

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MARCH 23, 2016 - 7:30 P.M.

Mayor Glidden called the meeting to order at 8:50 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 7, 2016, 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, Brian Stabile, Jannie Chung
and Victoria Amitai
Borough Auditor, Gary J. Vinci
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Tax Collector/Temporary Chief Financial Officer, Maria Passafaro

The following persons were also present:

Former Councilman Arthur B. Dolson
Mayor Emeritus and Mrs. Fred Pitofsky

3. INTRODUCTION OF THE FOLLOWING ORDINANCE - PUBLIC HEARING - 4/27/16
@8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

(Received from Auditor 2/22/16)

ORDINANCE NO. 2016:1203, "BOROUGH OF CLOSTER CALENDAR YEAR 2016 ORDINANCE
TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP
BANK (N.J.S.A. 40A:4-45.14)"

In response to the Mayor's request, Borough Auditor explained that the purpose of this ordinance is to allow the Borough to establish a CAP bank. You are allowed to maintain this tax bank for a two-year window; if you do not use it, you lose it. It establishes flexibility for appropriations within the Budget CAPS; has been the law for several years and the Borough has never had the need to use the CAP bank. It has been a formality which provides flexibility for future purposes. If you do not adopt it, then you cannot create a bank for this year.

In response to Councilwoman Amitai's inquiry as to how it is funded, Mr. Vinci explained it provides a ceiling you can put in the budget to spend. If you had a need to increase it, then the Council would have to look at revenues to offset that increased spending; but the Borough has never had a need to go above the state mandated CAPS.

In response to Councilman Stabile's inquiry whether it was arbitrary, Mr. Vinci explained that 3 ½% is the ceiling. This year the CAP was really an index rate which was zero; therefore, for the Borough to create a bank, they had to go up to the 3 ½%. In the past, it has fluctuated from zero to 2%. Then you would increase it from that point up to 3 ½%. He said he thinks that the Borough might have \$600,000 right now in a CAP bank for future use, which is totally different from Surplus. Surplus is cash in hand. This is basically an insurance policy.

Motion approving the Introduction of Ordinance No. 2016:1203 was made by Councilman Di Dio, seconded by Councilman Barad and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Chung and Amitai.

4. INTRODUCTION OF THE 2016 MUNICIPAL BUDGET AND RELATED RESOLUTIONS
PUBLIC HEARING – 4/27/16 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER
MAY BE HEARD (Received from Auditor 3/18/16)

In response to Mayor Glidden's request, Councilman Stabile, Chairman of the Finance Committee, thanked the work that was done by the members of his Committee, which he explained was a learning experience for him. Under the circumstances, he believed it was a very good job done by all involved. He enumerated some of the circumstances such as BCUA charges increasing \$70,000; CAP Notes and debt services increasing \$90,000. Therefore, before they even started with the budget we were saddled with \$160,000 worth of required charges. So working around that, as a result we ended up with approximately 3 ½% increase in the Budget from last year which he is very happy to say includes raises for our non-contractual employees. All that considered, the contract for the Police, the raises for the employees, he thinks they did a pretty good job under the circumstances. Mr. DiDio added including the

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hiring of two police officers. He thanked everyone on the Finance Committee (Councilmen Barad and Di Dio), Maria Passafaro, Temporary Chief Financial Officer, and Auditor, Gary J. Vinci.

In response to Mayor Glidden's request, Mr. Stabile clarified that it was a 3 ½% tax increase not 3 ¼% increase in the Budget.

At this time, Borough Auditor explained as follows: This year, the Borough has been under the appropriation CAP and the Tax Levy CAP. Several years ago the State mandated a CAP on how much a municipality can increase their Tax Levy. It was originally 4%. The law currently is at a 2% window with adjustments. So the Borough is under the CAP for the proposed budget for 2016 and similar to appropriations you have a CAP bank also available should you have a need for it.

The total budget as proposed right now is just over \$15.5 Million as compared to last year's \$15.1 Million; so there is an increase of \$400,000. Based on this preliminary budget, the increase to an average homeowner is \$116. The Borough has applied about 65% of last year's surplus to offset the Levy. This year's budget is using the same as last year - \$1,180,000. The Borough has been able to maintain their high level of Surplus. The tax collection rate last year was 99.12% which is the highest collection rate the Borough has had in the last 10 years – the highest ever with kudos to our Tax Collector, Maria Passafaro.

The ratables of the Borough have increased which helped to offset some of the tax. Your ratables went up \$11 Million without factoring in any of the benefits from the Plaza.

Tonight is the introduction of the 2016 Municipal Budget. Next month there will be a public hearing at which time the residents will have the ability to ask questions. You will also have the ability to amend the Budget. Depending upon the type of amendment that is being proposed, you can either adopt that night or you may need a second meeting because of the dollar amount of the amendment(s).

Borough Auditor said it was his understanding that the Finance Committee was definitely interested in reviewing the Budget again to try to reduce the tax increase that is in the preliminary budget.

In response to Mayor Glidden's request, Mr. Vinci explained the dollar amount taken out this year is exactly the same as last year's which was \$1,180,000. Mayor Glidden asked since the Budget is going up itself, can we take out a little more from Surplus to reduce the Budget. The Auditor said you can because you are utilizing 65% and last year you were using 67%; therefore, you probably can take another \$20,000 to \$25,000. He emphasized the ability to regenerate what is being applied adding that with the high collection rate, which has been a steady percentage of collection, he believes you have a strong ability to realize excess tax collections. It is just a question of reviewing other avenues of income to make sure that you are not maximizing all of your revenues and have no ability to generate the excess to go to Surplus.

Mr. Vinci suggested one area to look at would be how much money will be left over from last year's Budget since whatever was left unspent from 2015 will also go to Surplus. If that number is high, there will be no risk to the Borough to raise the \$1,180,000 to a higher amount. The Mayor asked when that figure will be available, and Mr. Vinci said we would know in a couple of days since they are working with schedules from Maria that they have been working on. He explained to Mayor Glidden that you are precluded from making any changes to the Budget until the Budget hearing. The Finance Committee can meet to formulate their thoughts to propose an amendment the night of the Public Hearing on April 27 and we can either adopt on that date or the meeting after that one.

No one else wishing to be heard, Mayor Glidden asked for a motion to approve the Introduction of the 2016 Municipal Budget. Motion was made by Councilman Di Dio, seconded by Councilman Stabile and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Chung and Amitai.

5. MAYORAL PROCLAMATION DECLARING APRIL 29th AS 2016 ARBOR DAY IN THE BOROUGH OF CLOSTER (Received from Mayor's office 3/15/16) – Mayor Glidden read and so declared.
6. JIF (JOINT INSURANCE FUND) AWARD PRESENTATION (Requested by Mayor's office 3/17/16) – presented by Mayor Emeritus Fred Pitofsky in the Work Session.

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7. MAYORAL APPOINTMENTS* TO THE FOLLOWING BOARDS AND COMMISSIONS NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/16:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
*Environmental Commission				
Member/Shade Tree Liaison	<u>Brian Stabile</u> (Elected to Council)	_____	3 Years (Unexp. Stabile)	31-Dec-17
*Shade Tree Commission				
Member/Environmental Commission Liaison	<u>Brian Stabile</u> (Elected to Council)	_____	5 Years (Unexp. Stabile)	31-Dec-16

Mayor Glidden informed that no appointment will be made for the above noted Commissions.

8a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 12, 13, 14 and 15 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, Stabile, Chung and Amitai.

ORDINANCES

9. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING AND ADOPTION TO BE HELD 4/27/16 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2016:1204, “AN ORDINANCE ADOPTING AMENDMENTS TO THE SEPTEMBER 2014 CLOSTER PERSONNEL MANUAL” (Received from Borough Attorney 3/10/16)

RESOLUTIONS

10. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEAR 2015: KIRSHNER V. CLOSTER (Received from Borough Attorney 3/10/16)

11. RESOLUTION AUTHORIZING A LENGTH OF SERVICE AWARD PROGRAM (LOSAP) CONTRIBUTION ON BEHALF OF THE CLOSTER VOLUNTEER AMBULANCE AND RESCUE CORPS (Received from Deputy Treasurer 3/10/16)

~~12.~~ *TRANSFER RESOLUTION NO. 4 (Received from Temporary Chief Financial Officer 3/10/16)
 *REQUIRING 2/3 MAJORITY - TO BE VOTED UPON SEPARATELY!!

~~13.~~ *TRANSFER RESOLUTION NO. 5 (Received from Deputy Treasurer 3/16/16)
 *REQUIRING 2/3 MAJORITY - TO BE VOTED UPON SEPARATELY!!

~~14.~~ *RESOLUTION RE EMERGENCY TEMPORARY APPROPRIATIONS #3 IN THE AMOUNT OF \$13,600.00 (Received from Deputy Treasurer 3/16/16)
 *REQUIRING 2/3 MAJORITY - TO BE VOTED UPON SEPARATELY!!

~~15.~~ MEMORIALIZING RESOLUTION APPOINTING THE CANNING GROUP, LLC AS A MUNICIPAL CONSULTANT TO PROVIDE A REVIEW OF PROCEDURES AND STAFFING FOR SELECTED MUNICIPAL DEPARTMENTS, PURSUANT TO THE SCOPE OF SERVICES DATED 2/22/16 FOR AN AMOUNT NOT TO EXCEED \$14,000 (Approved RM 3/9/16/Received from Borough Attorney 3/14/16)

16. MEMORIALIZING RESOLUTION AUTHORIZING THE APPOINTMENT OF FRANK DYER AS A SUBSTITUTE ELECTRICAL SUB CODE OFFICIAL (Approved RM 3/9/16/Received from Borough Attorney 3/14/16)

17. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$10,037.08 TO CORE LOGIC DUE TO 1ST QUARTER 2016 TAX OVERPAYMENTS FOR THE FOLLOWING PROPERTIES: (Received from Tax Collector’s office 3/16/16): 45 WEST STREET, BLOCK 1104, LOT 13 - \$2,056.96; 45 ANN ARBOR PLACE, BLOCK 2004, LOT 19 - \$7,731.25; 463 HOMANS AVENUE, BLOCK 2305, LOT 22 - \$248.87

18. RESOLUTION GRANTING APPROVAL FOR THE MAYOR TO EXECUTE GRANT WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION ~ COMMUNITY FORESTRY PROGRAM ~ 2016 COMMUNITY STEWARDSHIP INCENTIVE PROGRAM (CSIP) (Received from Mayor’s office 3/17/16)

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- 19. RESOLUTION AWARDING CONTRACT FOR PROFESSIONAL SERVICES FOR COAH PLANNER FOR SERVICES RELATED TO THE VILLAGE SCHOOL AFFORDABLE HOUSING APPLICATION, TO MICHAEL G. HAKIM , LLA, RLA, ASLA, HAKIM ASSOCIATES, 68 DEAN STREET, HARRINGTON PARK, NJ 07640 (Proposal received at opening held 3/17/16 @11 a.m.)
RESOLUTION TO BE PREPARED BY BOROUGH ATTORNEY (Received 3/21/16)
- 19a. RESOLUTION APPOINTING SEAN CANNING AS TEMPORARY/INTERIM QUALIFIED PURCHASING AGENT AT A CONSULTING FEE RATE OF \$50.00 PER HOUR NOT TO EXCEED \$6,000 FROM MARCH 28, 2016 THROUGH DECEMBER 30, 2016 (Received from Borough Attorney 3/23/16)
- 19b. RESOLUTION APPOINTING THE CANNING GROUP TO PROVIDE TEMPORARY BOROUGH ADMINISTRATOR SERVICES ON A PART TIME BASIS FOR A RATE OF \$95.00 PER HOUR FOR AN AMOUNT NOT TO EXCEED \$30,400.0 SUBJECT TO THE TERMS OF AN AGREEMENT THAT SHALL BE EXECUTED BETWEEN THE PARTIES, SUBJECT TO THE CERTIFICATION OF THE TEMPORARY CHIEF FINANCIAL OFFICER (Received from Borough Attorney 3/23/16)

MOTIONS

- 20. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 03/17/16): NO ABSTENTIONS:
 - a. REGULAR MEETING HELD MARCH 9, 2016
 - b. WORK SESSION HELD MARCH 9, 2016
- 21. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/16:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Treasurer	<u>No Appointment in 2015</u>	_____	1 Year	31-Dec-16
Board of Health				
Alternate No. 2	<u>(Jeanne Baer)</u>	_____	2 Years	31-Dec-17

- 22. MOTION APPROVING THE FOLLOWING *SALARIED* APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/16:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Municipal Court				
Deputy Court Administrator	<u>No Appointment in 2015</u>	_____	1 Year	31-Dec-16

- 23. MOTION GRANTING APPROVAL FOR ISSUANCE BY POLICE DEPARTMENT OF THE FOLLOWING HAWKERS AND PEDDLERS LICENSE FOR CALENDAR YEAR 2016, PER BOROUGH CODE CH. 127 (Received from Chief of Police 3/18/16):
 - a. PERMIT NO. 16-005A – FOR WILL R. ZUKOWSKY, 81 WEHRLI ROAD, LONG VALLEY, NJ 07853 , POWER HOME REMODELING, TO SELL FOR ROOFING, SIDING AND WINDOWS
 - b. PERMIT NO. 16-005B – FOR DARREN E. TIGHE, 107 S. SCOTCH PLAINS AVE., WESTFIELD, NJ 07090, POWER HOME REMODELING, TO SELL ROOFING SIDING AND WINDOWS

- 24. REPORTS
 (None received at the time of preparation of this Agenda)

- 19c. At this time, Councilwoman Amitai said she would like to propose the following:

RESOLUTION TO EXTEND THE TIME LIMIT FOR WHICH THE EMPLOYEES CAN USE THEIR VACATION DAYS FOR THE YEAR 2015 UNTIL AUGUST 31, 2016.

Said motion was seconded by Councilwoman Latner.

At this time, no objections were voiced by the governing body to include the above noted Resolution in the Consent Agenda.

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8b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

Mayor Glidden asked for approval of the following Resolutions which were removed for special vote:

12. *TRANSFER RESOLUTION NO. 4 (Received from Temporary Chief Financial Officer 3/10/16)
*REQUIRING 2/3 MAJORITY - TO BE VOTED UPON SEPARATELY!!
13. *TRANSFER RESOLUTION NO. 5 (Received from Deputy Treasurer 3/16/16)
*REQUIRING 2/3 MAJORITY - TO BE VOTED UPON SEPARATELY!!
14. *RESOLUTION RE EMERGENCY TEMPORARY APPROPRIATIONS #3 IN THE AMOUNT OF \$13,600.00 (Received from Deputy Treasurer 3/16/16)

Motion of approval was made by Councilman Di Dio, seconded by Dr. Barad and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Chung and Amitai.

15. MEMORIALIZING RESOLUTION APPOINTING THE CANNING GROUP, LLC AS A MUNICIPAL CONSULTANT TO PROVIDE A REVIEW OF PROCEDURES AND STAFFING FOR SELECTED MUNICIPAL DEPARTMENTS, PURSUANT TO THE SCOPE OF SERVICES DATED 2/22/16 FOR AN AMOUNT NOT TO EXCEED \$14,000 (Approved RM 3/9/16/Received from Borough Attorney 3/14/16)

Motion of approval was made by Councilman Di Dio seconded by Councilman Stabile and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Latner, Di Dio, Stabile, Chung, and Amitai. Councilman Barad voted No.

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.

At 9:15 p.m. Mayor Glidden asked for a motion approving the following Resolution to go into closed session:

- 25a. 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)(5), “A matter involving the expenditure of public funds for the acquisition of real property”, 10:4-12(b)(7), “Pending or anticipated litigation or contract negotiations” and “A matter falling within the attorney-client privilege; and N.J. S.A. 10:4-12(b)(8), “A matter involving public employees”; and that the items under discussion in the closed meeting would be disclosed to the public at the conclusion of the matters which should be within 12 weeks.

Said motion was made by Councilman DiDio, seconded by Councilwoman Latner and declared carried upon the affirmative vote of Councilpersons Barad, Latner, DiDio, Stabile, Chung and Amitai.

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

Mayor Glidden resumed the Regular Meeting at 10:42 p.m.

At this time, the Mayor asked the Borough Attorney to read into the record the Resolutions proposed during the Closed Session which are as follows:

- 26a. RESOLUTION INCREASING CONSTRUCTION CODE OFFICIAL GARY MONTROY’S HOURLY RATE TO \$55.00 AN HOUR AND INCREASING THE NUMBER OF HOURS PER WEEK TO 16 HOURS, SUBJECT TO STATE APPROVAL AND FOR A PERIOD OF SIX (6) MONTHS TO BE REVIEWED BY THE MAYOR AND COUNCIL AT THAT TIME

Motion of approval was made by Councilman Barad, seconded by Councilwoman Amitai and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Stabile and Amitai. Councilpersons Chung and Di Dio voted no. Councilwoman Chung explained she had no problem with the increase in hours but was concerned about the increase in the hourly rate.

- 26b. RESOLUTION AUTHORIZING PAYMENT TO THE BUILDING SUB CODE OFFICIALS WHO HAVE WORKED ADDITIONAL HOURS AS APPROVED BY THEIR DEPARTMENT HEAD AND SUBMITTED TO THE FINANCE DEPARTMENT FROM DECEMBER 2015 UNTIL FEBRUARY 2016 AT THEIR NORMAL HOURLY RATE

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Motion of approval 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, Stabile, Chung and Amitai.

- 26c. RESOLUTION GIVING CONSTRUCTION OFFICIAL THE AUTHORITY TO GRANT UP TO 10 HOURS PER WEEK TO THE SUB CODE OFFICIALS FOR A TEMPORARY PERIOD OF TIME SUBJECT TO PROPER DOCUMENTATION AS REQUIRED BY THE BOROUGH CODE FOR A PERIOD OF SIX (6) MONTHS

At this time, Borough Engineer suggested a period of eight (8) months in order to get past the Plaza construction. He said there could possibly be an issue at a time where a final CO is due and you can't just stop. Therefore, Mr. DeNicola suggested making the Construction Official's time frame at eight (8) months also.

Upon agreement of the Council, Borough Attorney agreed that the Resolution would read as follows:

- 26c-1. RESOLUTION GIVING CONSTRUCTION OFFICIAL THE AUTHORITY TO GRANT UP TO 10 HOURS PER WEEK TO THE SUB CODE OFFICIALS FOR A TEMPORARY PERIOD OF TIME SUBJECT TO PROPER DOCUMENTATION AS REQUIRED BY THE BOROUGH CODE UNTIL DECEMBER 31, 2016

Motion of approval was made by Councilman Barad, seconded by Councilwoman Amitai and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Di Dio, Stabile, Chung and Amitai.

At this time, Borough Attorney referred to (Item No. 26a.) and asked that it be amended as follows:

- 26a-1. RESOLUTION INCREASING CONSTRUCTION CODE OFFICIAL GARY MONTROY'S HOURLY RATE TO \$55.00 AN HOUR AND INCREASING THE NUMBER OF HOURS A WEEK TO 16 HOURS, SUBJECT TO STATE APPROVAL, UNTIL DECEMBER 31, 2016

Motion of approval was made by Councilman Barad, seconded by Councilwoman Latner and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Barad, Latner, Stabile and Amitai. Councilpersons Chung and Di Dio voted no.

27. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:43 p.m. was made by Councilwoman Chung, seconded by Dr. Barad, and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council
on April 7, 2016 for approval at the
Regular Meeting to be held
April 13, 2016

Loretta Castano, RMC
Borough Clerk

Prepared by Borough Clerk utilizing
recording and notes from the meeting

Approved at the Regular Meeting held April 13, 2016
Consent Agenda Item No. 25a.

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WORK SESSION NOTES – MARCH 23, 2016 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, March 23, 2016. 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 Notice of Meetings which was published in The Record and the Star Ledger on January 7, 2016, 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, Brian Stabile, Jannie Chung
and Victoria Amitai
Borough Auditor, Gary J. Vinci
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine

The following persons were also present:

Former Councilman Arthur B. Dolson
Mayor Emeritus & Mrs. Fred Pitofsky

At this time Mayor Glidden announced that Councilman Di Dio was running for Bergen County Freeholder and offered his congratulations and support.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF MARCH 10, 2016 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 6 was removed by Councilwoman Latner; Item No. 12 was removed by Councilman Stabile.

Item No. 6: Received 03/09/16, dated 03/09/16 from Chief Dennis Kaine, Closter Police Department re Forwarded email from Dr. Geoff Gordon, Superintendent, Northern Valley Regional High School District re Referendum

Councilwoman Latner followed up on the email Dr. Gordon sent regarding the goals after the Referendum indicating improvements and achievements. There were 10 specific goals split into three categories; and Dr. Gordon is looking forward to meeting or exceeding the goals and Mrs. Latner said it is moving in the right direction. Mayor Glidden voiced his support of the passage of the Referendum and commended the efforts to get the word out this time.

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Item No. 12: Received 03/11/16 Hand del'd, dated 03/03/16 from Ziv Oren, Somet RE Development, LLC re **Second Request** for curb and sidewalk waiver for 47 Rutgers Street (see also 26. M.L. 3/3/16)

Councilman Stabile noted this is an ongoing issue of developments in areas that don't currently have sidewalks; and this one in particular is on a cul-de-sac with no sidewalks. He questioned if there was any flexibility in our ordinance to grant the waiver. Borough Attorney explained there is via the applicant making a written request for waiver of installation of a sidewalk to the Mayor and Council. The governing body will review the request; and, if granted, the monies will be placed into the Borough's sidewalk fund which is used at a later time when the Borough is ready to replace sidewalks on major roads. Mr. Rogan said it is based on the Borough Engineer's recommendations but typically the Borough still requires curbing. Borough Engineer explained this actually came before the Planning Board at which time it was reviewed. There are currently no curbs installed downhill from the property; so to do so now would have a concentrated flow of the gutter line; and it would run into the adjacent property. His recommendation is to not install curb or sidewalk because the properties in this subdivision are relatively new; and there will be no reconstruction of homes in the next 20 years here. Councilwoman Amitai noted it is a very narrow street with approximately 12-14 houses and only one property has a sidewalk which goes nowhere. Borough Attorney explained the Council has the option to view the location personally and come to a consensus and if they are in agreement with the Engineer and figured for the estimate in lieu of sidewalk and curb would be determined; and a Resolution memorializing same would be placed on the next agenda. Mr. DeNicola said in the event a Resolution is drafted, the figures are \$2,400 for curb and \$2,300 for sidewalk based on the frontage; so it is 80 feet. The Council voiced their support for the waiver and Borough Attorney informed he would prepare a Resolution for the next meeting.

b. MAIL LIST OF MARCH 17, 2016 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item Nos. 2 and 5a were removed by Councilman Barad; Item No. 10 was removed by Councilwoman Latner; Item No. 11 was removed by Mayor Glidden.

Item No. 2: Received 03/14/16, dated 03/09/16 from Bert G. Jiminez, Triangle Solutions Specialists, LLC, to All Adjoining Property Owners re Notice of Application for Demolition Permit at 95 Oak Street, Block 612, Lot 15, for comment within 15 days of receipt of letter (Copy to Construction Official)

Councilman Barad noted he has never seen notices like this before. Borough Attorney noted the Building Department normally handles this. Councilwoman Amitai explained this was instituted by former Construction Official, Michael Sartori because at the time when demolitions were being done without notice, there would be public uproar. Since that time, he would send out notices about two weeks in advance to give people the opportunity to look at the property and verify it is not historic or anything of that nature.

Item No. 5a: Received 03/15/16, dated 03/15/16 from Cindy Randazzo, Director, Office of Local Government Assistance, NJ Department of Environmental Protection re 2016 Recreational Trails Program Grant Application - Deadline: 5/15/16 (Copy to Environmental Commission)

Councilman Barad questioned if this item was being addressed; and Mayor Glidden informed Mayor Emeritus Sophie Heymann was working on this with the Environmental Commission.

Item No. 10: Received 03/16/16, dated 03/16/16 from Jenn Crespo, Deputy Borough Clerk Franklin Lakes, to Bergen County Municipal Clerks re Certified copy of Resolution 111-16 adopted 3/16/16 Endorsing the Drug Amnesty Policy issued by Police Chief Carmine Pezzuti (Copy to Chief Kaine)

Councilwoman Latner noted she thought this was an interesting program and asked the Chief to comment. Chief Kaine informed this was based on guidelines under the Bergen County Prosecutor's office issued by Prosecutor Molinelli.

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Item No. 11: Received 03/16/16, dated 03/16/16 from Asha J. Jotwani, CEO, Sadhu Vaswani Center, 494 Durie Avenue re Request for permission to conduct small one-hour long parade on Sunday, 6/5/16, consisting of 150 adults and children, to celebrate the 25th Anniversary of the establishment of Sadhu Vaswani at 494 Durie Avenue (Certificate of Insurance to be provided) No parade route included in this correspondence! (Copy to Chief Kaine, Fire Chief Pierro, Fire Official Kevin Whitney)

Mayor Glidden asked Chief Kaine if the road could be closed that day; and the Chief noted no route was provided in the request. He added that not only do we not know where they are going, it is possible there will be construction on Demarest Avenue around that time. The Mayor said he will notify them that they have to provide the requested route in writing.

c. MAIL LIST OF MARCH 24, 2016 – At this time, Item No. 2 on the Mail List of 3/24/16 was addressed.

Item No. 2: Received 03/18/16, dated 03/18/16 from David Germakian, Director of Development, Closter Marketplace (EBA), LLC re Closter Building Department Coordination with Closter Plaza Renovation (Copy to Building Department) distributed 3/18/16

Mayor Glidden explained the letter commends the Construction Code Official and the Building Department staff. Councilwoman Amitai voiced her gratitude for Mr. Montroy's professionalism throughout all the uncertainty; and she feels he is an asset to the town.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of March 23, 2016)

Mayor Glidden asked if anyone wished to remove any of the items on the Consent Agenda for discussion. Councilman Barad referred to Item No. 9; Councilwoman Amitai referred to Item No. 19.

9. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING AND ADOPTION TO BE HELD 4/27/16 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2016:1204, “AN ORDINANCE ADOPTING AMENDMENTS TO THE SEPTEMBER 2014 CLOSTER PERSONNEL MANUAL” (Received from Borough Attorney 3/10/16)

Councilman Barad referred to changes in Personnel Manual in compliance with the MEL requirements. Borough Attorney explained that every two years the (Municipal) Joint Insurance Fund makes recommendations to bring everyone's manuals into compliance with their regulations and that is what these are. Dr. Barad explained there may be other further changes down the road but these only pertain to the JIF.

Councilwoman Amitai noted that while the former Administrator was here, he determined all of the employees should finish their unused vacation time by the end of March. The Building Department is struggling to take their time before anyone loses it, but that means there will be no staff to do the work. She requested the original Resolution be rescinded and possibly be implemented for next year; and asked that the time be extended this year. The Borough Attorney voiced his opinion that although there is a rational basis for implementing such a policy, it is better to phase it in as opposed to Mrs. Amitai's suggestion because there will be a lot of empty offices. In response to Councilwoman Chung, he affirmed this was a policy implemented last year and it was loose. He said it is not an ordinance and could be amended tonight as a Resolution and extended to an arbitrary date; but it is not under the Personnel Policies. Mr. Rogan said this would be better implemented next year so that everybody will be on notice about the new policy and they can space out their time rather than try to take it all in one week to comply with that policy.

At this time, Borough Attorney requested the addition of several items to the Consent Agenda:

Item No. (24) which is a Resolution appointing Sean Canning as Temporary Interim Qualified Purchasing Agent which he circulated earlier. The Borough has already retained the Canning Group to conduct an analysis of certain departments to determine the effectiveness and efficiency of those

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departments. He noted that with the resignation of the former Administrator, we are without a QPA (Qualified Purchasing Agent) which limits the Borough's ability to purchase over \$17,500; and there are several things that will need to be done prior to the hiring of an Administrator. The individual discussed with the Canning Group to be the Temporary Interim Administrator does not have a QPA; therefore, it would be necessary and efficient to get a QPA on board as soon as possible. Mr. Canning has agreed to perform those services on a per contract basis of \$50 per contract which is similar to what we did several years ago when we were without a QPA. Mr. Rogan said Field Maintenance services will have to be done in April, so if we wait, we will not have a QPA on board to obtain quotes and award a contract. Instead we would have to go out to bid and publish; and that is a much longer process. In answer to Councilman Barad, Mr. Rogan said that Mr. Canning would need to review each contract that is awarded; and we would send it to him by email. He said he envisions that our Acting Administrator would be obtaining the quotes and Mr. Canning would oversee that process and then review any contract awarded as the QPA of record, but it does not necessitate his being here on the premises. Councilman Di Dio felt this was a reasonable cost and the Borough Attorney agreed that reviewing a contract is typically only an hour, so \$50 is reasonable.

The second Resolution is not before the governing body at this moment due to an issue with the Temporary CFO signing off on it. It is something else that needs to be done and was voted on at the last meeting. There was discussion on a financial resolution for the Canning Group for the services plus an Acting Administrator. Numbers were plugged in afterwards. The resume for John Fry was passed out at the last meeting. At this time, he read the Resolution into the record as follows:

“RESOLUTION APPOINTING THE CANNING GROUP TO PROVIDE TEMPORARY BOROUGH ADMINISTRATOR SERVICES ON A PART TIME BASIS FOR A RATE OF \$95.00 PER HOUR FOR AN AMOUNT NOT TO EXCEED \$30,400.00 SUBJECT TO THE TERMS OF AN AGREEMENT THAT SHALL BE EXECUTED BETWEEN THE PARTIES, SUBJECT TO THE CERTIFICATION OF THE TEMPORARY CHIEF FINANCIAL OFFICER (Received from Borough Attorney 3/23/16)”

Mr. Rogan clarified this is not for the hiring of an employee but rather a professional service through a company to provide a Temporary Administrator. Mayor Glidden informed that Mr. Fry would start tomorrow morning. Councilman Barad questioned if the Acting Administrator would be the Appropriate Authority and if a separate Resolution would need to be passed. Mr. Rogan said he was not sure if anyone spoke to Mr. Fry about it but agreed there needs to be an Appropriate Authority. Councilwoman Chung questioned if we could look around for an individual who is an Administrator/QPA and Mayor Glidden said the head of the Canning Group has one; and there is another individual who does but they are not available at this time. Dr. Barad voiced his opinion it makes sense as we are already paying the Canning Group for services and a temporary Administrator.

Councilwoman Amitai referred to the Administrator and said because he would be privy to a lot of sensitive information, is there a background check performed. The Borough Attorney voiced his understanding that the way we used to do things has been changed; and asked Chief Kaine for his input. The Chief explained it now has to go through State run agencies and the Borough Attorney agreed a background check should be done.

Mr. Rogan referred to this as Item No. (25) Authorizing the Canning Group to provide Temporary Borough Administrator Services.

19. RESOLUTION AWARDING CONTRACT FOR PROFESSIONAL SERVICES FOR COAH PLANNER FOR SERVICES RELATED TO THE VILLAGE SCHOOL AFFORDABLE HOUSING APPLICATION, TO MICHAEL G. HAKIM , LLA, RLA, ASLA, HAKIM ASSOCIATES, 68 DEAN STREET, HARRINGTON PARK, NJ 07640 (Proposal received at opening held 3/17/16 @11 a.m.) RESOLUTION TO BE PREPARED BY BOROUGH ATTORNEY (Received 3/21/16)

Councilwoman Amitai questioned why Caroline Reiter was not being appointed as the Village School Planner when she does all of our other projects. Mayor Glidden explained that Mr. Hakim has been working on this project since its commencement and he reminded Mrs. Amitai that this issue has been discussed time and time again. Mr. Hakim is the COAH Planner strictly for this project. We are putting up money for four (4) units. Borough Attorney explained Mr. Hakim has been involved in all of the negotiations and planning since day one and now it is pending as we speak before the Zoning Board of Adjustment.

8. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY - STABILE (BARAD/DI DIO)

1) STATUS REPORT RE CLOSTER WEBSITE – Councilman Stabile noted we are here to propose our budget which has been a long and winding road. He is confident we have something we will be able to follow. Mr. Stabile invited any questions or comments. In answer to Mayor Glidden, he said he would hold further comment until the public session.

2) REPORT

B. PUBLIC SAFETY - LATNER (DI DIO/CHUNG)

1) REPORT – Councilwoman Latner informed she would follow up on Councilwoman Chung’s comments regarding the emails later on. As far as the consistent complaints about Hickory Lane, she continues to try to follow up on some options. Mayor Glidden explained that he had instructed the DPW to install stop signs on Hickory Lane at Bradley Place; and after some discussion about it, Chief Kaine pointed out it would take an ordinance to put those signs up. If someone were to have an accident or sudden vehicle malfunction at that intersection, the Borough would be liable because the signs were not installed by ordinance. He said he would be appreciative if someone would introduce an ordinance to install stop signs at that intersection. The Borough Attorney suggested the Ordinance Committee review same with the Police Chief and Borough Engineer. Mr. DeNicola explained this has come up in the past several times; and wished to reiterate you cannot use stop signs for speed control. The manual of uniform traffic control devices is very explicit as to what you can and can’t do with stop signs. The criteria are based on things like accidents and volume; and he is uncertain if this will meet that criteria. In response to Councilman Di Dio, he affirmed we cannot move forward if it does not meet that criteria. At this time, Chief Kaine advised that it does not meet the criteria. Councilman Barad requested the Chief write a letter to distribute to the residents of Hickory Lane to inform them of same.

Councilwoman Latner reported she followed up with the former Administrator since the last meeting regarding the Fire Horn in terms of the Pinnacle estimate, and he confirmed money was put in for the siren and antenna with the Finance Committee. Mrs. Latner was pleased to report there is a lot of activity at the Library and a lot of ongoing programs for the kids.

At this time, Mrs. Latner referred to the (2016) DPW calendar and noted the print type of same is very small and said she has received several complaints about it. She doesn’t know where we got it from, but said she would address same with the Council. Dr. Barad said it can be downloaded from the website; and she informed it is the same when you do it that way. He voiced his understanding the font was made smaller so that when it is viewed on a phone or tablet, you can see the whole month and not just a single day. He said it is possible to have two versions on the website.

Councilwoman Latner requested a Closed Session under Personnel to interview candidates for Police Officer.

8. COMMITTEE REPORTS (Continued)

C. PUBLIC WORKS - CHUNG (LATNER/STABILE)

1) REPORT – Councilwoman Chung reported that the Superintendent has staffing concerns. James (Gabbettie) retired in November and he just got word that William (Howard) and Melvin (Bernard) will be retiring in June and July. She voiced her understanding that this is probably something the Finance Committee does not want to hear, but she would like to discuss the options available to him. She thinks that just the one they could have worked with, but three will impact the services of the DPW. Mr. Dahle would like some direction as to whether there are plans to replace any of the men or plans to cut services so his staff can handle the workload. In response to Mayor Glidden, Councilman Stabile informed no funds were cut out of the budget for two men but they were aware of Melvin’s departure as of last week. The Mayor’s suggestion is that Mr. Dahle meet with the Temporary Administrator to discuss same with him. Mrs. Latner and Mrs. Chung confirmed the Canning Group met with the DPW last week. Mayor Glidden said the recommendation of the DPW staffing needs will then be in the report from the Canning Group.

Mrs. Amitai wanted to confirm that Edens, the Plaza developer, will be responsible for their own snow and trash removal. Mrs. Chung explained the DPW also has sewer requirements; and Mrs. Latner said at the present time, they have two lines to maintain but with the addition of all of the restaurants coming in there could be as many as six or seven. This will be a lot that has to be kept up that was not previously on the DPW’s workload. Mayor Glidden asked Mrs. Amitai to review the contract and report back regarding the anticipated increase in sewer lines. In response to Mrs. Amitai, the Borough Engineer explained it is from the grease traps and how they are handled or inspected or maintained. He is not aware how our DPW does that. Councilman Di Dio said the restaurants maintain those; and as a back up, the DPW follows through with it in the sewer lines. We do not charge individual establishments for this as it is part of the Borough’s services via tax dollars. Mayor Glidden informed he would have the Temporary Administrator sit down with the Superintendent in the next few days to discuss these issues; and the recommendations will come back in the report.

D. ORDINANCES - BARAD (CHUNG/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported the Ordinance Committee discussed the noise ordinance again; and reminded that the last time there were issues. They wanted to move the hours up to 9 a.m. on weekends so construction wouldn’t bother neighbors but there were questions regarding to Plaza construction. They decided to keep those times but made a change to say the noise cannot exceed the decibels outlined in §134-32 describing decibel levels. Dr. Barad said it would be hard to make a nuisance complaint about this because in order to do so, you would have to have an official decibel reading; however, similar to past issues with Metropolitan Farm where it is repetitive over a number of days, we as a town would be able to have someone come in and read the decibels. He anticipates introduction at the next meeting.

Councilman Barad informed there will be the introduction of an ordinance clarifying Borough collection of fees by various departments and they are working on this with the Borough Clerk and her Deputy to finalize same. In response to Mrs. Amitai, he explained he was not sure if the new Mitchell Humphrey software was capable of doing the same thing as the software the Shade Tree is applying for. This is a web based program that anybody can go in and view; and anyone with authorization can go in and modify the information, so it is very flexible. If Humphrey’s software has that capability and at some point perhaps they could export the data, but this is for building the database.

2) REPORT – Dr. Barad reported there is a Resolution on the Agenda tonight authorizing the Shade Tree Commission to apply for a grant for a stewardship to help fund a software program to help us track tree activity. This covers two years and the software should help us create a database which we can export to something else should we decide not to continue with the software after the initial period. He is working with John Kashwick on same.

8. COMMITTEE REPORTS (Continued)

E. HUMAN RESOURCES - DI DIO (CHUNG/LATNER)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS – Councilman Di Dio extended the Committee’s welcome to the new Temporary Administrator.

2) REPORT – As a member of the Public Safety Committee, Mr. Di Dio said he looks forward to interviewing the Police candidates.

F. LAND USE AND CONSTRUCTION - AMITAI (BARAD/STABILE)

1) REPORT – Councilwoman Amitai reported the Improvement Commission is planning their hoedown and running into a few snags as usual but they hope it will go as planned for June 10th. The Building Department is very busy with a lot of residential knockdowns, the Closter Plaza, an application coming in for Closter Dock Road and Massage Envy wants to open up the day after tomorrow if they get all of their inspections. Kidville and Rudy’s want to open; and on Memorial Day, two additional stores want to open. Mrs. Amitai reported Nonna Clementina’s will be ready to open in early April because Gary Montroy was able to arrange for the telephone pole from the utility company which was dragging its feet. The electrical inspector we have is not available to us right now; so there is a Resolution for a per diem inspector on the Agenda because we have seven inspections for this week alone. Councilwoman Amitai said Village School will be a major project requiring a lot of meetings with the Construction Official. She said there are anticipated to be between 35-45 stores in the Plaza before 2017. At this time, she voiced her understanding the Borough prevailed at the Morris County Construction Board of Appeals which upheld the ruling by the Building Department rejecting the farm stand.

9. OLD BUSINESS

Mayor Glidden asked the Borough Engineer to provide an update on the status of the South Parking Lot. Mr. DeNicola informed he spoke with the Board of Health from an environmental standpoint regarding the contamination at 222 Closter Dock Road. The soil has been remediated but there is still one lot where the groundwater is contaminated. He suggested that any easement should exclude prior contamination and any future contamination as the Borough would become liable via the easement. The Borough Attorney reported he pulled easements from his office that were done in 2007 with the majority of the property owners on the north side of Closter Dock Road. There were a couple of hold-outs at that time; and several were in relation to environmental issues. Based on the Borough Engineer’s report this evening, he voiced his understanding that two of the outstanding issues have been addressed but we need to confirm that the tank was removed behind Wards and Terri Lee Togs. Mr. Rogan said we need to re-approach some of the property owners about obtaining an easement. The Council should discuss the overall cost of the project and what monies will be allocated if at all between the property owners and the Borough.

At this time, Mayor Glidden noted there were several items regarding the Lustron House to discuss in Closed Session. The Borough Engineer referred to the sidewalk in front of the Lustron House and the discussion held about a year ago about having the sidewalk go around a tree. There is another tree on Borough property further east on Durie Avenue which cannot be circumvented with the sidewalk because of the grade change. He said he spoke to Leslie (Weatherly) and wanted the Borough to be aware that this tree will have to come down. In response to the Mayor, he said regardless of whose tree it is, Diamond Engineering would be responsible for removal because it is their project. He wanted to make everyone aware that the sidewalk can’t be constructed in that area unless the tree is removed; and he wanted it on record in case someone questions it in the future.

Councilwoman Amitai referred to The Fish Dock’s request to place tables and chairs in the space between The Empty Vase and Celebrity Salon; and asked how to go about doing that. Borough Attorney said it is private property, so they would need to speak to the owners of that property. He explained we have an easement to go through there for things like snow removal, but the owners would need to consent to its use for that purpose. There are deliveries made to the flower shop and stores need to be accessible. The Mayor suggested speaking with the Assessor’s office to ascertain who owns the property/building.

10. NEW BUSINESS

Councilwoman Chung wished to discuss the email everyone received regarding the tractor trailer spotted in front of Metropolitan Farm. She inquired if there has been a long history of these types of complaints and if there is anything that can be done to alleviate same. Mayor Glidden explained there have been many complaints on this issue; and said he sympathizes with the residents. We have looked at it every way possible to try to regulate it. Chief Kaine informed local deliveries are allowed; and that is governed by interstate trucking laws. The Mayor said we cannot regulate tonnage on the street to a particular destination or the size of the trucks. He said he will sit down with the owner of the farm next week to see if they can work anything out as far as smaller trucks, but he does not know where it will lead us. Borough Attorney explained he spoke to the farm owner's attorney 6-8 months ago on the issue; and they said they would try to limit it but they can't control who delivers it. He was willing to make an effort. Councilwoman Latner voiced her frustration that the Borough's hands are tied; and we have tried all that we can to appease the concerns. Councilman Barad voiced his opinion it is our best bet for the Mayor to have a one-on-one conversation with the owner of the farm. Councilwoman Amitai noted she has never seen an 18-wheeler in front of the Metropolitan in Fort Lee – only the green box trucks; and she is there every other day.

At this time, Councilwoman Chung wished to propose a Resolution condemning the actions of North Korea and asking the US to impose more sanctions similar to what other towns have recently been doing. The attachments are in the laptops. Mayor Glidden suggested she could propose a Resolution at the next meeting for same.

11. 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

Barbara Demarest, 260 Durie Avenue, provided the copy of the letter she had sent to the Mayor and Council (5. M.L. 2/25/16), reiterated her concerns of smells such as food burning and trash, and questioned why residents are allowed to have fires in the back of their house. She said she called the DPW and they could not find the source. She called the DEP hotline to complain because she is entitled to clean air she is not getting. Mrs. Demarest spoke with her neighbors who are experiencing the same issue and the Police Department has been called out several times. She voiced her frustration that the source has yet to be identified. Councilwoman Latner recalled having this discussion at the last Council meeting; and they started looking into it. Mayor Glidden said he empathizes with Mrs. Demarest, explained that the Police and Fire Department have been there several times and cannot find the source; and he voiced his frustration as to what they can do. He said the Borough owns the case as the Police have been to the residence several times. Chief Kaine reminded he reported at the last meeting that the EPA will be doing a spot check at the location because they have the equipment and they are occasionally checking in with him. Mrs. Demarest reiterated the smell comes at unusual hours of the evening and becomes smothering in the late evening hours. She is concerned as the summer months are coming and the issue has not yet been resolved. Mayor Glidden informed we would continue to look for the source and correspond with the environmental agencies to get to the bottom of it.

Mayor Emeritus Fred Pitofsky, Joint Insurance Fund Commissioner, presented the Silver Safety Award for 2015 along with a monetary award in the amount of \$1,500. He read aloud a letter from Executive Director David Grubb. Mr. Pitofsky presented a plaque to Mayor Glidden. The Mayor thanked Mr. Pitofsky for his service as JIF Commissioner.

Steve Isaacson, 97 Columbus Avenue, referred to Wendy Lane and read from a State Statute that indicates a municipality may vacate the public interest in any public street, highway, lane, alley or part thereof. The Borough Attorney informed that Wendy Lane does not qualify under the Statute because it has not been dedicated and accepted; it is a paper street. Mr. Rogan pointed out that the ordinance Mr. Isaacson is referring to is from a municipality and it only references N.J.S.A. and is itself not a statute. He also noted he read the article Mr. Isaacson provided to him which was titled "Paper Streets". In response to Mr.

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Isaacson he said he is not running a defense and noted he is the only person who has requested the vacation of that road; nobody else on the East hill has asked.

Mr. Isaacson questioned if a three-year tax freeze had been negotiated with the Closter Plaza; and Mr. Rogan explained it was a 3-year tax appeal not a freeze; and the assessments were to be phased in based on the fair market value of what the Plaza was.

Mr. Isaacson referred to Village School and said he read an article that indicates we are paying \$450,000-\$500,000 for three units in this project; and asked if the developer should be giving us three units. Borough Attorney explained the developer doesn't have to give us anything because there is a 20% set aside for new development which is not given to the town. The landlord retains ownership and collects rents. The reason this was negotiated in this fashion over a year ago is because at that time the Governor was threatening to seize all unused funds and Closter had about \$978,000 in our COAH fund. This property had been sitting empty for over 20 years and the Mayor and Council at that time tried to make sure the money not only stayed in Closter so we would get the credits as opposed to the State taking it back and incentive to the owner who sat on the property for 22 years to come forward with an application. The idea was that the Borough would own the property and collect rent on what used to be 7 units under a different formula; thereby giving the Borough the best advantage of all worlds. The Council could use the funds to purchase the units; and upon completion, either rent the units and then collect the rent back to the Affordable Housing Trust Fund or sell the units with the sale price going back to the Borough's coffers. Mr. Isaacson asked if there was an existing agreement between the Borough and the developer which he could OPRA; and Mr. Rogan affirmed same. He also affirmed if the Borough rents their units, they qualify for double COAH credits.

Mr. Isaacson voiced his support for repaving the South Parking Lot but noted the Plaza application is very deficient in parking requirements and we have not collected all of the fees we should have to compensate. Although the Planning Board disputes the deficit, Mr. Isaacson said those funds could have paid for this parking lot; and no taxpayer dollars would have needed to be spent.

Lastly, Mr. Isaacson voiced his dissatisfaction about the Referendum. He feels that the School intentionally contacted everybody they thought would support the Referendum and everybody else didn't get any information or an opportunity to ask questions. He feels if public money is being used to finance this, that every person in all seven towns of the Regional High School should have been notified. Councilwoman Latner informed Mr. Isaacson that there were opportunities regardless of whether he chose to participate in them or not. Mayor Glidden reminded he invited him to the Senior Center for a discussion and Mr. Isaacson said it was at 1 p.m. and he was not going to take a day off from work for that. Mrs. Latner reiterated the opportunities for information and said there was much more publicity this time. Mr. Isaacson voiced his opinion that these were directed at the 2,500 people that did show up to vote – not all residents.

12. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

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

Mayor Glidden noted the Swim Club Committee met (earlier this evening) and Frank Rossi, LSRP, Boswell McClave Engineering, explained the contamination on the Swim Club property. He said we were provided with the plot plan for the property and it is quite interesting. If we remediate the property properly under EPA guidelines, it could cost \$1.2M to \$2M. The Mayor informed there is a State program that would pay 75% of that cost if we kept the property as recreational space. He said we could also use it for COAH housing obligations up to 50% paid by the State though it is not a great area. There has been some discussion about putting in a swimming pool with a dome on it to be run as a business to address the high demands from the middle schools and high school for a place for the swim team to practice and have their meets. Mayor Glidden said he would like to start immediately to apply for that grant; and asked the Borough Engineer to stay for a few minutes after the meeting in case anyone had any questions about this. Councilman Barad said it appears from the map that the PCBs were most likely caused by pesticides sprayed along the perimeter of the pool where it shows the highest levels of contamination. Mr. DeNicola agreed with Dr. Barad and noted that there's the possibility that the other 25% of the project could be funded by Open Space if it is preserved as recreation area.

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At this time, Councilwoman Amitai proposed a Resolution for the Regular meeting for the employees to extend the use of 2015 vacation time from March 31st to August 31st. Borough Attorney informed it will be added as Resolution No. 26.

14. ADJOURNMENT

Motion to adjourn the Work Session at 8:55 p.m. was made by Councilman Di Dio, seconded by Councilman Barad and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on
April 7, 2016 for approval at the
Regular Meeting to be held
April 13, 2016

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held April 13, 2016
Consent Agenda Item No. 25b.