the Borough Clerk for the Borough files. Mrs. Latner noted there are three people who have given extraordinary service to the Library book sales; and asked the Mayor if there was any way to show our appreciation. Mayor Glidden offered to do Proclamations at an upcoming meeting and she agreed to send the information to him and thanked him for same.

6. COMMITTEE REPORTS (Continued)

B. PUBLIC SAFETY - LATNER (CHUNG/YAMMARINO) (Continued)

At this time, Councilwoman Chung referred to the issue using the Library as an emergency shelter as we enter winter and storm season, as there were residents who needed to take shelter but the Library hours are fixed. She wanted to know if there has been further discussion or any resolution on that matter. Mayor Emeritus Heymann recalled that the Library offered to be open around the clock when needed; and Mrs. Latner said the issue was there were some employees who needed to go home in terms of late hours and questioned would food be provided. In terms of Emergency Management, Chief Kaine informed they ended up opening the Senior Center at one point. Mrs. Latner said she will bring it up at their next meeting.

C. PUBLIC WORKS - CHUNG (AMITAI/LATNER)

1) REPORT RE PUBLIC WORKS COMMITTEE MEETINGS – Councilwoman Chung informed she had nothing to report other than voicing her opinion that our DPW is the best in the Northern Valley area.

2) LIAISON REPORTS – Mrs. Chung reported the following:

a. Fire Department – They have requested that the Mayor and Council select a few days that they can come together and have a visit; and she asked if the Borough Administrator would coordinate that with the Fire Chief. In answer to the Mayor, she said the Fire Chief just wants the Council to see the equipment so they have a better understanding when they request repairs or ask for new equipment.

At this time, Councilwoman Latner informed she sent information about a possible mutual aid agreement with Sparkill (NY) to Councilwoman Chung and the Borough Attorney; and Mrs. Chung thanked her for same.

Mrs. Chung reminded the Department requested baseball cards for their trucks instead of the volunteers, they have reduced their selection to seven (7) cards for the trucks and maybe a bonus card with the Fire Chief. She said she doesn't know if they can contribute to that but suggested they get pricing on same. Fire Chief Lupardi also asked again about reinstating the Junior Fire Department; and Mr. Dolson reminded he brought the issue up recently. He said the question is how to accomplish that formally and how to organize it. Mrs. Chung said the Chief couldn't recall how the original Junior squad was created when he first did it, but she feels it would be a great program to reinstate for next year.

Councilwoman Chung reported there was a malfunction with the tower ladder truck which she believes is being considered for insurance. Borough Administrator affirmed there were two (2) routes they are taking: insurance and maintenance and warranty work to defray the costs since the actual tower itself it defective. Mrs. Chung said the problem came to light while a firefighter was up in the tower and he was stuck; so it was scary but he is okay. She reported the Chief informed her that the air conditioning needs to be replaced; and Mr. Dolson said they just did it during the heat wave because he found someone to repair it and arrangements were made. Mrs. Chung voiced her understanding they are still having issues with it; and he said he would look into same.

b. Zoning Board of Adjustment – No report.

c. Northern Valley Greenway – No report.

3) Special Mayoral Assignment – Stigma Free (WS 6/27/18) – The Committee had their first event last night which she felt went really well. Ben Latner was a fantastic panelist; and there were between 40-45 people; so they are off to a great start; and, hopefully, we will see more in the future.

D. ORDINANCES - DEVLIN (WITKO/AMITAI)

1) REPORT RE ORDINANCE & LEGISLATIVE COMMITTEE MEETINGS – Councilman Devlin reported the Ordinance Committee met recently and they are finishing the personnel ordinance. The Committee settled on 90 days for the amount that new staff could carry over; and if they had less than 90, they could carry over up to 90 days. They would like to have it introduced and it can always be amended later on. They spoke about the sign ordinance and ways to streamline it for requests. He noted that he recently saw some political signs which are around 48 x 24 that did not comply with our campaign sign size which is currently limited to 16 x 24. In answer to the Mayor, he did not specify which signs they were but said the Committee discussed it at length and the fact that some people choose not to abide by it.



6. COMMITTEE REPORTS (Continued)

D. ORDINANCES - DEVLIN (WITKO/AMITAI) (Continued)

2) LIAISON REPORTS – Mr. Devlin reported the following:

- a. Environmental Commission (Voting member) – The MacBain Farm Fest was a great success.
- b. Shade Tree Commission (Voting member) – The Commission will be moving forward with fall plantings.

E. HUMAN RESOURCES – WITKO (CHUNG/LATNER)

1) REPORT RE PERSONNEL COMMITTEE MEETING(S) – Councilwoman Witko informed she had a Closed Session matter regarding personnel.

2) LIAISON REPORTS – Mrs. Witko reported the following:

a. Board of Education – Closter Public Schools – She attended a recent meeting and they are now in the process of interviewing for a new business administrator as Mr. Iappelli is no longer there; and to her knowledge, he is also moving out of town. Ms. Witko informed she will be sending an OPRA Request to the Board of Education to ascertain the terms of the settlement agreement. The school is testing the new security system which will include the use of a keypad as opposed to a tag around their neck. Hillside School has a new evacuation location.

b. Board of Health – The Board did not meet in October.

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

1) REPORT RE CONSTRUCTION DEPARTMENT MEETING(S)

2) LIAISON REPORTS

a. Planning Board (Voting member) – The Board has been meeting and now they have a huge responsibility with many ordinances. Aside from the fact that it is confusing, it is complicated and very difficult; and they hope to finish with that really soon. They also have the Reexamination Report and the Master Plan and Housing Element as part of COAH. Billy (Dahle, DPW Superintendent) offered to jump start the Chamber of Commerce to get some kind of activity with some of the new members downtown, as she mentioned at the last meeting, once the Planning Board settles down.

b. Improvement Commission (Voting member) – The Commission met yesterday and discussed the second story hour to take place on 11/18/18 at 5 p.m. There will be gifts to the winners chosen by the subcommittee. They spoke earlier about the tree lighting; and they hope for another successful event. There may be gifts in addition to the candy canes from Santa. She is waiting to hear back from DPW Superintendent regarding what they need to do to complete an art box project on just one electrical box which they would pay for using funds they raised at a previous event. She was sad to report Maria Kim will be leaving the Commission; and noted there are one or two other members who never come around or never participate in anything. Mrs. Amitai noted their Commission has been doing events, which are not in accordance with their By-Laws; but that is what they have been doing as of late. In answer to Councilwoman Chung, she said there is a member who is willing to step up into Maria's shoes as Chair. As soon as the IT Coordinator recovers from a recent surgery, he said they will get together to discuss the Closter App.

G. MAYOR'S LIAISON REPORT – Mayor Glidden reported the following:

- a. Ambulance Corps – Nothing new to report; they are doing very well.
- b. Borough Engineer – Nothing new to report.
- c. Senior Citizens – They meet once a month.
- d. Northern Valley Mayor's Association – There is a meeting tomorrow night.

At this time, the Mayor made a few announcements. He reminded the Lions Club Pancake Breakfast is this Sunday at 8 a.m. The Halloween Parade is this Sunday at 12 noon. On Sunday, 11/18/18, the Improvement Commission will be holding the second storytelling event. The Mayor said he hopes everybody is ready for Atlantic City.

7. OLD BUSINESS

- a. Borough Attorney follow up after Work Session of 10/10/18 re:  
Report re letter to be sent to Borough of Norwood at request of Mayor  
regarding status of EMERGENCY REPAIRS TO BE MADE AT DWARSKILL  
BRIDGE ON BLANCH AVENUE ALONG THE NORWOOD BORDER  
(Borough Engineer to provide copy of letter from the County to the Borough Attorney)

Mayor Glidden reported that there would be a meeting with the County next Thursday on this matter relative to the Blanch Avenue culvert at Dwarskill and Blanch Avenue which may have to be closed to get that fixed; but there is now a dispute as to who owns that bridge between ourselves and Norwood.

- b. Borough Administrator follow up after Work Session of 10/10/18 re:  
Report re SWIM CLUB PHASE II CONTAMINATION INVESTIGATION (Authorized  
RM 7/9/14) Authorization to proceed with Proposal from Boswell Engineering dated 5/3/18  
as requested by Mayor Glidden

Borough Administrator said this was discussed with the Mayor; and from the records he had, the estimate for the environmental cleanup exceeds \$1M. If we designate the property as open space, there is potential to obtain a State grant up to 75% of the expense. He would have to include this item in the 2019 Budget in the amount of \$1,500,000 to cover the cost and await reimbursement. He said they now wait for Council direction if they want to designate that land; and he will add it to next year's budget. He reminded this would be funded and not something that raises tax dollars. Mayor Glidden voiced his opinion that it is Borough property and it is our responsibility to clean it up.

At this time, the Borough Clerk reported the following:

- a. **Reminder re General Election will be held on Tuesday, 11/6/18 from 6 a.m. to 8 p.m.**  
Fairly New Polling Places: Library – Districts 1 and 5 - Senior Center – Districts 2, 3, 4 and 6

Borough Clerk noted that the machines have been delivered to the polling places and a memo was sent to Chief of Police explaining the details with copies to Administrator, Mayor, DPW Superintendent, Library Director, President of Senior Citizens and Borough Attorney. Signs of the polling places have been posted in a number of locations because there was such a low turnout at the Primary Election in June. She asked that if anyone had a suggestion for any other locations to post signs, to please let her know.

- b. **Special Meeting has been advertised to be held Monday, 11/5/18, in Council Chambers at 8:00 p.m.** – Ms. Castano reported they are starting to prepare the Agenda and asked all to be aware of this meeting.

c. **League Conference** – Borough Clerk asked that she be advised of any changes by tomorrow adding that any information received by 11/5/18 will be provided to them at that Special Meeting by the Deputy Borough Clerk who will be handling that meeting.

In answer to Councilwoman Amitai, Borough Attorney said he would be circulating pros and cons and sample ordinances relative to marijuana issues.

Councilwoman Latner referred to the possibility of sidewalks at the new construction at Knickerbocker and Harrington Avenue and informed the Leo family has contacted her again to see if there has been any progress on the sidewalk issue. Borough Engineer noted that the conceptual plan has been done and residents should be approached on the matter. Borough Attorney explained easements are a legal matter and voiced his understanding that they were going to ascertain the interest of the residents before proceeding any further. Borough Administrator said he had suggested moving the center line several feet and putting another stripe by the side of the road to provide a bicycle/pedestrian walkway. He did not feel narrowing of the north/south lanes would be significant. It would be a quick remedy. Borough Engineer questioned the safety of the walkway noting there would be no barrier from the traffic. The Borough should address this matter with the property owners. Mayor Glidden said we should start moving forward on this.

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – OCTOBER 24, 2018 – 7:30 P.M.

Councilwoman Chung referred to a project on West Street and Westminster before the Zoning Board and said the Board stressed the need for sidewalks; and Borough Administrator cited a new home construction and hoped they would not request a waiver.

8. NEW BUSINESS

a. Discussion re Heidenberg Traffic Control Device (Requested by Borough Attorney 10/16/18)  
Mayor Glidden informed there was supposed to be discussion on this matter but it has been rescheduled to the November 19<sup>th</sup> meeting.

Borough Engineer cited the LFIF (Local Freight Impact Fund) grant that has been sent out by the DOT; and he suggested that the Borough submit the same grant application for Railroad Avenue as last time. No objections were expressed by Council members.

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

David Barad (26 Kinkaid Avenue) referred to the billboard issue and suggested that the ordinance be addressed relative to size of same. He cited the possible proposal for redevelopment cautioning that it should be looked at very carefully. In answer to Mayor Glidden, he noted redevelopment is more common in big cities; and the State says it has been happening in suburban areas as well.

Joe Bianco, 7 MacArthur Avenue, cited his experience in the redevelopment field and said he would be willing to assist the governing body. He urged the Council to be very careful.

Mayor Glidden said this needs a significant amount of investigation and discussion at the next meeting.

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 9:20 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 November 1, 2018 for approval  
at the Regular Meeting to be held  
November 5, 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 Special Meeting held Monday, November 5, 2018  
Consent Agenda Item No. 11b