

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – WEDNESDAY, JULY 24, 2019 - 7:30 P.M

Mayor Glidden called the meeting to order at 8:23 p.m.

1. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Annual Notice of Meetings which was published in The Record and The Star Ledger on January 9, 2019, 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 and Jannie Chung
- Interim Borough Administrator, Edward Hynes
- Borough Attorney, Edward T. Rogan
- Borough Clerk, Loretta Castano
- Borough Engineer, Nick DeNicola
- Chief of Police, John McTigue

The following persons were absent:

- Councilwoman Victoria Amitai

3. MAYORAL PRESENTATION(S)

4. PRESENTATION(S)

5. MAYORAL APPOINTMENTS TO BOARDS AND COMMISSIONS (Not made to date)

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>MAYOR GLIDDEN'S APPOINTMENT</u>	<u>TERM</u>	<u>EXPIRES</u>
*Environmental Commission				
Associate Member	<u>Jeffrey Lee</u> <i>(Declined Appointment)</i>	<u>NO APPOINTMENT</u>	1 Year (Unexp. Vacant)	31-Dec-19
Associate Member	<u>Grace Whitney</u> <i>(Appt. Member RM 6/12/19)</i>	<u>NO APPOINTMENT</u>	1 Year (Unexp. Whitney)	31-Dec-19
*Planning Board				
Alternate No. 1	<u>Melissa Corso</u> <i>(Resigned 3/11/19)</i>	<u>NO APPOINTMENT</u>	2 Years (Unexp. Corso)	31-Dec-20
*Shade Tree Commission				
Alternate No. 2	<u>Tsun Tam</u> <i>(Appt. Member ReOrg 1/2/19)</i>	<u>NO APPOINTMENT</u>	4 Years (Unexp. Tam)	31-Dec-19

ORDINANCES

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

These Ordinances were introduced at the Regular Meeting held 6/26/19, and were published in The Record issue of 7/2/19, as stated in the printer’s affidavit of publication. Reprints of these Ordinances were posted on the Municipal Bulletin Board in accordance with statutory requirements, and copies have been made available to the general public.

a. ORDINANCE NO. 2019:1255, “AN ORDINANCE TO AMEND CODE CHAPTER 48, PERSONNEL POLICIES”

Mayor Glidden opened the public hearing. No one wishing to be heard, Mayor Glidden closed the public hearing and asked for a motion to adopt.

Motion adopting Ordinance No. 2019:1255 was made by Councilwoman Witko, seconded by Councilman Yammarino and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino and Chung.

b. ORDINANCE NO. 2019:1259, “AN ORDINANCE AMENDING CHAPTER 108, FLOOD DAMAGE PREVENTION”

Mayor Glidden opened the public hearing. No one wishing to be heard, Mayor Glidden closed the public hearing and asked for a motion to adopt.

Motion adopting Ordinance No. 2019:1259 was made by Councilwoman Witko, seconded by Councilman Devlin and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino and Chung.

c. ORDINANCE NO. 2019:1260, “AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$21,400.00 FROM OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS TO THE LUSTRON HOUSE”

Mayor Glidden opened the public hearing. No one wishing to be heard, Mayor Glidden closed the public hearing and asked for a motion to adopt.

Motion adopting Ordinance No. 2019:1260 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 and Chung.

~~d.~~ ORDINANCE NO. 2019:1261, “AN ORDINANCE TO AMEND CODE CHAPTER 171, STREETS AND SIDEWALKS, ARTICLES IV, SIDEWALK CONSTRUCTION AND ARTICLE VI, STREET EXCAVATIONS”

Mayor Glidden opened the meeting to the public. At this time, Borough Attorney noted that questions have been received from the Building Department relative to definitions and payment of the fee. It was decided to carry the ordinance and request members of the Building Department to attend the next meeting to clarify their questions.

~~e.~~ ORDINANCE NO. 2019:1262, “AN ORDINANCE TO AMEND CODE CHAPTER A301, FEES AND DEPOSITS, SUB-SECTION C, CONSTRUCTION OFFICE, PARAGRAPH (1) (w), PRIVATE WALKWAYS”

Borough Attorney noted that questions have been received from the Building Department relative to the fee schedule indicating dollars and cents. It was decided to carry the ordinance and request members of the Building Department to attend the next meeting to clarify their questions.

Motion to adjourn the public hearings on Ordinance Nos. 2019:1261 and 2019:1262 to the next meeting was made by Councilwoman Latner, seconded by Councilwoman Witko and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino and Chung.

7a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item No. 20 was made by Councilwoman Latner, seconded by Councilwoman Witko and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino and Chung

RESOLUTIONS

8. AUTHORIZING THE ISSUANCE OF AD INTERIM PERMIT NO. 2 FOR THE 2019-2020 LICENSE TERM FOR PLENARY RETAIL CONSUMPTION LICENSE NO. 0207-33-006-009 - CINEMEX NJ, LLC t/a CMX, 130 Vervalen Street
9. RESOLUTION TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDING CONTRACT FOR FINANCIAL ADVISORY SERVICES FOR THE BOROUGH OF CLOSTER (8. M.L. 7/4/19/Discussed at WS 7/10/19) Received from Borough Attorney 7/19/19)
10. RESOLUTION AUTHORIZING A TOWN-WIDE YARD SALE ORGANIZED BY THE CLOSTER FOOD & ASSISTANCE BOARD, WAIVING PERMIT FEES FOR PARTICIPANTS, AND ALLOWING PLACEMENT OF TEMPORARY SIGNS ON PARTICIPANTS’ AND BOROUGH’S PROPERTY (6. M.L. 7/4/19/Discussed @ WS 7/10/19) Received from Borough Attorney 7/15/19
11. RESOLUTION DESIGNATING SIGNATORS ON BANK ACCOUNTS (Received from Borough Attorney 7/19/19)
12. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR “2019 ALCOHOL ED REHAB ENFOR FUND” IN THE AMOUNT OF \$401.87 (Received from Assistant CFO 7/9/19)

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13. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO RELEASE AND RETURN BIDDER SECURITY BOND IN THE AMOUNT OF \$6,000.00 POSTED ON 6/25/15 TO VERIZON DUE TO THE EXECUTION OF A LEASE AGREEMENT AS PER THE BOROUGH ATTORNEY IN AN EMAIL DATED 7/9/19 (Received from Deputy Treasurer 7/11/19)
14. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO ISSUE A REFUND CHECK TO ELIZABETH L. MEYERS, 245 CLINTON PLACE, HACKENSACK, NJ 07601 IN THE AMOUNT OF \$100.00 PURSUANT TO N.J.S.A. 40-157b REGARDING THE DISPOSITION OF FOUND OR RECOVERED PROPERTY (Monies turned over to P.D. in 1/23/19; report on file in Finance Office) Received from Assistant CFO 7/11/19
15. RESOLUTION AUTHORIZING DEPUTY TREASURER TO CLOSE OUT THE SEVEN (7) NAMED ACCOUNTS AND DEPOSIT THE FUNDS INTO THE CURRENT TREASURY ACCOUNT DUE TO EXHAUSTION OF ALL MEANS OF LOCATING THE NAMED INDIVIDUALS (Received from Deputy Treasurer 7/12/19)
16. RESOLUTION HIRING PART TIME PAYROLL CLERK FOR A TEMPORARY PERIOD OF TIME DUE TO LEAVE OF ABSENCE IN THE BOROUGH'S FINANCE DEPARTMENT (Received from Borough Attorney 7/19/19)
17. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN SIDEWALK BOND ESCROW POSTED ON 2/19/19 IN THE AMOUNT OF \$7,500.00 TO AJAY DESAI FOR PROPERTY LOCATED AT 115 MAC ARTHUR AVENUE, BLOCK 2305, LOT 3 (Received from Deputy Treasurer 7/15/19)

MOTIONS

18. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 7/18/19): NO ABSTENTIONS
 - a. REGULAR MEETING HELD JULY 10, 2019
 - b. WORK SESSION HELD JULY 10, 2019
19. MOTION GRANTING APPROVAL FOR EVENTAGE TO CONDUCT NATIONAL MULTIPLE SCLEROSIS SOCIETY'S 35th ANNUAL BIKE MS BIKE RIDE PARTIALLY THROUGH THE BOROUGH OF CLOSTER ON SUNDAY, OCTOBER 20, 2019 PER ATTACHED ROUTE (5. M.L. 7/11/19) Approval received from Risk Management Consultant 7/9/19
20. MOTION GRANTING APPROVAL FOR BPOE #2304 CLOSTER LODGE, 148 RAILROAD AVENUE, CLOSTER, NJ 07624, TO CONDUCT INSTANT RAFFLES AT 148 RAILROAD AVENUE FROM 8/25/19 TO 8/24/20 AS FOLLOWS: EVERY MONDAY THROUGH FRIDAY FROM 3 P.M. TO 12 MIDNIGHT; EVERY SATURDAY FROM 12:01 A.M. TO 2 A.M. AND 12 P.M. TO 12 MIDNIGHT; EVERY SUNDAY FROM 12:01 A.M. TO 2 A.M. AND 12 P.M. TO 10 P.M. (Completed Application filed and appropriate fees paid 7/19/19) **ABSTENTION: YAMMARINO**
21. MOTION APPROVING THE FOLLOWING NON-SALARIED APPOINTMENTS TO BOARDS AND COMMISSIONS:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Board of Health				
Alternate No. 2	<u>Benjamin Latner</u> (Resigned 4/18/19)	<u>NO APPOINTMENT</u>	2 Years (Unexp. Latner)	31-Dec-19
Food and Assistance Board				
Member	<u>VACANT</u>	<u>NO APPOINTMENT</u>	2 Years (Unexp. Vacant)	31-Dec-19
Member	<u>VACANT</u>	<u>NO APPOINTMENT</u>	2 Years (Unexp. Vacant)	31-Dec-19
Historic Preservation Commission				
Class C Member	<u>Erik Lenander</u> Resigned due to appointment as Qualified Purchasing Agent	<u>NO APPOINTMENT</u>	4 Years (Unexp. Lenander)	31-Dec-19
Alternate No. 2	<u>VACANT</u>	<u>NO APPOINTMENT</u>	2 Years (Unexp. Vacant)	31-Dec-19

- 21a. MOTION GRANTING APPROVAL FOR HAN MOORY CHURCH TO CONDUCT PICNIC TEAM BUILDING GAME AND ACTIVITIES AT SCHAUBLE PARK ON MONDAY, 8/12/19, FROM 2:30 P.M. TO 5:30 P.M. (8. M.L. 7/18/19/Approval received from Risk Management Consultant 7/23/19)
22. REPORTS
(No reports received at time of preparation of this Agenda)

7b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

20. MOTION GRANTING APPROVAL FOR BPOE #2304 CLOSTER LODGE, 148 RAILROAD AVENUE, CLOSTER, NJ 07624, TO CONDUCT INSTANT RAFFLES AT 148 RAILROAD AVENUE FROM 8/25/19 TO 8/24/20 AS FOLLOWS: EVERY MONDAY THROUGH FRIDAY FROM 3 P.M. TO 12 MIDNIGHT; EVERY SATURDAY FROM 12:01 A.M. TO 2 A.M. AND 12 P.M. TO 12 MIDNIGHT; EVERY SUNDAY FROM 12:01 A.M. TO 2 A.M. AND 12 P.M. TO 10 P.M. (Completed Application filed and appropriate fees paid 7/19/19) **ABSTENTION: YAMMARINO**

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

23. OPEN MEETING TO PUBLIC FOR ANY MATTER, PER N.J.S.A. 10:4-12 (a)
(Subject to 5-minute limit per By-Laws General Rule No.11)

Mayor Glidden opened the meeting to the public. No one wishing to be heard, Mayor Glidden closed the meeting to the public.

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

Motion approving the following Closed Session Resolution at 8:36 p.m. was made by Councilwoman Witko, seconded by Councilwoman Latner and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino and Chung.

- 24a. 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)(4) “A collective bargaining agreement”; and N.J.S.A. 10:4-12(b)(7) “A matter falling within the attorney-client privilege”; and that the items under discussion in the closed meeting would be disclosed to the public at the conclusion of the matters which should be within 6-12 weeks.

Mayor Glidden resumed the Regular Meeting at 8:50 p.m.

Borough Attorney referred to the request made by Don Farrell of the Closter Library Trustees for the Council to give authorization to the Borough Administrator to authorize the Closter Library Board of Trustees to use the Borough’s Tax ID number subject to any objection by the Borough Auditor. No objections were expressed by Council members.

- 24b. Motion approving the request by the Closter Library Trustees to use the Borough’s Tax ID number subject to any objection by the Borough Auditor 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 and Chung.

Borough Attorney referred to authorization for the Borough Administrator to enter into an agreement with Edmunds for an amount not to exceed \$1,325 for the web payment of taxes.

- 24c. Motion approving the authorization for the Borough Administrator to enter into an agreement with Edmunds for an amount not to exceed \$1,325 for the web payment of taxes was made by Councilman Yammarino, seconded by Councilwoman Latner and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino and Chung.

25. ADJOURNMENT

Motion to adjourn the Regular Meeting at 8:51 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
August 8, 2019 for approval at the
Regular Meeting to be held
August 14, 2019

Loretta Castano, RMC
Borough Clerk

Prepared by Carol A. Kroepke
utilizing recording and Borough Clerk’s
notes

Approved at the Regular Meeting held August 14, 2019
Consent Agenda Item No. 37a

BOROUGH OF CLOSTER

RESOLUTION ADOPTING ORDINANCE NO. 2019:1255

WHEREAS, public notice has been given by the Borough Clerk of the Borough of Closter that an Ordinance entitled:

AN ORDINANCE TO AMEND CODE CHAPTER 48, PERSONNEL POLICIES

was introduced and passed at a meeting held on June 26, 2019 and that further consideration of said ordinance for final passage and the hearing of all persons interested in said ordinance would be conducted at this meeting; and


WHEREAS, all persons interested were given an opportunity to be heard concerning such ordinance;

NOW, THEREFORE, BE IT RESOLVED that said ordinance pass final reading and be published according to law.


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

Adopted: July 24, 2019

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 July 24, 2019.

Loretta Castano, Borough Clerk

**BOROUGH OF CLOSTER
ORDINANCE NO.: 2019:1255**

AN ORDINANCE TO AMEND CODE CHAPTER 48, PERSONNEL POLICIES

WHEREAS, it has been determined on the basis of a review of Borough Code Chapter 48 that certain changes are needed to clarify and update certain provisions, align the ordinance with changes in the law, and incorporate updated policies and practices which reflect the evolving needs and interests of the Borough and its employees; and

WHEREAS, the Ordinance and Legislative Committee has discussed these changes and recommends same to the Governing Body; and

WHEREAS, the Borough Attorney has reviewed these changes and deemed them in order; and

WHEREAS, the Governing Body has determined that these changes are necessary and in the best interest of the Borough;

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

Section 1.

CHAPTER 48, PERSONNEL POLICIES, shall be amended to read as follows:

§48-1. Definitions.

*Delete the existing definitions of **FULL-TIME EMPLOYEE, PART-TIME EMPLOYEE, PROBATIONARY EMPLOYEE, SCHOOL CROSSING GUARD, and TEMPORARY EMPLOYEE** and replace them with the following:*

FULL-TIME EMPLOYEE

An employee appointed to a position within the Borough of Closter who is required to work not less than 35 hours per week.

PART-TIME EMPLOYEE, SALARIED

An employee appointed to a position within the Borough of Closter whose normal duties require less than 35 hours per week on behalf of the Borough and is paid a salary based upon an agreed upon annual amount.

PART-TIME EMPLOYEE, HOURLY

An employee appointed to a position within the Borough of Closter whose normal duties require services on a flexible and/or on-call schedule of less than 35 hours per week on behalf of the Borough and is paid by the number of hours worked.

PROBATIONARY EMPLOYEE

An employee of the Borough of Closter who, for a period of time, must serve a trial period of employment to determine if the employee has the necessary qualifications for appointment to a regular part-time or full-time employment position by the Mayor and Council of the Borough of Closter.

SCHOOL CROSSING GUARD

An employee of the Borough of Closter, appointed annually by the Mayor and Council, responsible for aiding pedestrians, including school children, across roadways and intersections who works certain hours as directed by the Chief of Police of the Borough of Closter and is compensated at hourly rates as established in the Salary Ordinance adopted by the Mayor and Council.

TEMPORARY EMPLOYEE

An employee appointed by the Mayor and Council of the Borough of Closter or its properly designated officials whose employment is for a limited time of less than one year.

*Delete the definition of **PERMANENT EMPLOYEE**.*

§ 48-2. Qualifications, application and appointment.

A. Delete the existing Section A and replace it with the following:

A. Employment by the Borough of Closter shall be based solely on the applicant's qualifications without regard to race, creed/religion, color, national origin, ancestry, nationality, disability, sex, gender identity or expression, affectional or sexual orientation, age, marital/domestic partnership/civil union status, military service, genetic information, or any other trait or characteristic protected by law.

D. Delete the existing Section D and replace it with the following:

- D. In certain cases when authorized by law, prior to the appointment of any applicant, the person may be asked to undergo a physical examination or examinations as requested by the Mayor and Council by physicians named by the Mayor and Council, and may be required to complete and file a prescribed questionnaire of physical condition and medical history with the Administrator of the Borough. Every newly hired employee must undergo an official background check.

E. Delete Section E.

F(1) Delete the existing Section F, sub-section (1) and replace it with the following:

- E.(1) The applicant fails to qualify because he or she is unable to perform the essential duties of the position.

F(2) Delete sub-section (2) of Section F.

F(3) Delete the existing Section F, sub-section (3) and replace it with the following:

- E.(2) The applicant is addicted to the habitual or excessive use of drugs or intoxicants which would impede the applicant's ability to perform his or her job responsibilities.

F(4) Re-letter existing Section F(4) as Section E(3).

F(5) Re-letter existing Section F(5) as Section E(4).

F(6) Re-letter existing Section F(6) as Section E(5).

G. Delete the existing Section G and replace it with the following:

- F. This section shall not apply to members of the Police Department to the extent that it is inconsistent with the rules and regulations of the Police Department or any contract applicable to the Police Department.

§ 48-4. General rules and regulations.

F. Delete Section F.

§ 48-5. Holidays

A. Delete the first sentence in existing Section A and replace it with the following sentence: (All other text in Section A should remain as is)

- A. All employees of the Borough of Closter except temporary employees and school crossing guards shall receive 13 holidays with compensation at the regular rate of daily compensation in each calendar year....

§ 48-6. Hours of work; attendance on job.

C. Delete the third sentence in existing Section C and replace it with the following sentence: (All other text in Section C should remain as is)

- C.Failure to report when absent may lead to disciplinary action, including dismissal...

D. Delete the first sentence in existing Section D and replace it with the following sentence: (All other text in Section D should remain as is)

- D. The regular workweek for full-time Borough employees is five days, for not more than 40 hours.

§ 48-7. Overtime work.

B. Delete the last sentence of existing Section B.

§48-8. Vacation leave.

A. Delete the existing Section A, including all subparagraphs, and replace it with the following:

- A. Except as set forth in sub-section C, all full-time employees of the Borough of Closter and all part-time salary employees (on a pro rata basis) shall be entitled to annual paid vacations as follows:

(1) Employees who commenced employment prior to the effective date of this ordinance shall be entitled to the following vacation leave:

(i) During the first year of employment, employees will receive .833 paid vacation days for each full month worked; however, no new employee shall be entitled to use any vacation time prior to 6 months of continuous employment with the Borough.

(ii) After one year of continuous employment by the Borough: 10 days.

(iii) After five years of continuous employment by the Borough: 15 days.

(iv) After 10 years of continuous employment by the Borough: 20 days.

(v) Employees hired prior to June 1, 2017 will be eligible after 15 years of continuous employment by the Borough to: 25 days. Employees hired on or after June 1, 2017 but prior to the effective date of this ordinance will receive a maximum vacation benefit of 20 days after ten (10) years of continuous employment by the Borough, as set forth in sub-paragraph (iv) above.

(2) Employees commencing employment on or after the effective date of this ordinance shall be entitled to the following vacation leave:

(i) During the first year of employment, employees will receive .833 paid vacation days for each full month worked; however, no new employee shall be entitled to use any vacation time prior to 6 months of continuous employment with the Borough.

(ii) After one year of continuous employment by the Borough: 10 days.

(iii) After five years of continuous employment by the Borough: 15 days.

B. Add the following sentence to the end of *existing Section B*:

B.Vacation leave shall be taken in increments of a work day unless a shorter increment of time is approved in advance by the department head and Borough Administrator.

D. *Delete the existing Section D and replace it with the following:*

D. This sub-section D does not apply to employees hired on or after January 1, 2009. Employees hired before January 1, 2009, will accrue two extra days paid vacation for each completed year of their employment up through 15 years of such employment and three extra days for each completed year in excess of 15 years, up to a lifetime maximum of 90 total accrued vacation days during their employment with the Borough. The 90 day cap shall become effective January 1, 2020. Such accrued vacation will be granted only upon the employee's voluntary separation of employment with the Borough. No employee who has been discharged from the employ of the Borough of Closter shall be eligible for any of the benefits as described in this Subsection D.

E. *Delete the existing Section E and replace it with the following:*

E. Except as specified in Subsection D, and unless specifically authorized by the Mayor and Council in advance, extra compensation and monetary compensation will not be allowed in lieu of unused vacation as it is desired that each employee take advantage of the authorized annual vacation period for health, rest, relaxation and pleasure.

G. *Delete the existing Section G and replace it with the following:*

G. Computation of time of employment for purposes of earning vacation leave under this section shall be from the employee's date of hire.

H. *Delete the first sentence of existing Section H and replace it with the following sentence: (All other text in Section H should remain as is)*

H. At the discretion of the Borough Administrator and in exceptional circumstances, with the approval of the Mayor and Council, vacation leave, with compensation, may be granted to a non-probationary employee, notwithstanding any requirements of this Chapter 48.

§ 48-9. Sick leave.

Delete §48-9, including all sub-sections, and replace it with the following:

A. Effective upon adoption of this ordinance, sick leave shall be granted to all employees in accordance with the New Jersey Earned Sick Leave Law, P.L. 2018, c. 10 (the "Law"), and subject to the other terms and conditions set forth in the Law and the Borough's policy, *except that* covered employees shall be entitled to accrue and carry over sick leave upon the following terms which are more favorable than those set forth in the Law:

- B. Employees who commenced employment prior to the effective date of this ordinance shall, during the first year of employment, accrue one (1) hour of paid sick time for every twenty (20) hours worked, up to a maximum of eighty-four (84) hours (12 days) of earned sick leave during the first benefit year. After the first year of employment, said employees shall accrue one (1) hour of paid sick time for every sixteen (16) hours worked during each benefit year, up to a maximum of one hundred and five (105) hours (15 days) hours of earned sick leave per benefit year.

Employees commencing employment on or after the effective date of this ordinance shall accrue one (1) hour of paid sick time for every sixteen (16) hours worked during each benefit year, up to a maximum of seventy (70) hours (10 days) of earned sick leave per benefit year.

In order to qualify for sick leave of three (3) consecutive days or more, the absence of an employee must be properly certified by a medical professional, hospital or as set forth in the Borough's Personnel Policy.

- C. Sick leave may only be used for the purposes set forth in the Law. Employees may carry over accrued but unused earned sick leave benefits, except that the Borough, in its sole discretion, may choose in the final month of a benefit year whether to offer an employee a payout of unused sick leave time at the employee's then-prevailing hourly base rate of pay, or permit the employee to carry over the unused time to the next benefit year. Existing employees who commenced employment prior to the effective date of this ordinance shall not be permitted to accrue more than a total of 1260 hours (180 days) in earned sick leave during their employment with the Borough. Employees commencing employment on or after the effective date of this ordinance shall not be permitted to accrue more than a total of 420 hours (60 days) in earned sick leave during their employment with the Borough. The Borough's complete earned sick leave policy is set forth in the Borough's Personnel Policies Manual.
- D. All absences due to illness or disability shall be reported to his or her Department Head or the Borough Administrator as per the Borough's Personnel Policy.
- E. This ordinance shall apply prospectively and shall not reduce any sick leave that has accrued prior to adoption of the ordinance. For existing employees who commenced employment prior to the effective date of this ordinance, unused sick leave that has accrued in the employee's sick bank shall be compensated as follows:
- i. Except as limited by sub-section (ii) below, upon an employee's normal retirement or upon a disability retirement, the employee shall be compensated for accumulated sick leave by receiving 50% of such accumulated sick leave days, not to exceed the total of Ninety (90) days, multiplied by an amount computed on a daily rate basis with reference to annual salary at the time of retirement.
 - ii. For employees hired on or after May 21, 2010, the total amount to be paid for accumulated unused sick leave upon retirement as set forth in (B)(i) shall be capped at \$15,000 in accordance with P.L. 2010, c. 3.
- F. An employee commencing employment on or after the effective date of this ordinance shall not be entitled to payment for unused earned sick leave that accrues after the effective date of this ordinance upon the employee's separation from employment with the Borough, whether through termination, resignation, retirement or other reason.
- G. When a full-time Borough employee is injured in the line of duty, the Borough Council may, pursuant to N.J.S.A. 40A:9-7, pass a resolution giving the employee up to one year's leave of absence with pay. The total benefits received as salary or for loss therefor by such employee, other than privately paid insurance plans, shall not exceed such employee's regular salary.

§ 48-10. Leaves of absence.

- A. *Delete the existing Section A and replace it with the following:*

- A. Family Leave. Family leave shall be granted to eligible employees as provided under the New Jersey Family Leave Act and/or federal Family and Medical Leave Act, as applicable. The Borough's complete family and medical leave policies are set forth in the Borough's Personnel Policies Manual.

- B. *Delete the last sentence of existing Section B and replace it with the following sentence: (All other text in Section B should remain as is)*

- B.However, in order that the employee may be reinstated without loss of privileges or seniority, he or she must report for duty with the Borough within 60 days following his or her honorable discharge from the military service, or within the applicable time period set forth in the Uniformed Services Employment and Reemployment Rights Act, whichever is greater.

C. *Delete the existing Section C and replace it with the following:*

C. Service in court. A full-time employee who is subpoenaed as a witness in a civil or criminal case, not involving him or her in his or her capacity as a Borough employee, may be granted unpaid leave for the period of time in which he or she is required to appear in court or testify in such capacity. An employee who is called and serves on a jury may be granted paid leave for the period of time in which he or she is officially involved with the court in such capacity.

D. *Delete the third sentence of existing Section D and replace it with the following:*

D. For purposes of this subsection, the term "immediate family" means the employee's father and mother, spouse or civil union partner or domestic partner, brother and sister, son and daughter, and mother-in-law and father-in-law.

F. *Add the following sentence to the end of existing Section F:*

F.No leave of absence shall be given under this subsection if the employee has unused vacation time to his or her credit, nor shall any benefits accrue to the credit of the employee during the period of said leave.

G(6). *Delete the existing subsection (6) of Section G, and replace it with the following:*

(6) The Borough shall not discharge, retaliate, harass or discriminate against, or threaten any such actions against, any employee exercising his/her right to take the leave provided by this policy.

§ 48-11. Compensation and longevity.

B. *Delete the last sentence of existing Section B and replace it with the following sentence: (All other text in Section B should remain as is)*

B. Outside employment positions for the Borough shall be paid by one separate check.

E. *Delete the first, second and third sentences of existing Section E and replace them with the following sentences: (All other text in Section E should remain as is)*

E. For full-time employees hired on or after January 1, 2009, this benefit is capped after four years. For full-time employees hired before January 1, 2009, there shall be paid to each such full-time employee of the Borough a longevity pay of 1% of each such employee's current year's base salary for each three years of completed service to the Borough. After completion of the first three-year period of service, the employee shall in addition receive as longevity pay one-third (1/3) of 1% of the current year's base salary for each additional year of completed service....

G. *Delete the existing Section G and replace it with the following:*

G. As of January 1, 2014, all full-time and non-probationary part-time employees of the Borough shall receive their paychecks via direct bank deposit.

§ 48-12. Resignation.

A. *Delete the first sentence of existing Section A and replace it with the following sentence: (All other text in Section A should remain as is)*

A. Any employee who wishes to resign from the Borough service shall give his or her office or department head at least two weeks' prior written notice of his or her resignation, unless the Borough Administrator requires a longer notice period or agrees to a shorter notice period....

C. *Delete Section C.*

D. *Delete the existing Section D and replace it with the following:*

C. Any employee who does not submit his or her resignation in compliance with the provisions in this section or who is absent from work for a period of three or more days without notifying his or her office or department head of the reasons for his or her absence and of his or her intention to return to work may be considered as having resigned without notice.

E. *Re-letter existing Section E as Section D.*

F. *Re-letter existing Section F as Section E.*

§ 48-14. Disciplinary action; suspension and dismissal.

E(6). *Delete the existing subsection (6) of Section E, and replace it with the following:*

(6) Termination of employment with the Borough.

H. *Delete the existing Section H and replace it with the following:*

H. Documents reflecting the disciplinary action taken and any factual findings supporting disciplinary action will be placed in the employee's personnel file.

J(3). *Delete the existing subsection (3) of Section J, and replace it with the following:*

(3) Incompetency or inefficiency.

§ 48-15. Grievance procedure.

Delete §48-15, including all sub-sections, and replace it with the following:

A. It is the policy of the Borough of Closter that every employee at all times be treated fairly, courteously and with respect. Conversely, each employee is expected to accord the same treatment to his or her associates and department head and to the public.

B. Whenever a Borough employee has a grievance, he or she shall follow the multi-step grievance procedure described more fully in the Borough's Personnel Policies Manual.

§ 48-16. Conventions; seminars; business and travel expenses.

D. *Delete the existing Section D and replace it with the following:*

D. In the event that an employee's personal vehicle is used for the conduct of Borough business, the employee may be eligible for mileage reimbursement through the regular expense voucher process at the New Jersey State rate in effect at that time.

§ 48-18. Applicability.

Delete this section and mark it "Reserved". (NOTE: Section was moved to the end (see §48-23), and made applicable to the whole Chapter.)

§ 48-19. Policies.

A. *Delete the first sentence of existing Section A and replace it with the following sentence: (All other text in Section A should remain as is)*

A. Equal opportunity employment. It shall be the policy of this Borough that equal opportunity of employment and advancement in employment shall be based on merit and ability to perform without regard to race, color, national origin, nationality, ancestry, creed/religion, disability, sex, gender identity or expression, affectional or sexual orientation, age, marital/domestic partnership/civil union status, military service, genetic information, or any other trait or characteristic protected by law...

B. *Delete the existing Section B and replace it with the following:*

B. The Borough, in compliance with the Americans with Disabilities Act and New Jersey Law Against Discrimination, does not discriminate against a person with a disability in hiring or promotion if the person is otherwise qualified for the job.

D(2). *Delete the existing subsection (2) of Section D, and replace it with the following:*

(2) Smoking is not permitted anywhere in the Municipal Building or in any Borough-owned vehicle or equipment, and is permitted outside of municipal and Borough-owned buildings on municipal property only in such locations designated by the Borough.

E. *Delete the existing Section E and replace it with the following:*

E. Whistle-Blower Policy. No employee shall be subject to discipline or retaliation for having complained or reported, in good faith, about any activity, policy or practice that the employee reasonably believes is in violation of a law, rule or regulation promulgated pursuant to law. This policy shall adhere to and be administered in accordance with the New Jersey "Whistle-Blower's Law", i.e., the New Jersey Conscientious Employee Protection Act, N.J.S.A. 34:19-1 et seq.

F(2). *Delete the second sentence of existing subsection (2) of Section F, and replace it with the following sentence: (All other text in sub-section (2) should remain as is)*

- (2)The purpose of this policy is to support the physical and emotional health of all employees and demonstrate the Borough's continued commitment to its affirmative action goals related to physically and mentally disabled employees.

F(3). *Delete the existing subsection (3) of Section F, and replace it with the following:*

- (3) Employees with such conditions who are otherwise qualified and able to safely perform the essential functions of the job with or without reasonable accommodations, are assured equal employment opportunities and reasonable accommodation in their employment provided that the condition is known to the Borough and the accommodation does not impose an undue hardship upon the Borough. This has been and continues to be the policy of the Borough.

H. *Delete the second and third sentences of existing Section H and replace them with the following: (All other text in Section H should remain as is)*

- H.Job openings for full-time and part-time employees shall be posted on the bulletin board of the Municipal Building and are advertised in local newspapers. Preference is given to hiring and promoting employees from within the Borough workforce.....

J. *Delete Section J.*

K. *Re-letter existing Section K as Section J.*

§ 48-20. Criteria for employment or promotion.

A. *Delete Section A.*

B. *Delete the existing Section B and replace it with the following:*

- A. Criteria for employment and promotion may be established requiring a minimum educational or job experience attainment for certain jobs or positions.

C. *Delete Section C.*

§ 48-21. Certain conditions or status not applicable to employment or promotion.

A. *Delete the second sentence of existing Section A and replace it with the following:*

- A.A pregnant employee who desires a leave of absence and then a return to work shall be afforded the employment protections provided under the New Jersey Family Leave Act and/or federal Family and Medical Leave Act, as applicable.

B. *Delete the existing Section B and replace it with the following:*

- B. The arrest record of an employee or applicant shall not be a bar to employment or continued employment to the extent set forth in New Jersey's Opportunity to Compete Act. Conviction of an applicant or employee may be a bar to employment or continued employment.

§ 48-22. Equality in employment opportunities required. *Delete this section.*

§ 48-23. Compliance with affirmative action policy; administration. *Re-letter this existing Section as § 48-22.*

Add the following new section:

§ 48-23. Applicability.

This Chapter 48 shall not apply to employees who are covered by a separate contractual agreement and/or rules and regulations, where and to the extent that same are inconsistent with this Chapter.

Section 2.

If any sentence, section, clause or other portion of this Ordinance or the application thereof to any person or circumstance shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this Ordinance. All Ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency. This Ordinance shall take effect immediately upon final passage and publication as required by law.


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

Introduced: June 26, 2019
 Adopted: July 24, 2019

ATTEST:


 Loretta Castano, RMC, Borough Clerk

APPROVED:


 John C. Glidden, Jr., Mayor

Certified to be a true copy of an Ordinance adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held July 24, 2019.

 Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER

RESOLUTION ADOPTING ORDINANCE NO. 2019:1259

WHEREAS, public notice has been given by the Borough Clerk of the Borough of Closter that an Ordinance entitled:

AN ORDINANCE AMENDING CHAPTER 108, FLOOD DAMAGE PREVENTION

was introduced and passed at a meeting held on June 26, 2019 and that further consideration of said ordinance for final passage and the hearing of all persons interested in said ordinance would be conducted at this meeting; and

WHEREAS, all persons interested were given an opportunity to be heard concerning such ordinance;

NOW, THEREFORE, BE IT RESOLVED that said ordinance pass final reading and be published according to law.

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

Adopted: July 24, 2019

ATTEST:

Loretta Castano
Loretta Castano, Borough Clerk

APPROVED:

John C. Glidden, Jr.
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 July 24, 2019.

Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER
ORDINANCE NO.: 2019:1259
AN ORDINANCE AMENDING CHAPTER 108, FLOOD DAMAGE PREVENTION

WHEREAS, by cover letter dated February 28, 2019 addressed to the Borough's Mayor, the Borough was advised as to the need to revise the Borough's current Flood Damage Prevention Ordinance to continue participation in the National Flood Insurance Program (NFIP); and

WHEREAS, by cover letter dated April 23, 2019, the Borough was advised by the State of New Jersey Department of Environmental Protection Engineering and Construction Office of the specifics for the updating of said Ordinance; and

WHEREAS, the aforementioned directive was forwarded to the Mayor and Council and appeared as Item 6 on the May 2, 2019 Mail List; and

WHEREAS, the proposed revisions were reviewed by the Borough Engineer; and

WHEREAS, the change to Chapter 108 is found to be in the best interest of the Borough of Closter; and

WHEREAS, the Borough Attorney has reviewed the changes and finds them to be in order; and

WHEREAS, the Mayor and Council believe it is in the best interest of the health, safety and welfare of the residents of the Borough of Closter to amend the following sections:

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

Section 1.

CHAPTER 108, Flood Damage Prevention, shall be amended to read as follows:

§ 108-4, **Definitions**, shall be amended as follows:

Add new Definitions as follows:

AH Zone

Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detail hydraulic analyses are shown in this zone.

AO Zone

Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

AREA OF SPECIAL FLOOD HAZARD as follows:

Delete and revise as follows:

Delete the word "the" and capitalize the letter "L" in the first sentence. Add the following sentence: "It is shown on the FIRM as Zone V, VE, V1-30, A, AO, A1-A30, AE, A99, or AH;

BASE FLOOD as follows:

Replace the first word "the" with "A";

Add the following Definition:

BASE FLOOD ELEVATION (BFE)

The Flood Elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE, AH, AO, and A1-30 the elevation represents the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year;

ELEVATED BUILDING as follows:

Delete and replace Definition with the following:

A non-basement building (i) built in the case of a building in Area of Special Flood Hazard, to have the top of the elevated floor elevated above the base flood elevation plus freeboard by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water and (ii) adequately anchored so as not to impair the structure integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard “elevated building” also includes a building elevated by means of fill or solid foundation premier walls with openings sufficient to facilitate the unimpeded movement of flood waters.

Add the following definition:

EROSION.

The process of gradual wearing away of land masses.

Add the following definition:

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION.

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the flood plain management regulations adopted by a community.

Delete the existing Definition of Floodproofing and replace with the following:

FLOODPROOFING.

Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Add the following Definitions:

FREEBOARD.

A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

HIGHEST ADJACENT GRADE.

The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

*Add to definition of **LOWEST FLOOR** to the end of the last sentence:*

of 44 CFR Section 60.3

*Delete the first sentence of the definition **SUBSTANTIAL IMPROVEMENT** and replace with the following:*

Any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the “start of construction” of the improvement.

Add the following definition:

VIOLATION.

The failure of a structure or other development to be fully compliant with this ordinance. A new or substantially improved structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR

§60.3(b)(5), (c)(10), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

§108-6, Basis for Establishing the Areas of Special Flood Hazard.

Delete the existing section and replace with the following:

The areas of special flood hazard identified by the Flood Insurance Administration, for the Borough of Closter, Community Identification Number (CID) is 340023, a scientific and engineering report entitled, "The Flood Insurance Study (FIS) with accompanying flood insurance rate maps (FIRMs) for Bergen County, New Jersey (All Jurisdictions) whose panel numbers are: 34003C0182H, 34003C0201H, 34003C0202H, 34003C0203H, 34003C0204H, 34003C0206H, 34003C0210H, as shown on Index and Panels whose effective date is August 28, 2019.

§108-7, Penalties for offenses.

Delete the first sentence and replace with the following:

No structure or land shall hereafter be constructed, located, relocated, extended, converted or altered without full compliance with the terms of the Chapter and other applicable regulations.

§ 108-11, Development Permit.

Delete the first sentence and replace with:

Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in Section 108-6.

§ 108-13, Duties and Responsibilities of Administrator.

Delete paragraph D1 and replace with the following:

Alteration of water courses.

The Chief Construction Official shall:

(1) Notify adjacent communities and the New Jersey Department of Environmental Protection, Bureau of Flood Control and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration (FIA).

Add the following text as Paragraph F:

F. Substantial Damage Review.

(a) After an event resulting in building damages, assess the damage to structure due to flood and non-flood causes;

(b) Record and maintain the flood and non-flood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Bureau of Flood Control.

(c) Ensure substantial improvements meet the requirements of sections 108-16 (a), SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, 108-16(b), SPECIFIC STANDARDS, NON-RESIDENTIAL CONSTRUCTION and 108-16(c), SPECIFIC STANDARDS MANUFACTURED HOMES.

§ 108-15. General Standards for Flood Hazard Reduction.

Delete first sentence and replace with the following:

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required.

C. Utilities.

Add to the text of 108-15C to the beginning of the sentence:

For all new construction and substantial improvements.

§ 108-15(D).

Delete the current section in its entirety and replace 108-15(d) with the following:

Subdivision proposals.

- (a) All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;
- (b) All subdivision proposals and other proposed new developments shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- (c) All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and
- (d) Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least fifty (50) lots or five (5) acres (whichever is less).

§ 108-15(E)(1).

Delete entire sentence and replace with the following:

A minimum of two (2) openings in at least two (2) exterior walls of each enclosed area, having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.

§ 108-16(a). Specific standards for flood hazard reduction.

Delete the current Section in its entirety and replace Section 108-16(a) with the following:

Residential Construction (1) New construction and substantial improvement of any residential structure located in an A or AE Zone shall have the lowest floor, including basement together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated at or above the more restrictive base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1; (2) Require within any AO or AH Zone on the municipalities DFIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified). And require adequate drainage paths around structures on slopes to guide floor waters around and away from proposed structures.

§ 108-16(b)

Delete the current section in its entirety and replace with the following:

Nonresidential Construction. In an area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure located in an A or AE Zone shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities as well as all electrical, heating, ventilating, air-conditioning and other service equipment; either

- (a) Elevated at or above the more restrictive base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1; and
- (b) Require within any AO or AH Zone on the municipalities DFIRM to elevate above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures.

§ 108-16.

Shall be amended to add the following:

C . Manufactured Homes.

- (1) Manufactured Homes shall be anchored in accordance with Section 5.1-1(b).
- (2) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall:
 - (i) Be consistent with the need to minimize flood damage;
 - (ii) Be constructed to minimize flood damage;
 - (iii) Have adequate drainage provided to reduce exposure to flood damage;
 - (iv) Be elevated on a permanent foundation such that the top of the lowest floor is at or above the more restrictive base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1 and;
 - (v) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

§108-22, Severability.

Delete the existing section and replace with the following:

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not effect the remaining portions of the Ordinance, which shall remain in full and force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

§ 108-24, When effective.

Delete the existing section and replace with the following:

Enactment/Adoption

This Ordinance shall be effective on 7/24/2019 and shall remain in force until modified, amended or rescinded by the Borough of Closter, County of Bergen, State of New Jersey.


This Ordinance shall take effect immediately upon final passage and publication as required by law.

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

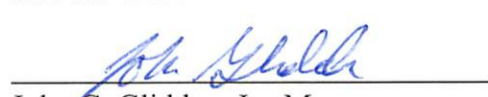
Introduced: June 26, 2019

Adopted: July 24, 2019

ATTEST:


 Loretta Castano, RMC, Borough Clerk
 Arlene Marie Gray, RMC, Deputy

APPROVED:


 John C. Glidden, Jr., Mayor

Certified to be a true copy of an Ordinance adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held July 24, 2019.

 Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER

RESOLUTION ADOPTING ORDINANCE NO. 2019:1260

WHEREAS, public notice has been given by the Borough Clerk of the Borough of Closter that an Ordinance entitled:

AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$21,400.00 FROM OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS TO THE LUSTRON HOUSE

was introduced and passed at a meeting held on June 26, 2019 and that further consideration of said ordinance for final passage and the hearing of all persons interested in said ordinance would be conducted at this meeting; and


WHEREAS, all persons interested were given an opportunity to be heard concerning such ordinance;

NOW, THEREFORE, BE IT RESOLVED that said ordinance pass final reading and be published according to law.

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: July 24, 2019

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 July 24, 2019.

 Loretta Castano, Borough Clerk

**BOROUGH OF CLOSTER
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2019:1260**

**AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$21,400.00 FROM
OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION
TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION
IMPROVEMENTS TO THE LUSTRON HOUSE**

BE IT ORDAINED, by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey, as follows:

SECTION 1. The Borough of Closter does hereby appropriate the sum of \$21,400.00 from the Open Space, Recreation, Farmland, and Historic Preservation Trust Fund for park, farmland, and historic preservation improvements. The appropriation is for the purpose of providing certain necessary improvements to the Lustron House. A list of the authorized improvements is attached to this ordinance as **Exhibit A**. This authorization shall expire after 24 months from the date of adoption of this ordinance. Thereafter, the funds for items that are not complete shall be returned to the Open Space, Recreation, Farmland, and Historic Preservation Trust.

SECTION 2. The Capital Budget is amended to conform with the provisions of this Ordinance to the extent of any inconsistency therewith and resolutions promulgated by the Local Finance Board showing full detail of the amended budget and capital programs as approved by the Director, Division of Local Government Services on file with the Borough Clerk and is available for public inspection.

SECTION 3. The following matters are hereby determined, declared, recite and stated:

- A. The same purpose described in Section 1 is not a current expense, but is an improvement which the Borough may lawfully make;
- B. The average period of usefulness for the purposes described in Section 1 is hereby determined to be a period of more than five years;
- C. All expenses related to the improvements described in Section 1 are charged as part of the cost of the purpose to be financed.

SECTION 4. This Ordinance shall take effect upon final passage and publication in accordance with law.

If any sentence, section, clause or other portion of this Ordinance or the application thereof to any person or circumstance shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this Ordinance. All Ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency. This Ordinance shall take effect immediately upon final passage and publication as required by law.

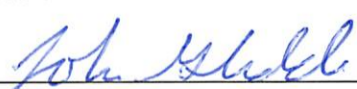
Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Devlin			X			
Councilwoman Latner	X		X			
Councilwoman Witko			X			
Councilman Yammarino		X	X			
Councilwoman Chung			X			
Councilwoman Amitai					X	

Introduced: June 26, 2019
Adopted: July 24, 2019

ATTEST:


Loretta Castano, RMC, Borough Clerk

APPROVED:


John C. Glidden, Jr., Mayor

Certified to be a true copy of an Ordinance adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held July 24, 2019.

Loretta Castano, Borough Clerk

ORDINANCE NO.: 2019:1260

EXHIBIT A

Historic Preservation Commission – Lustron House

Repair Asphalt Driveway	not to exceed	\$ 2,900.00
Repair flagstone walkways	not to exceed	\$10,500.00
Replace breezeway roof	not to exceed	\$ 8,000.00

**BOROUGH OF CLOSTER
 COUNTY OF BERGEN, NEW JERSEY
 RESOLUTION NO. 1
 AUTHORIZING THE ISSUANCE OF AN AD INTERIM PERMIT
 FOR THE 2019-2020 LICENSE TERM**

WHEREAS, the Division of Alcoholic Beverage Control’s renewal term for all Liquor Licenses in the State of New Jersey is July 1 to June 30 inclusive; and

WHEREAS, a certain Licensee has applied for renewal for the 2019-2020 license term, has paid renewal fees to the Division of Alcoholic Beverage Control on April 24, 2019 and the Borough of Closter on April 24, 2019; and

WHEREAS, the Division of Taxation has issued an Alcoholic Beverage Retail Licensee Clearance Certificate for Renewal for the Fiscal Year 2020 dated May 14, 2019; and

WHEREAS, the Borough Clerk’s office has been notified of numerous changes including new parent company ownership which commenced in 2018 with no formal paperwork filed to date in the Municipal Clerk’s office; and

WHEREAS, the Borough Clerk’s office has been in direct contact with the Division of Alcoholic Beverage Control Licensing Bureau regarding these matters which are presently being reviewed; and the Licensing Bureau has offered direct guidance to the Licensee on same with no response; and

WHEREAS, the Borough of Closter reserves the right to perform due diligence on any reported changes, and the Police Department must be granted sufficient time to perform its investigation and approve any paperwork and/or changes; and

WHEREAS, the municipality has not received any paperwork as of this date and is unable to renew the License for the 2019-2020 License Term under these circumstances; and

WHEREAS, the Licensee may apply for a temporary permit to continue operation under the Liquor License pending receipt of all outstanding paperwork from the Licensee and receipt of report from the Detective Bureau that it has been found to be in order.


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	X			
Councilman Yammarino			X			
Councilwoman Chung			X			
Councilwoman Amitai					X	


Adopted: July 24, 2019

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 July 24, 2019.

 Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER

RESOLUTION TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDING CONTRACT FOR FINANCIAL ADVISORY SERVICES FOR THE BOROUGH OF CLOSTER

WHEREAS, pursuant to authorization from the governing body at the Public Meeting held on January 2, 2019 to pursue the “Fair and Open” process set forth in the law in awarding certain municipal contracts, the Borough awarded a contract to Acacia Financial Services, Inc. (“Acacia”) to perform Financial Advisory Services for the Borough for the period from January 1, 2019 through December 31, 2019; and

WHEREAS, by Resolution adopted at the Public Meeting on June 12, 2019, Edward Hynes was appointed as Interim Borough Administrator for a period of four (4) months, through October 15, 2019; and

WHEREAS, at the Public Meeting held on July 10, 2019, the Governing Body considered Item # 8 on the July 4, 2019 Mail List, which was correspondence from Acacia informing the Borough that it was resigning effective immediately to avoid potential conflicts of interest related to association with municipal officials; and

WHEREAS, there is an immediate need for the Borough to fill the position of Municipal Financial Advisor and obtain Financial Advisory Services for the Borough for the remainder of the 2019 calendar year; and

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 a contract for the position of Financial Advisory Services for the remainder of 2019:


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

BE IT FURTHER RESOLVED that 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 contract for the Financial Advisory Services position as set forth above.

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


Adopted: July 24, 2019

ATTEST:



 Loretta Castano, Borough Clerk

APPROVED BY:



 John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on July 24, 2019.

 Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER

RESOLUTION AUTHORIZING A TOWN-WIDE YARD SALE ORGANIZED BY THE CLOSTER FOOD & ASSISTANCE BOARD, WAIVING PERMIT FEES FOR PARTICIPANTS, AND ALLOWING PLACEMENT OF TEMPORARY SIGNS ON PARTICIPANTS' AND BOROUGH'S PROPERTY

WHEREAS, at the Public Meeting held on July 10, 2019, the Governing Body considered item 6 on the July 4, 2019 Mail List which was correspondence from the Closter Food & Assistance Board dated July 3, 2019, annexed hereto as Exhibit 1 (the "Request"), requesting authorization for a town-wide yard sale to take place on Saturday, October 19, 2019, with a rain date of Sunday, October 20, 2019, and asking that the garage sale fees be waived for participants, that participants be permitted to display sale signs on their properties, and that the Board be permitted to erect 19 temporary reusable yard sale signs on Borough property to notify the community of the event; and

WHEREAS, Chapter 111 of the Closter Code regulates Garage Sales and Chapter A301 regulates fees for permits; and

WHEREAS, pursuant to the Borough's Code, said signs are Temporary Special Signs; and

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

WHEREAS, the request was discussed by the Governing Body at the Regular Meeting held on July 10, 2019; and

WHEREAS, the Governing Body has determined that it is in the best interest of the residents of the Borough and good cause has been shown to authorize the event, waive garage sale fees for the participants, and allow the placement of temporary sale signs on participants' properties and the placement of temporary signs on the Borough property identified in the Request;


NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that the request of the Closter Food & Assistance Board for authorization for a town-wide yard sale to take place on Saturday, October 19, 2019, with a rain date of Sunday, October 20, 2019, and for a waiver of the garage sale fees for participants, permission for participants to display sale signs on their properties, and permission for the placement of 19 temporary yard sale signs on the Borough property identified in the Request, is hereby approved; and

BE IT FURTHER RESOLVED that the Borough Clerk shall provide a copy of this Resolution to the Borough's Chief of Police and Construction Official.


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

Adopted: July 24, 2019

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 July 24, 2019.

Loretta Castano, Borough Clerk

EXHIBIT 1



6. Mail List

7/4/19

Loretta Castano <lcastano@closternj.us>

*Copy to Construction Official
Chief of Police
Risk Management Consultant*

Town-Wide Yard Sale (TWYS) Request to Mayor & Council

1 message

Closter Food Pantry <fabofcloster@gmail.com>

To: Loretta Castano <lcastano@closternj.us>

Cc: jpeters@closternj.us, jmctigue@closterpolice.org, Leslie Weatherly <lweatherly@closternj.us>

Wed, Jul 3, 2019 at 11:25 AM

Dear Mayor & Council Members,

The Closter Food & Assistance Board would like to request permission to host the 7th Annual Closter Town-wide Yard Sale on Saturday October 19th. Similar to last year, this is a **ONE DAY ONLY** event but, in case of rain, participants will have the option of hosting on Sunday October 20th. We are once again requesting that Borough garage sale fees be waived for participants and that they be allowed to display sale signs on their property.

As we did last year, we would also like to post the same 19 reusable yard signs throughout town, on Borough property between sidewalks and streets, to notify the community. These signs will be placed by September 15th and removed by October 20th, giving people a month's notice of the event. The locations have been identified as:

- Homans Ave at Hillside School
- Homans Ave/Piermont Rd corner
- Piermont Rd/CDR corner
- Anderson Ave/CDR corner
- Old CDR at Borough Hall
- Old CDR at Clock Tower
- Harrington Ave at Memorial Field
- High Street/Schraalenburgh corner
- High Street/Knickerbocker corner
- High Street at TMS
- High Street/Durie corner at Village School
- Durie/Columbus corner
- Durie/Knickerbocker corner
- Durie/Schraalenburgh corner
- Ruckman Rd at DPW
- Ruckman Rd at Ruckman Field
- VerValen across from Whole Foods
- VerValen between Mandee and Movie Theater
- Piermont Rd/VerValen corner

Please let me know if there is anything else we need to do. Thanks for your ongoing support of this event.

Annette Vasiloff
Chairperson, Food & Assistance Board

BOROUGH OF CLOSTER**RESOLUTION DESIGNATING SIGNATORS ON BANK ACCOUNTS**

WHEREAS, by Resolution adopted January 2, 2019, the Mayor and Council of the Borough of Closter authorized that certain Borough Officials be authorized and directed to maintain accounts and to sign withdrawals against same at NVE Bank, Closter Branch, Closter, NJ for officials, including Peter G. Geiger, Municipal Court Judge; and

WHEREAS, Peter G. Geiger has been appointed to the Superior Court of New Jersey; and

WHEREAS, by Resolution dated July 10, 2019 Francis J. Leddy, Jr. has been appointed as Municipal Court Judge; and

WHEREAS, the Governing Body wishes to modify its previous designation of authorized bank account signatories to reflect this change.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, Bergen County, that the following Borough Officials are hereby authorized and directed to maintain accounts and to sign withdrawals against same at NVE Bank, Closter Branch Office, Closter, New Jersey, the title of which shall be as follows:

Magistrate Account & Bail Account

Francis J. Leddy, Jr. Judge

and

Bonnie Switzer, Court Administrator

BE IT ALSO RESOLVED, that the Clerk shall forward a certified copy of this Resolution to the finance department.

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

Adopted: July 24, 2019

Attest: 
Loretta Castano, RMC, Municipal 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 Meeting held on July 24, 2019.

Loretta Castano, Borough Clerk

**BOROUGH OF CLOSTER
COUNTY OF BERGEN**

**RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND
APPROPRIATION UNDER N.J.S.A. 40A: 4-87 FOR
"Alcohol Ed Rehab Fund"**

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Closter hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2019** in the sum of **\$401.87** which item is now available as revenue from the **Alcohol Ed Rehab Fund.**

BE IT FURTHER RESOLVED that the total sum thereof of **\$401.87** is and the same is hereby appropriated under the caption of:

Chapter 159 – Alcohol Ed Rehab Enfor Fund

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


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

Adopted: July 24, 2019

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 July 24, 2019.

Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER
BERGEN COUNTY
RESOLUTION

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless posted a \$6,000.00 Bidder Security Bond on June 25, 2015

WHEREAS, the Borough Attorney in an email dated July 9, 2019 stated that the Bond may be released after the lease is executed and since Verizon has signed the lease the Borough Attorney has given authorization to release the bond

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that the Deputy Treasurer is hereby authorized to release the \$6,000.00 Bidder Security Bond escrow monies to the applicant

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

Adopted: July 24, 2019

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 July 24, 2019

Loretta Castano, Borough Clerk

**BOROUGH OF CLOSTER
BERGEN COUNTY
RESOLUTION**

THEREFORE, BE IT RESOLVED, pursuant to N.J.S.A. 40-157b, the disposition of found or recovered property must be handed over to the Municipal Police Department and held for six (6) months and if the owner does not claim the property, the Police Department shall give the property to the finder, who shall be deemed the full owner.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter, County of Bergen, New Jersey that the Deputy Treasurer is herewith authorized to issue refund checks to the following:


ELIZABETH L. MEYERS 245 CLINTON PLACE HACKENSACK, NJ 07601 \$100.00

(Monies Turned over to P.D. in 1.23.2019; report on file in Finance Office)


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

ADOPTED: July 24, 2019

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 July 24, 2019.

**BOROUGH OF CLOSTER
BERGEN COUNTY
RESOLUTION**

WHEREAS, the following individuals or companies have escrow funds deposited with the Borough for development of the attached listed properties

WHEREAS, the Borough Deputy Treasurer has exhausted all means to locate the attached named individuals or companies to include Purchase Orders, internet search and phone calls; and

WHEREAS, the Borough wishes to clear these accounts from the record:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that the Deputy Treasurer is hereby authorized to close out the attached named accounts and deposit the funds (\$3,957.77) in the Current Treasury Account.

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


Adopted: July 24, 2019

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 July 24, 2019

Block	Lot	Address	Name	Amount
1501	3	91 RUCKMAN ROAD	TWIN WELLS PRODUCE	\$ 300.00
1301	17	301 HARRINGTON AVE	JIN HEE KIM	\$ 858.61
2207	9	1 HALSEY LANE	SAE LLC C/O ED FISH	\$ 639.50
2302	6	20 LAURENCE COURT	JEFFERY & DEBRA GASMAN	\$ 206.00
2305	18	499 HOMANS AVE	SIBSTROY INVESTMENT LLC	\$ 195.00
1604	4	530 PIERMONT ROAD	58 KINDERKAMACK ROAD LLC	\$ 798.66
1104	15.02	59 WEST STREET	CLOSTER ASSISTED LIVING LLC	\$ 960.00
			TOTAL	\$ 3,957.77

BOROUGH OF CLOSTER

RESOLUTION HIRING PART TIME PAYROLL CLERK FOR A TEMPORARY PERIOD OF TIME DUE TO LEAVE OF ABSENCE IN THE BOROUGH'S FINANCE DEPARTMENT

WHEREAS, there is need to hire a temporary, part-time Payroll Clerk due to a leave of absence, from July 22, 2019 until such time as is determined by the Mayor and Council: and

WHEREAS, the Interim Borough Administrator has recommended that Sussan Rahimi be hired on a part-time basis during the aforementioned period as a Payroll Clerk on the basis of 25 hours per week at \$21.00 per hour; and

WHEREAS, the Governing Body of the Borough of Closter believes that the aforementioned hiree is in the best interests of the health, safety, and welfare of the residents of the Borough of Closter.

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

Sussan Rahimi be hired as a part-time Payroll Clerk, effective July 22, 2019 for 25 hours per week at an hourly salary of \$21.00 per hour for a period of time to be determined by the Mayor and Council.

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

Adopted: July 24, 2019

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 July 24, 2019.

Loretta Castano, Borough Clerk

**BOROUGH OF CLOSTER
BERGEN COUNTY
RESOLUTION**

WHEREAS, the Agreement for Ajay Desai, was required to post a Sidewalk Bond in the amount of \$7,500.00 at Block 2305, Lot 3, said bond posted on February 19, 2019 and

WHEREAS, the Borough Engineer in an E-Mail dated July 15, 2019 being satisfied that the applicant has fulfilled the requirements of the Agreement

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Applicant</u>	<u>Amount</u>
2305	3	115 Mac Arthur Ave	Ajay Desai	\$7,500.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that the Deputy Treasurer is hereby authorized to release the \$7,500.00 Sidewalk Bond escrow monies to the applicant

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

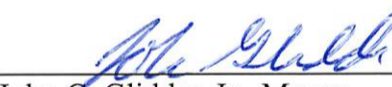
Adopted: July 24, 2019

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 July 24, 2019

 Loretta Castano, Borough Clerk

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – WEDNESDAY, JULY 24, 2019 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, July 24, 2019. Mayor Glidden called the meeting to order at 7:30 p.m.

1. PLEDGE OF ALLEGIANCE

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

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Annual Notice of Meetings which was published in The Record and The Star Ledger on January 9, 2019, was posted on the Municipal Clerk's bulletin board and has remained posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

3. ROLL CALL

The following persons were present:

Mayor John C. Glidden, Jr.
Councilpersons Scott Devlin, Alissa Latner, Dolores Witko, Joseph Yammarino
and Jannie Chung
Interim Borough Administrator, Edward Hynes
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, John McTigue

The following persons were not present:

Councilwoman Victoria Amitai

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF JULY 11, 2019 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 2 was removed by Mayor Glidden; Item No. 5 was removed by Borough Attorney.

Item No. 2: Received 07/05/19, Dated 07/05/19, from Jim Oettinger, Director, Recreation Commission; c: Chief Jack McTigue, DPW Superintendent William Dahle re Request for permission to conduct the following 2019 Labor Day Festivities: Fri. 8/30 @ 7 p.m. - Coaches Association Picnic (already approved); Sat. 8/31 @ 11 a.m. – 22nd Annual 4 Person Volleyball tournament **AND** 1st Annual Corn Hole Tournament; Sat. 8/31 @ 7:30 p.m. - Waldwick Band; Rain Date: Sat., 9/7; Sun. 9/1 @ 9:30 a.m. – 38th Annual Dom Mircovich Memorial 5K Run; 9:00 a.m. - Kids Fun Run; Sun. 9/1 @ 7:30 p.m. – 4th Annual Movie Night Under the Stars! Rain Date: Fri., 9/6 @ 7:30 p.m. (movie night tentative, decision to be made by August 1st); Mon. 9/2 @ 12:30 p.m. – 59th Annual Labor Day field day events featuring the following: Magic show, Kids rides, Pony Rides, Food and Drinks concession, Beer Truck (contingent upon receiving approval from the State liquor authority), two concerts, annual Recreation awards; Fireworks beginning approximately at 9:00 p.m. depending upon darkness; Rain Date Sat. 9/7 beginning at 1 p.m. for Labor Day Activities (Copy to Risk Management Consultant, DPW Superintendent, Chief McTigue, Fire Official, Board of Health)

Mayor Glidden reminded all of the Labor Day activities that start on 8/31/19 and enumerated the schedule of events, including the First Annual Corn Hole Tournament. In answer to Councilwoman Chung,

CLOSTER MAYOR AND COUNCIL

WORK SESSION NOTES – WEDNESDAY, JULY 24, 2019 – 7:30 P.M.

Councilwoman Latner affirmed she intended to participate in the run and asked if sign-ups were available yet. Mayor Glidden informed the materials are available online now.

Item No. 5: Received 07/08/19, Dated 07/08/19, from Abby Grasso, Producer, Eventage, Bike MS 2019 to boroclerk@closternj.us re Request for permission to conduct 35th Annual Bike MS event benefiting the National Multiple Sclerosis Society to pass partially through Closter on Sunday, 10/20/19; Route cues without Closter map attached – Certificate of Insurance and Hold Harmless Agreement attached with Risk Management approval dated 7/9/19 (Copy to Risk Management Consultant, Chief McTigue, Borough Administrator)

Borough Attorney voiced his understanding of the status of this event.

b. MAIL LIST OF JULY 18, 2019 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 1aIIa was removed by Borough Attorney; Item Nos. 8a and 8b were removed by Borough Clerk.

Item No. 1aIIa: Received 07/12/19, Dated 07/12/19, from NJS League of Municipalities re **Weekly Round-Up – July 12, 2019:** II. Federal Issue: U.S. Senate Introduces Companion Bill to Overturn FCC Small Cell Preemption Order

Borough Attorney explained the Senate introduced a Bill that would roll back the FCC's 2018 Small Cell Pre-emption Order which has been very important to local governments throughout the United States. This deals with the telecommunications 5th generation cellular networks that will be coming out and will speed up everyone's cellphones and also to service industrial robots, security cameras and drones; even cars reporting traffic to each other which is all great and it's very fast. In 2018 the FCC took away a lot of the local control over the placement of the network apparatus. Municipalities, Counties and States have the ability to regulate it. The 2018 legislation has taken that authority away from local government. The League of Municipalities is asking the towns in New Jersey to support United States Senate Bill S.2012 to change the FCC's Federal legislation to put some power back into local regulations. He explained these are smaller modules that will be placed on infrastructure such as street signs and all over the place with very little local regulation. In answer to Councilwoman Chung he said the modules are small enough to fit on top of a street lamp. He urged the Council to consider this.

Item No. 8: Received 07/15/19, Dated 07/15/19, from Elder Jinsoo Park, Han Moory Church, to Loretta Castano; c: Recreation/Parks Director, Chief of Police re **a.** E-mailed request for approval to hold picnic at Schauble Park on Monday, August 12, 2019 to conduct games and activities for 40 retreat members; **b.** Original request for approval with Hold Harmless Agreement and COI attached (Copies to Interim Borough Administrator, Risk Management Consultant, Recreation Director, Chief of Police, DPW Superintendent)

Borough Clerk informed she sent this to the Risk Management Consultant and had not yet received approval . One of the members of the church called and asked that we follow up since the activity is planned to take place before the next Council Meeting of 8/14/19; we did so and we received approval from the Risk Management Consultant on 7/23/19. The approval has been placed on your laptops for approval during the Regular Meeting. No objections were voiced to adding a Motion to the Consent Agenda approving same.

c. MAIL LIST OF JULY 25, 2019 – Borough Clerk informed we received the Audit Report in hard copy on 7/23/19 and she distributed same this evening.

Item No. 7a., “Brenda Brooks, from the firm of Gary J. Vinci, RMA, Lerch, Vinci & Higgins, LLP, to Municipal Clerk; c: Liz Shick - **a.** Hard copies of Report of Audit for the year ended December 31, 2018 to be distributed to Mayor and Council, Administrator, CFO on 7/24/19)(Copy to Assistant CFO) - RM Agenda 08/14/19 – Administrator (Distributed 7/23/19)

In answer to Mayor Glidden, Borough Clerk informed it was too soon for comment as it was just received. She reported we have established the customary procedure because the Clerk is definitely

CLOSTER MAYOR AND COUNCIL

WORK SESSION NOTES – WEDNESDAY, JULY 24, 2019 – 7:30 P.M.

involved and it is cited that he/she will be fined \$10 per day (if the Synopsis is not published within 30 days of receipt). The process begins with the placement of the Audit Report on the Mail List of 7/25/19. We then place the Resolution and Group Affidavit on the next Regular Meeting Agenda which will be held on 8/14/19.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of July 24, 2019)

Mayor Glidden asked if any member of the Council wished to remove any item for discussion. Councilman Devlin referred to Item No. 16; Councilman Yammarino referred to Item No. 20.

At this time, as discussed in the Mail List of July 18, 2019, Borough Clerk asked for addition of the following item on the Consent Agenda and no objections were voiced:

21a. MOTION GRANTING APPROVAL FOR HAN MOORY CHURCH TO CONDUCT PICNIC TEAM BUILDING GAME AND ACTIVITIES AT SCHAUBLE PARK ON MONDAY, 8/12/19, FROM 2:30 P.M. TO 5:30 P.M. (8. M.L. 7/18/19/Approval received from Risk Management Consultant 7/23/19)

16. RESOLUTION HIRING PART TIME PAYROLL CLERK FOR A TEMPORARY PERIOD OF TIME DUE TO LEAVE OF ABSENCE IN THE BOROUGH'S FINANCE DEPARTMENT (Received from Borough Attorney 7/19/19)

Councilman Devlin questioned the process taken to hire the part-time payroll clerk. He reminded that the last clerk resigned in disgrace due to an ethics issue in which they were related to the person who hired them. Specifically, was the job advertised, did they get resumes and if they are related to anyone in the Borough. Interim Borough Administrator advised that the present employee will be on maternity leave. The position was advertised in the League of Municipalities web site; three applicants were interviewed and the best person was a woman who recently retired as a senior official with an insurance company. She is an accountant with an accounting degree and is available immediately. She will be with the Borough until our employee returns from maternity leave. We have been advised that a year of the Borough's pension contributions will be audited by the Pension Division, which will take a lot of work by the Finance Department. Her rate of pay will be \$21 per hour, which is market driven; and, in addition, she is not related to anyone in Closter. Borough Attorney noted that this is a temporary part time position; and it is dependent upon the present employee's return.

20. MOTION GRANTING APPROVAL FOR BPOE #2304 CLOSTER LODGE, 148 RAILROAD AVENUE, CLOSTER, NJ 07624, TO CONDUCT INSTANT RAFFLES AT 148 RAILROAD AVENUE FROM 8/25/19 TO 8/24/20 AS FOLLOWS: EVERY MONDAY THROUGH FRIDAY FROM 3 P.M. TO 12 MIDNIGHT; EVERY SATURDAY FROM 12:01 A.M. TO 2 A.M. AND 12 P.M. TO 12 MIDNIGHT; EVERY SUNDAY FROM 12:01 A.M. TO 2 A.M. AND 12 P.M. TO 10 P.M. (Completed Application filed and appropriate fees paid 7/19/19) **ABSTENTION: YAMMARINO**

Councilman Yammarino advised that he would be abstaining on this motion, as noted.

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 the IT Coordinator has made great progress in terms of accepting credit cards for Court payments as well as making progress on online payments for property taxes and permits and fees. At this point, he is waiting for a go ahead from the Council or the Interim Administrator in order to proceed. Mayor Glidden reminded we have discussed this before, he believes everyone is in agreement that we need to go in this direction and asked that Mr. Hynes carry this out. Mr. Yammarino said he would speak with him tomorrow.

6. COMMITTEE REPORTS (Continued)

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

- 3) LIAISON REPORTS – Councilman Yammarino reported on the following:
 - a. Historic Preservation Commission – No report.
 - b. Recreation Commission – The last concert for the summer will be held this Friday.

At this time, Councilwoman Chung recalled that Mr. Hynes had noted at a previous meeting that the best way to protect our data is to make sure we have an outside server with a data backup; and at that time he did not know. She asked that the next time he speaks with the IT Coordinator to find out and report back. Chief McTigue reported the Police Department is also required to have an offsite server with data backup, so they already have an agreement already set up with the Borough of Norwood where our system backs up in-house and there; and vice versa. Norwood backs up in-house and here as well. In answer to Councilwoman Latner, he informed they have had the agreement for about 4 years.

B. PUBLIC SAFETY - LATNER (CHUNG/YAMMARINO)

- 1) REPORT RE PUBLIC SAFETY COMMITTEE MEETINGS – No report.
- 2) LIAISON REPORTS – Councilwoman Latner reported on the following:
 - a. Board of Education – NVRHS – No report.
 - b. Library Board of Trustees had a barbeque with all of the kids that have been involved in a lot of programs and it was a big success; they raffled items and had gift certificates, so they're doing really well with their programs.

Mrs. Latner informed she distributed something she received today from Don Farrell from the Library in regards to the Tax ID and asked the Borough Attorney to explain same. Mr. Rogan explained the request is from the Library Board of Trustees who is looking to invest monies in their regular account and they found a very good CD rate at one particular bank. When they went to try to open the account, the bank gave them a very hard time over a Tax ID Number. He explained that historically they have used the Borough's Tax ID number because they are part of the Borough. Mr. Farrell wrote to us asking that we prepare a Resolution authorizing somebody to write something up for the bank's purposes allowing them to open this account. Borough Attorney contacted the Auditor to see if this was a problem and the initial reaction was "no problem at all"; then about two minutes later we got something back from the Auditor saying the Library should consider opening their own 501(c)3. So in his opinion it wasn't really definitive from the Auditor. It doesn't sound like it would be prohibited; and going back to at least 2002, they have always used the Borough's Tax ID number and they are a part of the Borough. So unless the Auditor prohibits it, he thinks they should let the Library do what they have always done. He voiced his frustration that there were many emails that were almost contradictory to each other within minutes. The Auditor didn't really know what their concern was but they said in talking it over on the office the Trustees should consider getting their own Tax ID number and then they gave us the link to the IRS. Councilwoman Latner read from an email that explained the procedures they would have to take; and she reiterated the Library would like to avoid having to go through all of that. Mr. Rogan said unless the Auditor has a problem with it, he doesn't have any issue; but he will clarify with them. Councilman Devlin asked if the Treasurer was involved at all since it's our money and involves the Cash Management Plan; and the Borough Attorney said he was not aware as he doesn't get involved in finance. He explained this is more of their savings account from what he understands; and Councilwoman Latner affirmed same; it is not Borough money – it's money they have raised themselves. He reminded it only came in today; and they were trying to sort it out to not lose the promotional interest rate that this other bank was offering. He offered that we could approve a Resolution subject to clarification of the Auditor because it is a timely issue; and no objections were voiced to same. Mr. Rogan said he would speak to the Auditor and contact Mr. Farrell. If the Library stayed with their current bank, this wouldn't be an issue; but because they wanted to take advantage of better rates, it is why this came up.

6. COMMITTEE REPORTS (Continued)

C. PUBLIC WORKS - CHUNG (AMITAI/LATNER)

1) REPORT RE PUBLIC WORKS COMMITTEE MEETINGS – Councilwoman Chung reported there was a road that collapsed and the DPW Superintendent was providing her with hour-to-hour updates about how he was standing ground and was not going to leave until the responsibility fell to the County because he felt they were the responsible entity. Although it was hot, he stayed and she said his efforts are commendable. Interim Administrator Hynes added that somebody was going to get the bill – the County, Suez or the town and it's a \$40,000 bill the town didn't get – they determined there's more work to do further down High Street and it's not Closter's responsibility. At the end of the day, Suez will be responsible for the bills. He agreed with Mrs. Chung that the Superintendent's efforts were commendable.

Mrs. Chung reported the DPW Superintendent suggested the Ordinance Committee pull together and get an ordinance for the Third Street Parking Lot and permits, etc. He also requested an ordinance that pertains to an emergency snow removal call because sometimes when they get called in they leave to go on a fire call and he wants an ordinance to block that from happening. He feels that if they get called in for emergency snow removal, they should have to stay on that job, otherwise nobody is salting the roads. She wanted to see how everyone felt about this. Borough Attorney advised that is really part of their contract; and it's really not an ordinance. We have always encouraged volunteerism and he has spoken to the Union about it at Mr. Dahle's request and they have concerns. Mr. Rogan explained it would have to be a contractual change because we can't change anything in the Police or DPW contracts by ordinance. It needs to be negotiated the next time it comes up. We could get a consensus in the meantime; and he voiced his understanding from speaking with the Teamsters Representative he thinks they are okay with an amendment to the contract now without opening up the whole contract to say if they are called in for overtime they will not go on a fire call. One of the DPW Superintendent's concerns was that we would call two (2) guys in to do something and then a fire call comes and one or both guys leave to go on the call. We all agree that is a problem and this is a reasonable request. Mr. Dahle asked for the same thing in terms of all snow plowing; and the Teamsters' concern is they would agree on major roads if it's an emergency, but if someone was on a side street, they want to be able to go to that call. There are competing interests there; and although the Borough has always encouraged volunteer fire and ambulance service as well as Police Department because these people are here in town anyway, he does not believe it requires an ordinance; but it should be discussed because it interferes with the Collective Bargaining Agreement.

Lastly, Councilwoman Chung reported the DPW is starting to look for people for leaf season so if anyone is aware of anybody looking, please get the names to Bill Dahle.

2) LIAISON REPORTS – Councilwoman Chung reported on the following:

a. Board of Health – Mrs. Chung reminded that at the last meeting, the Borough Attorney noted there was an increase in the contract for Mid-Bergen; and that's why it wasn't signed off. She emailed him to let him know the Board unanimously voted on a 2% increase; and that was why the number was different. Borough Attorney advised they should so inform us; and Mrs. Chung said she already relayed the same message to the Board. Mr. Rogan advised he would redo the contract and send it out.

Councilwoman Chung reported at the last meeting Jin (Bae, Registered Environmental Health Services) mentioned massage parlors; and explained it is neither under her jurisdiction or the Board of Health's jurisdiction but she felt there should be some level of oversight to make sure there are safe and clean practices. In answer to Councilwoman Latner, she said she was not sure who has oversight over those businesses; and Chief McTigue said he didn't believe they were necessarily regulated; but he has brought it up before that they have made a couple of arrests over time; and in his research, he found there were some towns that frequently deal with this; and they have created ordinances to license the masseuses. Each individual needs to have a license to provide those services but that's about as far as he got in his research. Councilman Devlin informed they also have to be licensed by the Department of Community Affairs (DCA). In answer to Mayor Glidden, Chief McTigue said with some of the situations they have experienced over the years, he supports an ordinance to regulate these businesses. The Mayor asked Councilman Devlin to assist the Chief with research regarding same. Councilwomen Chung and Latner thought it would fall under the purview of the Board of Health and are surprised it does not. Councilwoman Witko asked about nail salons; and Mrs. Chung informed that the Health Inspector does oversee those and

6. COMMITTEE REPORTS (Continued)

C. PUBLIC WORKS - CHUNG (AMITAI/LATNER) (Continued)

they are required to have a license. Mrs. Chung voiced her understanding there were two (2) different types of licenses: one where they could only do nails; the other includes spa services; so Ms. Bae does inspect for both as they are under her jurisdiction.

The other issue Ms. Bae brought up was that when she went into Wally's Bagels to do an inspection, she was met with some hostility and felt very uncomfortable. They have a Conditional Satisfactory Certificate right now and she has to go back for another inspection and would like a police escort. Chief McTigue said there's history between the two of them, so he would be more than happy to go in and speak to the business owner to try to quell the situation; and he will assist in any way possible.

b. Zoning Board of Adjustment

c. Northern Valley Greenway

3) Special Mayoral Assignment – Stigma Free (WS 6/27/18) – Councilwoman Chung reported the Closter Stigma Free Committee High School Members conducted their activity at the Closter Summer Rec on Friday. It was carnival day and they set up a booth with three stations; they handed out green wristbands and stickers; and when a child would approach, they would ask them if they knew what stigma free was and educate them. The kids were walking away talking about it to each other; and they did a really amazing job.

D. ORDINANCES - DEVLIN (WITKO/AMITAI)

1) REPORT RE ORDINANCE & LEGISLATIVE COMMITTEE MEETINGS – Councilman Devlin reported the Ordinance Committee met last Monday, the key thing they spoke about was redoing the tree ordinance and the Borough Attorney will create a draft. We will then get together with the stakeholders to review everything for feedback; and, hopefully, it will be ready next month. We are looking to strengthen the ordinance to make it harder to cut down trees and such. The Committee discussed the accessory structures ordinance which pertains to detached garages and such. They received an ordinance from the Planning Board that suggested a height of 15-feet maximum for those structures; so we'll probably move to introduce those as well. There were discussions on the Third Street Parking Lot; and they want to get ideas as to how to approach the parking pass. There's a limit to the spots and what will be charged, how are they granted, are they renewable and how are they used. He wanted to open up the discussion for ideas. Mr. Devlin expressed his opinion that they should cost money – enough that it shouldn't be taken lightly; non-removable so they become owned and heirs and family have legacy rights. He doesn't want them to be able to be bought and sold. The Mayor agreed there should be a charge and there should be a certain number given out to not exceed the number of parking spaces; and it should be advertised for a period of time and should be first come first serve. Chief McTigue asked for a little time to look locally to see how other municipalities have approached this and find out what has and has not been successful. In answer to Councilwoman Chung, Borough Engineer informed there are only 14 spaces. She suggested that a lottery system would be best and Councilman Devlin agreed. Mayor Glidden asked the Chief to find out about the pricing setups also and report back to the Council. The Chief agreed that the lottery should be for residents only. Borough Engineer informed that in the contract they will have a no overnight parking restriction. Borough Attorney said it's the same restrictions as a regular street. Chief McTigue mentioned that snow would be a problem because the plows won't be able to get through if cars are parked there before it starts to snow.

2) LIAISON REPORTS – Councilman Devlin reported on the following:

a. Environmental Commission (Voting member) – He missed the last two regular meetings but was able to attend the Special Meeting on 7/23/19 to deal with the Farm. It is being used heavily, picked heavily; and there have become parking issues due to the many visitors. Mayor Glidden informed he received a call from a woman who was angry because she is an older house-bound resident who sent her daughter to pick for her who is not a resident; so Sophie threw her out. He spoke to several members of the Commission who all agreed you have to stick to your guns because there is a problem with people from out of town. Mr. Devlin reminded they are asking for identification as proof of residency.

b. Shade Tree Commission (Voting member) – They will be planting forty-eight (48) trees this year. He thanked Erik Lenander for coming to explain the public purchasing process to them.

6. COMMITTEE REPORTS (Continued)

E. HUMAN RESOURCES – WITKO (CHUNG/LATNER)

1) REPORT RE PERSONNEL COMMITTEE MEETING(S) – Councilwoman Witko informed she had no report this month thanks to Mr. Hynes because he's doing a good job keeping things in order and straightening things out. They had a very productive meeting.

2) LIAISON REPORTS – Councilwoman Witko reported on the following:

a. Board of Education – Closter Public Schools –She attended the last meeting and met the new Superintendent, Vincent McHale from Teaneck. The only thing she can say at this point is that he is very enthusiastic and different from what they had in the past.

b. Fire Department – There were twenty-three (23) incidents in June with 318 personnel hours which is just about the same as last year.

At this time, Councilwoman Witko questioned the 2% salary increase that was budgeted for this year. Mr. Hynes noted it is prepared but they are waiting for direction. He asked if the staff was all 2% and Borough Attorney said there was never a discussion on same as it was built into the Budget. Councilman Devlin voiced his concerns about malfeasance going on here with a lot of RICE hearings. He asked if just because something was budgeted, does it mean we have to spend it. Mayor Glidden said we did Budget for it; and there are raises being given out under existing contracts; and he believes we should give the 2% raise. Mr. Devlin said before that is done, he would like an accounting of how much the 2% will cost and asked if it will affect the value of vacation and sick days, the longevity and pension contributions, and the super extra days which can only be paid out. The Mayor asked him to submit a list of questions to Interim Administrator Hynes.

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

1) REPORT RE CONSTRUCTION DEPARTMENT MEETING(S) – Councilwoman Amitai was not present this evening, therefore, no report was provided.

2) LIAISON REPORTS

a. Planning Board (Voting member)

b. Improvement Commission (Voting member)

c. Senior Citizens

G. MAYOR'S LIAISON REPORT – Mayor Glidden reported he had one (1) item for Closed Session and he wanted to mention that Joel Rudin from the Closter Nature Center Board was supposed to come tonight to give a presentation of the improvements the Board wants to propose for the log cabin. It is very old and it is not in great shape; so this would be the first meeting about what they would like to do. He discussed this briefly with the Borough Attorney; and was advised the Borough owns the land and we have a 100 year lease for the cabin with the Nature Center.

a. Ambulance Corps

b. Borough Engineer

c. Northern Valley Mayor's Association

7. OLD BUSINESS

a. CONTINUED DISCUSSIONS RE THE FOLLOWING:

1) Borough Attorney report re consultation with Borough Engineer re follow up on status of EMERGENCY REPAIRS TO BE MADE AT DWARSKILL BRIDGE ON BLANCH AVENUE ALONG THE NORWOOD BORDER (Requested by Mayor WS 12/12/18 - Discussed at WS 12/20/18, WS 1/9/19, WS 1/23/19, WS 2/13/19, WS 2/27/19, WS 3/13/19, WS 3/27/19, WS 4/10/19, WS 5/8/19, WS 5/22/19, WS 6/12/19, WS 6/22/19 and WS 7/10/19) - Borough Engineer noted that we have tentative meeting dates but we are waiting to hear from the County.

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – WEDNESDAY, JULY 24, 2019 – 7:30 P.M.

At this time, Chief McTigue inquired about the appointment of an Appropriate Authority; and Borough Attorney voiced his understanding it was on the Agenda this evening.

Borough Clerk advised that her office is working on the Do Not Knock Registry and have reviewed several policies from other Boroughs and the information was forwarded to the Borough Attorney. In addition they are working with Kevin Whitney on same for use on the web.

Borough Clerk also noted that we do not have a job description for the Administrator on file because we removed the responsibilities by adoption of Ordinance (No. 2017: 1225) and there is still nothing on file. She doesn't know which committee is reviewing it at this point. Mayor Glidden asked that the HR Committee start the process and they will go from there and Ms. Castano thanked him for same.

8. NEW BUSINESS

Borough Engineer advised that the DPW is proposing pole barns to house their equipment and because of the proximity of the stream which runs directly behind the DPW, there will be DEP involvement relative to flood plain, wetlands and riparian buffers. Unfortunately, the stream is unstudied; so we have to conduct a study and determine what the flood plain is, unlike other streams where the DEP already has maps about them. A proposal will be submitted in the coming weeks.

Interim Borough Administrator advised we are ready to move on an online tax payment program, the cost of \$1,325 which is in the Budget and other towns have the same program as part of the Edmunds system. It will take approximately 9 weeks to implement the system. He recommended that the Finance Department be given the okay to start the process. The cost involves the installation of the Web Inquiry Payment Portal at a cost of \$600. There is an annual maintenance charge of \$600 and a one-time cost for the swipe device. Going forward there will be a \$600 annual maintenance fee. There are charges through Investor's Bank which processes the payments that the taxpayer would pay at 2.95% of the payment amount and an e-check cost of \$1.05. Councilwoman Chung cited her understanding of past problems with Edmunds; and Borough Administrator explained that he had no problems with Edmunds in his former municipality; and this program has been blessed by Kevin Whitney and the de facto Finance head. The program should be available by November. In answer to Councilwoman Chung, he agreed this would be the segue way to making credit card payments at Municipal Court.

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

Dr. David Barad (26 Kinkaid Avenue) expressed support for the online tax payment program. He said the problem with Edmunds was because it was a DOS based program that had issues working with the modern Windows environment. He also noted that there are a lot of other functions we are unable to access because people are not fully trained on the program.

10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

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

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – WEDNESDAY, JULY 24, 2019 – 7:30 P.M.

12. ADJOURNMENT

Motion to adjourn the Work Session at 8:23 p.m. was made by Councilwoman Latner, seconded by Councilman Yammarino and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on
August 8, 2019 for approval at the
Regular Meeting to be held
August 14, 2019

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held August 14, 2019
Consent Agenda Item No. 37b