

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – JULY 11, 2012 - 7:30 P.M.

Mayor Heymann called the meeting to order at 9:10 p.m.

1. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was sent to The Record and published on January 6, 2012 and to the Star Ledger and published on January 7, 2012, was posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

2. ROLL CALL

The following persons were present:

Mayor Sophie Heymann  
Councilpersons John C. Glidden, Jr., Alissa Latner, John Kashwick, David Barad,  
Arthur Dolson and Victoria Amitai  
Borough Administrator, Richard Sheola  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick DeNicola  
Chief of Police, Dennis Kaine

3. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCES @8:00 P.M.

OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

A. The following Ordinances were introduced at the Regular Meeting held 4/11/12 and were published in The Record on 4/17/12 as stated in the affidavit of publication. Reprint 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.

At the Regular Meeting held 5/9/12, these ordinances were adjourned to the Regular Meeting of 5/23/12.

At the Regular Meeting held 5/23/12, these ordinances were adjourned to the Regular Meeting of 6/13/12.

At the Regular Meeting held 6/13/12, these ordinances were adjourned to the Regular Meeting of 6/27/12.

At the Regular Meeting held 6/27/12, these ordinances were adjourned to this meeting

1) ORDINANCE NO. 2012:1122: "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200 OF THE CODE OF THE BOROUGH OF CLOSTER AND AMENDING SCHEDULE A: LIMITING SCHEDULE"

2) ORDINANCE NO. 2012:1123: "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200 OF THE CODE OF THE BOROUGH OF CLOSTER AND AMENDING SCHEDULE A: LIMITING SCHEDULE TO ADD PROVISIONS FOR HISTORIC PRESERVATION AND AMENDING CHAPTER 35, ARTICLE VII, HISTORIC PRESERVATION, TO CROSS REFERENCE THE LIMITING SCHEDULE"

Motion adjourning Ordinance No. 2012:1122 and Ordinance No. 2012:1123 to the Regular Meeting of July 25, 2012 was made by Councilman Barad, seconded by Councilwoman Amitai and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad and Amitai. Councilman Dolson voted No.

CLOSTER MAYOR AND COUNCIL  
 REGULAR MEETING MINUTES – JULY 11, 2012 - 7:30 P.M.

4. MAYORAL APPOINTMENTS (*NON SALARIED*) TO THE FOLLOWING COMMISSIONS (Not made at the Reorganization Meeting held 1/3/12/Adjourned from RM 1/11/12; 1/25/12; 2/8/12; 2/22/12; 3/14/12, 3/28/12; 4/11/12; 4/25/12; 5/9/12; 5/23/12; 6/13/12; 6/27/12):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ENVIRONMENTAL COMMISSION				
Alt. No. 2	(Adam Nock resigned)	_____	2 Year un-expired to	12/31/12
SHADE TREE COMMISSION				
Alt. No. 2 12/31/15	Kathi Cochran	_____	4 Year	

At this time, Mayor Heymann made the following Mayoral appointments:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ENVIRONMENTAL COMMISSION				
Associate Member	_____	<u>Jae Wook Jun</u>	1 Year	12/31/12
Chairman	<u>Beth Ravit</u> Resigned 6/17/12	<u>Paul MacDonald</u> (original appointment)	3 Year	12/13/14

5. MAYORAL APPOINTMENT OF \_\_\_\_\_ TO SERVE AS MEMBER OF THE ENVIRONMENTAL COMMISSION FOR A 3-YEAR UNEXPIRED TERM (RAVIT) TO 12/31/14 (3. M.L. 6/21/12)

6a. VOTE ON CONSENT AGENDA ITEMS

Motion to approve the Consent Agenda minus Item No. 8, 14 and 15 was made by Councilman Glidden, seconded by Councilwoman Latner and declared carried by Mayor Heymann upon the affirmative vote of Councilperson Glidden, Latner, Kashwick, Barad, Dolson and Amitai.

RESOLUTIONS

7. BILL RESOLUTION – JULY 15, 2012  
TO BE PREPARED BY DEPUTY TREASURER

8. ——— *POSSIBLE* RESOLUTION ADOPTING POLICY GOVERNING THE USE OF ELECTRONIC COMMUNICATIONS BETWEEN MUNICIPAL OFFICIALS DISCUSSING BOROUGH BUSINESS (Discussed at WS 6/27/12) - TO BE PREPARED BY BOROUGH ATTORNEY

9. RESOLUTION AMENDING 2012 SALARY RESOLUTION (Adopted 6/13/12)  
 (Received from Administrator 7/5/12)

10. RESOLUTION AUTHORIZING THE MAYOR TO SIGN AGREEMENT BETWEEN THE BOROUGH AND STATE OF NEW JERSEY SAFE ROUTES TO SCHOOL GRANT PROGRAM AGREEMENT (Received from Administrator 7/5/12)

11. RESOLUTION REDUCING CONTRACT PRICE FOR HERBERT AVENUE SECTION 4 & MEMORIAL FIELD BASKETBALL COURT IMPROVEMENTS CHANGE ORDER #3  
 (Original Contract Amount: \$266,191.00; Change Order No. 1: (\$188.60); Change Order No. 2: (\$673.40); Change Order No. 3: (\$2,019.83); Amended Contract Price: \$263,309.17)  
 Received from Administrator 7/5/12

CLOSTER MAYOR AND COUNCIL  
 REGULAR MEETING MINUTES – JULY 11, 2012 - 7:30 P.M.

12. RESOLUTION REDUCING CONTRACT PRICE FOR HERBERT AVENUE, SECT. 5 & BLANCH AVENUE IMPROVEMENTS, 2012 ROAD IMPROVEMENTS, & SCHAUBLE FIELD WALKING PATH, CHANGE ORDER #1 (Original Contract Amount: \$445,911; Change Order No. 1 Amount (\$19,000.00) Amended Contract Price: \$426,911.00) Received from Administrator 7/5/12

13. RESOLUTION ACCEPTING THE LOWEST RESPONSIBLE BID OF AUTOMATIC DOOR SYSTEMS, LLC. FOR THE REPLACEMENT OF LIBRARY FRONT DOOR USING BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING (Bid Amount: \$22,485.00 base bid plus the alternate; Community Development Fund Amount: \$20,000; Custom Painting: \$2,485.00 - Funded by Library Trustees (Received from Administrator 7/9/12)

13a. RESOLUTION WAIVING THE SWIMMING POOL PERMIT FEES OF THE CLOSTER CODE FOR PROPERTY LOCATED AT 24 WESTMINSTER AVENUE. (Received from Borough Attorney 7/11/12)

MOTIONS

14.—MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS/BOARDS AND COMMISSIONS (Not made at the Reorganization Meeting held 1/3/12/Adjourned from 1/11/12; 1/25/12; 2/8/12; 2/22/12; 3/14/12; 3/28/12; 4/11/12; 4/25/12; 5/9/12; 5/23/12; 6/13/12; 6/27/12):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION Member	Wilson Reimers	_____	2 Year	
12/31/13	Alt. No. 1	Donna Arbietman	_____	2 Year
12/31/13				

15.—MOTION APPOINTING \_\_\_\_\_ AS BOARD OF HEALTH ALT. NO. 2 FOR A 2-YEAR UNEXPIRED TERM (RAVIT) TO 12/31/13 (3. M.L. 6/21/12)

16. ~~POSSIBLE~~ MOTION GRANTING APPROVAL FOR CHAMBER OF COMMERCE TO USE VETERAN’S PARK ON HERBERT AVENUE ON SATURDAY, 7/28/12, FOR SIDEWALK SALE FESTIVITIES INCLUDING ENTERTAINMENT AND TABLES AND CHAIRS FOR PATRONS, SUBJECT TO RECEIPT OF APPROVAL FROM RISK MANAGEMENT CONSULTANT OF REQUIRED INSURANCE (7. M.L. 6/28/12/discussed at RM 6/27/12)

17. MOTION GRANTING APPROVAL FOR ST. PAUL’S EVANGELICAL LUTHERAN CHURCH, 171 CLOSTER DOCK ROAD, TO HOLD BLOCK PARTY ON NAUGLE STREET BETWEEN WILLIAM STREET AND RAILROAD AVENUE ON SUNDAY, 9/9/12, FROM 9:00 A.M. TO 2:00 P.M. (9. M.L. 1/19/12/Approval received from Risk Management Consultant 7/3/12)

17a. MOTION GRANTING APPROVAL FOR THE 60<sup>TH</sup> ANNUAL PEARLE ROAD BLOCK PARTY TO BE HELD ON SATURDAY, 9/1/12, FROM 2 P.M. TO 10 P.M.; RAIN DATE: SUNDAY 9/2/12, FROM 2 P.M. TO 10 P.M. (6 M.L. 7/5/12/ CORRECTION 5. M.L. 7/12/12)

18. REPORTS

- a. CONSTRUCTION OFFICIAL – JUNE 2012 (Received 6/29/12)
- b. ASSISTANT FIRE CHIEF – JUNE 2012 (Received 7/6/12)

6b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

19. 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)

CLOSTER MAYOR AND COUNCIL  
REGULAR MEETING MINUTES – JULY 11, 2012 - 7:30 P.M.

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

At this time, Dr. Barad asked Mayor Heymann whether she had followed up with Temple Emanu-El regarding their original request to conduct the Tashlich services at Ruckman Pond. Mayor Heymann explained she had contacted them and provided options within walking distance. The best option would be the Dwarskill on Buzzoni Drive; and she hoped they would not have to have that option.

19a. Motion approving the following Closed Session Resolution at 9:24 p.m. was made by Councilman Barad, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Latner, Kashwick, Barad, Dolson and Amitai:

OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)( ) “An investigation of a violation of the law”; N.J.S.A. 10:4-12(b)(7), “Pending or anticipated litigation or contract negotiations”; and N.J.S.A. 10:4-12(b)(8), “A matter involving public employees” and that the items(s) under discussion in the closed meeting would be disclosed to the public at the conclusion of the investigation and contract negotiations which should be within 12 to 15 weeks.

Mayor Heymann resumed the Regular Meeting at 10:32 p.m.

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

21. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:32 p.m. was made by Councilman Glidden, seconded by Councilman Barad and declared unanimously carried by Mayor Heymann.

Provided to the Mayor and Council  
via e-mail on July 20, 2012 for  
approval at the Regular Meeting  
to be held July 25, 2012

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held July 25, 2012  
Consent Agenda Item No. 25a.

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION NOTES – JULY 11, 2012 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session at Borough Hall on Wednesday, July 11, 2012. Mayor Heymann called the meeting to order at 7:31 p.m.

1. PLEDGE OF ALLEGIANCE

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

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was sent to The Record for publication on January 6, 2012 and The Star Ledger on January 7, 2012, 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 Sophie Heymann

Councilpersons John C. Glidden, Jr., Alissa Latner, John Kashwick, David Barad (7:44 p.m.),  
Arthur Dolson and Victoria Amitai (7:45 p.m.)

Borough Administrator, Richard J. Sheola

Borough Attorney, Edward T. Rogan

Borough Clerk, Loretta Castano

Borough Engineer, Nick DeNicola

Chief of Police, Dennis Kaine

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF JUNE 28, 2012 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. No member of the Council or public wished to remove any items for discussion.

b. MAIL LIST OF JULY 5, 2012 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item Nos. 4 and 6 were removed by the Borough Clerk.

Item No. 4: Received 07/03/12, dated 07/02/12 from Joseph Shpigel, 45 Hickory Lane re Request for permission to hold a street party on Hickory Lane between house numbers 43 and 87 on Saturday, 7/21/12 from 9 a.m. to 5 p.m.; Rain Date: Sunday, 7/22/12 (Copy to Glenn Parsells, Chief Dennis Kaine, William Dahle III)

Borough Clerk explained we received a revised request as Item No. 13 on the Mail List of 7/12/12, which was distributed this evening, changing the date to 7/28/12 with a rain date of 7/29/12. Ms. Castano informed that in the interim, a circular has been circulating that includes many more activities aside from a block party; therefore, this request was not placed on the Agenda. She referred this item to Chief Kaine since it has to do with a street closure.

Steven Isaacson, 97 Columbus Avenue, speaking on behalf of the Chamber of Commerce, reminded they have been working on their annual street fair for several weeks; and noted it is scheduled for 7/28/12. He

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – JULY 11, 2012 - 7:30 P.M.

said they were encouraged and advised to go through many procedures including insurance, hold harmless and health inspections; and questioned if the Mayor and Council was going to allow this request to go through without following proper procedure.

He said that the Chamber feels the cart was put before the horse when the announcement started circulating that this was going to take place; and the Chamber put a lot of effort into their event. Now there is a group of citizens that is going to go ahead and serve food and hold a raffle. He reiterated that the Chamber has made every good faith effort to comply with the requirements of the Borough; and their event is neither political nor neighbor vs. neighbor. Their intent is to support the businesses and the town as a whole. He appreciates that permission has not been granted to the Hickory Lane residents but feels that if requirements are imposed on one, they should be imposed on all.

Linda Albelli, 353 High Street, prefaced that she is standing here as a resident to speak to the Hickory Lane request. She feels it is deceitful that the request is coming in as a block party when it is actually a fundraising street fair. Mrs. Albelli said she felt it is unconscionable for the Mayor and Council to even consider this request and condone this type of behavior of neighbor vs. neighbor. She voiced her dismay that she is ashamed of everyone who is involved in what she calls a witch hunt; and said this should be taken up by the courts to decide what is right and wrong. Ms. Albelli voiced her opinion that for this flyer to be distributed with the intent to raise funds to use against another neighbor is morally wrong.

David Hecht, 51 Hickory Lane, agreed with Mr. Isaacson and said they will change the date so there is no conflict with the sidewalk sale. In response to Mrs. Albelli's comments, he voiced his opinion that they are not fighting a neighbor, but a commercial industrial something; and they are trying to prevent that from happening. He asked that the Mayor and Council grant them permission to have basically a big garage sale on Hickory Lane sometime in August.

Mayor Heymann questioned why their request did not include any of the things they advertised later on. She said the bottom line is that the Mayor and Council are only meeting tonight to discuss the letter requesting permission. She explained there are many issues involved in this where permission may not be granted. The Mayor reiterated her question why was this advertised in a different format than the request came in and before the Council could even consider it.

Mr. Hecht said he does not know who made the flyer or who is circulating it but acknowledged he has seen emails being bounced around with ideas of different things that could be done. He said their intention is to have a big garage sale to raise money and noted he hasn't seen the flyer itself. Mayor Heymann reiterated that the flyer does not say anything about a garage sale. Councilwoman Amitai voiced her understanding that garage sale, street fair, sidewalk sale, flea markets all mean the same thing to her; and if there is a difference, she does not know what it is. The Borough Attorney advised the difference is that this is a public street; anybody can have a garage sale and be granted a permit for same. The Council has granted permission to a limited number of streets to have a block party, which is where neighbors get together and have hot dogs and hamburgers and mingle. A fundraiser, where you are closing off the street to raise legal fees, is completely different than a block party. Mr. Rogan explained that a block party is under the jurisdiction of the Police Department; a dead end street or a very quiet side street are typically approved; through streets can go either way; and that is a public safety question, but there is no element of fundraising involved. There is no money exchanged and no legal dispute encouraged or money being raised for legal fees. Mr. Rogan said there is a significant distinction between having a garage sale in his personal driveway and closing off the road to invite the public to donate money or buy things to raise money for legal fees. He explained there is a major distinction because it is no longer a private driveway; it is public property being used for private fundraising.

Councilman Barad entered the meeting at 7:44 p.m.

In answer to Mr. Hecht, the Borough Attorney reiterated that a block party for the residents on the block may be approved but no monies are exchanged. Raffles require State permits and the Borough has

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – JULY 11, 2012 - 7:30 P.M.

never approved a public forum for using public property to raise funds for private legal fees.  
Councilwoman Amitai entered the meeting at 7:45 p.m.

Mayor Heymann reiterated what they are asking for is not what was advertised; and it is being done before permission was even granted. In answer to Mr. Hecht, the Borough Attorney advised that garage sale permits are obtained and approved by the Construction Official. He reiterated that garage sales are private and are not held on public roads. Mayor Heymann informed that on Cedar Court, in the past, they had a street-wide garage sale that took place in each home but the street was open. The Borough Attorney explained that if they close the street, nobody can drive on it.

Mr. Hecht voiced his hope that we are all on the same page. He voiced his opinion that they are fighting the fight in which the town should have been more involved. The residents are raising the money on their own for attorneys and engineers to do things in his opinion the town should have done. He said they are the people who hired two attorneys to go out and get a restraining order. In his opinion they are asking since the Borough is not helping, to hold a garage sale to fund their bills. He voiced his opinion that they are getting stumbling blocks here at the Council.

Mayor Heymann said it is very difficult to help because when she was asked about the garage sale she told them to write a letter; and she was trying to be helpful. As a result of that, the group, of which he is a part of, sent out a flyer to the entire town saying something completely different than what the request said and did it before the request even came to the Council. Mr. Hecht explained he does not run the group but his job is to raise the money; and he agrees that the flyer was a mistake and it was premature. He reiterated that he did not know it was going out because there is no committee that is authorized to send out things like this.

Councilwoman Latner said she had not seen the flyer before tonight so maybe it is not on the west side of town yet, but she was surprised when she saw it because she knew no protocol was followed here; and to that end, she understands the sentiments that were voiced this evening. She voiced her opinion that the problem is that the intention comes off as if they have an idea and they are running with it. She thinks it is a good example of miscommunication. She understands the anger and the frustration that people feel; and the only way she can describe it is that it is in Closter. Unfortunately, it is not theirs to decide; it is the Bergen County Agricultural Board; and in some ways, like sitting a little bit to wait for them to do everything wrong. She reminded a lot happened quickly in the beginning but the Borough has a complaint filed with the County now. They couldn't join the residents in the lawsuit because of that and it was a lot of cart before the horse. She said it's not as though they are not working with them. In terms of the funds, they would like to see a resolution to the problem, but sending this flyer out was not the way to go. She reiterated what the Borough Attorney said before about not being able to have something on a public road and that's why something like this cannot be publicized before it is approved.

Mr. Hecht voiced his concern that perhaps Tammy (Shpigel) misunderstood what the Mayor had told her. Mayor Heymann explained she specifically told her joint garage sales have happened and gave her the Cedar Court example but she never said the road could be closed. The Police Department has to make that determination. Not even the Council can do that. Councilman Kashwick asked the Chief to speak to the matter.

Chief Kaine advised the Police Department does not recommend closing Hickory Lane because it would be a logistical nightmare. Some residents in the audience said it was closed today. Chief Kaine explained they had an off-duty officer there today for it who was paid by United Water. He reiterated that it is not recommended because they would have to close off Piermont Road and put barricades at Bradley Place. The Chief said there is no parking on Piermont Road; and he doesn't even know how people would get to it because the only parking would be on Bradley and a detour would be needed. He explained that United Water did work today on Hickory Lane but they paid for the police officer and provided the cones and detour signs.

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – JULY 11, 2012 - 7:30 P.M.

The Borough Attorney advised that United Water is a utility and they are permitted to do that. He reiterated that the question is can a private group hold a fundraiser on a public street and the answer is no. It is a public street. It is not a place for a fundraiser. A block party does not have money exchanged and it is about fostering camaraderie among neighbors. Depending on the location of the street, it is a police question. To say that we're going to start sectioning off areas of town for private fundraising is not permissible. Having private garage sales on the same street on the same day is permissible.

Chief Kaine wanted to reiterate that there is no parking on the north side of Hickory Lane. A resident had a graduation party shortly after school ended and the resident informed them so they could place the "No Parking" signs along the north side to allow traffic to pass.

Joseph Shpigel, 45 Hickory Lane, explained he submitted the letter and he has no idea who sent out the circular. He said he spoke to Itzhak Pearl this morning and told him to wait for approval before he sent anything out. He voiced his understanding that Hickory Lane is an artery and it's an issue of disruption to traffic; and questioned if the Mayor and Council would object to a block party on Wendy Lane. The Borough Attorney said if it is a block party for the residents of Wendy Lane, that is fine but no money can be raised. He reiterated it can't be a sale and no money can be exchanged. He again reiterated that a street fair is different than a block party. Mr. Rogan explained again by using an example that a block party is where Mr. Shpigel would bring the lasagna and he will bring the hot dogs. A street fair is where there is something for sale. Mr. Shpigel asked what kind of permit is needed for a street fair; and the Borough Attorney explained that you cannot have a street fair to raise money. In answer to the Borough Attorney, Mr. Shpigel said they want to have people bring their own junk from their houses and sell it on the street and the Borough Attorney said no. He reiterated that if they get garage sale permits, the items can only be placed on their front lawn or in their driveway but they cannot do it on the street.

In answer to Mr. Shpigel, the Borough Attorney wished to be clear and stated as follows: when you say we are going to move it to Wendy Lane, the only people that can have a garage sale on property on Wendy Lane are people that live on Wendy Lane; so it's not a matter of moving it from here to there. Each individual household can come down to the Construction Code Official, fill out an application and take out a garage sale permit for a specific day. They then can put their goods on their driveway, on their front lawn or in their house. They can put signs up and advertise in the Suburbanite. People can come look at the stuff and buy it. They cannot move that property onto a public street to sell it. In answer to Mr. Shpigel, he said this is not a public event; a public event would be sponsored by the Borough of Closter. There has never been approval for a street closure for a private event.

Marie Hartwell, 1 Bradley Place, noted she arrived to the meeting late and wanted to know about the work that was done at Frank's (Vastano's) place by United Water. She said he has a restraining order that had nothing to do with the main house; this is for the greenhouses that are going in the back. She questioned what they can do to stop him from doing that. She asked if the town was supposed to appease violating an order and she is aware that he has violated it before doing things in the back of his property; but she is aware that he has cameras, so you can't go on the property anymore. She said she can hear the equipment going in the back of the house. The Borough Attorney advised that the police do not enforce a court order, the court does. They need to contact their attorney to have him/her contact Judge Carroll. In answer to Ms. Hartwell, he explained the only orders the Closter Police can enforce are domestic disputes. Neither the police nor the town can get involved in a civil case; neither the Closter Police nor the town is the enforcement arm of the courts. In regards to United Water digging near the C-1 stream, the DEP is involved as we speak. Ms. Hartwell voiced her opinion that the town is not helping them in any way possible.

At this time, Mayor Heymann wished to continue with the Mail List and informed the public they could speak later on.



CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – JULY 11, 2012 - 7:30 P.M.

Item No. 6 – Received 07/05/12, dated 07/05/12 from Raymond G. Zebro, Block Party Committee Member re Request for permission to hold 60<sup>th</sup> Annual Pearle Road Block Party on Saturday, 9/8/12, from 2 p.m. to 10 p.m.; Rain Date: Sunday, 9/9/12, from 2 p.m. to 10 p.m. (Copy to Glenn Parsells, Chief Kaine, William Dahle III)

The Borough Clerk informed she inadvertently left this item off the Agenda and requested this be placed on the Agenda as Item No. 17a:

17a. MOTION GRANTING APPROVAL FOR THE 60<sup>TH</sup> ANNUAL PEARLE ROAD BLOCK PARTY TO BE HELD ON SATURDAY, 9/1/12, FROM 2 P.M. TO 10 P.M.; RAIN DATE: SUNDAY 9/2/12, FROM 2 P.M. TO 10 P.M. (6 M.L. 7/5/12/ CORRECTION 5. M.L. 7/12/12)

At this time, the Borough Clerk informed that because so many items for tomorrow's Mail List pertained to what was being discussed this evening, she referred to the following items:

c. MAIL LIST OF JULY 12, 2012 – Items distributed 7/11/12:

Item No. 1 - Letter from Mayor Heymann re Proposed Ordinance No. 2012-1128 and the reason she is not signing it.

Item No. 5 - Revised request from Raymond Zebro for permission to hold 60<sup>th</sup> Annual Pearle Road block party changing the date

Item No. 6 - Letter from David Watkins re Yale Place; The Borough Attorney said he will report on that this evening.

Item No. 8 - Letter from Linda Abelli re Chamber of Commerce request for placement of signs

Item No. 11 - Letter from David Watkins re Yale Place (\$5,000) escrow re waiver of sidewalk installation

Item No. 12 – Letter from Marc C. Greenberg, Esq. to M&C re Concerned Residents of Closter v. Metropolitan Farm, et al.

Item No. 13 – Letter from Joseph Shpigel, 45 Hickory Lane changing date of request for permission to hold street party on Hickory Lane on 7/28/12; and 7/29/12

Ms. Castano reiterated that these are all items that came in last minute and said in the future, the 12 Noon on Thursday deadline will be strictly adhered to. She will not place late items on the Agenda and no copies will be provided in advance of the Mail List because this has become impossible to deal with.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of July 11, 2012)

8. *POSSIBLE* RESOLUTION ADOPTING POLICY GOVERNING THE USE OF ELECTRONIC COMMUNICATIONS BETWEEN MUNICIPAL OFFICIALS DISCUSSING BOROUGH BUSINESS (Discussed at WS 6/27/12) TO BE PREPARED BY BOROUGH ATTORNEY

Councilman Kashwick questioned if we had a Resolution to this effect and the Borough Attorney advised he is still working on it but will have it ready for the next meeting.

At this time, Mayor Heymann referred to the Environmental Commission and said they recommended an Associate Member who has been very active with them but is under age. The Mayor said it may be possible to have a permanent high school student as a voting member and asked if they would need to create an ordinance to do so. The Council disagreed and the Borough Attorney advised that cannot be done with an under age person. Dr. Barad suggested creating a permanent liaison. Mayor Heymann explained they have had some liaisons the past few years who have been a great asset. She wants to do something to formalize this to signify their encouragement of same. Dr. Barad said the Environmental Commission should make a request to have the high school offer a position. The Borough Attorney advised same was acceptable as long as the person was not a voting member. Mayor Heymann informed she would make an appointment in the Regular Meeting.

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

1) REPORT – Borough Attorney reported a Resolution was distributed this evening for a waiver of a swimming pool permit for 24 Westminster Avenue. He explained the request was made by the family, who a few years ago had handicapped ramps installed. Though they do have permits for a swimming pool this is more of a therapeutic installation rather than for pleasure. He said the Council may wish to consider waiving the permit fees outlined in Code Chapter 176. Councilman Glidden informed he is familiar with the family and their situation and he highly recommends the waiver.

Regarding Yale Place, the Borough Attorney noted there has been a great deal of correspondence regarding this property. He explained this situation is where the developer had done work on the house and actually installed sidewalks and curbs. When they installed the sidewalks, it created an impervious coverage problem; and they should not have installed them. He said this is the opposite of what we are normally dealing with when someone comes and asks for a waiver because they actually have to pull these up and then ask for the waiver. In answer to Councilman Barad, the Borough Engineer explained the problem came up because of the narrow right-of-way on the street. Normally a sidewalk would be on the right-of-way; but, in this case, it is half in (the right-of-way) and half in the owner's property. Because of this, they exceeded the maximum impervious coverage allowed on this property.

The Borough Attorney explained they are not allowed to do it because they overbuilt the property. The Borough Engineer explained it stems from the way they designed the site; and when he checked with the Construction office, he noted there are no sidewalks shown on the plans. He affirmed Dr. Barad's question if they were being good citizens by installing the sidewalks. Mr. Rogan noted it is a dead end; and the Borough Engineer said there actually are sidewalks on the street for some distance; but there's no right answer here. The builder can't get a C.O. without pulling up the sidewalks. He reported he only wished to bring the matter up for discussion but nothing was being granted or voted on this evening.

In response to the Council, Mr. Rogan informed the house sale is closing this week and that is why the issue came up so quickly. They were denied the C.O. because they are over on the impervious coverage. Their option is to file an application with the Zoning Board of Adjustment and wait for an answer, or pull the sidewalk up and ask for a waiver. Councilman Kashwick voiced his opinion this seems like a waste of resources. The Borough Engineer explained the Council does not have jurisdiction to tell these people to leave the sidewalks there because it is a Zoning Board issue. It may delay the closing several months but it is a self-created hardship.

Dr. Barad said the Council will not waive the sidewalk; and Mr. Rogan informed that will be an issue because it will lead to a lawsuit from the buyer, who had incidentally already been moving furniture into the house. In answer to Mrs. Amitai, the Borough Engineer explained that the requirement for pedestrian safety is 4 feet; there is not enough right-of-way width. He reiterated that the only options are to leave the sidewalks in and appear before the Zoning Board of Adjustment for a waiver or to pull it up and apply for a waiver. He voiced his understanding that the Construction Department didn't do this to the builder; they worked hand in hand.

Borough Attorney advised the Council to personally look at the property to obtain a census of their opinions. He noted he spoke to the Construction Official prior to this meeting and he is willing to issue a temporary C.O. but not a permanent one until this and the pending COAH issue are resolved. By COAH, he explained that new construction nets a certain amount of money from the contractor; and the Assessor needs to inspect and evaluate it before an amount is assessed. He agreed with the Administrator that a two week delay was better than potentially a few months. At this time, Mr. Rogan requested this item be placed on the next Agenda for discussion. He said there is a letter from David Watkins in this week's Mail List and they have posted a \$5,000 bond in case money is needed to be posted for the waiver.

The Borough Attorney reported an update on the case of Schmidt vs. the Borough of Closter and Desan Enterprises. He explained this case was on for a conference and has been pending for years at this point. The Borough is actually not a main defendant, but was named in a lawsuit that is really a neighbor dispute for alleged lack of ordinance enforcement. Due to a pipe break at the Courthouse on Monday, the conference has been rescheduled for 7/25/12.

The Borough Attorney reported that right before the meeting tonight he handed out three letters

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – JULY 11, 2012 - 7:30 P.M.

6. from Planning Board Attorney addressing the two ordinances being carried for the last couple of meetings,  
PROFESSIONAL REPORTS (Continued)  
A. BOROUGH ATTORNEY (Continued)

and noted he is asking for more time. He advised that the 30 days have long passed for the statutory referral period; and the Council is in its rights at this point to adopt these ordinances.

Mayor Heymann voiced her surprise to hear they were not approved since she recalled at the last Planning Board meeting that they had been approved. She asked Councilwoman Amitai if she recalled the same. Mrs. Amitai said (Ordinance No. 2012:1123) the Historic Preservation 0.5% was approved; (Ordinance No.) 2012:1128 regarding affordable housing was not. She said the last meeting ran very late and it was very difficult to discuss anything at the Planning Board meeting. Another subcommittee meeting is scheduled for the last Thursday in July. Mrs. Amitai said they were not approved. The Borough Attorney informed these three letters were the only official reports we have received from the Planning Board.

Mr. Rogan reported the Sidewalk Sale has been carried on the Agenda as we were awaiting a revised Hold Harmless Agreement and Certificate of Insurance for the use of Veteran's Park. The Borough Clerk affirmed she received copies of same which were approved by the Risk Management Consultant and a copy was provided to the Administrator. The matter is on the Agenda this evening as a motion for approval.

The Borough Attorney reported he has items for Closed Session regarding pending litigation with Metropolitan Farm and a personnel issue. At this time, he noted he was not aware whether the Council wished to discuss in the upcoming Closed Session the COAH matter referred to earlier. Mayor Heymann said she wished to discuss same.

B. BOROUGH ENGINEER

- 1) STATUS REPORT RE DREDGING AND RESTORATION OF RUCKMAN POND, BLOCK 1901, LOT 1 (RM 6/8/11) – Borough Engineer reported that unfortunately he was unable to contact the Bergen County Mosquito Commission for an update; and he offered his apologies for same. He said he hopes to have an update at the next meeting. The major issue has been waiting for the soil to dry out so it can be trucked out; and whether it will take a month or two weeks is up to the County.
- 2) STATUS REPORT RE FIRE DEPARTMENT RAMP (WS 4/25/12/Requested by Councilwoman Latner) – Mr. DeNicola reported this item can be removed because it will be incorporated into next year's paving program.
- 3) STATUS REPORT RE ~~MEMORIAL~~ RUCKMAN FIELD TRACK (WS 4/25/12/New Business) The Borough Engineer reported this item can be removed because it will be incorporated into next year's paving program.
- 4) REPORT RE HERBERT AVENUE SECTION 5 & BLANCH AVENUE IMPROVEMENTS, 2012 ROAD IMPROVEMENTS, & SCHAUBLE FIELD WALKING PATH - Awarded to AJM Contractors, Inc./\$445,911 RM 6/27/12 – Mr. DeNicola reported this contract was awarded to AJM Contractors. They had a pre-construction meeting last Friday and the project is slated to start in late July/early August. The Schauble Field Walking Path is scheduled to be done the first two weeks in August; Herbert Avenue will be done during the third and fourth week of August due to a conflict with the school; and the road improvements will be done in September. The project should be completed by 10/31/12.
- 5) REPORT – The Borough Engineer reported he met with Chris Pesce regarding the Fire House driveway safety signals. He performed an assessment due to the location and geometry of the building; and it was determined there is a need for emergency signals. He figures there should be five signal poles with five mast arms which will be very expensive. Mr. DeNicola estimated the cost will be between \$200,000-\$250,000. As an example, he explained the setup utilized by Oradell. In answer to the Mayor, he affirmed that the Borough did not have to do it but he recommends it and looked into it in case they decided to make that investment.

7. REPORTS

A. BOROUGH ADMINISTRATOR

- 1) STATUS REPORT RE BOROUGH WEB SITE – The Borough Administrator reported that the web site is in a constant state of adjustment. He voiced his understanding that some of the e-mail addresses, titles and numbers were going to be corrected by our IT person. He explained he spoke to the Borough Clerk a few times about possibly changing and modifying it going forward but it is not a high priority item right now.
- 2) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S):
  - a. Report re follow up of insurance requirements for use of Senior Center (WS 10/26/11) – Mr. Sheola reported he is still looking for this folder.
  - b. Report re follow up of following Mail List requests:
    1. Temple Emanu-El request to conduct Tashlich services at Closter Nature Center on 9/17/12 @ 6 p.m. (4. M.L. 6/14/12 - possible change of location to be ascertained by Mayor due to ongoing dredging and restoration of Ruckman Pond)  
The Borough Administrator reported this item will be held until Ruckman Pond can be used.
    2. Chamber of Commerce request to use Veteran’s Park on Herbert Avenue on 7/28/12, for Sidewalk Sale festivities including entertainment and tables and chairs for patrons, subject to receipt of approval from Risk Management Consultant of required insurance (7. M.L. 6/28/12/discussed at RM 6/27/12) – Mr. Sheola reported this item will be resolved this evening.
- 3) STATUS REPORT RE PREPARATION OF SPECIFICATIONS FOR ADVERTISEMENT OF BIDS FOR SANITATION/TRASH COLLECTION (RM 1/26/11) – The Borough Administrator reported he is still looking for this folder. He asked if anyone has information, he would greatly appreciate copies as it would help speed up follow through.
- 4) STATUS REPORT RE REQUEST FROM RECREATION COMMISSION (4. M.L. 11/17/11) TO REMOVE “DANGEROUS TREES” IN THE PARKS – Mr. Sheola reported he is still looking for this folder.
- 5) STATUS REPORT RE: NEW ROOF AND CHIMNEY/MASONRY WORK/ MAC BAIN FARM HOUSE (WS 12/14/11) - The Borough Administrator reported he is still looking for this folder.
- 6) REPORT RE MEETING HELD WITH SWIM CLUB REPRESENTATIVES RE POSSIBLE ACQUISITION (W.S. 6/27/12) Committee members: Borough Attorney/Administrator/Dr. Barad – Mr. Sheola reported there is a possible meeting scheduled for next week.
- 7) REPORT - The Borough Administrator reported on the following:
  - a. Sale of \$4,505,000 Borough of Closter General Obligation Refunding Bonds, Series 2012 - there was a closing on this refunding bond and a copy of the Memorandum was distributed. Refunding Bonds in the aggregate principal amount of \$4,505,000 were sold to Janney Montgomery Scott, LLC for a purchase price of \$4,743,620.75 which consisted of par of \$4,505,000, plus original issue premium of \$261,145.75 less underwriter’s discount of \$22,525.00 for a net interest cost of 1.527015% resulting in a net present value savings of \$152,114.19 or 3.450084% of the principal amount of the bonds refunded. Mr. Sheola voiced his opinion that the savings in and of itself was a fantastic deal and he has not seen any previous refunding bonds come out that high.
  - b. Human Resources Committee Meeting – Borough Administrator met last night with the Committee to discuss the feasibility of Summer hours. The consensus was for him to conduct a brief survey of Borough Hall only employees as to the options of extended weekday hours to have all day Friday off or to be able to close Borough Hall at 12:30 p.m. on Fridays. He informed he did not vote and reported the responses received as of today were 7 in favor of and 3 against as to both questions. The Administrator suggested further discussion whether to attempt to do this and sufficient notice should be given to the public if it is decided to proceed. The hours would only be in effect up until the week prior to Labor Day. In answer to Councilman Kashwick he explained that one employee had child care issues that he is not sure by reading the response if it can be worked around and the one indicated they felt Borough

7. REPORTS (Continued)  
A. BOROUGH ADMINISTRATOR (Continued)

Hall should be open 5 days a week all year round. For the third response he does not recall if there was any comment. Mr. Sheola explained how the modification worked the past 5 years in Long Hill and he offered that any suggestions from the Council would be complied with. Councilman Barad voiced his understanding that the Council really has no interest in closing Borough Hall one day a week unless the employees see it as particularly favorable and the Borough's business can still get done. Mayor Heymann said the Council does have an interest because changing hours will allow residents to come to various boards early or late in the day. By extending the hours earlier or later will allow the opportunity for people to come either before the go to work or after they get out. She explained that she fields a lot of those calls herself because people are on their way to work at 8 a.m. and the offices don't open until 8:30 a.m. She feels it is a benefit to the residents. On the other hand, she said not as many calls need to be made to Borough Hall because a lot more things can be done online and should be encouraged. Dr. Barad explained his understanding that this is a different conversation and all we are discussing right now is the temporary adjustment of hours for a few weeks in the Summer. He feels that if there are other factors that it would be a benefit and it would be a year round thing then it is a different matter for discussion. In answer to the Mayor, he said this year it would only be an experimental thing and next year it could be implemented but the idea of summer hours is to benefit the employees. He doesn't feel there is a need to impose on people if there are a majority of people who don't feel it is a good thing. The Administrator responded to Mr. Kashwick saying that a 70% majority is not really a cry for a radical change. He feels if there was sufficient staff – and he is not suggesting that be done – but it can be done with half of the staff working Monday to Thursday and the other half working Tuesday to Friday and alternating. It is the opposite of what we are talking about, but the end result of that would be greater service to the public. Councilpersons Glidden and Amitai agree the Borough Hall should be open 5 days a week. The Mayor said she would be agreeable to trying out half-days on Friday as a 4-week experiment. Dr. Barad suggested a straw poll.

Councilman Glidden said the half-day scenario would be his choice although he does not feel it is warranted at all.

At this time, Councilman Dolson asked to hold up the straw poll for a moment, noting the following issue has not been addressed: is the building being locked and is it abandoned during those times we are closed. He said if nobody is here, then the building should be secured and the three employees who were not in favor would be locked out if that was the case. In answer to Mr. Sheola, Chief Kaine affirmed the doors are on scheduled lock/un-lock program for weekdays and the building is locked completely on weekends. He said the timers can be adjusted the same as they are now for holidays and special arrangements. The straw poll continued as follows:

Councilwoman Latner would not object to a trial basis of half days.

Councilman Kashwick would object to both scenarios.

Councilman Barad would not object to experiment for a half day.

Councilman Dolson does not support this at this time.

Councilwoman Amitai does not support this at this time.

The Borough Attorney agreed that a straw poll does not count, but advised that there may be issues the three employees who objected did not bargain for in their position; they would have to work extra hours each day and the Governing Body needs to be sensitive to it. If they have child care arrangements and their babysitter is not available after a certain time and we are making the employee work later, we need to be cautious of issues of that nature. He feels it is an issue that should be further investigated.

The Borough Administrator reported that the laptops have been delivered, though they are not yet completely functional; and are now in the care of the Borough Clerk's office. He informed he received an email from the IT Coordinator this morning stating he would be on vacation next week and when he returns he will finish all the work. He questioned if there was a rush at this point that he should contact an outside vendor or if it would be okay to wait another week; and the Mayor said to wait.

7. REPORTS (Continued)  
A. BOROUGH ADMINISTRATOR (Continued)

Regarding office relocations, Mr. Sheola reported they will be saving approximately \$1,000 by not putting up a wall and about \$3,000 was saved by ordering used office furniture. He said it is a good price for all of the pieces including delivery and set up. The new target date is the middle of August; and when all is said and done, it will be a good move for all parties involved.

The Borough Administrator reported he will be at a seminar tomorrow morning in New Brunswick and plans to be in by 2 p.m. at the latest. His voicemail has been changed; and he will check emails throughout the day.

Dr. Barad referred to some email exchanges regarding the laptop setups and questioned how they would be set up. Mr. Sheola informed he received a copy of the Minutes from the presentation given in 2011 (2/23/11) that indicated the laptops will remain in the Borough Hall; and the wireless will be disabled during the meeting because there should be no communication during that time. He clarified that the packets will be sent electronically and they can be accessed from their individual homes. In answer to Mrs. Amitai, Mr. Dolson explained each laptop has an individual IP address; and each person to whom it is assigned will have a password IP address to protect that individual computer. He explained there has been a program out for about 20 years called “PC Anywhere” that allows you to log into your computer from any other computer. In response to Mrs. Latner, Mr. Dolson and Mr. Sheola agreed the iPad apps are not quite sophisticated enough to have the required safeguards for their use. Mr. Dolson affirmed that only they will be able to access their own notes. He noted that he had seen a picture taken from the back door during a Congressional session where you could clearly see people playing Hearts and other games instead of looking at the Congress Agenda. These computers are intended to be used for only the business in front of us – not for communicating and playing games.

B. BOROUGH CLERK

1) STATUS REPORT RE 2012 APPOINTMENTS – The Borough Clerk reported appointments are current with other appointments having been maintained on the Agenda for future action.

2) STATUS REPORT RE 2012 OATHS OF OFFICE – Ms. Castano had nothing new to report regarding Oaths of Office.

3) STATUS REPORT RE 2012 LICENSES – The Borough Clerk reported the following:

a. Local Licenses – current for calendar year 2012

b. Liquor License renewals are almost complete with 12 of 13 having been renewed. One license (Moo Kung Wha) requires a Special Ruling which is in progress.

c. Liquor License transfers - There is a person-to-person and place-to-place transfer in progress for Modern Bar. She is hearing word that it is going to be improved but noted about 2 weeks ago she had stopped by and nothing has been done as yet. Ms. Castano voiced her understanding that the financials have been dropped off at the Police Department and Chief Kaine affirmed that they have been delivered to the Auditor for review.

4) STATUS REPORT RE 2012 MEETING DATES – The Borough Clerk had nothing new to report regarding Meeting Dates.

5) STATUS REPORT RE FINANCIAL DISCLOSURE STATEMENTS – Ms Castano reported that on 6/26/12, in accordance with the requirements of LFN 2012-8, her office sent the Financial Disclosure Statements received this year to the Local Finance Board in the new PDF format, thanks in large part to our Administrator, who authorized a service call to Atlantic to have the copier set up to scan. She reported there was a total due of 112; 72 were received and sent to the Local Finance Board and there are 40 still outstanding.

7. REPORTS (Continued)  
B. BOROUGH CLERK (Continued)

6) STATUS REPORT RE PAPERLESS PACKETS – Borough Clerk informed her original report was not going to be as kind because she thought she has been very patient the past 5 months waiting for the laptops; and then she was informed they had been delivered. She now hopes the system will be fully functional by September because that is the start of the hectic season in the Clerk’s office, which includes a Presidential Election this November.

7) STATUS REPORT RE ELECTIONS – Ms. Castano reported that on 6/27/12 she mailed a response to Chair/Commissioner, Board of Elections, Eileen DeBari’s written request of 6/18/12 informing that we would again like to host the Board Workers election class at Borough Hall and we are waiting a response. As it was successful the two years we held them here, she was hoping we would be able to do so again.

8) REPORT – The Borough Clerk reported regarding Codification that we are waiting for the adoption of Ordinance Nos. 2012:1122 and 2012:1123 and will then e-mail to General Code for posting on our web site as “Legislation not yet codified”. (They include Nos. 2012:1113 to 2012:1127 - a total of 15 ordinances adopted since our last codification in February 2012 as Supplement No. 18).

At this time, Councilwoman Amitai voiced her understanding that the Planning Board approved (Ordinance No.) 2012:1123 regarding Historic Preservation. Mr. Kashwick reminded that we do not have a letter from Mr. Chagaris to that effect. The Borough Attorney explained that the letter they discussed earlier that was received from Mr. Chagaris states that he has questions about it that he wanted to look into further. Mayor Heymann said that is what she was trying to point out earlier because her recollection was that the Planning Board had approved passage of those ordinances. Mrs. Amitai said that the Board approved it but Mr. Chagaris was mistaken but not to worry about it because it will come in another week.

C. CHIEF OF POLICE

1) REPORT – Chief Kaine reported they assisted several State and Federal agencies conducting a search warrant on a house on Closter Dock Road. There is still an ongoing investigation which has already taken about 9 months. The Chief informed there were several arrests and there will be a press release shortly.

Chief Kaine reported the monthly Police Department report was e-mailed out today. He voiced his understanding the Borough Administrator was going to bring up another issue in Closed Session regarding possible litigation on Hickory Lane.

The Chief reported the PD prepared a public service announcement regarding (Borough Code Chapter 67, Article IV, Consumption by Persons Under Legal Age) §67-14 and Kevin Whitney posted it on the web site. They will be forwarding a copy to the schools to pass on to the 8<sup>th</sup> graders and high school students. The presentation explains the laws, fines and criminal charges for any parent that allows underage drinking to occur on their property.

Chief Kaine informed the electronic sign board will be set up next week to advertise the Sidewalk Sale.

At this time, the Borough Administrator wished to bring up an item under his report which he missed earlier. He received word late today from the Tax Collector informing we have received a tax rate; and they will verify that information tomorrow and send it off to our vendor. He hopes to have the bills by Friday or Monday at the latest. The bills will go out before July 17 which means they will still be due and payable on August 1 with the 10-day grace period.

7. REPORTS (Continued)

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS: Mayor Heymann informed she had nothing new to report regarding grants but that she had some announcements to make.

a. FILED

1. NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM SUPPORTING THE DESIRE OF THE ENVIRONMENTAL COMMISSION TO OBTAIN A GRANT IN A MAXIMUM AMOUNT OF \$25,000 TO FUND THE EXTENSION OF THE CROSS CLOSTER TRAIL PROJECT; SAID GRANT PROGRAM REQUIRES A CASH MATCH OF 20% OF THE AMOUNT AWARDED OR A MAXIMUM AMOUNT OF \$6,250.00 (Authorized RM 2/8/12)
2. DEPARTMENT OF ENVIRONMENTAL PROTECTION IN AN AMOUNT NOT TO EXCEED \$3,000.00 TO FUND THE FOLLOWING PROJECT: COMMUNITY FORESTRY MANAGEMENT PLAN, GREEN COMMUNITIES GRANT (50% match of total project amount) (Authorized RM 2/22/12)
3. 2013 ROID GRANT (REC OPPS FOR INDIVIDUALS WITH DISABILITIES DIFFERENTLY ABLED CHALLENGER RECREATION PROGRAM - \$10,000) Authorization for application RM 6/13/12

b. AWARDED

1. CDBG GRANT APPLICATION (\$20,000) TO IMPROVE ACCESSIBILITY TO THE CLOSTER PUBLIC LIBRARY (RM 8/11/10) (Award received 11.M.L. 7/7/11) (Contract authorized for execution/RM 10/12/11)
2. 2012 ROID GRANT (REC OPPS FOR INDIVIDUALS WITH DISABILITIES DIFFERENTLY ABLED CHALLENGER RECREATION PROGRAM - \$10,000) Authorization for application RM 6/8/11/Awarded \$5,000 (8. M.L. 5/31/12)
3. 2011 BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND GRANT – LAND ACQUISITION IN THE AMOUNT OF \$283,000 FOR THE PURCHASE OF BLOCK 1805, LOT 1, COMMONLY KNOWN AS THE CLOSTER SWIM CLUB AT BLANCH AVENUE (RM 8/10/11)/Awarded \$283,000 (7. M.L. 6/14/12)
4. 2011 BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND GRANT – MUNICIPAL PARK IMPROVEMENTS – MATCHING GRANT IN THE AMOUNT OF \$40,000 FOR SCHAUBLE AND MEMORIAL PARK IMPROVEMENTS (RM 8/10/11)/ Awarded \$12,500 for Memorial Park Batting Cage/Bleachers and \$27,500 for Schauble Park Walking Path (7. M.L. 6/14/12)

c. TO BE FILED - To be announced by Mayor

- 2) REPORT RE DRAFT DEVELOPER'S AGREEMENT (Requested by Mayor 7/5/12)

Mayor Heymann reported the web site has been updated with information on organizations in the community with links in many places.

Mayor Heymann informed she will be making a Mayoral appointment to the Environmental Commission with Paul MacDonald replacing Beth Ravit as the Chair.

At this time, Mayor Heymann extended her thanks to Bill Cahill because he had a letter in The Record today pointing out that Closter was way ahead of Tenafly in developing design guidelines for historic areas. The Mayor said Closter did that 8 years ago and Mr. Cahill pointed out same to the paper in response to an article they had written about Tenafly. She said the guidelines can be useful when people are renovating their homes. The Mayor asked if Irene Stella, who was present in the audience, had anything else to share on the subject.

7. REPORTS (Continued)



- D. MAYOR (Continued)  
2) REPORT (Continued)

Irene Stella, (11 Cedar Lane) of the Historic Preservation Commission informed they are trying to develop a brochure for real estate agents and potential buyers of homes in historic districts. Councilwoman Amitai suggested noting on our web site that the guidelines exist and there should be a link to them. Councilman Kashwick informed they are already on the Historic Preservation web site as a PDF.

8. OLD BUSINESS

In answer to Councilman Dolson, Borough Clerk advised that Beth Ravit had resigned from the Board of Health and same is listed on the Regular Meeting Agenda.

9. NEW BUSINESS

10. 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

Mayor Heymann opened the meeting to the public.

Steve Isaacson, 97 Columbus Avenue, questioned the removal of dangerous trees in the parks by the Recreation Commission and said that the Environmental Commission had not been informed. Mayor Heymann said that a tree is not considered dangerous unless cited by a certified tree expert. Relative to the Swim Club meeting, Borough Attorney advised that same would be held some time next week and that prior to the expenditure of Borough funds, a public meeting would be held. The meeting is preliminary and there would be an update on the issues concerning the inspections. Mr. Isaacson pointed out that there are many trees overhanging the sidewalk through town to the bus shelter. Mayor Heymann advised that trees on County roads are the responsibility of the County; trees on the Borough right-of-way are the responsibility of the Borough and trees within private property are the responsibility of the property owner. In addition PSE&G has a trimming program. Councilman Kashwick said that the County does not trim trees and the Borough has a contract to trim trees every 6 years.

Mr. Isaacson suggested that recyclables be picked up twice a week and garbage once a week and Mayor Heymann said that there has been discussion on same. Relative to the Knickerbocker Road bus shelter, Borough Administrator said that same would be replaced. Relative to the 2,000 square foot rule, Borough Attorney advised that a letter has been received from the Planning Board supporting the revision to the ordinance and that he would be providing a draft of same to the Ordinance Committee. Regarding the traffic light at Piermont Road and Vervalen Street, Borough Engineer said this matter would be discussed by the Planning Board with testimony being provided by a traffic engineer. Regarding the Sidewalk Sale scheduled for July 28, Mr. Isaacson requested temporary signage indicating the location of the parking areas and possibly the use of crossing guards during that time. He referred to a tax imposed by Tenafly that raises approximately \$100,000 to improve the downtown business district. Mayor Heymann said that this had been proposed by the Borough and the business people rejected same. She said if the Chamber of Commerce wishes to pursue this matter, it would fall on willing ears of the Council. Borough Administrator said there is a statutory procedure to be followed for a Business Improvement District.

Linda Albelli, 225 Closter Dock Road, thanked everyone for their consideration as they prepare for the Sidewalk Sale on July 28.

11. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

CLOSTER MAYOR AND COUNCIL  
WORK SESSION NOTES – JULY 11, 2012 - 7:30 P.M.

12. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
13. ADJOURNMENT

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

Provided to the Mayor and Council  
via e-mail on July 20, 2012 for  
approval at the Regular Meeting  
to be held July 25, 2012

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held July 25, 2012  
Consent Agenda Item No. 25b.