

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MAY 25, 2011 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:17 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 Notice of Meetings which was sent to The Record and published on January 9, 2011 and to the Press Journal and published on January 13, 2011, posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

2. ROLL CALL

Those present were the following:

Mayor Sophie Heymann
Councilpersons John C. Glidden, Jr., Alissa Latner, John Kashwick and
Arthur Dolson
Borough Administrator, Quentin Wiest
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Officer in Charge, Dennis Kaine

Those persons absent were:

Councilman David Barad
Councilwoman Victoria Amitai

3. PUBLIC HEARING AND ADOPTION OF AMENDMENT TO 2011 MUNICIPAL BUDGET AT @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD

This Amendment was introduced at the Regular Meeting held 5/11/11 and was published in The Record issue of 5/16/11, as stated in the Borough Clerk's affidavit of publication. Reprint of this Amendment was posted on the Municipal Bulletin board in accordance with statutory requirements and copies have been made available to the general public.

Steve Isaacson, 97 Columbus Avenue, questioned the amount being given to the Library and Borough Administrator advised that the amount is based on assessed values as required by State law. The State changed the rules on the presentation of the Library funding and it is now a separate line item in the Budget. The dollar amount is the same. Mayor Heymann noted that Northvale chose to close their library rather than pay the State required 1/3 of a mil.

Motion to adopt was made by Councilman Dolson, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick and Dolson.

Councilman Dolson referred to the original budget dated March 23, 2011 and noted that the amount to be raised by taxation has been reduced by this amendment.

4. RESOLUTION RE SELF-EXAMINATION OF BUDGET (Received from Auditor 5/10/11)
This item is to be approved prior to adoption of the Municipal Budget.

Mayor Heymann noted that the self-examination of the budget is a State mandate that must be obeyed in order to have the privilege of the Budget not being inspected by the State every year due to sound fiscal policies.

Motion of approval was made by Councilman Dolson, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick and Dolson.

5. ADOPTION OF THE 2011 MUNICIPAL BUDGET, AS AMENDED, @8:00 P.M. OR AS

SOON THEREAFTER AS THE MATTER MAY BE HEARD

The Municipal Budget was introduced at the Regular Meeting held 3/23/11; and the Municipal Budget Summary was published in the Press Journal issue of 3/31/11, as stated in the printer's affidavit of publication. Reprint of the Summary was posted on the Municipal Bulletin Board in accordance with statutory requirements, was posted on the Municipal Web Site pursuant to N.J.S.A. 40A:4-10; and copies have been made available to the general public. On 3/30/11, the Borough Clerk hand delivered a copy of the Municipal Budget to the Library Director, in accordance with N.J.S.A. 40A:4-8, for public inspection.

The Public Hearing on the Municipal Budget was held at the Regular Meeting of 4/26/11.

Amendment to the 2011 Municipal Budget was introduced at the Regular Meeting held 5/11/11 and the public hearing is scheduled to be held this evening.

Motion adopting the 2011 Municipal Budget, as amended, was made by Councilman Dolson, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick and Dolson.

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

The following Ordinances were introduced at the Regular Meeting held 4/26/11 and were published in The Record on 4/30/11 as stated in the Borough Clerk'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. 2011:1087, "AN ORDINANCE AMENDING CHAPTER 18 OF THE CODE OF THE BOROUGH OF CLOSTER"

Mayor Heymann declared a Public Hearing. No one wishing to be heard, Mayor Heymann closed the Public Hearing.

Motion approving adoption of Ordinance No. 2011:1087 was made by Councilman Kashwick, seconded by Councilman Dolson and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick and Dolson.

b. ORDINANCE NO. 2011:1094, "AN ORDINANCE REVISING CHAPTER 181, TREE PRESERVATION AND REMOVAL AND CHAPTER 59, SHADE TREE COMMISSION"

Mayor Heymann declared a Public Hearing.

The Borough Attorney explained that the changes raised by Mr. Kashwick during the Work Session were not diminimus; therefore, this item could not be adopted this evening. His office will prepare the suggested information, as an amendment to the Ordinance, and have it ready for introduction at the next meeting (to be held June 8, 2011).

Mayor Heymann closed the Public Hearing.

7. MAYORAL APPOINTMENTS TO THE PLANNING BOARD (TO BE PROVIDED BY MAYOR) (Requested by Mayor 5/4/11)

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
PLANNING BOARD			Unexpired	
Class IV Member	<u>Robert Friedman</u>	<u>Dean C. Pialtos</u>	4 Year	12/31/11

8a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 11, 12, 13 and 22 was made by Councilman Dolson, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick and Dolson.

9. INTRODUCTION OF THE FOLLOWING ORDINANCE(S) - PUBLIC HEARING(S)-

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – MAY 25, 2011 - 7:30 P.M.

6/22/11, @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

- a. ORDINANCE NO. 2011:1097, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING HISTORIC PRESERVATION (Received from Borough Attorney 5/17/11)

Jesse Rosenblum, 65 Knickerbocker Road, noted that at prior meetings the Historic Preservation Commission members said they were only concerned with the front of the buildings. Borough Attorney said the language of the ordinance as it stands now refers to public view which depending on the location of the structure could also be the side of the building. The proposed ordinance refers to Section 35-56 that sets up the standard for review, which remains the same and now indicates the actions requiring review to make the two sections consistent.

RESOLUTIONS

10. BILL RESOLUTION – MAY 31, 2011
TO BE PREPARED BY DEPUTY TREASURER.
- 11.—RESOLUTION AWARDED BID RECEIVED AT BID OPENING HELD 4/20/11 @ 11 A.M. FOR 2012 INTERNATIONAL MODEL 7500 4X4 CHASSIS WITH A HOOK LIFT & BODIES AS SPECIFIED OR EQUAL, FOR THE BOROUGH OF CLOSTER, TO SOLE AND LOW BIDDER, DELUXE INTERNATIONAL TRUCKS, INC. OF HACKENSACK, NJ, FOR THE BASE BID PLUS OPTIONS 2 & 3, IN THE AMOUNT OF \$229,615.00 (Received from Administrator 4/21/11) (Adjourned from RM 4/26/11; RM 5/11/11)
- 12.—*POSSIBLE* RESOLUTION AWARDED CONTRACT TO _____ FOR PROFESSIONAL PLANNER – MASTER PLAN, RECEIVED AT OPENING HELD 3/30/11 @ 1:30 P.M. - TO BE PREPARED BY BOROUGH ATTORNEY (Adjourned from RM 4/26/11; RM 5/11/11)
- 13.—RESOLUTION AUTHORIZING THE MAYOR TO SIGN CROWN CASTLE LEASE AMENDMENT (allowing placement of pad and cabinet within existing lease area of cell tower site) (Received from Administrator 2/2/11/Adjourned from RM 2/9/11; RM 2/23/11; RM 3/9/11; 3/23/11; 4/13/11; 4/26/11; 5/11/11)
14. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEARS 2010 & 2011: ASHOK MEWANI V. CLOSTER (Received from Borough Attorney 5/12/11)
15. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$2,665.37 TO CORE LOGIC DUE TO 4TH QUARTER 2008 DUPLICATE TAX PAYMENT FOR BLOCK 1207 LOT 22, 150 HERBERT AVENUE (Received from Collector 5/19/11)
16. RESOLUTION AWARDED BID RECEIVED AT BID OPENING HELD 5/18/11 @ 4 P.M. FOR DIGITAL VIDEO BASE STATION EQUIPMENT TO THE SOLE AND LOW BIDDER, L-3 COMMUNICATIONS MOBILE-VISION, INC. OF BOONTON, NJ, FOR AN AMOUNT NOT TO EXCEED \$18,378.00 (Received from Administrator 5/19/11)
17. RESOLUTION AWARDED BID RECEIVED AT BID OPENING HELD 5/4/11 @ 4 P.M. FOR THE PROJECT KNOWN AS “PURCHASE AND INSTALLATION OF A REPLACEMENT ROOF ON THE CLOSTER FIREHOUSE” TO THE LOWEST RESPONSIBLE BIDDER, JERSEY PARTNERS COMPANY, INC. OF WOODLAND PARK, NJ FOR THE BASE BID AMOUNT OF \$36,700.00 (Received from Administrator 5/19/11)
18. RESOLUTION SETTING FEE FOR SEWER SERVICE TO ALPINE PROPERTIES FOR CALENDAR YEAR 2011 AT A RATE OF \$763.00 FOR EACH ~~NEW~~ ALPINE SEWER CONNECTION (Received from Administrator 5/19/11)
19. RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE 2009 SAFE SIDEWALKS TO TENAKILL SCHOOL INFRASTRUCTURE PROJECT PREPARED BY BOSWELL MC CLAVE ENGINEERING (Received from Administrator 5/19/11)
20. RESOLUTION AUTHORIZING BOSWELL MC CLAVE ENGINEERING TO BID THE 2009 SAFE SIDEWALKS TO TENAKILL SCHOOL INFRASTRUCTURE PROJECT (Received from Administrator 5/19/11)

MOTIONS

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING MINUTES – MAY 25, 2011 - 7:30 P.M.

21. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES
 (Distributed via e-mail on 5/20/11) NO ABSTENTIONS
 a. REGULAR MEETING OF MAY 11, 2011
 b. WORK SESSION OF MAY 11, 2011

~~22.~~ MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO FILL THE FOLLOWING *NON-SALARIED* APPOINTMENTS MADE AT THE FOLLOWING MEETINGS (Which have not been accepted as of the time of preparation of this Agenda)

<u>OFFICE</u>	<u>MEETING</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION				
Member	Reorg 1/4/11	<u>Grace Kim Kook</u>	2 Year	12/31/12
Member			2 Years	12/31/12
Member	RM 2/23/11	<u>Chris Tina Stratton</u>	2 Years	12/31/12

23. MOTION GRANTING APPROVAL FOR CLOSTER RECREATION COMMISSION TO HOLD ANNUAL BARBECUES AND SOFTBALL GAMES AND SERVE BEER TO COACHES AT ALL EVENTS AT MEMORIAL FIELD BEGINNING AT 7 P.M. ON THE FOLLOWING DATES: FRIDAY, 5/27/11, FRIDAY, 7/1/11, FRIDAY, 9/2/11; LABOR DAY WEEKEND: 9/3; 9/4 AND 9/5; RAIN DATES: SUNDAY, 5/29/11 @ 4 P.M.; SATURDAY, 7/2/11, @7 P.M.; SATURDAY, 9/3/11, @4 P.M. (12. M.L. 5/12/11)

24. MOTION APPROVING/DENYING THE FOLLOWING APPLICATION FOR HAWKER & PEDDLER PERMIT TO CONDUCT BOROUGH-WIDE MEMBERSHIP BUILDING AND FUND RAISING; AND WAIVING FEE (Received from Chief of Police 5/17/11):

- a. NO. 2011-002 - NON-PROFIT ORGANIZATION: THE FUND FOR PUBLIC INTEREST, 237 WEST 37TH STREET, NEW YORK, NY 10018

In answer to Mayor Heymann, Borough Attorney explained that the Borough cannot be selective on waiving the fee; but because the Organization is a 501C-4 organization, a fee cannot be charged.

25. REPORTS

- a. CHIEF OF POLICE - APRIL 2011 (Received 5/17/11)

8b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

26. 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)

In answer to Louise Boyarsky, 102 Venus Drive, Mayor Heymann said that an architect is being hired to provide plans for the restoration of this building; and a Planner is going to be hired to deal with certain recommendations of the 2008 Master Plan. The proposals that had been received were not adequate and the candidates were told to improve their proposals. Borough Engineer advised that the elements referred to are not historical related but deal with zoning issues. Mayor Heymann said that a reexamination of the Master Plan is required every 10 years. Mrs. Boyarsky referred to areas of the Historic Element of the Master Plan that she felt were contradictory. Councilman Kashwick noted that the Historic Element of the Master Plan has been completed and paid for from a \$20,000 State grant; and a Planner is being hired to review the conservation zone, industrial zone and commercial parking zone. Mrs. Boyarsky indicated that the \$20,000 was not well spent; and questioned if a grant was available for business improvement development. Mayor Heymann said that as far as she knew, a grant of this nature was not available to Closter at this time.

Steve Isaacson, 97 Columbus Avenue, referred to the Alpine sewer connection fee and was advised by the Borough Engineer that this is an annual charge. Mayor Heymann said the flow charge is based on the contract with Alpine. Councilman Dolson advised that Anderson Avenue is owned by the Borough of Alpine; and our sewer line is under it. Alpine allowed the Borough to install the pipe if Closter would look favorably upon the use of same by Alpine residents.

Mr. Isaacson questioned the cost of the steak and beer barbecue by the Recreation Commission.

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – MAY 25, 2011 - 7:30 P.M.

Councilman Glidden noted that the Commission pays for same and that he would obtain the cost. Borough Administrator said that the Closter Coaches Association pays for the barbeque; and an invoice for the barbecue has never been submitted for payment. Mr. Isaacson objected to free gifts of beer and barbecue during these hard economic times; and he protested allowing drinking in public. Borough Attorney noted that the Motion is to allow the event to have the barbecue and has nothing to do with funding.

Jerry Boyarsky, 102 Venus Drive, questioned the significance and obligation of the Historical Element of the Master Plan approved by the Planning Board and does the Plan need approval of the Mayor and Council. Borough Attorney explained that the Master Plan is a planning recommendation approved by the Planning Board after public hearings. It is a reference for future Councils in order to change or modify ordinances within the confines of the Master Plan and after hearings and a favorable recommendation of the Planning Board. In order for the Master Plan to have a direct impact on a property, an ordinance would have to be changed.

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

Borough Attorney referred to 100 Piermont Road and 614 Closter Dock Road where notices have been posted by Jim Whitney and informed that this subject may appear on our next agenda for action. He explained that in an attempt to keep the properties from an unsightly condition, inspections are done and estimates for work to be done are prepared. The property owner is notified and the services are assessed on the property tax bill.

In answer to Jerry Boyarsky, Venus Drive, Borough Attorney advised that the Planning Board is required to give public notice on any application that is before the Board.

- 27a. Motion approving the following Closed Session Resolution at 8:54 p.m. was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick and Dolson.

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.A.A. 10:4-12(b)(5) "A matter involving the expenditure of public funds for the acquisition of real property" and N.J.S.A. 10:4-12(b)(8), "A matter involving public employees"; and that the item(s) under discussion in the closed meeting would be disclosed to the public at the conclusion of the matters which should be within 6 weeks.

Mayor Heymann resumed the Regular Meeting at 9:34 p.m.

Borough Engineer explained the downtown parking map, that had been prepared, which he distributed to the Mayor and Council for review. He noted that the County could not allow angle parking to be maintained due to current standards. Angle parking could not be installed on only one side. Making the street one way, with County approval, would allow for angle parking; and Councilman Dolson expressed his objection to a one-way street. The sidewalk minimum legal width is 4 feet and he could revise the plan to remove footage on the sidewalks on each side of the street. A presentation of the parking would be made in the next few weeks.

- 27b. Relative to paperless packets, Mayor Heymann objected to the need for individual computers and felt that the information could be printed out on a home computer and brought to the Council meeting.

Motion approving paperless packets was made by Councilman Kashwick, seconded by Councilwoman Latner.

ON THE MOTION, the vote was as follows:

	Mr. Glidden – yes	Dr. Barad - absent
	Mrs. Latner – yes	Mr. Dolson - yes
CARRIED 4-0	Mr. Kashwick – yes	Mrs. Amitai - absent

28. ADJOURNMENT

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING MINUTES – MAY 25, 2011 - 7:30 P.M.

Motion to adjourn the Regular Meeting at 9:48 p.m. was made by Councilman Glidden, seconded by Councilwoman Latner and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council on
June 3, 2011 for approval at the
Regular Meeting to be held
June 8, 2011

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held June 8, 2011
Consent Agenda Item No. 26a.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – MAY 25, 2011 - 7:30 P.M.

Mayor Heymann called the meeting to order at 7:35 p.m.

1. PLEDGE OF ALLEGIANCE
2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was sent to The Record and published on January 9, 2011 and to the Press Journal and published on January 13, 2011, posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

3. ROLL CALL

Those present were the following:

Mayor Sophie Heymann
Councilpersons John C. Glidden, Jr., Alissa Latner, John Kashwick
and Arthur Dolson
Borough Administrator, Quentin Wiest
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Officer in Charge, Dennis Kaine

Those persons absent were:

Councilman David Barad
Councilwoman Victoria Amitai

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF MAY 12, 2011 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item No. 2 was removed by the Mayor; Item No. 6 was removed by Borough Clerk; Item No. 10 was removed by Jerry Boyarsky.

Item No. 2: Received 05/02/11, dated 05/02/11 from Mayor to Borough Clerk re Notification of resignation of Robert Friedman from the Closter Planning Board, effective 5/2/11 (Class IV member for a 4-year term to 12/31/11) distributed 5/6/11

Mayor Heymann noted she incorrectly filled the vacancy at the last meeting and announced that Dean Pialtos, currently Alternate No. 2, will replace Robert Friedman as a Class IV Member. The Mayor then informed she would be appointing Chris Pereira as Alternate No. 2.

Item No. 6: Received 05/10/11, dated 05/06/11 from Dennis Reycraft, New Business Manager, United Water, to Loretta Castano re Invest #52841, 1 Railroad Avenue, Closter, NJ (Van Sciver Corp.), Requesting installation approx. 80 ft. of 8-inch Main in Railroad Avenue for (1) 2-inch domestic service and (1) 4-inch fire service; Approval for Extension for and Investigation Sketch enclosed and requesting if resolution approved to return signed forms or to notify them in the

event of disapproval (Copy to Kevin Whitney, Quentin Wiest, William Dahle, III)

Borough Clerk informed they are waiting for a report from the Fire Official (Kevin Whitney) at this time and asked for guidance as to whether to place this on the Agenda for the 6/8/11 Regular Meeting. Mayor Heymann affirmed same and no objections were voiced.

Item No. 10: Received 05/12/11 open from Mayor's Office, dated 05/11/11 from Arthur N. Chagaris, Esq. Beattie Padovano, LLC, c: Edward T. Rogan, Esq., All Members of Closter Planning Board, Rose Mitchell (Planning Board Secretary), Nick DeNicola, PE (Board Engineer), re Informing that at the 4/6/11 Planning Board Work Session, the Borough of Closter Draft Ordinance - Historic Preservation, which revises Section 35-55, paragraph A(1)(c) of Chapter 35 of the Code of Closter was reviewed; and the Board voted unanimously to approve it as submitted (Letter ID# 781209_2\007028) Copy to Jennifer Rothschild

Jerry Boyarsky, 102 Venus Drive, referred to this item and noticed there is an item on the Agenda to vote to accept this historical element. Mayor Heymann explained there are two different issues; what we are accepting tonight is a minor change to the Historic Preservation ordinance, which has nothing to do with the bigger issue he is concerned about regarding the Historic Preservation Element to the Master Plan. She explained this is just changing a few words to put two ordinances in sync with each other. Mr. Boyarsky reiterated his concerns about the Historic Element to the Master Plan; and Mayor Heymann informed him that was not the issue they were discussing this evening. He informed he understood that and questioned when the public was going to have the opportunity to provide their input for same. Mayor Heymann reiterated that every single step of the proposed adoption of the Historic Preservation Element to the Master Plan was advertised and informed she understands Mr. Boyarsky received a personal letter informing him of the date and time for the public comment period. Mr. Boyarsky asked the Borough Clerk to inform him of when it was advertised for the public hearing and Ms. Castano explained that is not her responsibility and referred him to the Land Use Coordinator for the Planning Board for same. In response to his statement, Mayor Heymann informed that the public was notified as well, not just him. She further explained there were posters on Main Street, it was on the web and it was advertised in the newspaper; and she said she does not know how much more advertising there could have been. Mr. Boyarsky asked to see the record of same.

Louise Boyarsky, 102 Venus Drive, asked if they could have a copy of the wording that is being changed. The Borough Attorney clarified it is for the ordinance on tonight's Agenda and she agreed. Mr. Rogan explained that Section 35 deals with residential houses; and this change came about due to an historic homeowner's attorney's request because there was an inconsistency within the ordinance. It has been clarified to mean that in terms of the historic board's impact or say in a matter in terms of changes, he explained it was redefined as follows: "All changes to the exterior architectural appearance of any improvement within a historic district or of any historic landmark ***in the public view as defined in this section of the Code*** by addition, alteration or replacement". He said previously the wording was vague as to whether the committee could have input on a rear part of a house. It was done after they pointed that out to a committee and it was clarified that the concern of the Historic Preservation Board was what could be seen from the street. So the only change to that was that it was redefined to say "***in the public view***". Mr. Rogan explained it is more liberal in terms of how much control can be given to the Historic Preservation; before that it was somewhat vague. If there was a house sitting on a piece of property and you looked at it from the street, arguably they could have input on the back of it even though you couldn't see it. Now it has been clarified to say that the main concern was to address

what could be seen from the public view. He said it is completely separate and apart from the other issue for the Master Plan.

Mayor Heymann reiterated this ordinance has been on the books for a long time and they are only ameliorating it with an additional clause and has nothing to do with anything else. In response to Mrs. Boyarsky, the Borough Attorney affirmed it is defined in the existing ordinance what the Historic District is comprised of in Section 35. She asked what the boundaries are; and he explained that he would need to look at a map. The Borough Engineer clarified that the map is not being changed as a part of this ordinance. The Borough Attorney reiterated the only change is to make one paragraph consistent with another paragraph within the same ordinance. Nothing has been expanded or changed in any way. In response to her question, Mr. Rogan reiterated this ordinance has nothing to do with the Master Plan issue, though they are both of an historic nature.

b. MAIL LIST OF MAY 19, 2011 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item No. 14 was removed by Steve Isaacson.

Item No. 14: Received 05/19/11, dated 05/17/11 from Edward B. Baker, Project Manager, EnSafe, to Bureau of Case Assignment & Initial Notice, NJDEP Site Remediation Program c: Loretta Castano, Louis Apa - Health Officer, re Weyerhaeuser NR Company, 10 Railroad Avenue - Block 1205, Lot 8 and Block 1206, Lot 19, ISRA Case# E20070196, PI# 013109, GIN Dated June 13, 2007, re Receptor Evaluation Form - Receptor Evaluation Form Only!
COMPLETE SUBMISSION ON FILE IN BOROUGH CLERK'S OFFICE (Copy to Construction Official, Board of Health, Environmental Commission - Receptor Evaluation Form Only)

Steve Isaacson, 97 Columbus Avenue, questioned what the situation is with Weyerhaeuser and asked the Borough Engineer to explain same. Mr. DeNicola informed he did not see the entire package, but explained that any time an environmental investigation is conducted, they are obligated to copy the Borough so they are aware of what is going on. He said the information is on file in the Borough Clerk's office and offered he could stop by if he wanted to review same. Mr. Isaacson clarified stating there is another business currently operating at this location; and wanted to know why remediation was still ongoing. The Borough Engineer explained that is very commonplace and said the person who contaminated the site is responsible for remediation, unless a new lease is signed for the occupant to take over same, but who would want to do that. In response to Mr. Isaacson, the Mayor informed they are still in the investigation phase and no remediation has taken place yet. The Borough Engineer informed the process could take years.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of May 25, 2011)

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

The following Ordinances were introduced at the Regular Meeting held 4/26/11 and were published in The Record on 4/30/11 as stated in the Borough Clerk'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:

b. ORDINANCE NO. 2011:1094, "AN ORDINANCE REVISING CHAPTER 181, TREE

PRESERVATION AND REMOVAL AND CHAPTER 59, SHADE TREE COMMISSION”

Councilman Kashwick noted that there was an error in Section 181-6 where it indicated “Caliper of Tree Removed” under “6” to no more than 15”, the second column “Number Required for Mitigation” should be “1 for each removed” only and the notation in parenthesis relative to fractions should be removed. Borough Attorney explained he would review this during the meeting and advise of its status during the Regular Meeting.

RESOLUTIONS

11. RESOLUTION AWARDDING BID RECEIVED AT BID OPENING HELD 4/20/11 @11 A.M. FOR 2012 INTERNATIONAL MODEL 7500 4X4 CHASSIS WITH A HOOK LIFT & BODIES AS SPECIFIED OR EQUAL, FOR THE BOROUGH OF CLOSTER, TO SOLE AND LOW BIDDER, DELUXE INTERNATIONAL TRUCKS, INC. OF HACKENSACK, NJ, FOR THE BASE BID PLUS OPTIONS 2 & 3, IN THE AMOUNT OF \$229,615.00 (Received from Administrator 4/21/11) (Adjourned from RM 4/26/11; RM 5/11/11)

In answer to Councilwoman Latner, Borough Administrator said that he is awaiting information on the date of availability; and it is hoped to have same at the next meeting.

12. *POSSIBLE* RESOLUTION AWARDDING CONTRACT TO _____ FOR PROFESSIONAL PLANNER – MASTER PLAN, RECEIVED AT OPENING HELD 3/30/11 @1:30 P.M. - TO BE PREPARED BY BOROUGH ATTORNEY (Adjourned from RM 4/26/11; RM 5/11/11)

Borough Clerk reminded the Council that the 60-day clock for award of proposals is running from the date of receipt which was May 29, 2011. Mayor Heymann advised that in the review of the proposals by the Planning Board, it was determined that information was missing from several and, therefore, returned for completion. The planners in question were advised verbally. Borough Clerk said that same should be memorialized in writing by the Planning Board; Borough Attorney expressed his agreement and the Borough Clerk asked for a copy of that correspondence for the Borough files.

13. RESOLUTION AUTHORIZING THE MAYOR TO SIGN CROWN CASTLE LEASE AMENDMENT (allowing placement of pad and cabinet within existing lease area of cell tower site) (Received from Administrator 2/2/11/Adjourned from RM 2/9/11; RM 2/23/11; RM 3/9/11; 3/23/11; 4/13/11; 4/26/11; 5/11/11)

Mayor Heymann advised that there would be a meeting with Crown Castle in the coming weeks.

18. RESOLUTION SETTING FEE FOR SEWER SERVICE TO ALPINE PROPERTIES FOR CALENDAR YEAR 2011 AT A RATE OF \$763.00 FOR EACH NEW ALPINE SEWER CONNECTION (Received from Administrator 5/19/11)

Borough Engineer advised that the calendar year fee would be for each and every sewer connection not just new connections

19. RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE 2009 SAFE

SIDEWALKS TO TENAKILL SCHOOL INFRASTRUCTURE PROJECT PREPARED BY
 BOSWELL MC CLAVE ENGINEERING (Received from Administrator 5/19/11)

In answer to Councilman Kashwick, Borough Engineer said that approximately 6 trees would be removed but 18 to 24 new trees would be planted in accordance with the tree plan.

MOTIONS

22. MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO FILL THE FOLLOWING *NON-SALARIED* APPOINTMENTS MADE AT THE FOLLOWING MEETINGS (Which have not been accepted as of the time of preparation of this Agenda)

<u>OFFICE</u>	<u>MEETING</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION				
Member	Reorg 1/4/11	<u>Grace Kim Kook</u>	2 Year	12/31/12
Member			2 Years	12/31/12
Member	RM 2/23/11	<u>Christina Stratton</u>	2 Years	12/31/12

In response to Mayor Heymann’s inquiry, Borough Clerk explained that the signed Oath of Office has not been received from these individuals, which would signify acceptance of their appointment by the governing body, although the Citizen Leadership forms were received. She added that many board members are confused due to the need to sign two forms: one for the official appointment made by the Mayor and Council (white form), the other the Citizen Leadership form (blue) made by the appropriate board.

6. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY - DOLSON (GLIDDEN/ KASHWICK)

1) STATUS REPORT RE CLOSTER WEBSITE – Councilman Dolson informed he had nothing to report regarding the website.

2) STATUS REPORT RE MUNICIPAL BUDGET – Councilman Dolson informed tonight is the proposed Adoption of the Municipal Budget. He said he assumes everyone will support it as it is a great Budget and things are working well financially for the Borough this year. He is delighted that they have been so successful in the past few years keeping the finances under tow and controlling the inflationary rate of the taxes.

3) REPORT – Regarding the Ambulance Corps., as liaison he wanted to remind everyone that the fundraising drive is in full swing and a number of contributions have been received so far, gratefully. He hopes everyone can give a little something to keep the organization functioning and going. He said it is incredible that people don’t realize that for every single call they expend many dollars worth of medical supplies that are used once. Now they have a new rule in the State that they have to be age-dated, so now they can’t even keep a large inventory. This is another cog in the wheel they have to deal with. Mr. Dolson announced that they have two new members of the Corps. He voiced his opinion that it is wonderful that people volunteer for such a high tension issue to respond in the middle of crises. Mayor Heymann added that the burden we place on our volunteers is enormous. She explained they have to take classes and keep up with

6. COMMITTEE REPORTS (Continued)

A. FINANCE AND TECHNOLOGY - DOLSON (GLIDDEN/ KASHWICK) (Continued)

those, and they are not necessarily in the immediate neighborhood. They have to volunteer for certain specific times in the case of the Ambulance Corps.; the Fire Department has to be on call any time an emergency comes up. She said they donate an incredible amount of time to the Borough. The Mayor informed that about 12 years ago when she was liaison to the Fire Department she had calculated how much the Fire Department saved us; and at that time, the cost was about \$3M. She explained that people may not know that if they call a private ambulance, as opposed to ours, that it may not appear as quickly as it does; and the cost for private services easily runs into the four figures for each call. She wanted everyone to know that to better appreciate what the Corps. does for us.

B. PUBLIC SAFETY - GLIDDEN (DOLSON/LATNER)

1) REPORT – Councilman Glidden informed he had one item for Closed Session regarding personnel. He reminded that at the past few meetings, the subject of switching Interboro Dispatch over to the County has been brought up, and he invited Det. Sgt. Dennis Kaine to speak as to some of the “quirks” and “tweaks” of the new system.

Det. Sgt. Kaine informed that at 3 p.m. last Friday they flipped the switch over at Interboro and it is now being operated out of Mahwah. There are no longer any dispatchers on our desk downstairs. Everything is basically running fine except for a couple of quirks. Mr. Glidden asked him to elaborate on what kind of quirks there have been. Det. Sgt. Kaine explained there was a fire alarm where the Fire Department was dispatched, but the relay did not work; and the fire horn did not go off in Closter. Everyone still got the message on their electronic pagers; and there was no delay in the dispatching; but there were technical errors with the horns not being sounded. In response to Mr. Glidden, he informed there have been no public safety issues with respect to the changeover; and said it was just glitches in respect to recordkeeping and things of that nature. He informed the key fob system is in place for access after hours; the building is open from 7 a.m. to 11 p.m. Monday through Friday and 7 a.m. to 7 p.m. on Fridays and closed on weekends. Many personnel already have a key fob to gain entry into the building if necessary. The building is still covered 24/7 with security. If the doors are locked, there is a phone that will ring directly to the Mahwah Dispatch Center which, if nobody is at headquarters, they would send in a Closter officer. If the building is open and there is nobody at the desk, there is a buzzer; and if nobody answers, there is another phone outside the desk that would ring to Mahwah; and they would have someone come into headquarters.

Steve Isaacson, 97 Columbus Avenue, is looking at a copy of the budget and noted it seems the cost for Interboro has increased from \$102,000 last year to \$257,000 this year; and he thought the whole purpose of this change was to save money. He pointed out that we are spending three times as much, now we have nobody downstairs; and he asked for an explanation. Mr. Wiest informed that Mr. Isaacson is referring to the Amendment to the Budget, which will have a public hearing later this evening, and said he would be happy to explain at that time. Mr. Isaacson reminded that we are talking about Interboro now. Mr. Wiest explained that what they are looking at is not last year versus this year; it is simply a change within this year’s budget that is a wash from a tax standpoint. Some of the dollars they show as an expenditure are also coming back as a revenue. Because of the way the reorganization has gone, we are now sending our year’s expense out to Haworth who is coordinating all of the funds for Interboro. Some of it will come back to us as a revenue, and some of it will go to the County. He explained that part of the year dispatch was

6. COMMITTEE REPORTS (Continued)

B. PUBLIC SAFETY - GLIDDEN (DOLSON/LATNER) (Continued)

operated out of Closter, and now for the balance of the year, it will operate out of Mahwah. He voiced his understanding that in terms from our standpoint, it is a wash in the budget in terms of these changes; and in terms of where we are heading, it is going to be a cost savings because the long term cost to us is going to be less than it was previously.

In response to Mr. Isaacson, Mr. Wiest explained that Haworth is one of the Interboro communities and the presidency of the Interboro gets passed around. He said the way it was set up this year, under this new relationship with the community, the Interboro community and the dispatch group will still exist; it's just the funds are being handled by Haworth. Previously there was no need for a central coordinator because we were the central coordinator and everybody paid into us. Now what happens is a payment is going to the County. Each town is not paying the County individually because we are still operating as a unit; so the group is still together but the money is being sent to a central point in Haworth and the bills are being paid from there.

Jesse Rosenblum, 65 Knickerbocker Road, questioned what happens if a resident dials 768-5000 or 9-1-1; Det. Sgt. Kaine informed a dispatcher in Mahwah would answer. In response to Mr. Rosenblum, he informed Mahwah has Caller ID and there is an automatic mapping program they use to locate the street. Det. Sgt. Kaine said Mahwah has its own machine used to record calls.

C. PUBLIC WORKS - LATNER (AMITAI/GLIDDEN)

1) REPORT – Councilwoman Latner informed there was nothing new to report regarding Public Works.

Mrs. Latner informed that in light of what is happening in Northvale, the Closter Library is looking into offering Northvale residents the opportunity to buy a Library card in Closter, though it will still be expensive, but they would have the opportunity to access a library.

Mrs. Latner explained she is just a messenger, but she has been warned that the Fire Department has had a couple of issues with the dispatch system; and she suggested at this point to keep a log so that specific issues can be responded to. She said she has been warned that at the next Fire Department meeting, they will be presenting her with the issues that have been coming up.

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

In the absence of Councilman Barad, no report was provided for the following Agenda items:

- 1) REPORT RE ORDINANCE COMMITTEE MEETINGS
- 2) REPORT

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Kashwick reported that he and the Borough Administrator met the other night regarding job descriptions; and they should have some movement on those by the end of June.

2) REPORT – Mr. Kashwick reported on the following:

a. Environmental Commission – Mr. Isaacson installed some blazes and some signs; and thanks to Nick (De Nicola, Borough Engineer) our own DPW was able to remove the guard rail and those three sections are now gone. The trail can be walked through without having to climb over them. He reported that planting has begun at the MacBain Farm. Mr. Kashwick questioned if anyone knew the status of the Water Company bridge. Mayor Heymann informed it

6. COMMITTEE REPORTS (Continued)

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON) (Continued)

is being built; and to her knowledge, the issue holding it up was that the bridge needed to be raised by eight inches and that is being done now. The Borough Engineer does not know exactly when it will be complete but he agreed with the Mayor that it should be soon.

b. Historic Preservation – He reminded they already discussed the change to the ordinance that is to be introduced on the Agenda tonight (Ordinance No. 2011:1097). Mr. Kashwick informed that about a year ago, the Closter Historical Society put in for a restoration of a 1768 Deed that it had; and Tim Adriance actually transcribed that and did an interpretation of that and said they have a copy if anyone would like to read it. The Bergen County Historical Society will be giving an award to Closter tomorrow night for the 300th Anniversary Celebration from last year. Mr. Kashwick reminded that Max Beucler, who had been given access to the cemetery, has changed his plans a little bit and scaled it back. He had a very ambitious project planned for his Eagle Scout Project; but he is no longer going to be putting railroad ties and a gravel path on the easement up to the cemetery. He believes the boxwoods will still be planted; and there is one section of fence that he is no longer going to be working on. He wanted to update everyone since it was discussed at the last meeting.

c. Shade Tree Commission had two successful Arbor Day plantings on the 28th and the 30th, and the one on the 30th was very well attended. Mr. Kashwick informed he had one item for Closed Session regarding real estate acquisition.

Mayor Heymann wished to add to what Mr. Kashwick said regarding Max Beucler's project; and reminded that last Sunday another one was completed. She invited all to go to the MacBain Farm to see the new installation that was made for disabled and handicapped residents and visitors. Pavers were done to enable individuals in wheelchairs to go right up to raised beds and work. Representatives from Spectrum were at this installation. She voiced her opinion that it was most impressive and most beautiful and hoped everyone would go see it. Mayor Heymann informed that while she was there, she spoke to the Regional Commander of the Boy Scouts who is in charge of the Senior Projects, who happens to be an old Closter boy, Ken Dutcher. He let her know that Max's report needs to be changed considerably; and it will take time to complete.

F. LAND USE AND CONSTRUCTION – AMITAI (BARAD/DOLSON)

Mayor Heymann informed that Mrs. Amitai was leaving tonight to attend her daughter's wedding in Paris; therefore, no report was provided.

1) REPORT

7. OLD BUSINESS

- a. STATUS REPORT RE REQUEST FOR NAME CHANGE AT VETERAN'S MEMORIAL PARK AND A NEW SIGN (3. M.L. 2/17/11; referred to O&L Committee for W.S. 3/23/11; Placed on WSA 5/11/11 per request of Dr. Barad 4/26/11)

Mayor Heymann advised that the Council never made the formal name change at the park, but the sign has been erected. Borough Attorney recommended that all of the park name changes be combined into one ordinance. (Code Chapter 42-1, "Parks and Playgrounds" "Definition")

- b. PAPERLESS PACKETS (Deadline for purchase of equipment 5/25/11)

Mayor Heymann explained that this matter would be discussed later.

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

Steve Isaacson, 97 Columbus Avenue, noted that the visibility by the lamp post at the Clock tower on Main Street is very poor; and Mayor Heymann said that this matter is being taken care of.

Mr. Isaacson referred to the possibility of the Borough's considering purchasing the Swim Club with Green Acres funding. He cautioned that, because public funds would be used, the Club would have to be available to the public; and recommended a deed restriction, as was accomplished in purchasing the egg farm. He recommended that they just buy the rights.

Jesse Rosenblum, 65 Knickerbocker Road, asked whether he could speak about the Historic Preservation Ordinance (No. 2011:1097) and noted that at many meetings, the Historic Commission members informed that they did not want the front of buildings changed. Mayor Heymann said that this matter is an Agenda item and can be discussed at that time.

- 10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
- 11. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
- 12. ADJOURNMENT

Motion to adjourn the Work Session at 8:17 p.m. was made by Councilman Glidden, seconded by Councilman Kashwick and declared unanimously carried by Mayor Heymann.

Provided via e-mail to the Mayor and Council on June 3, 2011 for approval at the Regular Meeting to be held June 8, 2011.

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held June 8, 2011
Consent Agenda Item No. 26b.