

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MONDAY, NOVEMBER 9, 2015 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Regular Meeting at Borough Hall on Monday, November 9, 2015. Mayor Glidden called the meeting to order at 9:30 p.m.

1. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Annual Notice of Meetings which was published in The Record and the Star Ledger on January 9, 2015, 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 John C. Glidden, Jr.  
Councilpersons David Barad, Alissa Latner, Robert Di Dio, Thomas Hennessey,  
Arthur Dolson and Victoria Amitai  
Borough Administrator, Jonathan DeJoseph  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick De Nicola  
Chief of Police, Dennis Kaine

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

This Ordinance was introduced at the Regular Meeting held 10/14/15 and was published in The Record on 10/20/15 as stated in the Municipal Clerk's affidavit of publication. Reprint of this Ordinance was posted on the Municipal Clerk's Bulletin Board in accordance with statutory requirements and copies have been made available to the general public.

BOND ORDINANCE NO. 2015:1198, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING SECTION 3(e) OF ORDINANCE NO. 2014:1164 OF THE BOROUGH FINALLY ADOPTED ON MAY 14, 2014, PROVIDING FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$1,505,600 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,430,570 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME"

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

Motion approving adoption of Ordinance No. 2015:1198 was made by Councilman Barad, seconded by Councilman Di Dio and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey, Dolson and Amitai.

4a. VOTE ON CONSENT AGENDA ITEMS

Motion to approve Consent Agenda minus Item No. 8 was made by Councilwoman Amitai, seconded by Councilman Di Dio and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Hennessey, Dolson and Amitai.

5. ORDINANCES

INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING – 12/9/15 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

6. a. ORDINANCE NO. 2015:1199: "AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$5,000.00 FROM THE CLOSTER OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS" (Received from Administrator 11/4/15)  
In answer to Councilwoman Amitai, Borough Administrator advised that the funding is for the Lustron House.
- b. ORDINANCE NO. 2015:1200: "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS, SPECIFICALLY FOR THE MUNICIPAL COURT" (Received from Borough Attorney 11/5/15)

RESOLUTIONS

7. BILL RESOLUTION – NOVEMBER 15, 2015  
(Received from Deputy Treasurer 11/3/15)
8. RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES RECEIVABLE IN THE AMOUNT OF \$13,534.20 FOR CERTAIN 1<sup>ST</sup> THROUGH 4<sup>TH</sup> QUARTERS 2015 AND 1<sup>ST</sup> AND 2<sup>ND</sup> QUARTERS 2016 PRELIMINARY TAXES FOR PROPERTY LOCATED AT 421 DURIE AVENUE, BLOCK 1003, LOT 21 (LUSTRON HOUSE) DUE TO PURCHASE OF THE PROPERTY BY THE BOROUGH OF CLOSTER (Received from Tax Collector 10/21/15/Carried from RM 10/28/15)  
In answer to Councilwoman Amitai, Borough Attorney advised that the land was donated to the Borough and the Tax Collector looked at same as a new deed. Councilman Dolson expressed concern about the timing of the calculation relative to the subdivision of the property. Borough Administrator said that he would provide the e-mail from the Tax Assessor relative to the calculation.
9. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR “2015 BODY ARMOR GRANT” IN THE AMOUNT OF \$2,015.49  
(Received from Temporary CFO 10/29/15)
10. RESOLUTION AWARDED 2015 SHADE TREE COMMISSION TREE PLANTING PROJECT IN THE AMOUNT OF \$15,925.00 FOR FORTY-SEVEN (47) TREES, PER ATTACHED QUOTE DATED 10/26/15, TO CLEATUS FARMS, INC. (Received from Administrator’s office 11/2/15)  
In answer to Councilwoman Amitai, Councilman Hennessey advised that the trees would be planted in various areas to replace trees that have to be removed.
11. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING TO PROVIDE ENVIRONMENTAL ENGINEERING SERVICES FOR THE UST SITE INVESTIGATION LOCATED AT THE CLOSTER DEPARTMENT OF PUBLIC WORKS FOR AN AMOUNT NOT TO EXCEED \$3,600 PER PROPOSAL DATED 10/20/15 (Ordinance 2015:1188; Capital Account C-04-15-188-012-001) (Received from Administrator 11/2/15)
12. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN TREE BOND IN THE AMOUNT OF \$3,000, POSTED ON 11/9/10 PER AGREEMENT WITH SIBSTROY INVESTMENT LLC FOR PROPERTY LOCATED AT 499 HOMANS AVENUE, BLOCK 2305, LOT 18, PER EMAIL FROM CODE ENFORCEMENT OFFICIAL – TREES DATED 10/15/15 DUE TO SATISFACTORY COMPLETION UNDER REQUIREMENTS OF THE AGREEMENT (Received from Deputy Treasurer 11/2/15)
13. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN \$1,000 CASH ESCROW POSTED ON 1/8/14 FOR ROAD OPENING PERMIT NO. 2014:01 TO BRIAN KIM FOR PROPERTY LOCATED AT 106 BIRCH STREET, BLOCK 603, LOT 8 DUE TO THE SATISFACTORY COMPLETION OF REQUIREMENTS OF CHAPTER 171 (Received from Deputy Treasurer 11/2/15)
14. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEARS 2014 & 2015: MARKERT (50 O’SHAUGHNESSEY LANE) V. CLOSTER (Received from Borough Attorney 11/2/15)
15. RESOLUTION AUTHORIZING AMENDMENT OF THE COAH PLANNER’S PROFESSIONAL SERVICE AGREEMENT (ORIGINALLY AWARDED 5/13/15) TO PAY ADDITIONAL COMPENSATION NOT TO EXCEED \$7,000 PER PROPOSAL DATED 10/26/15 TO PREPARE THE BOROUGH’S HOUSING ELEMENT AND FAIR SHARE PLAN (Received from Borough Attorney 11/2/15/Revised rec’d from Temporary CFO 11/3/15)  
In answer to Councilwoman Amitai, Borough Administrator said the amount covers this proposal only; and depending on the need, an additional resolution may be required.
16. A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE (Received from Administrator 11/3/15)
17. RESOLUTION TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDED 2016 PROFESSIONAL SERVICE CONTRACTS IN THE BOROUGH OF CLOSTER FOR THE FOLLOWING POSITIONS: Borough Attorney, Borough Bond Attorney, Borough Appraiser - Commercial Properties, Borough Appraiser – Residential Properties, Borough Public Defender, Borough Prosecutor, Borough Alternate Prosecutor, Attorney to the Planning Board\*, Attorney to the Board of Adjustment\*, Borough Planner (Master Plan Reexamination)\*, COAH Planner, Borough Auditor, Borough Engineer; including Planning Board and Zoning Board of Adjustment, Risk Manager, ~~Landscaper for foreclosed and abandoned properties~~, Duly licensed personnel to carry out the following public health activities: (a) Public Health Administration: health officer, electronic information notification (LINCS), health education; (b) Environmental Health Services – Registered Environmental Health Specialist (24 Hours per week); All of the services described in a & b above shall meet “Public

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Health Practice Standards of Performance for Local Boards of Health in New Jersey.” (Received from Borough Attorney 11/4/15)

Borough Attorney advised that “Landscaper for foreclosed and abandoned properties” should be removed.

18. RESOLUTION APPROVING CLOSED SESSION NOTES OF 2011 MEETINGS (Received from Borough Attorney 11/4/15)
19. RESOLUTION AUTHORIZING A CONTRACT WITH MITCHELL HUMPHREY & CO. FOR CONSTRUCTION DEPARTMENT SOFTWARE PRODUCT LICENSE AND MAINTENANCE SUPPORT AGREEMENT IN THE AMOUNT NOT TO EXCEED \$24,750.00 FOR SOFTWARE PLUS \$10,500.00 FOR SOFTWARE MIGRATION SERVICES (Ordinance 2015:1188; Capital Account C-04-15-188-005-001 & 002) (Received from Administrator 11/4/15)
20. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE INTEREST IN THE AMOUNT OF \$125.01 TO APPLICANT B & H DESIGN CONSTRUCTION CO. (Resolution No. 17 Regular Meeting 4/22/15 authorized return of the cash maintenance bond in the amount of \$2,268.00 due to successful completion of parking improvements for Block 1305, LOT 7.01, 136 Oakland Avenue) (Received from Deputy Treasurer 11/4/15)
21. RESOLUTION APPROVING CLOSED SESSION NOTES OF 2004, 2005, 2008 AND 2009 MEETINGS (Received from Borough Attorney 11/5/15)

MOTIONS

22. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 11/6/15) ABSTENTION: DI DIO
  - a. REGULAR MEETING HELD OCTOBER 28, 2015
  - b. WORK SESSION HELD OCTOBER 28, 2015

23. MOTION APPROVING RAFFLES APPLICATION NO. 616 FOR CLOSTER ELKS LODGE #2304 TO CONDUCT ON-PREMISE 50/50 CASH RAFFLE ON SATURDAY, 1/30/16, AT 148 RAILROAD AVENUE, FROM 7:00 P.M. TO 11:00 P.M.; DRAWING TO BE HELD AT 11:30 P.M. (Completed Application filed and appropriate fees paid 10/30/15)

24. REPORTS

- a. CONSTRUCTION OFFICIAL – OCTOBER 2015 (Received 11/3/15)
- b. CHIEF OF POLICE – OCTOBER 2015 (Received 11/9/15)

4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

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

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

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

27. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:00 p.m. was made by Councilman Barad, seconded by Councilwoman Latner and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on  
November 19, 2015 for approval at the  
Regular Meeting to be held  
Monday, November 23, 2015

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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 November 23, 2015  
Consent Agenda Item No. 21a.

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION NOTES – MONDAY, NOVEMBER 9, 2015 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Regular Meeting at Borough Hall on Monday, November 9, 2015. Mayor Glidden called the meeting to order at 7:31 p.m.

1. PLEDGE OF ALLEGIANCE

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

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Annual Notice of Meetings which was published in The Record and the Star Ledger on January 9, 2015, was posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

3. ROLL CALL

The following persons were present:

Mayor John C. Glidden, Jr.  
Councilpersons, David Barad, Alissa Latner, Robert Di Dio, Thomas Hennessey,  
Arthur Dolson and Victoria Amitai  
Borough Administrator, Jonathan DeJoseph  
Borough Attorney, Edward T. Rogan  
Borough Clerk, Loretta Castano  
Borough Engineer, Nick De Nicola  
Chief of Police, Dennis Kaine  
Fire Chief, Brian Pierro

Mayor Glidden asked for a Moment of Silence in honor of Adam Tobia, son of Orlando Tobia, Borough Historian, who passed away over the weekend leaving a wife and three children.

At this time, Mayor Glidden read a Volunteer Appreciation Proclamation awarded to Councilman Thomas Hennessey time and work for the betterment of the community and in particular for the renovation of Borough Hall.

At this time Joseph Talmo, President of the Knickerbocker Hook and Ladder Company, and Fire Chief Brian Pierro appeared before the governing body to discuss an issue with the fire horn that has been out of service for a while but has recently been repaired. He reviewed the concerns about the Schauble Park horn which were discussed in October 1999; and in response to those concerns, a survey sheet was sent to the residents in the area to keep track of the use of the fire horn, which were ultimately compared to the police files of that time. The survey commenced on October 13, 1999 and concluded on December 1, 1999 during which one survey indicated the use of the horn 33 times of which 20 were ambulance calls and 13 were fire calls. The Borough Engineer and Fire Department conducted decibel testing at five locations and found the decibel level to be at 76 and 110. In March of 2000, the Mayor and Council was informed that the sound was raised in order to let the sound travel further and not as low. The blasts are short and loud and even under the horn is no louder than a squeaky toy held next to your ear. He explained the times that the horn is used and under what conditions such as manpower requests, police confirmed structure fire, heavy rescue truck call and requests from senior ambulance or fire personnel. The horn in question was erected in 1952 before the ballfield or playground existed and is located on the west side of town giving



good sound coverage. If same is moved, it must still be on the west side of town facing east; and a different type of signal would be louder and have a longer sound time in addition to being a great cost to the Borough.

Fire Chief Pierro said that as of Wednesday, the horn policy has changed with usage being between 7a.m. to 7p.m. for fire calls only; and the Ambulance Corps is not requesting that the horn be blown. The Ambulance Corps is requesting the horn to be blown only for rescue calls. The horn pressure has been lowered below the decibel levels of 1999. These policies have been submitted to the County dispatch, which activates the horn.

In answer to governing body members, Chief Pierro said that the horn was out of service for under five years during which the Borough Hall horn was in service but which has been out of service for the past year. When the Borough Hall horn was activated, there was a drop off in response and there was concern expressed by the Fire Department and Ambulance Corps members that the Schauble Field horn was out of service. Even though it is an old system, we were able to obtain the parts to repair the horn. The use of pagers and cell phones are good to a certain degree but there is a delay in hearing the alert. The alert is initiated by the County through the battery back up radio system in Mahwah. Cell phone calls from the County are recorded on a computer device in the Fire House and then goes to a company that sends out an alert to all cell phones. There are noticeable delays with the use of only cell phones and pagers. The surrounding communities are still using fire horns. The horns must be facing east and west and the Borough Hall cannot be the only horn since it is not quite high enough. Installing same on the cell tower would have to be investigated but there will be a structural issue. The Department responds to approximately 350 calls per year and the Ambulance Corps responds to more calls than that.

In answer to Councilman Dolson, Chief Pierro said that the officers carry radios, that there are radios in the trucks but not all the members carry radios. Councilman Dolson said there was a large number of complaints when the dispatch center was moved to Mahwah noting that same was a failure. Pagers from the County are received directly by the members, but the use of cell phones goes to a secondary company paid for by the Department. This is the newest form of technology and same is used by other towns. He said that the Department has the paging system, the phone system and the horn system, which is used first, to provide for the safety and well being of the residents.

In answer to Councilman Di Dio, Chief Pierro said that the time between the horn and the pager is seconds to a minute and the pager gives the type and location of the call. The members then respond to the Fire House. If they do not have a pager, the member hears the horn and responds to the Fire House. Councilwoman Latner said that the dialogue is extremely helpful but the problem was created when the siren was out of service and not knowing that same would be reinstated. She expressed appreciation for the history of the siren.

John Lignos, 60 Forest Street, thanked the volunteers and asked that the use of the horn be carefully reviewed and other forms of technology be investigated. The sound ordinance should be followed noting that for 5 years we did without the siren without a catastrophe. Actual decibel levels should be determined at any given time. Use of the siren affects the neighborhood and locating two sirens at the Borough Hall should be investigated.

██████████ reiterated his comments from the last meeting. He noted that there is a 12 p.m. pager test every day and the Fire Chief noted that this test does not include the use of the horn. ██████████ noted that the fire horn alert system is disruptive and unnecessary. Dumont no longer uses horns. The lack of horns does not affect the Borough's insurance rates because of the use of pagers and cell phones as secondary alerts. Not using the horn on the west side of town and keeping the immediate blast zone in the business district is a common sense solution. He said that during the 5 years that the west side horn was not active, public safety was not compromised. The Fire Department should provide statistics on member response times. The use of the horn is nostalgic and an old way of doing things and should only be used as a back up system. He thanked the volunteers for their service.

████████████████████ expressed concern about the use of the horn between 7 a.m. and 7 p.m. when people who work odd hours are trying to sleep. She noted that EMT's are critical for public safety. She said that the horn is outdated and the Borough should move forward.

Nils Abate, 63 Forest Street, said he has lived with the horn for 40 years and related his experience with the use of the horn. If the horn is so critical, why did we go five years without it. He suggested that the horn in the center of town be doubled since there are few residential units in that area.

Victoria Pugliese, 73 Forest Street, thanked the volunteers for their service, noted that she does not let her children play in the park because of the horn and they go to Haworth to play. She said her mother could not visit her during the summer because of the use of the horn. She does not think the horn in town is good and another solution should be found.

Tom McKeon 73 Forest Street, said the horn is a health hazard for anyone in the park. He cited the use of the park by children; and since the horn has not been in operation, the park is used more. The horn should be replaced by new technology and should be used as a last resort. Information should be disseminated to the residents on this matter.

Councilwoman Amitai said that exact decibel levels should be ascertained and determine what level is necessary. In answer to Councilman Di Dio, Chief Pierro said that the horn has not been activated as yet and Mayor Glidden said that same should be activated as soon as possible in addition to reactivating the Borough Hall horn. Councilman Hennessey said that the feasibility of installing a second siren on Borough Hall should be investigated. Chief Pierro said that sirens are available but he finds them to be longer and louder. Councilman Barad said the effect of what happened without the horns should be reviewed and the alternatives should be investigated. Councilwoman Amitai suggested a subcommittee be formed to review the matter; and Mayor Glidden said the installation of two horns on Borough Hall should be investigated.

John Lignos, 60 Forest Street, said the residents of Bergenline, Demarest and Forest would like to help to find a solution.

Mayor Glidden thanked the residents and members of the Fire Department for attending the meeting. Councilman Di Dio said that a warning signal should go off before the horn is used. Councilwoman Latner also thanked all for attending the meeting and for continuing on this matter together.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF OCTOBER 29, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 4 was removed by Councilman Barad; Item Nos. 3 and 10 were removed by Councilwoman Latner.

Item No. 3: Received 10/26/15, dated 10/22/15 from Donald M. Farrell, Treasurer/Board Member, Belskie Museum of Art & Science Inc. re Thanking the Borough for their continued support and donation and inviting all to attend opening receptions for "The Great Craft Gift Sale & Exhibit" on 11/15/15 from 1 – 5 p.m.

Councilwoman Latner wished to bring to attention the opening of the art craft show and exhibit.

Item No. 10: Received 10/29/15, dated 10/26/15 from Bill Brewster, Post Adjutant, Leroy S. Mead Post 111 re Invitation to attend Veterans Day program on Wednesday, 11/11/15 @ 11 a.m. in Veterans Monument Park, Herbert Avenue; AND requesting that Herbert Avenue, between Closter Dock Road and Homans Avenue, be closed to vehicular traffic during the short ceremony (Copy to Chief Kaine)

Councilwoman Latner wanted to remind all of the upcoming Veteran's Day celebrations.

Item No. 4: Received 10/26/15 Hand del'd, dated 10/28/15 from James Kolacia, 22 Hawthorne Terrace re Packet of information regarding code enforcement of tree mitigation at 22 Hawthorne Terrace dated **10/12/12** (Copy to William Fuchs)

Councilman Barad requested some clarification as to what this is about. There was a request for mitigation in 2012 and he was curious why it was unresolved. Mayor Glidden asked the Borough Clerk if she was aware of any information to which she said she did not; and the Mayor agreed it was a good question and said we need to find out more about this. Dr. Barad voiced his understanding that the resident is making a request because apparently it was not honored in 2012. In answer to the Mayor, Mr. DeJoseph said it appears to be open and he will investigate further into same. Dr. Barad voiced his opinion that if the resident wants to explain his position, he should come to a meeting. Councilman Hennessey noted the letter indicated he wanted to appear at the meeting on the 28<sup>th</sup> but our meeting will be on the 23<sup>rd</sup> and he suggested we notify the resident of same.

b. MAIL LIST OF NOVEMBER 5, 2015 - Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 6 was removed by Councilman Barad; Item Nos. 5 and 10 were removed by Borough Administrator; Item No. 11 was removed by Councilman Hennessey.

Item No. 6: Received 11/02/15, dated 10/29/15 from Nancy Wehmann, Acting Municipal Clerk, Borough of Alpine, to Closter Borough Clerk re Public Notice re Public Hearing for Ordinance No. 755 "An Ordinance to Amend Chapter 179 of the Zoning Code of the Borough of Alpine" to be held 11/23/15 @ 7:30 p.m. at Alpine Borough Hall, 100 Church Street (Copy to Land Use Coordinator/Zoning Board of Adjustment)

Councilman Barad noted this ordinance refers to noise; and since we have been discussing same, he wished to call it to attention. Alpine recently introduced this ordinance due to issues with rock hammering; and other than emergency septic work, it will be banned on Saturdays, Sundays and legal holidays. He voiced his opinion this is a clever idea and said they would discuss it at the Ordinance Committee.

Item No. 5: Received 10/30/15, dated 10/28/15 from PERMA Risk Management Services, Bergen County Municipal Joint Insurance Fund re 2015 Dividend to the Borough in the amount of **\$10,647.18** Deadline for notification of choice either to receive the dividend in the form of a check or a credit towards next year's first assessment installment: No later than **11/23/15**; if no notification is received, the entire amount will be refunded in the form of a check (Original to Administrator for response/Copy to Glenn Parsells, Fred Pitofsky)

Borough Administrator informed he returned the paperwork and the Borough will be receiving a credit of \$10,647.18 for 2016.

Item No. 10: Received 10/30/15, dated 10/28/15 from Jonathan M. DeJoseph, Administrator and QPA re Forwarded e-mail from Kevin P. Moore, Rockland Electric Company, requesting permission from the Mayor and Council to install a pole at 39 Julia Street

Borough Administrator explained this is a request from Orange & Rockland to move a telephone pole from in front of 33 Julia Street to 39 Julia Street since there is an aerial trespass. It's a distance south of approximately 100-125 feet and there is no impact to the Borough other than helping a resident. The resident at 33 Julia Street had a tree on the curb of his property towards the house and it was blocking their telephone pole so now you can see the pole and the wires going from their house to the neighbor's house. Per Borough Code, they are looking for permission to make that change. Mr. DeJoseph explained it isn't actually installing a new pole as there are currently two in front of 33 Julia so they are removing one there and adding the new one down the street. In response to the Mayor, the Borough Engineer said it is at no cost to the Borough. Borough Attorney asked if the other resident was informed of the move and Mr.

DeJoseph said he believed so. The Borough Engineer explained that aerial trespass wires go over the right of way; and it depends on your metes and bounds. Mayor Glidden voiced his understanding that there were no objections from the Council for permission subject to agreement of the neighbor at 39 Julia Street; and no objections were voiced.

Item No. 11: Received 11/5/15, dated 11/02/15 from Tim Adriance, Chair, Historic Preservation Commission, to Borough Clerk's Office re Notice of Public Hearing to be held Monday, 11/30/15 @ 8 p.m. in the Council Chambers re the proposal for Nomination of Blanch Avenue for Historic Landmark status pursuant to Code Chapter 35, Section 35-54; informing copy of report will be on file in the Land Use Office, Borough Clerk's Office and available online at [www.closterhistory.com](http://www.closterhistory.com)

Councilman Hennessey noted the Public Hearing to designate the east end of Blanch Avenue as an historic landmark; and he suggested everyone walk the street so they are familiar with what is being discussed. Councilwoman Amitai noted she heard there were some objections to same; and Mr. Hennessey said there are 3 residents on the west side objecting to the nomination. In answer to the Mayor, he explained that it is difficult to understand exactly what the historic designation is.

At this time, Councilwoman Amitai wished to note we are starting to get notices from our neighboring municipalities that they are working on their Master Plan and Housing Elements; and informed we would be working on our Master Plan in the near future.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of November 9, 2015)

Mayor Glidden invited any comments regarding the Consent Agenda at this time and none were voiced.

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

1) STATUS REPORT RE NEGOTIATIONS WITH PBA LOCAL 233 (8. M.L. 8/21/14/ 8. M.L. 9/25/14) – Borough Attorney reported negotiations are ongoing and the Committee met with the PBA on 10/30/15. The Mediator encouraged both sides to continue speaking. He said he and the Administrator are putting something together for the Committee and the Council to review before presenting anything to the PBA attorney. As of right now, there has been no follow up date set.

2) STATUS REPORT RE CONTRACT FOR THE PURCHASE OF MULTIPLE CONDOMINIUM UNITS AT VILLAGE SCHOOL SITE (RM 11/24/14) – Mr. Rogan reported this project is proceeding as there has been an application filed with the Zoning Board. At present, it is still progressing from there. He reminded he has reported at several past meetings that the number of units we will be getting is less than what the original contract called for.

3) REPORT – Borough Attorney reported he appeared last week before Judge Toskos regarding the affordable housing matter for a Case Management conference. He explained that it is basically a status update conference to the court regarding progress; and Mr. Rogan informed the Judge that our COAH Committee was meeting almost weekly and he was pleased with that. He also filed a Leave to file a motion for an extension as the materials are due by 12/7/15. Mr. Rogan informed our COAH Planner Caroline Reiter has been working diligently to prepare something; and if she has not already, she will be making plans to discuss the preliminary information with the Planning Board. The Judge indicated he would not require a filed Motion but a Form of Order as long as the notice was provided to all of the people on the service list of about 50; and if there are no objections, we could get an extension for an additional 60 days. We expect to have the E-Consult report on 11/16/15 that gives a regional look as our fair share and will be forwarded to Caroline (Reiter). The Committee has been discussing different ways of meeting the obligation, and though Caroline has provided us with an idea of same, we have no real direction. Mt. Laurel litigation was a regional view and that's why this report is so important. We need to get this, digest it and then incorporate it into our housing plan.

6. PROFESSIONAL REPORTS (Continued)

A. BOROUGH ATTORNEY (Continued)

Borough Attorney reported there are a couple of new lawsuits pending. Mr. Rosenblum has filed a suit in regards to OPRA and one regarding the ordinance that changed one building on one lot. In answer to Councilwoman Amitai, Mr. Rogan voiced his opinion he is comfortable that the Governing Body has the authority to change its zoning code; and although they could have changed it when it first came up in 2013, he thinks the Council chose to err on the side of caution and not adopt it at that time though the Planner recommended it and it was found consistent with the Master Plan. While the Closter Plaza application was pending, the Council decided it was best not to act on the ordinance at that time. The Council waited until the litigation was completed; and ultimately the court ruled in favor of the Planning Board and it was re-discussed at that time. Although it is again under appeal, there are no pending applications before any Borough boards on that issue so the Council felt it was a good time to adopt same. Mr. Rogan found same to be consistent with Municipal Land Use Law.

B. BOROUGH ENGINEER

1) STATUS REPORT RE DPW REMEDIATION (Authorized @RM 4/23/14) – Borough Engineer reminded that retesting of the soil found low level PAH contaminants. He said there is a proposal on the Agenda this evening for additional work; and subject to approval Boswell will continue accordingly.

2) STATUS REPORT RE SWIM CLUB PHASE II CONTAMINATION INVESTIGATION (Authorized @RM 7/9/14) – Mr. DeNicola reported there is a proposal in to the Borough from Foster Wheeler to conduct some risk assessments to risk some of the remediation away from the wetlands. As a guideline to what the Borough can save by doing this, a rough figure is \$15,000. Boswell agrees this is the way to go and is waiting on the Borough to make a final determination.

3) STATUS REPORT RE CONTRACT AWARDED TO ROCKBORN TRUCKING AND EXCAVATION, INC. @RM 3/11/15 FOR HICKORY LANE IMPROVEMENTS AND 2014 MUNICIPAL ROAD PROGRAM IN THE BASE BID AMOUNT OF \$484,253.50  
Borough Engineer reported this project is basically done. The street signs have been completed and the only thing left is the outstanding handicapped ramp at the farm. The subcontractor has been having trouble remobilizing because they have been busy, but we hope this will be completed by Saturday.

4) STATUS REPORT RE DEVELOPER'S AGREEMENT FOR BLOCK 1607, LOT 1 & BLOCK 1310, LOT 2 (CLOSTER MARKETPLACE (EBA) LLC AND CENTENNIAL AME ZION CHURCH) Approved RM 5/21/15 – Mr. DeNicola reported this job is moving along fairly quickly. The steel frame is up and the Contractor commenced site work. In answer to Councilwoman Amitai, he said there are some underground pipes that need to be replaced. Councilman Dolson expressed his concern that he spoke to a merchant today who was relocated in the Plaza earlier this year and now is being relocated again out of the Plaza. The Mayor said it was a negotiation between the merchant and property owner. Mr. Dolson said they are going to be tearing down that part of the building soon. Mayor Glidden said the developer has a place for Callahan's in the Plaza but they want to charge too much rent so they opted to move downtown. In answer to Councilman Barad, the Borough Engineer informed the Dollar Tree would remain until 2019.

5) REPORT

7. REPORTS

A. BOROUGH ADMINISTRATOR

1) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S):  
a. Mail List requests re Insurance: None at the time of preparation of this Agenda.

2) STATUS REPORT RE EXTERIOR REPAIRS AND ROOF REPLACEMENT AT BOROUGH HALL (Contract Awarded/RM 5/28/14 to 3 Sons Restoration, LLC, Union, NJ - \$499,000.00) – Borough Administrator reported that, depending on the weather, the contractor will be working on the double door on Closter Dock Road tomorrow; and it will hopefully be finished on Wednesday or Thursday. The Lewis Street door came but it is not the right size so he hopes by

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

the end of the month it will be fixed. Supposedly the Contractor is coming this week to work on the punch list for the building; and some roof work was done today. The air conditioning units were replaced using a Direct Install grant he pointed out some of the upgrades to the lighting.

3) REPORT RE ACQUISITION AND INSTALLATION OF EMERGENCY GENERATORS FOR THE CLOSTER DEPARTMENT OF PUBLIC WORKS, CLOSTER PUBLIC LIBRARY AND KNICKERBOCKER HOOK & LADDER COMPANY (Funding from FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) HAZARD MITIGATION GRANT PROGRAM SUB-GRANT AGREEMENT HMGP-DR-4086-NJ-0219-R FOR THE PUBLIC LIBRARY GENERATOR PROJECT IN THE AMOUNT OF \$90,000 (Resolution Authorizing Execution of Sub-Grant Agreement at RM 4/22/15) and Bond Ordinance No. 2015:1188 adopted 6/24/15 ) – Mr. DeJoseph reported he, Lt. Winters and Billy Dahle are reviewing 2 proposals they received back for the Library and DPW and will be comparing them to cooperative purchasing systems to determine if they should go out to bid.

4) STATUS REPORT RE FOLLOWING CONTRACTS AWARDED RM 8/12/15 (Bond Ordinance No. 2015:1188 adopted 6/24/15):

- a. PHASE TWO RENOVATION OF POLICE DEPARTMENT FIRING RANGE TO ACTION TARGET IN THE AMOUNT OF \$26,897.18 – This project is under way and will be completed in the spring.
- b. UPGRADE of the RECORDS MANAGEMENT SYSTEM POLICE DEPARTMENT TO ENFORSYS POLICE SYSTEMS, INC. IN THE AMOUNT OF \$20,750.00 –This project is under way and they anticipate to start using it 1/1/16.
- c. RESOLUTION AUTHORIZING UPGRADES TO BOROUGH HALL UNDER THE NEW JERSEY DIRECT INSTALL PROGRAM TO LIME ENERGY IN THE AMOUNT OF \$17,551.14
- d. RESOLUTION AUTHORIZING UPGRADES TO SENIOR CENTER UNDER THE NEW JERSEY DIRECT INSTALL PROGRAM TO LIME ENERGY IN THE TOTAL AMOUNT OF \$7,389.44 (Amended RM 8/26/15 TO INCREASE THE TOTAL PRICE BY \$40.90 FOR A REVISED TOTAL OF \$7,430.34) – Mr.

DeJoseph reported this project is on hold as per the State as we have another contractor looking into the PSE&G Direct Install program.

5) ONGOING REPORT RE OUTSTANDING ITEMS ON CORRECTIVE ACTION PLAN APPROVED AT RM 7/22/15 (Requested by Councilman Barad @WS 7/8/15) – Borough Administrator reported they would be sending a P.O. to Edmunds to migrate Munidex, our escrow provider over to Edmunds so the General Ledger will be current and there will be one less thing to address in future audits.

6) REPORT RE PREPARATION OF REQUEST FOR PROPOSALS FOR BANKING SERVICES (Authorized RM 8/12/15) – Mr. DeJoseph reported this is on hold to the new year so we can wrap up budget items and have only one account for each thing next year to audit as opposed to two.

7) REPORT – Borough Administrator reported he and Councilwoman Latner attended the grand opening at Stop and Shop last Friday. He said they appear they will be a great neighbor to the community and they are doing a lot of outreach. He explained there is a program through the schools where when you use your savings card, the store will make a donation to the Food Pantry. Mrs. Latner informed she provided the program information to the schools today; and said she was happy with all of the outreach they are doing. Mayor Glidden said he was impressed with all of the outreach and the facility. Mr. DeJoseph noted the store will be placing a Food Pantry donation bin in the exit. They intend to improve the building in the future with solar panels. Councilman Hennessey noted the A&P had a liquor store and Stop and Shop does not; and the Borough Attorney explained they already own two licenses so they will not be using this one; and it will be sold by A&P.

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

Mr. DeJoseph reported the FTR Recorder system was replaced last month and the staff has been trained. The vendor for the cell tower in the rear of Borough Hall should be filing for permits in the next week or so; and once the permit is issued, we will start to get the revenue of \$36,000 per year. In answer to Councilwoman Amitai, he said he thinks it would take about a month. Borough Engineer informed the Building Department issues the UCC and will review the drawings for the cell tower. Mr. Hennessey asked about specifications and Mr. DeNicola said that should be part of the agreement.

B. BOROUGH CLERK

1) STATUS REPORT RE 2015 APPOINTMENTS - Current.

a. PREPARATIONS FOR 2016 APPOINTMENTS – Memo re 2016 Appointments was sent 11/19/15; recommendations are due this Friday. Please ask Liaisons to remind their respective Boards & Commissions as not many have come back.

2) STATUS REPORT RE 2015 OATHS OF OFFICE - Current.

3) STATUS REPORT RE 2015 LICENSES – 2015 Borough Licenses are current. Ms. Castano noted all 2015-2016 liquor licenses have been renewed with the exception of JBS Mack, LLC. There are currently three (3) pending transfer applications of pocket licenses two of which are stalled in the investigatory process and one which requires guidance from the Borough Attorney and the Division of ABC. Mayor Glidden inquired where the two new establishments going into the Plaza will be getting their liquor licenses and the Borough Attorney said he has not seen anything on same and noted there are several pocket licenses right now. The Borough Clerk informed that Retail Holdings pocket license is the one they are trying to purchase; and the Mayor could reach out to David Germakian regarding same. Regarding the A&P, we received their license back and it is now pocketed; and she is sure we will receive an application for transfer. If there is not already a plan, both distribution licensees in town are interested in finding out who would be interested in purchasing that license.

a. PREPARATIONS FOR 2016 LICENSES – Memo re 2016 Licenses was sent 10/26/15; renewals are due 12/14/15. Towards the end of the month, renewals will be sent to the limousine/livery operators.

4) STATUS REPORT RE 2015 MEETING DATES - Current

a. PREPARATIONS FOR 2016 MEETING DATES – Memo re 2016 Meeting Dates was sent 10/16/15 for response by 12/1/15 to enable us to publish the Annual Meeting Notice in compliance with the Open Public Meetings Act.

5) REPORT RE ELECTIONS

a. RESULTS RE GENERAL ELECTION HELD TUESDAY, 11/3/15, FROM 6 A.M. TO 8 P.M. – Ms. Castano informed that 30% of voters came out for this election. The board workers were happy that the six polling places were busy; but the end of the night was a nightmare because people were crowding the poll workers and making things very difficult for them to complete their work. She reported a board worker fell at Tenakill School, reported same when he brought the elections materials to Borough Hall at which time he was asked if he was okay, said he was and was provided with the insurance information the County provides to poll workers. Provisional ballots were counted this evening at 6:30 p.m. The County will be certifying the elections results at 4 p.m. on Thursday, 11/12/15. Although 159 Mail-In Ballots were requested, only about half were returned. Councilman Barad asked if they could get the numbers for the Provisional and Mail-In Ballots and Ms. Castano said she would call tomorrow for same.

6) STATUS REPORT RE PREPARATIONS FOR LEAGUE OF MUNICIPALITIES CONFERENCE TO BE HELD FROM 11/16/15 TO 11/19/15 - Memos are being provided this evening to those individuals who plan to attend the Conference. We still have not received the November League of Municipalities magazines which will have further information regarding the conference.



7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

7) REPORT RE 2015 ORDINANCES FOR CODIFICATION (Nos. 2015:1184 to 2015:1200) – Adopted Ordinances are being prepared to be sent to General Code for placement on the website and for codification in early 2016. All ordinances adopted in 2015 will be included in this Supplement.

8) REPORT – As follow up with the adoption of the Fair and Open Resolution for 2016 Professional Services this evening, the RFQ will be placed on the Borough website; and letters will be mailed to all current appointed professionals.

Ms. Castano extended thanks to the services of the men in the DPW who came to pick up our records for the Borough's shredding event this past weekend which freed up space for 10 new boxes. Arlene diligently remains current with disposition and disposal of stored records which is a never ending process.

Councilwoman Amitai asked for clarification regarding a liquor license and the Borough Clerk explained no applications have been received yet for the A&P Class D (distribution) pocket license. In response to Councilman Hennessey, Borough Attorney advised a pocketed license is inactive license.

At this time, Councilwoman Amitai inquired what the status was of the Hickory Lane traffic study discussed at the last meeting. Mayor Glidden said we looked at it and it didn't appear a traffic consultant would be able to give us definitive information that we are looking for; and it may not be of value so it is on hold until next year. He said it has been relatively quiet in the area lately.

Councilwoman Amitai asked if Councilman Barad had discussed the species of trees with the Shade Tree Commission. He responded in the negative saying there was a meeting this evening but due to a conflict he could not attend same.

C. CHIEF OF POLICE

1) REPORT – Chief Kaine reminded the monthly report was e-mailed this afternoon. He said CALEA scheduled the Department for Sunday, 12/6/15, for onsite reaccreditation. In response to Councilwoman Latner, he informed it is usually a one-day process. The Borough Clerk helped him with the publication of the notice and a press release was put out on Facebook and Twitter.

The Chief was pleased to report there were no major incidents on Halloween except for a residence with three cars in their driveway which were spray painted. A Detective was assigned to the Bergen County Prosecutor's Office for a burglary task force and a press release was sent over the weekend.

Chief Kaine reported the County Sheriff's Department Weigh Team stopped in last week on Closter Dock Road for about 4 hours and they issued 25 summonses. There were no major overweight truck issues; it was primarily for lights, proper documentation, local delivery and equipment violations. The Chief said they met with Mr. Voto and they explained their process to him. There were further comments regarding Hickory Lane; and the Borough Engineer said if they have the equipment, his firm could do the study. In response to Mrs. Amitai, the Borough Engineer suggested borrowing the equipment from the County. Mrs. Latner agreed it would be good to have something to show the residents that we are looking into the matter. Chief Kaine said we are not having a speed issue on Hickory Lane.

At this time, Borough Administrator informed we received a grant for four (4) tasers; and he said he would be putting a Chapter 159 Resolution on the next Agenda for approval.

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS: Mayor Glidden informed he had no update regarding these grants.

a. FILED

1. NEW JERSEY TRANSIT 5310 GRANT PROGRAM TO INITIATE FUNDING FOR THE TRANSPORTATION ASSISTANCE PROGRAM IN THE BOROUGH OF CLOSTER (Authorized at RM 4/22/15)

7. REPORTS (Continued)

D. MAYOR (Continued)

1) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED

2. NEW JERSEY DEPARTMENT OF TRANSPORTATION FY2015 DISCRETIONARY AID APPLICATION FOR CEDAR LANE PROJECT IN THE AMOUNT OF \$180,000 (Authorized at RM 4/22/15)

3. APPLICATION TO THE BERGEN COUNTY OPEN SPACE TRUST FUND FOR THE RUCKMAN PARK WALKING PATH LIGHTING PROJECT IN THE AMOUNT OF \$137,500.00 (Authorized at RM 8/26/15)

b. AWARDED

1. To be announced by Mayor

c. TO BE FILED

1. To be announced by Mayor

2) REPORT – Mayor Glidden informed he received a call from Alpine Mayor Paul Tomasko today letting us know they are going to make their swim club available to Closter residents. They will have a graded fee. For 1 family it is \$900 per year; but if 10 Closter residents sign up, they will lower it to \$700 per year and 20 residents would be \$600 per year. In answer to Councilman Barad, he said he did not know if there was a bond required but noted in the past he has been at the pool and it is a nice facility with tennis courts.

8. OLD BUSINESS

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

11. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

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

13. ADJOURNMENT

Motion to adjourn the Work Session at 9:28 p.m. was made by Councilman Barad, seconded by Councilwoman Latner and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on  
November 19, 2015 for approval at the  
Regular Meeting to be held Monday,  
November 23, 2015.

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Loretta Castano, RMC  
Borough Clerk

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

Approved at the Regular Meeting held November 23, 2015  
Consent Agenda Item No. 21b.