

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – APRIL 10, 2019 - 7:30 P.M

Mayor Glidden called the meeting to order at 8:35 p.m.

1. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

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

2. ROLL CALL

The following persons are present:

- Mayor John C. Glidden, Jr.
- Councilpersons Scott Devlin, Alissa Latner, Dolores Witko, Joseph Yammarino, Jannie Chung and Victoria Amitai
- Borough Administrator, Arthur Braun Dolson
- Chief Financial Officer, Joseph Luppino
- Borough Attorney, Edward T. Rogan
- Borough Clerk, Loretta Castano
- Borough Engineer, Nick DeNicola
- Fire Chief, Mark Lupardi

3. MAYORAL PRESENTATION(S)

MAYORAL PROCLAMATION DECLARING FRIDAY, APRIL 26, 2019, AS ARBOR DAY IN THE BOROUGH OF CLOSTER (Received from Mayor’s office 3/25/19)

Mayor Glidden read and so declared and noted that children are planting trees at 9:30 a.m. at Tenakill School and 10:30 a.m. at Hillside School on April 26th.

4. PRESENTATION(S)

5. MAYORAL APPOINTMENTS TO BOARDS AND COMMISSIONS (Not made at the Reorganization Meeting held 1/2/19): Mayor Glidden noted that there will be appointments coming soon.

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

ORDINANCES

6. 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 3/13/19, and was published in The Record issue of 3/19/19, as stated in the Municipal Clerk’s affidavit of publication. Reprint of this Ordinance was posted on the Municipal Bulletin Board in accordance with statutory requirements, and copies have been made available to the general public.

ORDINANCE NO. 2019:1252, “CALENDAR YEAR 2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)”

Mayor Glidden opened the public hearing.

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

Motion approving Ordinance No. 2019:1252 was made by Councilman Yammarino seconded by Councilwoman Witko.

BEFORE ROLL CALL VOTE, Councilwoman Amitai questioned if we saved a lot of money and how were we able to reduce the budget. Chief Financial Officer answered that this ordinance is to establish a Cap Bank for future use.

Motion of approval was declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino, Chung and Amitai.

7. INTRODUCTION OF THE FOLLOWING ORDINANCE - PUBLIC HEARING AND ADOPTION – 5/8/19 @ 8 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2019:1255, “AN ORDINANCE TO AMEND CODE CHAPTER 48, PERSONNEL POLICIES” (Received from Borough Attorney 4/3/19)

Councilwoman Amitai questioned if any member of the Council had received phone calls from some of the employees as half of them are members of the Human Resources Committee. Borough Attorney noted that over the past several months and before finalizing same, calls have been received. Councilwoman Amitai explained she has been on the Ordinance Committee during these discussions but something came to her mind and she wondered if it could be discussed. She referred to the 90-day cap on vacations and said it primarily affects four of our longest employees; and Borough Attorney reminded that the Committee said to pick the longest one and cap it. Mrs. Amitai affirmed that recollection. Mr. Rogan wanted to clarify that this refers to the bonus vacation days – in other words after the employee is here for a certain amount of years the employee gets extra days every year [**\$48-8. Vacation leave. “D. This section does not apply to employees hired on or after January 1, 2009. Employees hired before January 1, 2009, will accrue two extra days paid vacation for each completed year of their employment up through 15 years of such employment and three extra days for each completed year in excess of 15 years. Such accrued vacation will be granted only upon termination of employment with the Borough. No employee who has been discharged from the employ of the Borough of Closter shall be eligible for any of the benefits as described in this Subsection D**]. Borough Attorney said those days have to get paid out at the end of employment and it wouldn’t necessarily just affect four people; it would affect potentially over the next few years four people but also anybody hired before 2009. Councilwoman Amitai voiced her understanding that it would affect certain people at different times but that it was completely eliminated for people hired after 2009. Mr. Rogan affirmed same was eliminated by a prior ordinance. Mrs. Amitai questioned if it would be possible to grandfather them or give them a sliding scale noting that she doesn’t know exactly how much money is involved with the capping for each of those employees. She thinks it might soften it a little bit and we wouldn’t want to see employees unhappy. Borough Attorney advised that would be a policy decision. Councilman Devlin explained this was discussed at length at the Ordinance Committee; and part of the reason the way this ordinance was designed is because the amount of money owed just for sick time liability is \$1.5 million dollars, which is 10% of our Budget depending on which Budget it is. He said in order to stem the tide, if you have a problem or you’re in a hole, the first rule is to stop deep. To him this ordinance tries to keep current employees with the majority of the benefits they have now; current employees and new people it reduces it and he thinks that this is us trying to stop taking that \$1.5 million dollar liability we have. Mr. Devlin pointed out that the days cannot be used and are only paid out in cash. The Committee worked on it for over a year and Mrs. Amitai agreed she was a part of that.

Councilwoman Chung said she agrees to a certain extent; but if she was an employee close to 90 days but not close to her retirement, she would feel this cap would be unfair that it was being capped at 90 days when she may be 20 days next year and all the time that she’s been here she obviously didn’t know that it would be capped at any point. Borough Attorney noted that Section E of the ordinance also allows for exceptions to be made by the Mayor and Council; and he said he gets that it immediately affects four, but it basically affects everybody hired prior to 2009 over time. He agreed it may affect four over the next 2-3 years but it affects everybody hired before 2009 and Paragraph E of the ordinance specifically says “unless specifically authorized by the Mayor and Council in advance, extra compensation and monetary compensation will not be allowed in lieu of unused vacation...”; *“E. Delete the existing Section E and replace it with the following: E. Except as specified in Subsection D, and unless specifically authorized by the Mayor and Council in advance, extra compensation and monetary compensation will not be allowed in lieu of unused vacation as it is desired that each employee take advantage of the authorized annual vacation period for health, rest, relaxation and pleasure.”* so there can be exceptions made on a case-by-case basis if the Council felt that was necessary at the time. The dangerous slope there is we defeat the whole ordinance in which case we would just eliminate the change. Councilman Devlin said he could take it as if we could do so and that cash will not be provided; but in the ordinance where it talks about the extra vacation days, it says that they’re only paid out when you’re leaving; it can only be paid out in cash; and Borough Attorney affirmed same and said unless the Mayor and Council were to act otherwise if that became a big concern over a particular employee. The problem is that the exception overrules the rule; and that is a policy question. The Council can do whatever they want. They can leave it as it is with the exception of new hires or do something whether it be 90 days or something else. He reiterated that this only pertains to vacation days over and above the several weeks that they are already getting; for every year that they are here they get another 3 days. Councilwoman Latner agreed with Councilwoman Amitai that it is a lot of days and said that it is already capped for those hired after 2009 so nobody is looking at it and expecting it.

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Borough Attorney affirmed those people were not hired with it. In answer to Mrs. Latner, Mr. Rogan said it is more than a few people; it is dozens. Councilwoman Chung asked if anybody would be hitting 90 this year or next year. Mr. Rogan reiterated the Committee decided to look at the highest and cap it. He said it is the longest people – Bonnie, Loretta, Billy and the Chief could all potentially hit 90 days. Mrs. Chung voiced her sentiments that a little more notice could be provided to those individuals because other employees that are much farther away would have sufficient notice (from this ordinance). She just feels like the notice for people getting close to the 90 day mark isn't there for them. Mrs. Latner voiced her understanding and agreement that we absolutely don't want the money hemorrhaging but yet for those few employees... Borough Attorney reiterated again that it is not a few employees. It is everyone hired before 2009; the few is only over the next 2-3 years. Councilwoman Latner said in terms of hearing something she feels like it is emotional - like for those few employees, it's being taken away from them and she understands it's not personal that way. She agreed with Councilwoman Amitai that it is something from that standpoint that needed to be discussed and brought up because it's like running a race and then all of a sudden the end line gets moved. Councilman Devlin said he felt that they tried to design this in the Ordinance Committee in a way that it doesn't take anything away from anyone. It's not like if they have 87 or 90 days they are losing any of that; all they are losing is the ability to earn more.

Mayor Glidden questioned if the ordinance should be introduced this evening or delay same to a later date. Councilwoman Amitai said it shouldn't be delayed because they've worked on it for a very long time. Councilwoman Chung felt the Committee should review the proposed ordinance relative to the 90 day cap for those employees that are right at that point. Councilwoman Witko asked what would that change; and said in the real world, changes are made by employers; and employees have to suck it up. She said she understands that if it was her, she would feel the same way; but asked what giving them more notice would do. Mrs. Chung said if she was at 89 days and she didn't take a vacation this year knowing she could bank more than 90 days, not saying whether the 90 days is excessive or not; but now it's being capped and she may have planned her year based on that. Councilwoman Witko reiterated that these days can't be used and Borough Attorney affirmed same. He said if a person has 5 weeks, they can't bank more days and decide they're going to use those days and take 7 weeks; they are just to get paid upon retirement which goes to the unfunded liability issue; but again it is a policy call. Mayor Glidden recommended introduction of the ordinance; and to have a public hearing and said that if the Committee wishes they can advise the employees of the changes. Councilwoman Chung referred to Section 48-8A relative to the cap for new hires noting as it is currently written in the Code, the longer you stay, the more time you get, although it is in hours. She was concerned that no matter how long you've been with the Borough, it is being capped at 175 hours or 10 days.

“§48-8. Vacation leave. A. Delete the existing Section A, including all subparagraphs, and replace it with the following: A. Except as set forth in sub-section C, all full-time employees of the Borough of Closter and all part-time salary employees (on a pro rata basis) shall be entitled to annual paid vacations as follows: (1) Employees who commenced employment prior to the effective date of this ordinance shall be entitled to the following vacation leave: (i) During the first year of employment, employees will receive .833 paid vacation days for each full month worked; however, no new employee shall be entitled to use any vacation time prior to 6 months of continuous employment with the Borough. (ii) After one year of continuous employment by the Borough: 10 days. (iii) After five years of continuous employment by the Borough: 15 days. (iv) After 10 years of continuous employment by the Borough: 20 days. (v) Employees hired prior to June 1, 2017 will be eligible after 15 years of continuous employment by the Borough to: 25 days. Employees hired on or after June 1, 2017 but prior to the effective date of this ordinance will receive a maximum vacation benefit of 20 days after ten (10) years of continuous employment by the Borough, as set forth in sub-paragraph (iv) above.(2) Employees commencing employment on or after the effective date of this ordinance shall be entitled to the following vacation leave: (i) During the first year of employment, employees will receive .833 paid vacation days for each full month worked; however, no new employee shall be entitled to use any vacation time prior to 6 months of continuous employment with the Borough.(ii) After one year of continuous employment by the Borough: 10 days.”

Borough Attorney said they would be capped at 2 weeks for 10 years employment. Councilwoman Chung felt that was a little harsh and would make us more unattractive for future employees in our ability to be competitive; and upon review now, Councilman Devlin agreed that could be revisited. Mr. Rogan informed they had that at 15 days at one point and then it went back to 10 days. Councilwoman Amitai said she thinks 3 weeks would be fair and Mrs. Chung said there should be room for accumulation of vacation days and should be reviewed by the Committee. Mr. Devlin agreed that in the real world you do go up at some point, perhaps not to 20 days but you do go up.

Mayor Glidden asked for a motion of approval and Borough Attorney stopped him and advised that if changes are being made to the proposed ordinance, same should not be introduced at this time due to monetary considerations of publication depending on how many changes are being made. He noted that new hire vacation time and the 90 day cap should be addressed. In answer to Councilwoman Witko, Borough Attorney said that the ordinance does not affect just the three or four people that are questioning it; and an ordinance cannot be written around just a few people. Mrs. Witko said she feels like that is the consensus of some of the people on the Council that these three people are being affected. Mr. Rogan said in 5 or 6 years, it will be a different group of several people it will affect. He stressed the question is what do we want to do, not who is it because it's bad to pass legislation based on people instead of policy. Councilman Devlin voiced his opinion that this discussion has been a long time coming and he is glad it finally happened.

8a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item No. 17, which was removed by Councilwoman Witko, was made by Councilwoman Latner, seconded by Councilwoman Chung and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino, Chung and Amitai.

RESOLUTIONS

- 9. BILL RESOLUTION – APRIL 15, 2019
(Received from Deputy Treasurer 4/4/19)
- 10. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING TO PROVIDE ENGINEERING SERVICES FOR THE SPCC PLAN 5 YEAR RECERTIFICATION PROGRAM CLOSTER DEPARTMENT OF PUBLIC WORKS BOSWELL FILE NO. PR-19-9143 (Received from Administrator’s office 4/3/19)
- 11. RESOLUTION APPROVING SETTLEMENT OF TAX APPEAL FOR THE YEAR 2019: ZIPSE CL ASSOC LLC v. BOROUGH OF CLOSTER (Received from Borough Attorney 4/3/19)
- 12. RESOLUTION AUTHORIZING DEPTY TREASURER TO RELEASE AND RETURN REMAINING PLANNING BOARD LEGAL ESCROW FUNDS IN THE AMOUNT OF \$666.40 TO APPLICANT: HH Equities LLC FOR SATISFACTORY COMPLETION OF IMPROVEMENTS AT 7 Naugle Street, Block 1202 Lot 3 (Received from Deputy Treasurer 4/3/19)
- 13. RESOLUTION AUTHORIZING BOROUGH ATTORNEY TO ASSERT COUNTERCLAIMS IN CLOSTER GROCERY BY STOP & SHOP SUPERMARKET CO. v. CLOSTER TAX APPEALS (Received from Borough Attorney 4/3/19)
- 13a. AT 8:45 P.M. – 9:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD
 CLOSED SESSION RESOLUTION EXCLUDING THE PUBLIC FROM THE NEXT PORTION OF THE MEETING IN ORDER TO PERMIT THE GOVERNING BODY TO DISCUSS THE FOLLOWING MATTER PURSUANT TO N.J.S.A. 10:4-12(b)(8), “A MATTER INVOLVING PUBLIC EMPLOYEES”
 (Received from Borough Attorney 4/8/19 @11:15 a.m./Rice Notice e-mailed by Borough Attorney on 4/8/19)

MOTIONS

- 14. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 4/4/19): NO ABSTENTIONS
 - a. REGULAR MEETING HELD MARCH 27, 2019
 - b. WORK SESSION HELD MARCH 27, 2019
- 15. MOTION GRANTING APPROVAL FOR CLOSTER PTO TO CONDUCT ON PREMISE 50/50 CASH RAFFLE AT TENAKILL MIDDLE SCHOOL, 275 HIGH STREET, ON FRIDAY, 5/3/19, FROM 6:00 P.M. TO 10:00 P.M.; DRAWING TO BE HELD: 9:00 P.M. (Completed application filed and appropriate fees paid 3/29/19)
- 16. MOTION GRANTING APPROVAL FOR CLOSTER PTO TO CONDUCT ON PREMISE DRAW RAFFLE FOR MERCHANDISE RAFFLE AT TENAKILL MIDDLE SCHOOL, 275 HIGH STREET, ON FRIDAY, 5/3/19, FROM 6:00 P.M. TO 10:00 P.M.; DRAWINGS TO BE HELD: 9:00 P.M. (Completed application filed and appropriate fees paid 3/29/19)
- *17. MOTION APPROVING THE FOLLOWING **SALARIED** APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/19:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Temporary and Part-Time Clerical				
(Finance)	<u>VACANT</u>	_____	1 Year	31-Dec-19

- 18. MOTION APPROVING THE FOLLOWING APPOINTMENTS TO BOARDS AND COMMISSIONS NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/19:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Food and Assistance Board				
Member	<u>VACANT</u>	<u>NO APPOINTMENT</u>	2 Years (Unexp. Vacant)	31-Dec-19
Member	<u>VACANT</u>	<u>NO APPOINTMENT</u>	2 Years (Unexp. Vacant)	31-Dec-19

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18. MOTION APPROVING THE FOLLOWING APPOINTMENTS TO BOARDS AND COMMISSIONS NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/19: (Continued)

Historic Preservation Commission

Alternate No. 2	<u>VACANT</u>	<u>NO APPOINTMENT</u>	2 Years (Unexp. Vacant)	31-Dec-19
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Improvement Commission

Alternate No. 2	<u>Mor Gil Hefetz</u>	<u>NO APPOINTMENT</u>	2 Years	31-Dec-20
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19. MOTION GRANTING APPROVAL FOR PLACEMENT OF 4x8 SIGNS ADVERTISING THE NORTHERN VALLEY EARTH FAIR TO BE HELD 4/27/19 AT THE TENAFLY MIDDLE SCHOOL; SIGN TO BE PLACED AT THE FOLLOWING LOCATION: NEAR THE RAILROAD TRACKS WHERE HARRINGTON AVE., CLOSTER DOCK RD AND HERBERT AVE CONVERGE, TO BE PUT UP TWO WEEKS PRIOR TO THE FAIR, SUBJECT TO RECEIPT OF APPROVAL FROM ZONING OFFICER (Approval received from Risk Management Consultant 4/3/19) 3. M.L. 4/4/19

20. MOTION GRANTING APPROVAL FOR BENEVOLENT PROTECTIVE ORDER OF ELKS, CLOSTER LODGE #2304 AND LEROY S. MEAD POST 111, AMERICAN LEGION, TO CONDUCT THE ANNUAL MEMORIAL DAY PARADE ON MONDAY, 5/27/19, COMMENCING @10:00 A.M. (STAGING AREA AT ST. MARY’S PARKING LOT) PARADE TO START ON LEGION PLACE, TO PROCEED EASTBOUND ON HIGH STREET, MAKING A LEFT ONTO CLOSTER DOCK ROAD; CONTINUING ON CLOSTER DOCK ROAD GOING WEST TOWARDS HARRINGTON AVENUE AND TERMINATING AT THE GATES TO MEMORIAL PARK – MEMORIAL SERVICE TO BE CONDUCTED AT THE PARK AFTER THE PARADE (6. M.L. 4/4/19)

20a. MOTION GRANTING APPROVAL FOR INTERNATIONAL ACADEMY OF ARTS AND SCIENCES TO USE MEMORIAL FIELD, 150 HARRINGTON AVENUE, ON SUNDAY, 5/19/19, FROM 8:30 A.M. TO 12 NOON TO CONDUCT THE IAAS FIELD DAY EVENT FOR CHILDREN AND PARENTS (7a&7b. M.L. 2/21/19/Approval received from Risk Management Consultant 4/8/19)

21. REPORTS

- a. CONSTRUCTION OFFICIAL – MARCH 2019 (Received 4/1/19)
- b. CHIEF OF POLICE – MARCH 2019 (Received 4/8/19)

8b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

22. 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.

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

23a. Motion approving the following Closed Session Resolution at 9:00 p.m. was made by Councilwoman Latner seconded by Councilman Yammarino and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino, Chung and Amitai.

OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(4), “A collective bargaining agreement”; N.J.S.A. 10:4-12.(b)(7) “Pending or anticipated litigation or contract negotiations”; N.J.S.A. 10:4-12(b)(7), “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 20 weeks.

Mayor Glidden resumed the Regular Meeting at 10:11 p.m.

24. ADJOURNMENT

Motion to adjourn the Regular Meeting at 10:11 p.m. was made by Councilman Yammarino seconded by Councilwoman Latner and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council
on April 18, 2019 for approval at the
Regular Meeting to be held
April 24, 2019

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held April 24, 2019
Consent Agenda Item No. 20a

**BOROUGH OF CLOSTER
2019 ARBOR DAY PROCLAMATION**

WHEREAS, the last Friday in April of each year has been established as Arbor Day in the State of New Jersey, but municipalities are free to celebrate on other dates; and

WHEREAS, all New Jersey residents are encouraged to support Arbor Day by planting trees and shrubs; and


WHEREAS, trees are a gift to our children and their children, therefore, New Jersey's citizens are encouraged to celebrate life and plant a gift for future generations; and

WHEREAS, trees are an increasingly vital resource that enrich our lives by purifying the air, reducing erosions of our soil by wind and water, conserving water and energy, serving as recreational settings, and providing habitat for wildlife of all kinds; and

WHEREAS, trees increase property values and create beautiful landscapes as ever so evident in our own beautiful Borough; and

WHEREAS, trees wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, John C. Glidden, Jr., Mayor of the Borough of Closter, County of Bergen, State of New Jersey, do hereby proclaim Friday, April 26th, 2019 as Arbor Day in the Borough of Closter. Tree City USA flags will fly at the Borough buildings during the month of April and the Shade Tree Commission will plant trees at Closter's public schools with the participation of Closter's students. All citizens are encouraged to support our efforts to protect our trees and woodlands by participating in the ceremonies and planting of trees through the month of April.



John C. Glidden, Jr.
Mayor

Attest:

Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER

RESOLUTION ADOPTING ORDINANCE NO. 2019:1252

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

CALENDAR YEAR 2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

was introduced and passed at a meeting held on March 13, 2019 and that further consideration of said ordinance for final passage and the hearing of all persons interested in said ordinance would be conducted at this meeting; and

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

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


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

Adopted: April 10, 2019

ATTEST:


 Loretta Castano, Borough Clerk

APPROVED:


 John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held April 10, 2019.

 Loretta Castano, Borough Clerk

**BOROUGH OF CLOSTER
BERGEN COUNTY, NEW JERSEY**

**ORDINANCE NO. 2019:1252
CALENDAR YEAR 2019 ORDINANCE TO EXCEED THE
MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Closter in the County of Bergen finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 1.0 % increase in the budget for said year, amounting to \$113,536 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Closter, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Borough of Closter shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$397,375, and that the CY 2019 municipal budget for the Borough of Closter be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.


Approved April 10, 2019 on Roll Call Vote as follows:

Councilperson	Motion	Second	Aye	Nay	Absent
Councilman Devlin			X		
Councilwoman Latner		X	X		
Councilwoman Witko			X		
Councilman Yammarino	X		X		
Councilwoman Chung			X		
Councilwoman Amitai			X		

ATTEST:

APPROVED:


Loretta Castano, RMC, Borough Clerk


John C. Glidden, Jr., Mayor

Certified to be a true copy of an Ordinance adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held April 10, 2019.

Loretta Castano, Borough Clerk

THE BOROUGH OF CLOSTER, NJ
 BERGEN COUNTY, NJ

WHEREAS, the claims listed below have been authorized and approved by the Chairman of the Committee, examined by the Finance Committee, and found correct. Therefore

BE IT RESOLVED, that the Mayor and Council hereby authorize the payment of these claims, and that warrants be drawn therefore when funds are available.

Budgeted	Amount
Closter Board of Education March 19'	\$1,588,344.58
2018 Budget Appropriations	\$94,698.16
2019 Budget Appropriations – Operating Expenses	\$463,813.38
Payroll 03/15/19	\$261,495.99
Payroll 03/29/19	\$285,372.66
Current Treasury Account March 14, 2019 – April 10, 2019	\$2,693,724.77

Capital and Trust	Amount
Capital	\$54,391.33
Escrow Trust	\$8,562.19
Recreation	\$18,349.44
Housing Trust	\$1,597.50

The foregoing resolution was adopted at a meeting of the Mayor and Council held on April 10, 2019

Attest:

Approved:



 Loretta Castano, Borough Clerk



 John C. Glidden, Jr., Mayor

April 4, 2019
09:20 AM

BOROUGH OF CLOSTER
Check Register By Check Date

Page No: 1

Range of Checking Accts: 01CURRENT to 13TRUST Range of Check Dates: 03/14/19 to 04/10/19
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
01CURRENT		CURRENT TREASURY ACCOUNT			
12954	03/14/19	PUBLI000 PUBLIC SERVICE ELECTRIC & GAS	2,444.64		4591
12955	03/14/19	ROCKL015 ROCKLAND ELECTRIC COMPANY	9,111.37		4591
12956	03/14/19	UNITE020 SUEZ WATER NEW JERSEY	13,140.26		4591
12957	03/14/19	VERIZ015 VERIZON COMMUNICATIONS	147.76		4591
12958	03/14/19	ROCKL015 ROCKLAND ELECTRIC COMPANY	423.80		4592
12959	03/18/19	SPECTR00 SPECTROTEL	2,204.04		4594
12960	03/20/19	DELAG000 DE LAGE LANDEN FINANCIAL SVC.	559.00		4597
12961	03/20/19	MARIA010 MARIA PASSAFARO	77.27		4597
12962	03/20/19	NJLEA000 NJ LEAGUE OF MUNICIPALITIES	714.00		4597
12963	03/20/19	RUTGE010 RUTGERS UNIVERSITY	75.00		4597
12964	03/22/19	HORIZ000 HORIZON BCBSNJ	6,879.26		4599
12965	03/22/19	ROCKL015 ROCKLAND ELECTRIC COMPANY	761.82		4599
12966	03/22/19	STAND000 STANDARD INSURANCE COMPANY	1,239.24		4599
12967	03/22/19	VERIZ020 VERIZON WIRELESS	1,232.55		4599
12968	03/26/19	DIREC001 DIRECT ENERGY BUSINESS	2,135.22		4600
12969	03/27/19	LINCO000 THE LINCOLN NATIONAL LIFE INS.	40,154.00		4601
12970	03/27/19	CLOST070 CLOSTER PUBLIC LIBRARY	61,447.83		4606
12971	03/27/19	BERGE095 BERGEN COUNTY UTILITIES AUTH.	243,024.90		4607
12972	03/28/19	CABLE000 OPTIMUM	157.44		4608
12973	03/29/19	DENNI000 CHIEF DENNIS KAINÉ	300.00		4610
12974	04/02/19	THECA005 THE CANNING GROUP	625.00		4611
12975	04/02/19	NJDCA000 NJDCA	1,651.00		4614
12976	04/02/19	PUBLI000 PUBLIC SERVICE ELECTRIC & GAS	2,215.75		4615
12977	04/02/19	VERIZ015 VERIZON COMMUNICATIONS	147.76		4615
12978	04/03/19	DUNKI010 DUNKIN DONUTS	75.96		4617
12979	04/03/19	STOPS015 STOP & SHOP	30.92		4617
12980	04/03/19	EMPTY000 EMPTY VASE	30.00		4618
12981	04/10/19	AAAEM000 AAA EMERGENCY SUPPLY CO INC.	3,794.40		4619
12982	04/10/19	ACTIO015 ACTION DATA SERVICES	4,355.63		4619
12983	04/10/19	AIRGA000 AIRGAS USA, LLC	32.10		4619
12984	04/10/19	AMERI000 AMERICAN HOSE AND HYDRAULICS	785.34		4619
12985	04/10/19	AMGRA000 AM GRAPHICS CO., INC.	70.00		4619
12986	04/10/19	ARCTI005 ARCTIC FALLS SPRING WATER INC.	174.46		4619
12987	04/10/19	AUTOM000 AUTOMOTIVE BRAKE COMPANY	251.14		4619
12988	04/10/19	BEYER000 BEYER BROS. CORP.	2,804.13		4619
12989	04/10/19	CLOST010 CLOSTER BOARD OF EDUCATION	5,127.00		4619
12990	04/10/19	DECOT000 DECOTIIS, FITZPATRICK, COLE &	1,172.40		4619
12991	04/10/19	DELUX000 DELUXE INTERNATIONAL TRUCKS	250.26		4619
12992	04/10/19	DEUNI000 D & E UNIFORMS	708.95		4619
12993	04/10/19	DYKES000 DYKES LUMBER COMPANY, INC	575.10		4619
12994	04/10/19	ENHAN005 ENHANCED WEB SERVICES	29.95		4619
12995	04/10/19	ERIKL005 ERIK LENANDER	350.00		4619
12996	04/10/19	FIRES000 FIRE & SAFETY SERVICES, LTD.	18,870.07		4619
12997	04/10/19	GENER006 GENERAL REFRIGERATION CO.	5,980.00		4619
12998	04/10/19	GTMAR000 GT MARKETING, LTD	250.00		4619
12999	04/10/19	HACKE010 HEALTH AWARENESS REGIONAL PROG	2,323.50		4619
13000	04/10/19	HAWOR001 HAWORTH BOARD OF EDUCATION	3,596.00		4619
13001	04/10/19	HHEQU005 HH EQUITIES LLC	500.00		4619
13002	04/10/19	HOMET000 HOMETOWN HARDWARE INC.	201.09		4619

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
01CURRENT		CURRENT TREASURY ACCOUNT			Continued
13003	04/10/19	HUDSO010 HUDSON COUNTY MOTORS, INC.	8.74		4619
13004	04/10/19	INTER065 INTERSTATE WASTE SERVICES OF	14,386.84		4619
13005	04/10/19	JACOB014 JACOB G. KOUMBIS III	180.00		4619
13006	04/10/19	JBLOC000 J & B LOCK & ALARM, INC.	670.92		4619
13007	04/10/19	KIMMA000 KIM MASTER	205.00		4619
13008	04/10/19	KINGD010 KING DISPLAYS, INC	587.93		4619
13009	04/10/19	L3COM000 L3 MOBILE-VISION INC.	98.00		4619
13010	04/10/19	LERCH000 LERCH, VINCI & HIGGINS,LLP	19,525.00		4619
13011	04/10/19	LORCO000 LORCO PETROLEUM SERVICES	131.25		4619
13012	04/10/19	LOWES000 LOWE'S	426.55		4619
13013	04/10/19	MID-B000 MID-BERGEN REGIONAL HEALTH COM	17,635.00		4619
13014	04/10/19	MITCH015 MITCHELL REPAIR	1,728.00		4619
13015	04/10/19	NORTH010 NORTH JERSEY MEDIA GROUP	34.65		4619
13016	04/10/19	NOVEF020 NORTHERN VALLEY EARTH FAIR	250.00		4619
13017	04/10/19	OLDDO000 OLD DOMINION BRUSH COMPANY, INC	930.00		4619
13018	04/10/19	PARTS003 PARTS AUTHORITY, INC.	1,372.50		4619
13019	04/10/19	PESH-000 PESH-E-LECTRIC, INC.	125.00		4619
13020	04/10/19	PETRO006 PETROLEUM EQUIPMENT SERVICE O	175.62		4619
13021	04/10/19	PGAUT006 P&G AUTO INC.	364.19		4619
13022	04/10/19	PROTE005 PROTECH WELDING & HYDRAULICS	650.00		4619
13023	04/10/19	RACHL000 RACHLES/MICHELE'S OIL CO., INC	1,380.89		4619
13024	04/10/19	RUDYS000 RUDY'S RISTORANTE	114.62		4619
13025	04/10/19	RUGGE000 SMITTY'S PRODUCTIONS INC	632.36		4619
13026	04/10/19	RUSCO000 RUSCON TRUCK SERVICE & EQUIPT	79.24		4619
13027	04/10/19	STAPL000 STAPLES	56.90		4619
13028	04/10/19	SUPER015 SUPERIOR DISTRIBUTORS CO., INC	804.10		4619
13029	04/10/19	TIMME000 TIMMERMAN EQUIPMENT CO.	561.44		4619
13030	04/10/19	TRI-C005 TRI-COUNTY TERMITE & PEST	50.00		4619
13031	04/10/19	VANDT000 VAN DINES MOTOR'S INC	245.05		4619
13032	04/10/19	WBMAS000 W. B. MASON CO., INC.	904.43		4619
13033	04/10/19	ALFON000 ALFONSO DIASPARRA	149.17		4626
13034	04/10/19	ALPHO000 ALPHONSO H. YOUNG JR.	1,564.93		4626
13035	04/10/19	ANDRE010 ANDREW ORLICH	509.73		4626
13036	04/10/19	CHIEF000 DAVID BERRIAN	593.29		4626
13037	04/10/19	DAVID050 DAVID HOLLENDER	468.35		4626
13038	04/10/19	DONAL010 DONALD NICOLETTI	1,564.93		4626
13039	04/10/19	DONDE000 DONN DEEGAN	1,371.86		4626
13040	04/10/19	DONOV000 DONOVAN BLADES	325.58		4626
13041	04/10/19	JAMES000 JAMES B. WINTERS	1,564.93		4626
13042	04/10/19	JAMES035 JAMES GORDON	241.09		4626
13043	04/10/19	JAMES080 JAMES G. GABETTIE	149.17		4626
13044	04/10/19	JEROM000 JEROME IKALOWYCH	1,564.93		4626
13045	04/10/19	JOSEP020 JOSEPH CORVELLI	441.65		4626
13046	04/10/19	KEVIN000 KEVIN M. DOERR	1,564.93		4626
13047	04/10/19	MICHA026 MICHAEL DILUZIO	149.17		4626
13048	04/10/19	NORMA010 NORMA T. KETLER	149.17		4626
13049	04/10/19	RICHA040 RICHARD D'AMICO	468.35		4626
13050	04/10/19	ROBER015 ROBERT C. TALMO	301.84		4626
13051	04/10/19	RONAL010 RONALD GAFFNEY	140.27		4626
13052	04/10/19	THOMA025 THOMAS MCNAMARA	301.84		4626
13053	04/10/19	TIMOTH00 TIMOTHY CONWAY	602.91		4626
13054	04/10/19	WILLI040 WILLIAM HOWARD	429.47		4626

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
01CURRENT					
		CURRENT TREASURY ACCOUNT	Continued		
13055	04/10/19	WILLI050 WILLIAM KUNZE	149.17		4626
13056	04/10/19	WILLI060 WILLIAM T. BREWSTER	376.59		4626
13057	04/10/19	WMCLO000 W. MCLOUGHLIN	1,564.93		4626
13058	04/10/19	ATLAN015 STEWART&STEVENSON POWER	9.13		4627
13059	04/10/19	CUSTO001 CUSTOM BANDAG INC	3,006.15		4627
13060	04/10/19	JESCO000 JESCO INC.	766.89		4627
13061	04/10/19	PGAUT006 P&G AUTO INC.	249.44		4627
13062	04/10/19	RACHL000 RACHLES/MICHELE'S OIL CO., INC	10,658.34		4627
13063	04/10/19	RUTGE010 RUTGERS UNIVERSITY	165.00		4627
13064	04/10/19	TENAF015 TENAFLY MOWER SERVICE, INC.	241.70		4627
13065	04/10/19	BOSWE000 BOSWELL MCCLAVE ENGINEERING IN	4,590.00		4628
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks: 112	0	543,916.43	0.00
		Direct Deposit: 0	0	0.00	0.00
		Total: 112	0	543,916.43	0.00
04CAPITAL					
		CAPITAL ACCOUNT			
1048	03/19/19	MUSCO000 MUSCO SPORTS LIGHTING, LLC	26,200.00		4596
1049	04/03/19	PARAG015 PARAGON STAIRS	1,344.00		4616
1050	04/10/19	GRAIN000 GRAINGER	552.08		4620
1051	04/10/19	INTER012 INTERBOROUGH RADIO	26,295.25		4629
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks: 4	0	54,391.33	0.00
		Direct Deposit: 0	0	0.00	0.00
		Total: 4	0	54,391.33	0.00
12 COAH ACCOUNT					
		COAH ACCOUNT INVESTORS			
89	04/10/19	MICHE025 MICHAEL P. BOLAN, PP/AICP	1,597.50		4621
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks: 1	0	1,597.50	0.00
		Direct Deposit: 0	0	0.00	0.00
		Total: 1	0	1,597.50	0.00
13 DEV ESCROW					
		ESCROW MUNIDEX CHECKING 1			
1696	04/10/19	DECOT000 DECOTIIS, FITZPATRICK, COLE &	332.80		4622
1697	04/10/19	WILLI080 WILLIAM J. RUSH, ESQ.	20.97		4622
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks: 2	0	353.77	0.00
		Direct Deposit: 0	0	0.00	0.00
		Total: 2	0	353.77	0.00
13 DEV ESCROW 2					
		ESCROW EDMUNDS CHECKING 2			
3145	04/10/19	BOSWE000 BOSWELL MCCLAVE ENGINEERING IN	4,004.88		4623
3146	04/10/19	DECOT000 DECOTIIS, FITZPATRICK, COLE &	70.10		4623
3147	04/10/19	GJEVU005 GJEVUKAJ RESTAURANT CORP	3,466.00		4623
3148	04/10/19	ISSTU005 IS STUDIO LLC	142.44		4623
3149	04/10/19	KYOMI005 KYOMIN LEE	250.00		4623

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
13 DEV ESCROW 2		ESCROW EDMUNDS CHECKING 2	Continued		
Checking Account Totals					
			<u>Paid</u>	<u>Void</u>	
		Checks:	5	0	7,933.42
		Direct Deposit:	0	0	0.00
		Total:	5	0	7,933.42
13TRUST		Trust Checking			
354	04/10/19	LERCH000 LERCH, VINCI & HIGGINS,LLP	275.00		4624
Checking Account Totals					
			<u>Paid</u>	<u>Void</u>	
		Checks:	1	0	275.00
		Direct Deposit:	0	0	0.00
		Total:	1	0	275.00
Report Totals					
			<u>Paid</u>	<u>Void</u>	
		Checks:	125	0	608,467.45
		Direct Deposit:	0	0	0.00
		Total:	125	0	608,467.45

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	8-01	94,698.16	0.00	0.00	94,698.16
CURRENT FUND	9-01	449,218.27	0.00	0.00	449,218.27
GENERAL CAPITAL FUND	C-04	54,391.33	0.00	0.00	54,391.33
HOUSING TRUST FUND	T-12	1,597.50	0.00	0.00	1,597.50
OTHER TRUST FUND	T-13	<u>275.00</u>	<u>0.00</u>	<u>0.00</u>	<u>275.00</u>
	Year Total:	1,872.50	0.00	0.00	1,872.50
Total of All Funds:		<u>600,180.26</u>	<u>0.00</u>	<u>0.00</u>	<u>600,180.26</u>

Project Description	Project No.	Project Total
89 COLUMBUS	032-570802	20.97
80 KNICKERBOCKER RD	040-703800	332.80
24 FAIRVIEW AVE	2010038566	142.44
45 DANA PLACE	2010055149	250.00
411 PIERMONT ROAD	2010057005	2,370.00
411 PIERMONT ROAD	2010057006	1,096.00
597 PIERMONT RD	2010057009	1,616.00
63 BERGENLINE AVE	2010057035	319.22
72 ECKERSON AVE	2010057046	217.81
7 NAUGLE ST	2010057058	70.10
13 COLLINS AVE	2010057062	414.00
20 MICHAELS LANE	2010057063	265.29
376 ANDERSON AVE	2010057064	207.00
7 ROSE COURT	2010057065	303.00
596 HIGH STREET	2010057067	414.00
597 PIERMONT	2010057069	248.56
Total of All Projects:		<u>8,287.19</u>

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BOROUGH OF CLOSTER
Check Register By Check Date

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Range of Checking Accts: 14RECREATION to 15ANIMALCONTROL Range of Check Dates: 03/14/19 to 04/10/19
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num	
14RECREATION		SPECIAL RECREATION ACCOUT				
519	04/10/19	ADMAN000 AD MANUFACTURING CORP.	1,896.40		4625	
520	04/10/19	GAMET010 GAMETIME UNIVERSITY LLC	3,850.00		4625	
521	04/10/19	LACRO005 LACROSSEBALLSTORE	608.04		4625	
522	04/10/19	TRINI005 TRINITY BROKERAGE, INC.	11,995.00		4625	
Checking Account Totals						
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks:	4	0	18,349.44	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	4	0	18,349.44	0.00
Report Totals						
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks:	4	0	18,349.44	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	4	0	18,349.44	0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
RECREATION TRUST	T-14	18,349.44	0.00	0.00	18,349.44
Total of All Funds:		<u>18,349.44</u>	<u>0.00</u>	<u>0.00</u>	<u>18,349.44</u>

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BOROUGH OF CLOSTER
Check Register By Check Date

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Range of Checking Accts: 17FOODLOCKER to CURRENT-MANUAL Range of Check Dates: 03/14/19 to 04/10/19
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT-MANUAL	CURRENT - MANUAL				
903134	03/14/19	PAYR000 PAYROLL AGENCY ACCOUNT	14,336.87		4590
903151	03/15/19	PAYR000 PAYROLL AGENCY ACCOUNT	78.38		4593
903191	03/19/19	FOODL000 FOOD LOCKER-PUBLIC ASSISTANCE	50.00		4595
903272	03/27/19	PAYR000 PAYROLL AGENCY ACCOUNT	9,921.48		4603
903273	03/27/19	BORO0000 BORO OF CLOSTER - PAYROLL ACCT	251,574.51		4605
903274	03/27/19	CLOST010 CLOSTER BOARD OF EDUCATION	1,588,344.58		4604
904023	04/02/19	PAYR000 PAYROLL AGENCY ACCOUNT	112.36		4612
904024	04/02/19	NATIO005 NATIONAL BENEFIT SERVICES, LLC	17.50		4613

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	8	0	1,864,435.68	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	8	0	1,864,435.68	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	8	0	1,864,435.68	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	8	0	1,864,435.68	0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	9-01	1,864,435.68	0.00	0.00	1,864,435.68
Total of All Funds:		<u>1,864,435.68</u>	<u>0.00</u>	<u>0.00</u>	<u>1,864,435.68</u>

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BOROUGH OF CLOSTER
Check Register By Check Id

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Range of Checking Accts: CURRENT-MANUAL to CURRENT-MANUAL Range of Check Ids: 903133 to 903134
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
903133	03/13/19	BOR00000 BORO OF CLOSTER - PAYROLL ACCT	271,035.79		4589
903134	03/14/19	PAYR00000 PAYROLL AGENCY ACCOUNT	14,336.87		4590

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	2	0	285,372.66	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	<u>2</u>	<u>0</u>	<u>285,372.66</u>	<u>0.00</u>

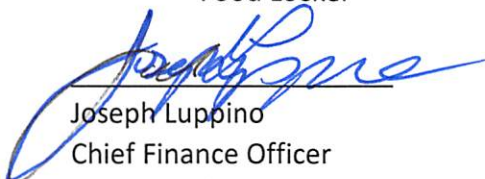
Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	9-01	285,372.66	0.00	0.00	285,372.66
Total of All Funds:		<u>285,372.66</u>	<u>0.00</u>	<u>0.00</u>	<u>285,372.66</u>

CHIEF FINANCIAL OFFICER CERTIFICATION OF AVAILABILITY OF FUNDS

Borough of Closter Council

As the Chief Financial Officer of the Borough of Closter, responsible for the maintenance of the financial records of the Municipality, I hereby certify that adequate funds have been appropriated. All funds are available for the aforementioned purpose and that payment of perspective contract price will be charged against and not to exceed the amount appropriated in the:

Closter Board of Education -	March	2019	\$ 1,588,344.58
Northern Valley Regional H.S. -			\$ -
Bergen County Tax			\$ -
Bergen County Open Space Tax			\$ -
2018 Budget Appropriations -	Operating		\$ 94,698.16
2019 Budget Appropriations -	Operating		\$ 463,813.38
Payroll	03/15/19		\$ 261,495.99
Payroll	03/29/19		\$ 285,372.66
Total Current Treasury	03/14/19 - 04/10/19		<u>\$ 2,693,724.77</u>
Capital			\$ 54,391.33
Escrow Trust Account			\$ 8,562.19
Recreation			\$ 18,349.44
Housing Trust			\$ 1,597.50
Animal Account			\$ -
Open Space			\$ -
Community Development Block Grant			\$ -
Food Locker			\$ -


Joseph Luppino
Chief Finance Officer
Borough of Closter

Dated:04/10/19

BOROUGH OF CLOSTER
COUNTY OF BERGEN

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT
WITH BOSWELL ENGINEERING TO PROVIDE ENGINEERING SERVICES
FOR THE SPCC PLAN 5 YEAR RECERTIFICATION PROGRAM CLOSTER
DEPARTMENT OF PUBLIC WORKS
BOSWELL FILE NO. PR-19-9143**

WHEREAS, the Borough of Closter, by resolution dated January 2, 2019, entered into an annual contract with Boswell Engineering for the provision of professional engineering services; and

WHEREAS, additional, professional engineering services are required for the necessary environmental engineering services to prepare a Spill Prevention, Control and Countermeasure (SPCC) Plan for the Closter Department of Public Works site located at 130 Ruckman Road, Closter, New Jersey; and

WHEREAS, Boswell Engineering has offered to provide the additional, engineering services in a proposal dated March 21, 2019, copy attached, for an amount not to exceed \$3,000.00; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding, provided a notice of appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the State "Pay to Play" Law took effect on January 1, 2006 and the Borough had fully complied with the "fair and open" process set forth thereunder; and

WHEREAS, it is deemed to be in the best interests of the Borough for the Mayor and Council to enter into a contract amendment with and thereby authorizing Boswell Engineering to undertake such additional work and responsibility for an amount not to exceed \$3,000.00; and

WHEREAS, the Chief Financial Officer of the Borough of Closter has (by a Certificate of Availability of Funds) certified, pursuant to N.J.S.A. 40A:9-140.1 et seq. and N.J.A.C. 5:30-5.4, that the funds, which are required by the Borough for the retention of Boswell Engineering, are available;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that it does hereby approve the execution by the Mayor and Borough Clerk of a contract amendment to the Borough's contract with Boswell Engineering under which Boswell Engineering will provide the additional professional services at an amount not to exceed \$3,000.00; and

BE IT FURTHER RESOLVED that said contract amendment is being awarded without competitive bidding, since the services covered are "professional services," pursuant to N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law, which are services performed by persons authorized by law to practice a recognized profession; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized and directed, in accordance with the notice of publication provisions of N.J.S.A. 40A:11-5(1)(a), to publish a notice of this action once in the official newspaper of the Borough; and

BE IT FURTHER RESOLVED that the award of the contract amendment shall be in accordance with and subject to compliance with the Affirmative Action Regulations of the State of New Jersey, N.J.A.C. 17:27-1.1, et seq., and the requirements of Public Laws 1975 Chapter 127, N.J.S.A. 10:5-31 to 38; and

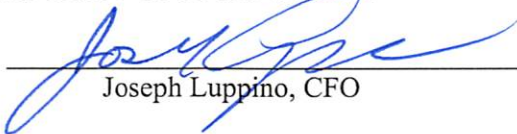
BE IT FURTHER RESOLVED that the contract amendment is being awarded in accordance with the provisions of N.J.S.A. 19:44A-20.1, et seq.

BE IT FURTHER RESOLVED that the Borough Clerk shall provide a copy of this Resolution to the Borough Administrator and to the Assistant CFO.

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Joseph Luppino, Chief Financial Officer of the Borough of Closter, hereby certify, pursuant to NJSA 40A:9-140.1, et seq. and NJAC 5:30.4, that the funds are available to the Borough of Closter for calendar year 2019 in account 9-01-20-165-000-171.

Dated: April 10, 2019


Joseph Luppino, CFO

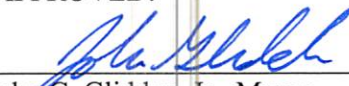
Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Devlin			X			
Councilwoman Latner	X		X			
Councilwoman Witko			X			
Councilman Yammarino			X			
Councilwoman Chung		X	X			
Councilwoman Amitai			X			

Adopted: April 10, 2019

ATTEST:


 Loretta Castano, Borough Clerk

APPROVED:


 John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held April 10, 2019.

 Loretta Castano, Borough Clerk

9-01-20-165 - 111-222 (171) (ABJ)
4-3-19



BOSWELL ENGINEERING

ENGINEERS ■ SURVEYORS ■ PLANNERS ■ SCIENTISTS

330 Phillips Avenue • P.O. Box 3162 • South Hackensack, N.J. 07808-1722 • (201) 641-0770 • Fax (201) 641-1831

VIA ELECTRONIC AND REGULAR MAIL

March 21, 2019

The Honorable John C. Glidden, Jr.
Mayor of Borough of Closter
295 Closter Dock Road
Closter, New Jersey 07624-2645

Re: SPCC Plan 5-Year Recertification
Department of Public Works
Borough of Closter
Bergen County, New Jersey
Our File No. PR-19-9143

Dear Mayor Glidden:

Boswell Engineering (Boswell) is pleased to provide this proposal for the necessary environmental engineering services to prepare a Spill Prevention, Control and Countermeasure (SPCC) Plan for the above referenced site.

Since the aggregate volume of aboveground petroleum product storage (tanks, drums, etc.) exceeds 1,320-gallons, and the potential exists for a spill or leak from the tanks to reach navigable waters, an SPCC Plan is required in accordance with the Code of Federal Regulations, 40 CFR 112.7.

In accordance with the most recent Oil Pollution Prevention Regulation (40 CFR Part 112.7), we must perform a thorough site inspection to identify any changes that may have occurred at the facility over the past 5 years following our inspection we will update (new format) and recertify the plan.

The SPCC Plan must be recertified by a new Jersey Licensed Professional Engineer every five (5) years. A review of our records indicates that we recertified the SPCC in May 2003, therefore recertification is overdue.

SCOPE OF WORK

Under this proposal Boswell will perform the following scope of work:

The Honorable John C. Glidden, Jr.
Mayor of Borough of Closter
March 21, 2019
Page 2

Task No. 1 – Site Inspection

Under Task No. 1 Boswell will schedule a site inspection to examine the facility. Items noted during the inspection will include:

- Aboveground storage tank (AST) location, size and content;
- Drum storage location, size and content;
- Potential contaminant migration pathways;
- Loading and unloading areas;
- Standard operating procedure manuals; and,
- Training certifications.

Following the inspection, Boswell will utilize the information to prepare the SPCC Plan detailed under Task No. 2 below.

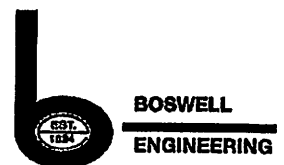
Task No. 2 – SPCC Plan Preparation

Under Task No. 2, Boswell will prepare the site's SPCC Plan. The SPCC Plan will clearly address the following three (3) critical elements:

- Operating procedures that prevent oil spills.
- Control measures installed to prevent a spill from reaching navigable waters. Please note that navigable water is a very broad definition and your facility need not be immediately adjacent to a river or stream. A nearby storm drain traveling to a seemingly distant watercourse or even an intermittently flowing drainage ditch potentially causes the facility to be regulated.
- Countermeasures to contain, clean-up, and mitigate the effects of an oil spill that reaches navigable waters.

The SPCC Plan prepared for the site will be unique to the facility and include the following information:

- A prediction of the direction, rate of flow, and total quantity of oil that could be discharged where experience indicates there is a potential for equipment failure.
- A description of containment and/or diversionary structures or equipment to prevent discharged oil from reaching navigable waters. (At a minimum one (1) of the following should be used; dikes, berms, retaining walls; curbing; culverting, gutters, or other drainage systems; weirs, booms, or other barriers; and sorbent materials).



The Honorable John C. Glidden, Jr.
Mayor of Borough of Closter
March 21, 2019
Page 3

- If necessary, a demonstration that containment and/or diversionary structures or equipment are not practical and a strong oil spill contingency plan and a written commitment of manpower, equipment, and materials to quickly control and remove spilled oil is provided.
- A complete discussion of the spill prevention and control measures applicable to the site.
- Plan showing oil storage locations and drainage pathways.

Boswell will also review the specific SPCC Plan inspection and recordkeeping requirements with the DPW Superintendent.

Please be aware that it is the Borough's responsibility to implement the SPCC Plan and upgrade the facility as necessary. Should the Borough require, Boswell will be pleased to provide a separate proposal for continued consultation.

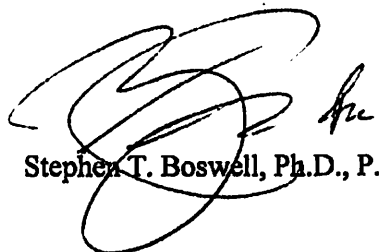
Provided that no significant changes have occurred to the site, our estimated fee for the plan recertification is **\$3,000.00**.

If this proposal meets with your approval, kindly provide us with the necessary authorization to proceed and we will commence work.

We wish to thank you for the opportunity of presenting this proposal and should you have any questions or require anything further, please do not hesitate to contact Frank J. Rossi, LSRP or me.

Very truly yours,

BOSWELL ENGINEERING

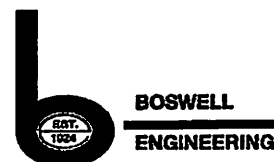


Stephen T. Boswell, Ph.D., P.E., SECB, LSRP

STB/FJR/cr

cc: Mr. William Dahle III, Superintendent of Public Works

190321CRP1



BOROUGH OF CLOSTER

RESOLUTION APPROVING SETTLEMENT OF TAX APPEAL FOR THE YEAR 2019: ZIPSE CL ASSOC LLC v. BOROUGH OF CLOSTER

WHEREAS, the taxpayer, Zipse CL Assoc LLC, appealed the assessment levied on Block 1312, Lot 19 for the year 2019 in an action in the Tax Court of New Jersey bearing docket no. 001532-2019; and

WHEREAS, the subject property’s street address is 224-228 Closter Dock Road; and

WHEREAS, the taxpayer and the assessor have agreed to compromise the appeal on the following terms: The assessment on the property for 2019 shall be reduced from \$1,048,400.00 to \$900,000.00; and

WHEREAS, the taxpayer has agreed that the refund due as a result of this settlement shall be satisfied through a credit applied against future real estate taxes due on the property; and

WHEREAS, the assessor is of the opinion that the revised valuation is consistent with the true value of the property;

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

The proposed settlement for the 2019 tax appeal captioned Zipse CL Assoc LLC v. Borough of Closter as hereinbefore set forth is approved, and the Borough Attorney or a member of his firm is authorized to execute all documents necessary to effectuate its terms.

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

Adopted: April 10, 2019

Attest: 
Loretta Castano, RMC, Municipal Clerk

Approved: 
John C. Glidden, Jr., Mayor

Certified to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Closter at the Meeting held on April 10, 2019.

Loretta Castano, Borough Clerk

**BOROUGH OF CLOSTER
BERGEN COUNTY
RESOLUTION**

WHEREAS, the Planning Board professionals have inspected the improvements required under the granted approvals: and

WHEREAS, Planning Board professionals have determined that all required improvements have been satisfactorily completed and all legal fees due for services rendered have been received for applications at

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Applicant</u>	<u>Amount</u>
1202	3	7 Naugle Street	HH Equities LLC	\$666.40

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that the Deputy Treasurer is hereby authorized to release and return the remaining escrow funds to the applicant.

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

Adopted: April 10, 2019

ATTEST:

APPROVED:



Loretta Castano, Borough Clerk



John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held April 10, 2019

Loretta Castano, Borough Clerk

**BOROUGH OF CLOSTER
COUNTY OF BERGEN**

RESOLUTION AUTHORIZING BOROUGH ATTORNEY TO ASSERT COUNTERCLAIMS IN CLOSTER GROCERY BY STOP & SHOP SUPERMARKET CO. v. CLOSTER TAX APPEALS

WHEREAS, the Borough of Closter is the Defendant in the tax appeal captioned “Closter–Grocery By Stop & Shop Supermarket Co. as Tenant v. Borough of Closter,” filed in the Tax Court of New Jersey on March 27, 2019, bearing docket number 006567-2019 (the “2019 Tax Appeal”), and also is a defendant in a tax appeal captioned “Closter–Grocery By Stop & Shop Supermarket Co. v. Borough of Closter,” filed in the Tax Court of New Jersey on March 30, 2018, bearing docket number 006632-2018 (the “2018 Tax Appeal”); and

WHEREAS, the Borough Attorney, acting as the Borough’s Tax Appeal Counsel, and the Borough’s Tax Assessor seek authorization to file a counterclaim on behalf of the Borough in the 2019 Tax Appeal if they deem it appropriate, and to confirm the Governing Body’s authorization to pursue the counterclaim filed in the 2018 Tax Appeal; and

WHEREAS, the Governing Body discussed the request and determined that the requests should be authorized;

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

1. The Borough Attorney, acting as the Borough’s Tax Appeal Counsel, in consultation with the Borough’s Tax Assessor, is hereby authorized to file and prosecute such counterclaim(s) and other affirmative claims and/or take any other actions he deems advisable in the 2019 Tax Appeal to protect and defend the Borough’s position(s) in that appeal; and
2. The Borough Attorney, acting as the Borough’s Tax Appeal Counsel, in consultation with the Borough’s Tax Assessor, is hereby authorized to file and prosecute such counterclaim(s) and other affirmative claims and/or take any other actions he deems advisable in the 2018 Tax Appeal to protect and defend the Borough’s position(s) in that appeal, and any actions previously taken in this regard are hereby approved and ratified by the Governing Body.

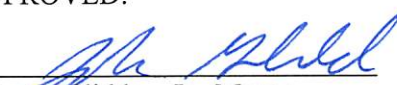
Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Devlin			X			
Councilwoman Latner	X		X			
Councilwoman Witko			X			
Councilman Yammarino			X			
Councilwoman Chung		X	X			
Councilwoman Amitai			X			

Adopted: April 10, 2019

ATTEST:


Loretta Castano, RMC, Municipal Clerk

APPROVED:


John C. Glidden, Jr., Mayor

Certified to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held on April 10, 2019.

Loretta Castano, RMC, Municipal Clerk

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – APRIL 10, 2019 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, April 10, 2019. Council President Yammarino called the meeting to order at 7:30 p.m.

1. PLEDGE OF ALLEGIANCE

Council President Yammarino invited all to join in the Pledge of Allegiance.

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

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

3. ROLL CALL

The following persons were present:

Mayor John C. Glidden, Jr. (8:37 p.m.)
Councilpersons Scott Devlin, Alissa Latner, Dolores Witko, Joseph Yammarino,
Jannie Chung and Victoria Amitai
Borough Administrator, Arthur Braun Dolson
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief Financial Officer, Joseph Luppino
Fire Chief, Mark Lupardi

Representatives of the Girl Scout Troop 95591 working on their Silver Award proposed a bio-degradable dog waste disposal system at Ruckman Park. A dispenser would be available to obtain a dog bag; and after use, would be disposed of in the garbage. The Scouts would replenish the bags; and it would be funded by cookie sales and other fund raisers. The present dispenser at Ruckman Park could be used and the dispenser at Memorial Field could also be replenished by the Scouts.

Council President Yammarino thanked the Scouts for their contribution to the Borough.

Mayor Glidden entered the meeting at 8:37 p.m.

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF MARCH 28, 2019 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 2 was removed by Councilman Yammarino; Item No. 10 was removed by Councilwoman Latner.

Item No. 2a: Received 03/22/19, Dated 03/22/19, from Kerry Kirk Pflugh, Director, Office of Local Government Assistance, NJ Department of Environmental Protection re NJDEP Weekly Update – March 22, 2019; Recycle Coach App (Copy to DPW Superintendent, Recycling Coordinator)

Councilman Yammarino reminded that Closter now has the Recycle Coach app and the My Town app which can both be downloaded on a smartphone. He explained the Recycle Coach app gives you information about recycling and the DPW and their services. The My Town app is still being populated but will include a lot more information about what is going on in town. In addition to the Mayor's Newsletter and Facebook or the website this is another source for information. Councilwoman Amitai voiced her

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – APRIL 10, 2019 - 7:30 P.M.

pleasure that there was finally an app and encouraged including all of the Board and Commission meetings for the public on there. Councilwoman Chung asked who was in charge of the content; and Mr. Yammarino voiced his understanding that it would likely be our IT Coordinator Kevin Whitney, but he was not sure if the Boards and Commissions would have any responsibilities as far as updating information. Councilwoman Latner said Kevin shouldn't have to chase anybody for information; and Mr. Yammarino said it would probably be like the Facebook page and website where if someone has something to add, they send it to him for posting. Mrs. Amitai said the Boards and Commissions are not aware of this yet and the Council is, so they should be making their Boards aware of this new technology. Councilman Yammarino informed the Technology Committee is already on it.

Item No. 10: Received 03/28/19, Dated 03/28/19, from Teaneck Township Clerk to Bergen County Municipal Clerks re Resolution to Reject Hate Within the Township of Teaneck

Councilwoman Latner said she's never read anything like this before; and asked if anyone would object to the Borough passing a similar Resolution in light of today's world. She thinks it is positively worded and putting out a lot of sentiments that many people feel. Mayor Glidden asked if there were any objections and none were voiced; so he asked the Borough Attorney to prepare a Resolution for the next meeting and he agreed to same.

b. MAIL LIST OF APRIL 4, 2019 – Mayor Glidden asked if any member of the Council wished to address any matter or provide any comments. Item No. 5 was removed by Borough Engineer; Item Nos. 10 and 14 were removed by Councilman Yammarino; Item No. 12 was removed by Councilwoman Amitai; Item No. 13 was removed by Councilwoman Chung; Item No. 15 was removed by Councilwoman Latner.

Item No. 5: Received 04/02/19, Dated 03/25/19, from Diane Gutierrez-Saccetti, Acting Commissioner, State Department of Transportation, to Mayor Glidden; c: Municipal Clerk, Municipal Engineer re Notification of selection to receive funding for Fiscal Year 2019 Municipal Aid Program for the Railroad Ave., Naugle St. & Old Closter Dock Rd Project in the amount of \$222,000.00

Borough Engineer informed the Borough was awarded a 2019 Local Aid Grant in the amount of \$222,000 which is good news so we can start our Local Aid project early. He realizes we are waiting for the Budget to be adopted and that is a critical path at this point. He further explained that \$222,000 is an upper tier or the upper echelon for the Local Aid Grants as far as the Boroughs go; and said bigger cities get bigger grants but the Borough should be happy with this award. We've been fortunate to get it many years in a row now; and sooner or later, it will come to an end; but we will keep it going while we can.

Item No. 10: Received 04/02/19, Dated 04/02/19, from egg@dca.nj.gov to Municipal Clerk re Local Finance Notice LFN 2019-05 re Financial Disclosure Statements (Local Government Officers); Filing begins 4/2/19 and ends 4/30/19 (Copy to Board of Ethics)

Councilman Yammarino reminded that Financial Disclosure Statements are due to be filed (April 30) and the website is live now; and he urged everyone to take the time to complete them.

Item No. 12: Received 04/02/19, Dated 03/26/19, from Matthew S. Greco P.E., McNally, Doolittle Engineering, LLC to Borough Clerk re Application for New Jersey Department of Environmental Protection Freshwater Wetlands General Permit 1, 155 Hickory Lane, Block 2102, Lot 52, Borough of Closter, Bergen County, NJ, Applicant: Spencer Carroll - COMPLETE APPLICATION ON FILE IN BOROUGH CLERK'S OFFICE (Copy letter and application only!) to Environmental Commission, LUC/Planning Board, Construction Official)

Councilwoman Amitai asked the Borough Engineer if this pertained to a particular property; and he affirmed same saying they probably require some kind of wetlands or floodplain encroachment permit. Mrs. Amitai said it feels like we've been getting things on this property for a long time – almost two years and the Borough Engineer concurred.

Item No. 13: Received 04/01/19, Dated No Date, from Bergen County Division of Community Development, to Mayor John Glidden re Flyers advertising the following Bergen County Home Ownership Center (Division of Community Development) Programs: **a.** FREE 23rd Annual Bergen County Homeownership Fair to be held on Saturday, June 8, 2019 from 9 am to 1 pm at Hasbrouck Heights Hilton Hotel, 650 Terrace Avenue, Hasbrouck Heights, NJ; **b.** GET HIP! Bergen County Home Improvement

Program for low-cost financing for qualified Bergen County residents who own and live in their home (Copy to Senior Citizens, Food and Assistance Board) Copies of flyers and brochures on file in Borough Clerk's Office (Posted on Municipal Clerk's Bulletin Board 4/4/19)

Councilwoman Chung wanted everyone to be aware that the Bergen County Home Improvement Program (HIP) offers interest-free, no monthly payment, no-fee loans to eligible Bergen County homeowners for major home improvements; and she said a lot of Seniors may be eligible for the program. She explained the loan does not have to be paid back until the home is sold or title is changed. In answer to the Mayor as to low income requirements, the Chief Financial Officer voiced his understanding that the funds come from the Community Development Program through HUD and is probably moderate income. Mrs. Chung asked that the information be posted on the website and mentioned in the Newsletter.

Item No. 14: Received 04/04/19, Dated 04/01/19, from Michael J. O'Neill, President, NJ Merged Branch 38, National Association of Letter Carriers, to Mayor John Glidden JR re Informing the letter carriers in Closter will be participating in the NALC Stamp Out Hunger Food Drive on 5/11/19 and requesting assistance getting the word out to the citizens of Closter; and requesting a proclamation or promotion on the web site for same

Councilman Yammarino reminded the mail carriers are doing their Food Drive on May 11th and asked if we could honor their request to assist in publicizing it by posting it on our website.

Item No. 15: Received 03/28/19, Dated 03/28/19, from Maywood Borough Clerk to Bergen County Municipal Clerks re Certified copy of Resolution Urging the NJ Board of Public Utilities to Require Landline and Wireless Telephone Service Utilities to Implement the Necessary Technology to Block Robocalls to Their Customers, Free of Charge, and to Enact Regulations to Prevent Robocalls from Reaching Customers

Councilwoman Amitai asked if anyone else has been getting an influx of robocalls and Councilwoman Latner affirmed she also has. Mrs. Amitai said that now that they are able to pick up local numbers, often it is picked up by mistake; and asked for consideration of passing a similar Resolution. She cautioned that earlier in the day she received a call from someone portraying themselves as Apple Care and informing her that her iCloud had been breached. When she went home, she did not call the number they gave her but looked it up online and it wasn't the same number and her iCloud had not in fact been breached.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of April 10, 2019)

Mayor Glidden asked if any member of the Council wished to discuss any item on the Consent Agenda. Item No. 10 was referred to by Councilwoman Amitai; Item No. 13 was referred to by Councilman Devlin. Councilwoman Witko asked that Item No. 17 be removed for separate discussion in the Regular Meeting.

10. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING TO PROVIDE ENGINEERING SERVICES FOR THE SPCC PLAN 5 YEAR RECERTIFICATION PROGRAM CLOSTER DEPARTMENT OF PUBLIC WORKS BOSWELL FILE NO. PR-19-9143 (Received from Administrator's office 4/3/19)

In answer to Councilwoman Amitai, Borough Engineer advised that the recertification was done in 2003 and 2008 and needs to be done at this time because it was not done in 2013 and it is now overdue. He said all the tanks are inspected in addition to other inspections and that it is another unfunded mandate.

13. RESOLUTION AUTHORIZING BOROUGH ATTORNEY TO ASSERT COUNTERCLAIMS IN CLOSTER GROCERY BY STOP & SHOP SUPERMARKET CO. v. CLOSTER TAX APPEALS (Received from Borough Attorney 4/3/19)

In answer to Councilman Devlin, Borough Attorney said this type of claim is rare and explained the process. Typically the taxpayer is challenging the Assessor's assessment of the property. On occasion, depending on the fluctuation of the market, especially when it comes to commercial (properties), sometimes when the Assessor looks at a Tax Appeal and says that the property should actually be taxed at a

higher rate than what the assessment was. In filing the answer to defend the assessment, we also file a counterclaim saying the assessment could actually be higher. He said the judge will decide the matter in Tax Court.

17. MOTION APPROVING THE FOLLOWING **SALARIED** APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/19:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Temporary and Part-Time Clerical				
(Finance)	<u>VACANT</u>	_____	1 Year	31-Dec-19

Councilwoman Witko asked that this item be removed from the Consent Agenda. No objections were expressed by the Mayor or Council members.

*21. REPORTS

- a. CONSTRUCTION OFFICIAL – MARCH 2019 (Received 4/1/19)
- b. CHIEF OF POLICE – MARCH 2019 (Received 4/8/19)

At this time, before commencing Reports, Mayor Glidden informed they have a long agenda in Closed Session so he asked that they be kept as short as possible.

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

- 1) REPORT RE STATUS OF ZBA DEVELOPER’S AGREEMENT FOR CRIMMINS, BLOCK 1203/LOT 5, 49 JOHN STREET AND BLOCK 1202/LOT 7, 40 JOHN STREET (2. M.L. 1/25/18)
- 2) REPORT RE STATUS OF ZBA DEVELOPER’S AGREEMENT FOR WIGGERS, BLOCK 1203/LOTS 1, 2, 3 & 4, 51 & 63 JOHN STREET (14. M.L. 4/19/18)
- 3) STATUS REPORT RE ZBA DEVELOPER’S AGREEMENT FOR PIERMONT ROAD CLOSTER, LLC, BLOCK 1608, LOT 1, 597 PIERMONT ROAD (7. M.L. 10/25/18)
- 4) REPORT – Borough Attorney informed his entire report would be in Closed Session this evening; and cited the following matters: Pending litigation, anticipated litigation, Personnel, Contract negotiations and a matter involving attorney-client privilege.

B. BOROUGH ENGINEER

- 1) STATUS REPORT RE SWIM CLUB PHASE II CONTAMINATION INVESTIGATION (Authorized RM 7/9/14) – Borough Engineer reported there is no change on this item. The Borough has the proposal and it remains pending approval.
- 2) STATUS REPORT RE FOLLOWING PB DEVELOPER’S AGREEMENT:
 - a. BLOCK 1607/LOT 1 & BLOCK 1310/LOT 2 (CLOSTER MARKETPLACE (EBA) LLC AND CENTENNIAL AVE ZION CHURCH) (Approved RM 4/22/15) – Mr. DeNicola reported there are still two (2) issues outstanding: the roof screening for the air conditioning units on the movie theater and lattice vine growth on the wall that is not really acceptable yet, per the Construction Official.
- 3) STATUS REPORT RE EMERGENCY REPAIRS TO BE MADE AT DWARSKILL BRIDGE ON BLANCH AVENUE ALONG THE NORWOOD BORDER (Old Business -WS 5/23/18) – Borough Engineer noted we have been discussing this for the better part of a year now; and the Borough Attorney informed he has not heard back about a date from the County yet to discuss ownership and course of action. In answer to Councilwoman Chung, he affirmed the condition continues to worsen as it sits. In answer to Councilman Devlin, he explained that Norwood is taking the lead and is not doing anything. Mr. DeNicola stressed that we need a meeting because eventually somebody will be liable for it. Mr. Rogan said he would call tomorrow to follow up and noted Norwood has had this in their file for over a year. Borough Engineer said Norwood had it for three (3) years before we received it.

6. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER (Continued)

4) STATUS REPORT RE MS4 STORMWATER OUTFALL MAPPING (Authorized RM 8/22/18) – Mr. DeNicola reported the field work is 99% done for this project. They are working on the database portion so that when you click on the actual location, it comes up with pictures; so that should be completed in the next 6 weeks.

5) REPORT – Borough Engineer reported on the following items:

a. Like the Spill Prevention, Control and Countermeasure (SPCC) Plan that the DEP requires there is also an SP3 Plan which is the Stormwater Management Plan and also requires updating. He informed he just sent in a proposal for same and a Resolution should be forthcoming because the last time we did this was 2005 and it is an NJDEP requirement. Violations were issued to the DPW Superintendent and they need to be rectified. This has more to do with the new DEP regulations and Borough have to come up to date with those. The proposal is for approximately \$5,000.

b. Heidenberg Pedestrian Crossing Proposal – He reminded this was discussed two to three months ago; and Mr. Heidenberg sent a proposal for a guide dog crossing signal at Heidenberg Plaza. The Borough had approved the installation of same conditioned upon County approval as it is a County road. After further review by the County, they want to revise it so that it is not guide dog crossing signage. They want it to be a more conventional pedestrian crossing which they call “MUTCUD” Manual Uniform Traffic Control Devices. With the revisions, it is less intrusive; and instead of being overhead, it will be mounted on the side of the road and solar powered. The County wants the Borough to approve it or decide the next course of action; or do we want Mr. Heidenberg to come back in and re-present it. He advised he spoke to the Construction Official about it; and his advice was from a permitting standpoint that it should go through his office because even though it’s solar powered, an electrical inspector should inspect it during the construction process. In answer to Mrs. Amitai, he said it has already been approved by the County; but Jack Peters can inspect it on the local level. Borough Attorney said there will be striping; and Mr. DeNicola said this is more in terms of the signage and flashing beacons. He agreed with Mrs. Amitai that this is a dangerous intersection; and this will definitely help us in that respect.

He explained that there are certain Title 39 (State law) regulations that have to be followed which say you can’t have a parking space within 25 feet of a crosswalk; and if we want the crossing to be more visible, he suggested maybe 2-3 parking spaces will need to be removed. Business owners may not be happy; but from a safety standpoint, it is the best option; and he can speak to the Chief of Police about it.

In answer to the Mayor, Borough Engineer reminded that Mr. Heidenberg is paying the engineer and for the installation of the crosswalk so this is their design. Mr. DeNicola said it is a less intrusive design compared to their original plans. The egress is at Oakland Avenue by Hometown Hardware; and looking at the sketch, in his opinion, two parking spaces should be removed for safety reasons. No objections were voiced that the Borough Engineer should inform Mr. Heidenberg of the Borough’s approval of the revised plans; and that he should contact the Building Department for the appropriate permits.

7. REPORTS

A. BOROUGH ADMINISTRATOR

1) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S):
for the following Mail List requests re Insurance:

a) **Closter Recreation Commission:** Borough Administrator reported we have received lists of all the potential participants in the first three events; and we have mailed them all of the information and await return of same.

1. Wounded Warrior Softball Game (13. M.L. 5/17/18) “Requires Indemnification, Certificates of Insurance and Hold Harmless Agreements”

2. Food Truck Event (16. M.L. 1/10/19) Discussed @ WS 1/23/19 –“Requires Indemnification, Certificates of Insurance and Hold Harmless Agreements”

3. 2019 Summer Concert Series (9d. M.L. 1/17/19): Friday nights @ Closter Lions Band Shell/Memorial Park at 7:30 p.m.: 6/14/19; 6/21/19; 6/28/19; 7/12/19; 7/19/19

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

1) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S): (Continued)
4. 2019 Annual Coaches Association Barbeques (9e. M.L. 1/17/19): Fri. 5/14/19 (Rain Date: Sat. 5/15/19); Fri. 7/5/19 (Rain Date: Sat. 7/6/19); Fri. 8/30/19 (Rain Date: Sat. 8/31/19) – Mr. Dolson said in regards to these events, he is not sure if Hold Harmless Agreements were ever provided to the Borough or whether that is something we require. Borough Clerk informed we do require and receive same.

b) International Academy of Arts and Sciences (IAAS) (7a. M.L. 2/21/19) Requesting permission to use Memorial Field, 150 Harrington Avenue on Sunday, 5/10/19 from 8:30 a.m. to 12:00 noon to conduct Field Day; No rain date requested – Borough Administrator voiced his understanding that the approvals were received for this event and Borough Clerk affirmed same is on an Addendum this evening for approval.

2) STATUS REPORT RE FOLLOWING CONTRACTS:

a. SHARED SERVICES:

1) COUNTY OF BERGEN for THE SHORT TERM EMERGENCY SHARING OF FIRE APPARATUS (Approved RM 8/22/18)

3) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED

1. 2019 NEW JERSEY DEPARTMENT OF TRANSPORTATION LOCAL FREIGHT IMPACT FUND (LFIF) GRANT FOR THE RAILROAD AVENUE PROJECT (Grant ID LFIF-2019-Railroad Avenue-00001) Approved RM 12/20/18 – Nothing new to report.

2. 2019 BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE CLOSTER SENIOR CENTER PARKING AREA LIGHTING PROJECT IN THE AMOUNT OF \$42,980.00 (Approved RM 2/13/19) – Mr. Dolson reported there is nothing new

on this other than the fact this it was on the list of potential gifts. This project will add 6-7 light posts like the ones on Main Street; and this grant is to help us pay for that.

b. AWARDED - To be announced by Administrator

1. STATUS REPORT RE FY 2018-2019 BERGEN COUNTY COMMUNITY DEVELOPMENT GRANT IN THE AMOUNT OF \$4,500.00 FOR SENIOR WELLNESS (Notification of Award rec'd 18. M.L. 10/4/18)

2. 2017 BERGEN COUNTY OPEN SPACE TRUST FUND MATCHING GRANT FOR THE RUCKMAN PARK WALKING PATH LIGHTING PROJECT PHASE II IN THE AMOUNT OF \$29,532.00 (Authorized RM 6/28/17/Notification of award dated 9/19/18 rec'd from Administrator's Office 15. M.L. 12/13/18) – Borough Administrator informed we

are waiting for the contractor to complete his Public Works Contractor Registration.

3. 2019 NEW JERSEY DEPARTMENT OF TRANSPORTATION LOCAL AID GRANT FOR THE RAILROAD AVENUE, NAUGLE STREET AND OLD CLOSTER DOCK ROAD PROJECT (Grant ID MA-2019-Railroad Ave., Naugle St. & Old Closter Dock Road-00278) Approved RM 9/26/18/Notification of award dated 3/29/19 in the amount of \$222,000 (5. M.L. 4/4/19)

c. TO BE FILED - To be announced by Administrator

4) FOLLOW UP REPORT RE 2018 UNFINISHED BUSINESS

a. MEL/JIF Land Use Liability Joint Meeting with Planning Board and Zoning Board of Adjustment (Discussed at WS 7/11/18/WS 2/13/19) – Mr. Dolson reported it has been almost impossible to get everybody to come to one meeting and reminded this is a requirement of JIF that Land Use Board members and Council Member/Liaisons take this seminar to be indemnified against a lawsuit. At this point, he suggests two meetings to get everyone the training to be held on May 4th and May 11th.

5) STATUS REPORT RE RE-ADVERTISEMENT OF BIDS FOR COMPOSTING AND RELATED SERVICES (Authorized RM 2/13/19) Published in The Record 3/11/19--Bid Opening held 3/26/19 @ 12 p.m. – Borough Attorney reported bids were received and reviewed by his office as well as Erik Lenander, the Qualified Purchasing Agent. Upon review, Ken's Tree Care bid was compliant in all respects. Arrow was compliant for the most part; however, there were a couple of discrepancies in it regarding the bid requirement of being licensed tree experts and issues of cost for extra labor if needed for over 3 days; whereas Ken's had zero costs involved. Therefore, they recommend award to Ken's Tree Care and a Resolution will be prepared for the next meeting if there were no objections.

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

6) STATUS REPORT RE ADVERTISEMENT OF BIDS FOR DEER EXCLOSURE FENCING PROJECT FOR THE CLOSTER NATURE CENTER (Authorized RM 2/13/19) Published in the Record 3/8/19 - Bid Opening held 3/26/19 @ 11 a.m. – Borough Attorney reported three bids were received: two at \$70,000 and one at \$39,000. After reviewing same, it is their recommendation to reject all the bids and determine whether or not we would be able to contract directly with a supplier under the \$40,000 bid threshold. The impressions when this was first put out to bid was that it would be over \$50,000; but as one of the bids is under \$40,000, we would be able to do that now having a QPA; so the recommendation is to reject all bids at this time.

7) REPORT – Noting further to report.

At this time, Councilwoman Amitai referred to the Borough Hall Parking Lot engineering plan; and Borough Administrator informed he has had difficulty getting in touch with the contractor, so he will reach out to them again. He explained they have been so bogged down with trying to get the Public Works Contractor Registration certificate. Mrs. Amitai said they have been asking for it for months.

B. BOROUGH CLERK

1) REPORT RE 2019 APPOINTMENTS – Ms. Castano reported open appointments are being maintained on the Regular Meeting Agenda. Due to the two resignations received for the following Boards – Planning Board Alternate No. 1 (Melissa Corso) for a 2-year term to 12/31/20; and Improvement Commission Member (Mor Gil-Hefetz) for an unexpired 2-year term (Kim) to 12/31/19, the appointments were added to the Agenda for the Regular Meeting; also Jeffrey Lee who never accepted his appointment.

2) REPORT RE 2019 OATHS OF OFFICE – Ms. Castano reported Oaths are current.

3) STATUS REPORT RE 2019 LICENSES – Borough Clerk reported Borough Licenses are current; Cinemex is still obtaining Ad Interim permits for license year 2018-2019 as they have still not received Tax Clearance for renewal; and she is not sure if the Division of Alcoholic Beverage Control will be working with the Division of Taxation on the matter. A liquor license application was filed which is in the hands of our Borough Attorney who is conversing with the applicant's attorney as far as how this is going to be handled.

Renewal of 2019-2019 Liquor Licenses has commenced. We received information from POSSE on 4/3/19 that the licensees have been advised that it is time to renew. We sent out the renewal information to the 13 licensees yesterday as well as the Borough Officials asking them to make the customary inspections of all the licensed premises; two are pocketed; and one is being renovated.

4) REPORT RE 2019 MEETING DATES – Ms. Castano reported she received word from the Board of Ethics to publish Special Meeting to be held 4/25/19 in place of the meeting for which they did not have a quorum 3/21/19. Her recommendation was for them to schedule more meetings during the year to avoid having to publish for extra meetings.

5) REPORT RE CODIFICATION OF 2018 ORDINANCES – Borough Clerk reported estimate was received for Supplement No. 25, revised report was also received and requisition prepared for Codification of this new Supplement.

6) REPORT RE 2018 UNFINISHED BUSINESS – Ms. Castano reported her office is still too busy to delve into the Do Not Knock Registry; and will coordinate with the Borough Attorney whose office has begun work on same.

7) REPORT RE ELECTIONS – Borough Clerk reported Petitions for two Council seats were received in the Clerk's office by 4 p.m. on April 1. Candidates for Council for this year are: Republican – 2 incumbents: Victoria Roti Amitai and Joseph Yammarino; Democrats – Michael Kafer and Linda Albelli Progress report will be provided as we proceed towards June 4th.

The New Jersey State Division of Elections conducted a VOTEM; and their research concurred that the re-write of the SVRS information is current and certain district changes have to be made. All changes were addresses on High Street; some in District 5 were redirected to District 3; and some in District 1 were redirected to District 3. The list is on file in the Clerk's office for review. Now there will be more voters at the Senior Center, already crowded, and less at the Library; but it is usually not busy for the Primary, so she isn't sure how it's going to play out.

7. REPORTS (Continued)

B. BOROUGH CLERK (Continued)

8) REPORT re Financial Disclosure Statements – Ms. Castano reported we received Local Finance Notice 2019-05 (10. M.L. 4/4/19) and copied same to the Board of Ethics which was scheduled to meet on 3/21/19. Their next meetings are scheduled to be held on 5/23; 9/19 and 12/19. Filing begins 4/2/19 and ends 4/30/19. To reiterate, they should have more scheduled meetings during the year which can be cancelled; but the expense of scheduling special meetings is costly and time consuming.

An OPRA Request report was solicited by the MCANJ President, Kevin Galland, on 4/2/19 from all the Municipal Clerks in the State of New Jersey. He was going to present it to the legislators informing of the marked increase over the past 3 years of 2017, 2018, 2019 to present and the burden it places on Municipal Clerks offices as well as the other departments having to respond. She will follow through with any information she receives after the MCANJ Education Conference which will be held in Atlantic City from 4/29/19 to 5/2/19 at the Hard Rock Cafe.

Current total to date is 83; last year at this time it was 50. Over the last 3 years it has been as follows: 2017 – 173; 2018 – 228 (Difference + 55 from 2017); 2019 – to date - 83 x 4 = estimated 332 (potentially + 104 difference from 2018).

C. CHIEF OF POLICE

1) REPORT – Chief Kaine was not present this evening; therefore, no report was provided. Mayor Glidden asked if anyone had any questions of the Monthly Report the Chief had sent and there were none.

D. MAYOR

1) REPORT – Mayor Glidden reminded the Northern Valley Earth Fair will be held April 27th in Tenafly. The Wounded Warrior Project will be held June 1st with a large number of activities centered around that weekend so it will be a very big production. The Little League Parade will be held the last Sunday in May.

At this time, Councilwoman Amitai referred to the Wounded Warrior events and noted the Borough Administrator is always putting nice flags up on the poles in the old downtown area and said when Edens came to the Planning Board, one of their stipulations for approval was that they would put matching flag poles in the Plaza as a way to marry the old and the new. She explained the problem is that they don't have brackets for flags and she said they have not been refunded their escrow funds yet because they are not quite finished. Borough Engineer voiced his recollection that was not a condition of their Developer's Agreement. Mrs. Amitai recalled they were supposed to do pavers as well as flagpoles or brackets on the lamp posts; and Mr. DeNicola said he would follow up on same.

Mrs. Amitai referred to the Borough Engineer's report and recalled he said Edens also had not completed the vine growth. Mr. DeNicola explained the original plans called for a green wall made of vine growth and right now there are only two little areas of the entire Plaza that have two little vines about 4 feet up and that is not compliant. The Mayor said he will ask Edens to install the brackets because we need the flags although he doesn't believe it was a condition.

8. OLD BUSINESS

a. CONTINUED DISCUSSIONS RE THE FOLLOWING:

- 1) Borough Attorney report re consultation with Borough Engineer re follow up on status of EMERGENCY REPAIRS TO BE MADE AT DWARSKILL BRIDGE ON BLANCH AVENUE ALONG THE NORWOOD BORDER (Requested by Mayor WS 12/12/18/Discussed at WS 12/20/18, WS 1/9/19/WS 1/23/19/WS 2/27/19/WS 3/13/19/WS 3/27/19)

9. NEW BUSINESS

Councilman Yammarino noted that the Budget has been introduced and if there are any questions from Council members he asked that the Committee be contacted.

Councilwoman Amitai questioned if anyone received the information from a company called Matrix where he cited many of our monuments and public spaces not being in good condition and he would like our business to make them pretty. She agreed that some of those spaces should be cleaned up before the Wounded Warrior weekend and thought we should consider the proposal. Mrs. Amitai said she would take pictures for review.

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

In answer to Veejay Neeley, 300 Winston Drive, Cliffside Park, Borough Engineer said that the work at Heidenberg Plaza should be paid for directly and the Borough would inspect same upon completion. Borough Attorney said there would have to be an agreement. Borough Engineer noted that the two parking spots indicated would be on the street in proximity to the crosswalk; and the current parking spaces would have to be reviewed by the Police Department relative to Title 39. In addition a Building Department permit application must be submitted after the agreement is finalized.

Miriam Lockhart, 55 Everett Street, member of the Shade Tree Commission with two fellow members Nancy Pergament and Todd Bradbury referred to an ordinance (Code Ch. 59-4(b)) relative to tree planting for new construction or major alterations. She said the ordinance is not being enforced and asked if they could explain why it was not being enforced. Mayor Glidden said he did not know and was not sure he was aware of this and asked the Council for input. Councilwoman Amitai said the Planning Board encourages shade trees and Borough Engineer said all applications are sent to the Shade Tree Commission for review. Councilwoman Chung asked if the ordinance had previously been enforced and suddenly was no longer or was it never enforced.

Todd Bradbury, 292 West Street said he was not sure and indicated the ordinance is old but felt the Building Department should include the trees as part of the checklist for applications. Borough Engineer expressed his agreement with the suggestion. Mr. Bradbury voiced his recollection that they are getting plans from the Zoning Board; and Mr. DeNicola asked that if they are not receiving any to please let him know right away. The Shade Tree Commission feels there is some language that could be cleaned up in the ordinance to give it clarity and make it more enforceable. Councilman Devlin noted he found it unusual in the ordinance that the bonds for construction go to the Borough Administrator but felt they should go to the Building Department. Borough Engineer said he will contact the Building Department about the checklist. Mr. Devlin informed he had contacted the Construction Official on the issue and the response was that the Building Department does not enforce this ordinance; and Borough Engineer said he will speak to them. Mrs. Chung said if there is a reason they aren't enforcing it they should know what that reason is. There was no opposition from the Council members to enforcing the ordinance; and if there is a problem, it should be addressed to the Council. Borough Attorney advised that passing a motion or resolution before knowing if there's a reason it isn't enforced would be premature.

Nancy Pergament, 49 Chestnut Avenue, questioned how to make the enforcement of the ordinance permanent by the Building Department provided there is no reason it is not enforceable; and Borough Engineer said the Ordinance Committee would address the matter to make it more specific. He said he did not know if there was a definition as to what is a major alteration and same could be fixed easily.

Fire Chief Lupardi advised that the Department has two members graduating from the Fire Academy on April 11th and the Council is welcome to come. The graduation will be held at the Bergen County Academy in Hackensack at 7 p.m.

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES – APRIL 10, 2019 - 7:30 P.M.

Dr. David Barad, 26 Kinkaid Avenue said he wrote the Ordinance that was discussed; and at that time, that Administrator decided he wanted to be the person to collect the bond; and he was surprised same has not been enforced. Dr. Barad responded to Councilwoman Chung saying that he was previously on the Shade Tree Commission; and he doesn't recall it being enforced after passage either. Borough Engineer said he does not remember the ordinance being enforced for regular residential homes; the only time he can recall it being enforced was for major subdivisions. Dr. Barad suggested if they wanted to clarify what a major construction is the definition of a major subdivision should be included.

- 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 8:35 p.m. was made by Councilwoman Latner, seconded by Councilwoman Witko and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council
on April 18, 2019 for approval
at the Regular Meeting to be held
April 24, 2019

Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held April 24, 2019
Consent Agenda Item No. 20b