MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – MAY 22, 2019 - 7:30 P.M

Mayor Glidden called the meeting to order at 9:01 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 were present:
Mayor John C. Glidden, Jr.
Councilpersons Scott Devlin, Alissa Latner, Dolores Witko, Joseph Yammarino, Jannie Chung and Victoria Amitai
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine
Superintendent of Public Works, William Dahle, III
Fire Chief, Mark Lupardi

3. MAYORAL PRESENTATION(S)

4. PRESENTATION(S)

5. MAYORAL APPOINTMENTS TO BOARDS AND COMMISSIONS (Not made to date)

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

ORDINANCES

6. INTRODUCTION OF THE FOLLOWING ORDINANCE - PUBLIC HEARING AND ADOPTION – 6/12/19 @ 8 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2019:1257: **"**AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED $35,000.00 FROM OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS" (Received from Borough Attorney 5/14/19)

Councilman Devlin noted that there is a matching grant available.

Motion introducing Ordinance No. 2019:1257 was made by Councilwoman Latner, seconded by Councilwoman Witko and 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 – 6/26/19 @ 8 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2019:1258, "AN ORDINANCE DESIGNATING 189/203 HICKORY LANE A HISTORIC LANDMARK AND AMENDING CHAPTER 200, ZONING, ATTACHMENT 3, DESIGNATION OF HISTORIC LANDMARKS" (Received from Borough Attorney 5/17/19)

Councilman Devlin noted that this does not include the land or the shed. Borough Attorney advised that the ordinance just includes the farmhouse.

Motion introducing Ordinance No. 2019:1258 was made by Councilman Yammarino, seconded by Councilwoman Amitai and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino, Chung and Amitai.

8a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item Nos. 17 and 19 was made by Councilwoman Latner, seconded by Councilwoman Amitai and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino, Chung and Amitai.

RESOLUTIONS

9. RESOLUTION RE CLAIMANT SIGNATURE REQUIREMENT (Received from Assistant CFO 5/15/19)

10. RESOLUTION APPROVING SETTLEMENT OF TAX APPEAL FOR THE YEAR 2018: FLAMM v. BOROUGH OF CLOSTER (for 20 Collins Avenue, Block 2103, Lot 19) Received from Borough Attorney 5/15/19

11. RESOLUTION APPROVING SETTLEMENT OF TAX APPEAL FOR THE YEAR 2018: FLAMM v. BOROUGH OF CLOSTER (for 374 Ruckman Road, Block 2101, Lot 3) Received from Borough Attorney 5/15/19

12. RESOLUTION APPROVING ISSUANCE OF AD INTERIM PERMIT NO. 12 FOR PLENARY RETAIL CONSUMPTION LIQUOR LICENSE NO. 0207-33-006-009 (CINEMEX)

13. RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE BIDDING OF THE 2019 NEW JERSEY DEPARTMENT OF TRANSPORTATION LOCAL AID PROJECT FOR THE RAILROAD AVENUE, NAUGLE STREET AND OLD CLOSTER DOCK ROAD IMPROVEMENTS AND 2019 BOROUGH ROAD PAVING PROGRAM (Grant ID MA-2019-Railroad Ave., Naugle St. & Old Closter Dock Road-00278) Boswell Engineering Project No. CL-1333 (Approved by Borough Engineer 5/17/19)

14. CONCURRING RESOLUTION FOR SHARED SERVICES AGREEMENT BETWEEN THE COUNTY OF BERGEN AND THE BOROUGH OF CLOSTER FOR INTERSECTION IMPROVEMENT AND SIGNALIZATION AT PIERMONT ROAD & VERVALEN STREET (6. M.L. 5/16/19) Requested by Borough Attorney 5/17/19) ~~TO BE PREPARED BY BOROUGH ATTORNEY~~ (Received from Borough Attorney 5/23/19)

15. RESOLUTION AUTHORIZING THE RECREATION COMMISSION'S WOUNDED WARRIOR SOFT BALL GAME on SATURDAY, JUNE 1, 2019 (Received from Administrator's Office 5/16/19)

16. RESOLUTION APPROVING RECREATION 2019 SUMMER CONCERTS (Received from Borough Administrator's office 5/16/19)

~~17.~~ AT APPROXIMATELY 8:45 P.M.OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD – PERSONNEL MATTER PURSUANT TO RICE NOTICE SENT 5/16/19

MOTIONS

18. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 5/16/19): NO ABSTENTIONS
    a. REGULAR MEETING HELD MAY 8, 2019
    b. WORK SESSION HELD MAY 8, 2019

~~19.~~ MOTION APPROVING THE FOLLOWING NON-SALARIED APPOINTMENTS TO BOARDS AND COMMISSIONS:

OFFICE	INCUMBENT	APPOINTEE	TERM	EXPIRES
Board of Health				
Alternate No. 2	Benjamin Latner	NO APPOINTMENT	2 Years (Unexp. Latner)	31-Dec-19
Food and Assistance Board				
Member	VACANT	NO APPOINTMENT	2 Years (Unexp. Vacant)	31-Dec-19
Member	VACANT	NO APPOINTMENT	2 Years (Unexp. Vacant)	31-Dec-19
Historic Preservation Commission				
Class C Member	Erik Lenander *Resigned due to appointment as Qualified Purchasing Agent*	NO APPOINTMENT	4 Years (Unexp. Lenander)	31-Dec-19
Alternate No. 2	VACANT	NO APPOINTMENT	2 Years (Unexp. Vacant)	31-Dec-19

20. MOTION GRANTING APPROVAL FOR USE OF FIRE PREVENTION VEHICLES (771 AND 775), FIRE CHIEF'S VEHICLES (751 & 752) AND SUPPORT VEHICLE (767) FOR THE PURPOSE OF ATTENDING THE NJ STATE FIREMEN'S CONVENTION IN WILDWOOD, NJ, FOR THE DATES OF 9/12/19 TO 9/15/19/4. M.L. 5/9/19/Approval Received from Risk Management Consultant 5/10/19)

21. REPORTS

a. CHIEF OF POLICE – APRIL 2019 (Received 5/10/19)

8b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

17. AT APPROXIMATELY 8:45 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD – PERSONNEL MATTER PURSUANT TO RICE NOTICE SENT 5/16/19

At this time, Mayor Glidden invited Maria Passafaro, Tax Collector/Assistant Chief Financial Officer to come forward.

Borough Attorney said just as a follow up to a couple of meetings back – April 24th there was a meeting where the interview process and discussion started. This is the follow up to that, requested by the Mayor and Council. It is a RICE Notice which was provided to Ms. Passafaro, who has opted that this portion of this session be held in open session, which is her right under case law of New Jersey.

Mayor Glidden: "Okay, the discussion that has – and this is public meeting – as to what form of reprimand or any kind of punishment will be coming from the Mayor and Council for these actions. I would add that there are a number of things that have been considered: could be an informal private reprimand; could be reproof by the Department Head; could be a written memorandum of censure; it could be a letter of admonition; could be suspension of duty without pay not to exceed five (5) working days; could be transfer or demotion of employee; or it could be nothing at all; or it could be separation from the service to the Borough. Causes for certain discipline can be found in Ordinance No. 48-14J, which include potentially applicable provisions as follows: insubordination, disobedience of Department rules and regulations, conduct unbecoming a public employee. We have discussed this at the last meeting which you were given a RICE Notice; we have asked the Personnel Committee to make a recommendation and I call on Councilwoman Witko to make a recommendation to this body as to which of these should be considered."

Councilwoman Witko: "Ok, I believe after our discussion we recommended that it be a written reprimand – Ed? A written reprimand?"

Mr. Rogan: "… reprimand…"

Councilwoman Witko: "… that will not go into your file."

Ms. Passafaro: "Will *not* go into my file?

Councilwoman Witko: "No."

Ms. Passafaro: "Okay, thank you…"

Councilwoman Witko: "That's it, but I also wanted to ask you… yeah - yes?"

Mr. Rogan: "… that's – that's up to this body…"

Councilman Devlin: "… Sure… so I would like to make a motion to file an ethics complaint…"

Councilwoman Amitai: "… I didn't hear…"

Councilman Devlin: "… a motion to file an ethics complaint… as I talked about the last thing (inaudible)"

Councilwoman Amitai: "… there's something else I wanted to say… and so you're suggesting that a written reprimand be given to Maria – I just wondered whether or not that was also given to Arthur."

Mr. Rogan: "Yes… well, it's not – that's not part of a public meeting. There was action taken as well – but that's not for public consumption unless someone requests a public meeting; he did not request a public meeting – he asked that it be kept in private."

Councilwoman Amitai: "I just thought that whatever the punishment was it should be equal and I don't know how else or when to say it or how to say it or whatever."

Ms. Passafaro: "Thank you, Vicky."

Councilwoman Witko: "But I did want to ask you since we've had several conversations with you and you mentioned incidents in the past that you felt were problematic… I don't know what word to use. If

you have documentation…"

Ms. Passafaro: "… I have documentation of everything…"

Councilwoman Witko: "… then you can forward it on to us and we can have a look at it and see if there's something we should be doing…"

Ms. Passafaro: "…I'd appreciate that - thank you…"

Councilwoman Witko: "… to remedy those situations…"

Ms. Passafaro: "… thank you…"

Councilwoman Witko: "… so that this doesn't happen again…"

Ms. Passafaro: "… I appreciate that – thank you…"

Councilwoman Witko: "… and take your caps lock off when you send us emails…"

Ms. Passafaro: (giggling)

Mayor Glidden: "I would like to add…"

Ms. Passafaro: "…sure…"

Mayor Glidden: "I would like to add two things because I was particularly disturbed by the emails. In one of those emails you criticized personally the members of the Personnel Committee…"

Ms. Passafaro: "… mm-hmm…"

Mayor Glidden: "… I believe you owe each of them an apology. I'm just stating that for the record."

Ms. Passafaro: "Okay."

Mayor Glidden: "… then there is the matter of Councilman Devlin, who has proposed an ethics complaint be filed… Ed do you have any comment on that?"

Mr. Rogan: "Anyone can file an ethics complaint locally within the uh – to the Board of Ethics. The governing body has the right to do that and would have to vote to authorize it to be done; and if it were, then there would need to be a complaint filed with the ethics committee and they would have a hearing, basically. I don't know – are you suggesting local ethics or – because you had mentioned…"

Councilman Devlin: "… no, no, no…. so the way Closter does it is we have the local ethics board – we don't go to the State, right – so and based on my reading of transcripts and everything it is blatantly clear that – you know the hiring process was manipulated to ensure that there were only one candidate was considered for the position and that candidate was hired. So, to me that's a benefit – that you used the process to benefit you and your family because the person hired, obviously was related to you. I'm going to make a motion to file an ethics complaint - if it is entertained (indiscernable)…"

Mr. Rogan: "… sure… any individual could or what Councilman Devlin is asking is that the governing body be the complainant…any individual could file a complaint…"

Councilman Devlin: "…Yes…I think it's most appropriate that it come from the governing body…"

Mr. Rogan: "… and that's up to the Council…"

Mayor Glidden: "So you want to make that as a Motion?"

Councilman Devlin: "I do…"

Mayor Glidden: "Okay, is there a second for it?... I'm not hearing a second…"

Councilman Devlin: "Okay."

Mayor Glidden: "Okay, then there is a motion on the table for a…"

Mr. Rogan: "… written reprimand…"

Mayor Glidden: "… written reprimand. That's the motion on the table. Is there a second for that?"

Councilwoman Amitai: "I do have a question and I don't know whether it should come before or after the vote on this?"

Mayor Glidden: "Why don't you ask the question."

Councilwoman Amitai: "Okay. I didn't understand something at the last meeting. First of all, I'm not on HR so I'm not privy to everything that goes on, but I think you said something about well – someone said that there's been other nepotism in the Borough…"

Ms. Passafaro: "I didn't use the word nepotism – I said there have been other hires that are family related, yes."

Councilwoman Amitai: "Okay, so, I didn't know what that was and you didn't state and I don't know if it's appropriate to state those other things because I know we were kind of looking at each other not knowing what you were referring to and I don't know if you want to say what you were referring to?"

Ms. Passafaro: "I'm referring to the fact that there's past practice that it has been done. I'm not the first, I'm probably going to be the last; but I'm not the first. And that's what I meant by that statement. I don't wanna sit here unless you want to do it privately – we can do that privately…"

Mr. Rogan: "I think that would be more appropriate."

Councilwoman Amitai: "Okay."

Mr. Rogan: "…and again the question that's before the governing body is whether the nepotism portion of the personnel manual was violated. It would be allowed – and we've had this discussion separate and apart from this in terms of you could have a for instance a DPW worker who is related to a police officer or who's related to someone in the tax office; the nepotism prohibition in the personnel manual is very specific about someone *supervising* a direct relative or *having any impact on their promotion or raises and pay scale*. That's what the policy is limited to. So, yes, there are – historically has been relatives that may be working for the Borough; I'm not aware of anyone that worked for a supervisor but maybe there is… so that I would ask to be done privately…"

Ms. Passafaro: "… I do… I do."

Mr. Rogan: "…if that's the case…"

Ms. Passafaro: "…sure…If you want, Vicky I can…"

Councilwoman Amitai: 'Okay, well that's part of your…"

Ms. Passafaro: "… well, I didn't do it intentionally knowing in the back I was violating a Borough Code. That was my issue. I didn't see anything wrong with the hiring of my son because it wasn't like – like I said prior – I didn't create a position, I didn't remove someone from the position – it just synched. It just synched – I asked and this is where I am."

Mayor Glidden: "Okay, we have a motion on the table for a letter of reprimand. Do we have a second…"

Councilwoman Latner: "I'll second."

Mayor Glidden: "Okay."

Ms. Castano conducted a Roll Call vote as follows: Councilpersons Devlin, Latner, Witko, Yammarino, Chung and Amitai voted yes.

Mayor Glidden: "Alright, thank you very much."

Ms. Passafaro: "Mayor, you said two things – I only remember one. You had two things to ask me? One was the HR Committee members and what was the second?"

Mr. DeNicola: "Scott's issue with the ethics…"

Mr. Rogan: "… the ethics – his motion…"

Ms. Passafaro: "Oh, okay… okay… alright, thank you. Thank you Council."

Councilwoman Witko: "I'd just like to thank the Mayor for requesting an apology for the Committee."

Councilwoman Latner: "We appreciate it."

Mayor Glidden announced that brings us almost to the end of the public session and continued with the Regular Meeting 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

Motion approving the following Closed Session Resolution at 9:20 p.m. was made by Councilwoman Latner, seconded by Councilwoman Witko and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino, Chung and Amitai.

23a. 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)(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 matter which should be within 12-15 weeks.

Mayor Glidden resumed the Regular Meeting at 10:31 p.m.

Motion approving the contract for Police Chief Dennis Kaine, subject to minor revisions including deletion of tuition reimbursement and payment of any Medicare Part B premiums for spouse was made by Councilwoman Witko, seconded by Councilwoman Latner and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Latner, Witko, Yammarino, Chung and Amitai. Councilman Devlin voted No.

Before Roll Call Vote in answer to Councilwoman Latner, Borough Attorney said that the Chief would be advised and the agreement has to be revised before same is signed.

24. ADJOURNMENT

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

Provided to the Mayor and Council on
June 6, 2019 for approval at the
Regular Meeting to be held
June 12, 2019

_____
Loretta Castano, RMC
Borough Clerk

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

Approved at the Regular Meeting held June 12, 2019
Consent Agenda Item No. 27a

BOROUGH OF CLOSTER

RESOLUTION INTRODUCING ORDINANCE NO. 2019:1257

BE IT RESOLVED, that an Ordinance entitled:

AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED $35,000.00 FROM OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS

be introduced and pass first reading and that the Mayor and Council of the Borough of Closter does hereby fix June 12, 2019, at 8:00 P.M., or as soon thereafter as the matter may be reached, at the Borough Hall, 295 Closter Dock Road, Closter, New Jersey, as the time and place for the hearing of all persons interested therein; and where said hearing will be given thereon, in accordance with the law.

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

Adopted: May 22, 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 May 22, 2019.

Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER

RESOLUTION INTRODUCING ORDINANCE NO. 2019:1258

BE IT RESOLVED, that an Ordinance entitled:

AN ORDINANCE DESIGNATING 189/203 HICKORY LANE A HISTORIC LANDMARK AND AMENDING CHAPTER 200, ZONING, ATTACHMENT 3, DESIGNATION OF HISTORIC LANDMARKS

be introduced and pass first reading and that the Mayor and Council of the Borough of Closter does hereby fix June 26, 2019, at 8:00 P.M., or as soon thereafter as the matter may be reached, at the Borough Hall, 295 Closter Dock Road, Closter, New Jersey, as the time and place for the hearing of all persons interested therein; and where said hearing will be given thereon, in accordance with the law.

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

Adopted: May 22, 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 May 22, 2019.

Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER
RESOLUTION
Claimant Signature Requirement

WHEREAS, N.J.A.C. 5:30-9A.6 and N.J.A.C. 5:31-4.1, and Local Finance Notice 2018-13 allows local units greater flexibility in implementing the claimant certification requirement. Claimant or vendor certification is a certification from the party claiming payment that the bill is correct.

WHEREAS, Subsection (a) of N.J.A.C. 5:30-9A.6 further clarifies that the certification may be executed by a vendor or claimant by signature stamp, facsimile stamp or electronic signature in addition to a 'wet' signature.

WHEREAS, the Borough of Closter elects to not require claimant certification through standard EFT (Electronic Funds Transfer) technologies

WHEREAS, a local unit may also enact a standard policy through resolution to not require claimant certification where the vendor or claimant does not provide such certification as part of its normal course of business, and

WHEREAS, in instituting such a policy, the local unit shall have the discretion to require claimant certification as it deems necessary and appropriate.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Closter in the County of Bergen, State of New Jersey hereby establishes a policy ***requiring*** the claimant signature under the following circumstances only:

1. Advances or reimbursement of employee expenses, and
2. Services provided exclusively and entirely by an individual (e.g. sole proprietors)

BE IT FURTHER RESOLVED, this policy will be applied in a non-arbitrary fashion and will be affirmatively communicated to vendors.

(Submission Approved by Borough's Q.P.A.)

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

Dated: May 22, 2019

ATTEST:

Loretta Castano
Municipal 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 on May 8, 2019.

Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER

RESOLUTION APPROVING SETTLEMENT OF TAX APPEAL FOR THE YEAR 2018: FLAMM v. BOROUGH OF CLOSTER

WHEREAS, the taxpayer, Leonard N. Flamm, appealed the assessment levied on Block 2103, Lot 19 for the year 2018 in an action in the Tax Court of New Jersey bearing docket no. 012739-2018; and

WHEREAS, the subject property's street address is 20 Collins Avenue; and

WHEREAS, the taxpayer and the assessor have agreed to compromise the appeal on the following terms: The assessment on the property for 2018 shall be reduced from $610,200.00 to $600,200.00; 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 2018 tax appeal captioned Flamm 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			
Councilwoman Amitai		X	X			

Adopted: May 22, 2019

Attest: Loretta Castano
Loretta Castano, RMC, Municipal Clerk

Approved: John Glidden
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 May 22, 2019.

Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER

RESOLUTION APPROVING SETTLEMENT OF TAX APPEAL FOR THE YEAR 2018: FLAMM v. BOROUGH OF CLOSTER

WHEREAS, the taxpayer, Leonard N. Flamm, appealed the assessment levied on Block 2101, Lot 3 for the year 2018 in an action in the Tax Court of New Jersey bearing docket no. 012740-2018; and

WHEREAS, the subject property's street address is 374 Ruckman Road; and

WHEREAS, the taxpayer and the assessor have agreed to compromise the appeal on the following terms: The assessment on the property for 2018 shall be reduced from $641,200.00 to $631,200.00; 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 2018 tax appeal captioned Flamm 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			
Councilwoman Amitai		X	X			

Adopted: May 22, 2019

Attest: Loretta Castano
Loretta Castano, RMC, Municipal Clerk

Approved: John Glidden
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 May 22, 2019.

Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER
COUNTY OF BERGEN, NEW JERSEY

RESOLUTION NO. 12
AUTHORIZING THE ISSUANCE OF AN AD INTERIM PERMIT

WHEREAS, the Liquor Licenses within the Borough of Closter expire on June 30th of each year; and

WHEREAS, certain Licensees have applied for renewal but have been unable to obtain a Tax Clearance Certificate from the Division of Taxation; and

WHEREAS, the Licensees may apply for a temporary permit to continue operation under the Liquor License pending receipt of the Tax Clearance Certificate;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that the Borough of Closter does not object to the issuance of an Ad Interim Permit to the following Licensee:

LICENSEE	LICENSE NO.
CINEMEX NJ, LLC t/a CMX 130 Vervalen Street	0207-33-006-009

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

Adopted: May 22, 2019

APPROVED:

John C. Glidden, Jr., Mayor

ATTEST:

Loretta Castano, Borough Clerk

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 May 22, 2019.

Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER
BERGEN COUNTY

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE BIDDING OF THE 2019 NEW JERSEY DEPARTMENT OF TRANSPORTATION LOCAL AID PROJECT FOR THE RAILROAD AVENUE, NAUGLE STREET AND OLD CLOSTER DOCK ROAD IMPROVEMENTS AND 2019 BOROUGH ROAD PAVING PROGRAM
(Grant ID MA-2019-Railroad Ave., Naugle St. & Old Closter Dock Road-00278)
Boswell Engineering Project No. CL-1333

WHEREAS, the Borough of Closter has authorized Boswell Engineering to prepare plans and specifications for the construction of said improvements; and

WHEREAS, the plans and specifications were received on April 12, 2019; and

WHEREAS, the Mayor and Council of the Borough of Closter hereby approves the plans and specifications for the 2019 Local Aid and Borough Road Improvement Program; and

WHEREAS, the Mayor and Council have authorized funding for the reconstruction of various roads and streets within the Borough of Closter.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter that Boswell Engineering is hereby authorized to bid said project.

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

Adopted: May 22, 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 May 22, 2019.

Loretta Castano, Borough Clerk

BOROUGH OF CLOSTER

COUNTY OF BERGEN
RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE NECESSARY AGREEMENT WITH THE COUNTY OF BERGEN FOR THE IMPROVEMENT AND SIGNALIZATION OF PIERMONT ROAD AND VERVALEN STREET

WHEREAS, at the public meeting held on Wednesday, May 22, 2019, the Governing Body reviewed Bergen County Board of Chosen Freeholders Resolution 470-19 and its specific terms and conditions; and

WHEREAS, the Borough Council, through its Planning Board and Governing Body, had previously determined the improvement and signalization of Piermont Road and VerValen Street would be beneficial to the residents of the Borough and surrounding municipalities and motorists driving in the Borough of Closter; and

WHEREAS, Piermont Road is a designated County Road; and

WHEREAS, the Mayor and Council had determined that it would be in the best interests of the residents of the Borough and all motorists and pedestrians transversing the Borough to enter into an agreement with the County of Bergen for the improvement and signalization of Piermont Road and VerValen Street; and

WHEREAS, the proposed terms and conditions of the Bergen County Board of Chosen Freeholders Resolution 470-19, adopted on its agenda of April 30, 2019, to be fair and mutually beneficial; and

WHEREAS, the Borough Engineer and Borough Attorney have answered all questions and the Council has discussed any concerns relative to the terms and conditions contained in that Resolution; and

WHEREAS, the Borough Engineer and Borough Attorney have found same conditions to be in order.

NOW THEREFORE, BE IT RESOLVED by the Borough of Closter that the proposed agreement between the Borough of Closter and County of Bergen for the improvement and signalization of Piermont Road and VerValen Street, the terms and conditions of which are set forth in the Bergen County Board of Chosen Freeholders Resolution 470-19 noted on its April 30, 2019 agenda and attached hereto, is hereby authorized; and

The Mayor and Borough Clerk are hereby authorized to execute an agreement to be prepared and signed by the County Executive in a form to be approved by the Borough Attorney.

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

Adopted: May 22, 2019

Attest: _____ Approved: _____
Loretta Castano, RMC, Municipal Clerk 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 May 22, 2019.

_____
Loretta Castano, Borough Clerk

EXHIBIT A

BA / B.E.

6. Mail Info
5/16/19

Gmail by Google

RMA
5/22/19

Loretta Castano <lcastano@closternj.us>

FW: Vervalen st & Piermont rd intersection improvements

1 message

Nick DeNicola <NDeNicola@boswellengineering.com> Thu, May 9, 2019 at 1:50 PM
To: "'Ed Rogan' (ed@rogan-lawfirm.com)" <ed@rogan-lawfirm.com>, Loretta Castano <lcastano@closternj.us>
Cc: John Glidden <jglidden@closternj.us>

All - please see Nancy's email below and the attached resolution approved by the Freeholders on April 30th. Bergen County needs Closter's concurring resolution for the County to prepare the inter-local agreement. If you should have any questions, please do not hesitate to contact me.

Thanks,
Nick DeNicola, P.E., P.P., C.P.W.M.
Project Manager

-----Original Message-----
From: Dargis, Nancy <NDargis@co.bergen.nj.us>
Sent: Thursday, May 09, 2019 12:31 PM
To: Nick DeNicola <NDeNicola@boswellengineering.com>; a@exch082.serverpod.net
Subject: RE: Vervalen st & Piermont rd intersection improvements

Hi Nick,
Please see attached. We need the concurring Borough reso and the official agreement is prepared by County Counsel
Thanks, Nancy

-----Original Message-----
From: Nick DeNicola <NDeNicola@boswellengineering.com>
Sent: Wednesday, May 8, 2019 10:11 PM
To: Dargis, Nancy <NDargis@co.bergen.nj.us>; a@exch082.serverpod.net
Subject: Vervalen st & Piermont rd intersection improvements

Nancy, at a Closter Council meeting. The Council would like to know the status of the County's inter-local agreement with the Borough for the above referenced project. Can you please call me tomorrow to discuss the status or send me an email accordingly.

Thanks Nancy

Sent from Nick's iPhone

scan0141.pdf
1326K

COUNTY OF BERGEN

Certified Copy

Resolution: 470-19

Agenda: 4/30/2019

ONE BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601

Planning and Engineering
Meeting Date: 4/30/2019
Purpose: Shared Services Agreement Between County & Borough of Closter for Intersection Improvement and Signalization at Piermont Road & Vervalen Street
Prepared By: JAF:sa

Sponsored by the Body as a Whole that this Resolution be passed. The motion passed by the following vote:

Yes: 6 - Chairwoman Ortiz, Vice Chairwoman Amoroso, Chairwoman Pro Tempore Voss, Freeholder Ganz, Freeholder Tanelli, and Freeholder Silna Zur

Absent: 1 - Freeholder Sullivan

I, Lara Rodriguez,Clark, Board of Chosen Freeholders, certify that this is a true copy of Resolution No. 470-19, passed by the BOARD OF CHOSEN FREEHOLDERS on 4/30/2019.

Attest: Lara Rodriguez

ONE BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601

BERGEN COUNTY BOARD OF CHOSEN FREEHOLDERS RESOLUTION

WHEREAS, an agreement is necessary to delineate the responsibilities of the County and the Borough of Closter for the improvement and signalization of Piermont Road & Vervalen Street; and

NOW, THEREFORE, BE IT RESOLVED, upon the recommendation of the Department of Planning & Engineering that the County of Bergen be and is hereby authorized to enter into an agreement with the Borough of Closter with the following conditions:

RESPONSIBILITIES:

A. **COUNTY OF BERGEN:** The County of Bergen is solely responsible for the performance and cost of the following:

1. Design the intersection layout including road alignment, lane configuration, traffic signal design, electrical plans, and signing and striping plans, in accordance with all applicable Federal, State and County guidelines. Consideration will be given to municipal input in the design process.
2. Prepare the bid specifications for the intersection improvement project.
3. Review and approve the final construction drawings, advertise for bids, award construction contracts, and make payments to the contractor.
4. Undertake the construction and resignalization of the intersection of Piermont Road & Vervalen Street in accordance with the design plans.
5. Perform construction management and inspection.
6. Upon completion and acceptance of intersection improvement project, maintain all traffic signs (other than parking signs) and pavement markings on the County road and Borough road approaches within the limits shown on the plan.
7. Upon completion and acceptance of traffic signal, own, operate and maintain the traffic signal system.
8. The County will only install topsoil/grass seed or macadam within disturbed areas of the existing and proposed easements or rights-of-way within the project limits.

B. **BOROUGH OF CLOSTER:** The Borough of Closter is solely responsible for the performance and cost of the following:

1. Perform all necessary survey and field work, certified by a licensed surveyor, for the

preparation of the topographic plan which shall be submitted to the County, in AutoCAD format, for its use in designing the project. Also perform all necessary survey and field work required for the relocation of the utility poles prior to the curb sets.

2. Provide the County with individual acquisition maps showing the land to be acquired, together with description of same.
3. Acquire any necessary property, slope rights, temporary and permanent construction easements, as well as any rights of entry, in the name of the municipality, and if necessary, convey same to the County.
4. Prepare final construction plans based on the field survey and the County's conceptual design plans. Reproduce sets of the construction plans and specification, as requested by the County, for bidding and for contractor use. Documents shall be of a suitable quality and size as requested by the County.
5. Prepare and submit plans and application fee to Bergen County Soil Conservation District for Soil Erosion and Sediment Control permit as required for the project. Obtain all other permits required to perform the project.
6. Be responsible for restoration, modification, alteration, relocation or removal of any appurtenances located within the easements on rights-of-way, including but not limited to landscaping, planters, walls, fences, signs, building structures, awnings, underground storage tanks, utilities, fire hydrants, monitoring wells, parking lots, etc.
7. If any structure within and/or adjacent to the easement or right-of-way is not currently in compliance with the High Voltage Proximity Act or would not be in compliance with the High Voltage Proximity Act as measured from the existing and/or proposed overhead utility line location, the structures shall be relocated so that they will be in compliance with the High Voltage Proximity Act (NJSA 34:6-47.1(b), "High voltage lines" and NJSA 34:6-4.2 Prohibited Activity).
8. If stamped crosswalks are used, the Borough is responsible for the difference in cost between textured bituminous concrete surface course (crosswalks) and bituminous concrete surface. The cost of proposed sidewalk (concrete or decorative) in areas that do not currently have sidewalk is the responsibility of the Borough.
9. If any type of enhanced sidewalk design is used including scored concrete, brick pavers, etc. the difference in cost between enhanced sidewalk and concrete sidewalk is the responsibility of the Borough.
10. If decorative (powder coated or otherwise) traffic signal poles are used, the difference in cost between standard steel traffic signal poles and arms, and decorative steel poles and arms is a municipal responsibility. The municipality is also required to purchase and stock replacement decorative poles and arms in the event of an emergency repair.
11. Own and maintain any shade trees placed within the easement or rights-of-way. The County prefers that trees be placed outside of the rights-of-way.
12. Provide uniformed police officers, at the Borough's sole expense, for the maintenance and protection of traffic in accordance with the following:
    a. It is mandatory to have municipal police present when intersecting roadways cannot be fully closed to traffic during the following construction phases: Installation of underground traffic signal conduit in the intersection; installation

of underground storm-water drainage systems in the intersection; installation of new overhead traffic signal hardware or removal of existing traffic signal hardware; performing work within 100' of a signalized intersection; pavement milling operations; final paving operations; signal "turn-on".

b. The municipality shall provide police when the Chief of Police deems their presence necessary on any County or Municipal road or signalized intersection within the municipality, either during construction, or continued maintenance by the County or the County's contractors.

c. The municipality shall provide police when requested by the County Engineering Division.

d. All municipal police costs will be at the sole expense of the municipality. Only certified traffic flaggers (not police) used by the contractor will be compensated by the County in accordance with the bid documents.

13. The American with Disabilities Act Accessibility Guidelines require all pedestrian facilities within the project scope to be reconstructed in strict compliance with ADA guidelines. The municipality agrees to provide signed and sealed handicap ramp plans to be incorporated into the construction plans, as well as signed and sealed County "Compliant Design Certification" forms. Upon completion of the intersection improvement project, the municipality agrees to provide signed and sealed "as-built" plans of the handicap ramps, and County "Compliant Construction Certification" forms. The municipality also acknowledges and agrees that, per State Statute, ownership and maintenance of the sidewalk, handicap ramps, and curbs are the responsibility of the municipality. The municipality shall hold the County harmless with respect to any action arising out of the design and construction of the municipality's sidewalks, handicap ramps and curbs.
14. Own and maintain any island constructed within the intersection, with the exception of any traffic signal equipment, which will be maintained by the County. Per state statute, the County is only responsible for road maintenance from curb face to curb face.
15. Provide the County with any survey information necessary for the construction layout of the intersection as well as provide "as-built" construction plans (including the signing & striping) at project completion.
16. Adopt by ordinance the necessary traffic regulations as determined by the finalized intersection layout and traffic signal plans. The municipality agrees to submit a certified copy of the ordinance, resolution, and/or regulations to the County.
17. Grant permission to the County to install, maintain, and repair any portion of the traffic signal equipment located in or adjacent to the intersection.
18. Maintain all parking regulatory signs on the County and Borough road approaches to the intersection. The Borough will require the property owner to maintain the one way, stop, and do not enter signs on the commercial driveway approaches. (The County will maintain the far side turn prohibition signs).
19. Provide continued electrical power for traffic signals and street lights.
20. Conduct a street lighting survey and provide additional lighting facilities, as indicated by the survey.
21. Provide to the County, prior to the construction contract award, the funding necessary

for any construction items deemed to be a municipal responsibility, either in accordance with the responsibilities outlined above or as deemed by the County Engineer if items are not addressed herein. The cost estimate of same will be as determined by the Engineer's estimate. Upon knowing final project costs and the actual municipal share of the project, the municipality shall either provide additional funding to the County to cover the actual cost if items that are a municipal responsibility, or be reimbursed the difference between actual cost and the estimated cost for municipal items if actual costs were less than estimated costs.

22. The municipalities design engineer shall be available through the bidding process and completion of construction in order to address design related issues that may arise, including but not limited to: design related Requests for Information (RFI's) from potential bidders or the contractor; field conflicts; field modifications; design changes, etc.

BE IT FURTHER RESOLVED, that this agreement is contingent upon receipt of a concurring resolution from the Borough of Closter; and

BE IT FURTHER RESOLVED, that upon receipt of said concurring resolution, the County Executive be and is hereby authorized to execute the necessary agreement in a form to be approved by County Counsel.

LG 5/31/14

BOROUGH OF CLOSTER

RESOLUTION AUTHORIZING THE RECREATION COMMISSION'S WOUNDED WARRIOR SOFT BALL GAME on SATURDAY, JUNE 1, 2019

WHEREAS, via communication dated May 17, 2018 from Jim Oettinger, Director, Recreation Commission, permission was requested to conduct the Wounded Warriors Soft Ball Game; and

WHEREAS, the communication, which outlined the event, appeared on May 17, 2018 mail list and was discussed at the public meeting held on February 13, 2019; and

WHEREAS, the *Resolution Memorializing the Motion of the Governing Body to Reserve the Dates for the Recreation Commission's Wounded Warriors Softball Game, June 1, 2019 As Well As the Hosting of a Food Truck Event at Memorial Park on June 15, 2019* was approved by the governing body on February 13, 2019; and,

WHEREAS, pursuant to approval of the Wounded Warrior Soft Ball Game on June 1st, the Borough's Risk Manager has reviewed the requested indemnification, Certificate of Insurance and Hold Harmless Agreement provided by the Wounded Warrior Amputee and found same to be in good order and approved; and,

WHEREAS, the Closter Recreation Commission desires to engage Willie Wilson on behalf of "The Willies" Band,

WHEREAS, pursuant to approval of The Willies Band, the Borough's Risk Manager has reviewed the requested Certificate of Insurance and Hold Harmless Agreement provided by Willie Wilson and found same to be in good order and approved; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that the Wounded Warrior Event on June 1, 2019, as outlined by the Closter Recreation Commission is hereby authorized.

NOW, THEREFORE, BE IT FURTHER RESOLVED the schedule is hereby approved and a copy of this Resolution shall be provided to the Recreational Director, Chief of Police, Superintendent of Public Works and Assistant CFO for their respective use.

COUNCILPERSON	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilman Devlin			X			
Councilwoman Latner	X		X			
Councilwoman Witko			X			
Councilman Yammarino			X			
Councilwoman Chung			X			
Councilwoman Amitai		X	X			

Adopted: May 22, 2019

APPROVED BY:

John C. Glidden, Jr. Mayor

ATTEST:

Loretta Castano, Borough Clerk

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on May 22, 2019

Loretta Castano, Borough Clerk

ER:ABD:lw

EXHIBIT A

13. Mail List
5/17/18

Loretta Castano

From:	Jim Oettinger <closterrecjim@aol.com>
Sent:	Thursday, May 17, 2018 9:23 AM
To:	lcastano@closternj.us
Cc:	mayorcouncil@closternj.us
Subject:	Wounded Warrior Amputee Softball team request
Attachments:	Wounded Warrior Amputee Softball team request 5 17 18.doc; Att009F5E18.htm

Folks, please find attached request, thank you
Jim O

Closter Recreation Commission
Po Box 143,Closter NJ 07624
Jim Oettinger Director
Closterrecjim@aol.com

5/17/18

Mayor & Council
295 Closter Dock Road
Closter, NJ 07624

Dear Mayor and Council

On behalf of the Closter Recreation Commission, I would like to ask permission to host a softball game at the George Potterton Little League Field on Saturday June 1, 2019 (next year) between the Wounded Warriors Amputee Softball team and a team comprised of area softball players. Game time TBD, but most likely 7pm.

The game would be a huge event in Closter and Bergen County/North Jersey as this prestigious team travels the country and only plays in certain areas of each state.

This event would draw a big crowd and the planning for this event is going to be very detailed and we would like to start a committee now, in order to make this event a great success.

Please see the links listed here for more information on this group of Army Veterans. I think you will agree that it is quite heartwarming. In addition to the softball game, we would look to have the WWAST involved in some community events and include the Closter American Legion in our plans as they celebrating their 100th year anniversary next year in 2019.

Link below (I recommend you have tissues on hand):

http://m.mlb.com/video/topic/6479266/v742150183/wounded-warrior-amputee-softball-story

https://www.youtube.com/watch?time_continue=1&v=tyLbJZaBywg

Thank you in advance for your consideration of this community Event

Jim Oettinger

CC: Chief Dennis Kaine
Dpw Superintendent Bill Dahle

BOROUGH OF CLOSTER
COUNTY OF BERGEN

RESOLUTION APPROVING RECREATION 2019 SUMMER CONCERTS

WHEREAS, the Borough of Closter Recreation Commission desires to provide free summer concerts annually for the benefit of the residents; and

WHEREAS, the schedule for the concerts is **Saturday, June 1st**, June 9th, Friday, June 14th, Friday, June 21st, Friday, June 28th, Sunday, June 30th, Friday, July 12th, Friday, July 19th, Saturday, August 31st as well as Labor Day, Monday, September 2nd **(Labor Day rain date is September 7th)** at the Lions Band Shell located in Veterans Memorial Park on Harrington Avenue (Exhibit A attached); and

WHEREAS, each band shall complete and file a Borough of Closter Hold Harmless Agreement prior to performing and, if the band is a "professional", they shall provide the Borough Administrator's Office with a copy of their Liability Insurance Certificate with a minimum of $1,000,000 coverage which shall name the Borough of Closter as an additional insured; and

WHEREAS, the Closter Recreation Commission desires to engage Frank Lerant on behalf of the *My Anxiety Band*, 49 Carlson Court, Closter, NJ, a non-professional entity, to provide music at the 2019 Summer Concerts; and

WHEREAS Frank Lerant, on behalf of the *My Anxiety Band* has provided the required Hold Harmless Agreement, agreeing to hold the Borough of Closter harmless of all liability; and

WHEREAS, the Closter Recreation Commission desires to engage Tina and Tommy Walker on behalf of the *TK Walker Productions*, 245 Spring Valley Road, Paramus, NJ, a non-professional entity, to provide music at the 2019 Summer Concerts; and

WHEREAS, Tina Walker, on behalf of the *TK Walker Productions Band* has provided the required Hold Harmless Agreement, agreeing to hold the Borough of Closter harmless of all liability; and

WHEREAS, the Closter Recreation Commission desires to engage Willie Wilson on behalf of the *The Willies*, 1 N. Farview Ave., Paramus, NJ, a professional entity, to provide music at the 2019 Summer Concerts; and

WHEREAS, Willie Wilson, on behalf of the *Willies Band* has provided the required Certificate of Liability Insurance valid through June 8th and the Harmless Agreement, agreeing to hold the Borough of Closter harmless of all liability; and

WHEREAS, after consultation with and approval from of the Borough's Risk Manager, the Mayor and Council may grant an exception for insurance for the concert scheduled for June 14th, as the Borough's Risk Manager understands the renewed/updated certificate will be provided by Willie Wilson to the Borough of Closter on the renewal date, which happens to coincide with his concert date, and will be reviewed by the Borough's Risk Manager; and

NOW THEREFORE BE IT RESOLVED, the schedule is hereby approved and a copy of this Resolution shall be provided to the Recreational Director, Chief of Police, Superintendent of Public Works and Assistant CFO for their respective use.

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

Adopted May 22, 2019

APPROVED BY:

John C. Glidden, Jr., Mayor

ATTEST:

Loretta Castano, Borough Clerk

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on May 22, 2019.

Loretta Castano, Borough Clerk

ABD:ER:lw

EXHBIT A

Recreation Summer Concerts 2019

June 1st	The Willies	Professional Band
June 9th	CJC Music School	Professional School Band
June 14th	The Willies*	Professional Band
June 21st	My Anxiety	*Non Professional Band*
June 28th	The Thieves	Professional Band
June 30th	Joel Zelnik Trio	Professional Band
July 12th	Shaved Ham (TK Productions)	Professional Band
July 19th	Claudia Gaard	*Non Professional Band*

September 2nd Labor Day Event (rain date September 7th)

Waldwick Band	Professional Band
Frank Lerant – *My Anxiety*	*Non Professional Band*
The Willies – Willie Wilson*	Professional Band

*COI valid thru June 8, 2019; pending receipt of renewal policy

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – WEDNESDAY, MAY 22, 2019 - 7:30 P.M.

The Mayor and Council of the Borough of Closter held a Work Session on Wednesday, May 22, 2019. Mayor Glidden called the meeting to order at 7:32 p.m.

1. PLEDGE OF ALLEGIANCE

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

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Annual Notice of Meetings which was published in The Record and The Star Ledger on January 9, 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.
Councilpersons Scott Devlin, Alissa Latner, Dolores Witko, Joseph Yammarino, Jannie Chung, and Victoria Amitai
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Chief of Police, Dennis Kaine
Superintendent of Public Works, William Dahle III
Fire Chief, Mark Lupardi

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF MAY 9, 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 Councilwoman Witko; Item No. 8 was removed by Councilwoman Chung; Item No. 10 was removed by Councilwoman Amitai; Item No. 11 was removed by Councilman Yammarino.

Item No. 2: Received 05/02/19, Dated 05/02/19, from Assemblywoman Valerie Vainieri Huttle, 37th Legislative District, to Borough Clerk re Commemorating Mental Health Awareness Month (Copy to Board of Health)

Councilwoman Witko informed she attended the last Freeholder meeting as a representative of her employer; and it is believed that all 70 municipalities in Bergen County are Stigma Free. She inquired as to how we could obtain the road signs that other towns have that say "Proud to be Stigma Free". Mayor Glidden said he would very much support having that signage and offered to call the Mayor of Woodland Park (Passaic County) to get more information.

Item No. 8: Received 05/06/19, Dated 05/06/19, from Kevin Whitney, Fire Official re Request for Use of Vehicles 751, 752, 767, 771 & 775 to attend the NJ State Firemen's Convention in Wildwood, NJ for the dates of 9/12/19 – 9/15/19 (Copy to Risk Management Consultant)

Councilwoman Chung voiced her support for approval of this request and Borough Clerk informed it is already on the Consent Agenda for this evening.

Item No. 10: Received 05/06/19, Dated 04/30/19, from Assemblywoman Valerie Vainieri Huttle, 37th Legislative District re Requesting support for creating a commemorative plaque above Closter's Railroad Avenue entitled "Vicki Sidrow Way" in honor of her recent retirement from Vantage Health System and years of commitment

Councilwoman Amitai referred to the sign on Railroad Avenue that was discussed at a previous meeting in honor of Vicki Sidrow; and suggested there could be something nicer we could do for her because Railroad Avenue is an industrial area. The thought was a big rock with some evergreens in front of Spectrum for Living or Vantage that has a plaque rather than a sign post because the visual would be a little bit nicer. In answer to the Mayor, Mrs. Amitai recalled at the last meeting that Councilwoman Witko had relayed some information. Mrs. Witko explained that at the retirement party for Ms. Sidrow, Assemblywoman Valerie Vainieri Huttle suggested we consider Van Sciver Street or Railroad Avenue as streets to name in her honor "Vicki Sidrow Way". In answer to Councilwoman Chung, she informed the reason was that these facilities are Ms. Sidrow's legacy; and noted she is not aware of how the whole process went with the Borough as far as the land or the details of getting the facilities built; and said Sophie Heymann would have more information. Mayor Glidden invited Mayor Emeritus Heymann up to speak on the history of the projects.

Mayor Emeritus Heymann informed that at the retirement Assemblywoman Huttle and a few others came up with idea and asked her and Councilwoman Witko to follow up on it. Ms. Heymann felt that the suggestion is a little bit out of line in terms of an appropriate commemoration of Ms. Sidrow's work. She expressed her opinion that Mrs. Amitai's suggestion would be Ms. Sidrow receive all of the honor she deserves. Councilman Devlin suggested that Vantage pay for it and Mrs. Amitai thought that was a good idea. No objections were voiced when Mayor Glidden asked if the project should proceed. In answer to the Mayor, Ms. Heymann said she would speak to Vantage.

Item No. 11: Received 05/08/19, Dated 05/01/19, from Dick Bishop, Commander, Leroy S. Mead Post 111 re Invitation to attend and participate in the American Legion's Annual Memorial Day Wreath presentation ceremony on Monday, 5/27/19, @ 8:30 AM in Veterans Monument Park, Herbert Avenue

Councilman Yammarino wanted to remind everyone they are invited to attend the Legion's service.

b. MAIL LIST OF MAY 16, 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 Councilwoman Latner; Item Nos. 6, 7 and 12 were removed by Councilwoman Amitai; Item No. 11 was removed by Councilman Yammarino.

Item No. 5: Received 05/13/19, Dated 05/13/19, from Borough of North Arlington Borough Clerk, to Bergen County Municipal Clerks re Certified copy of Resolution Supporting Never Forget the Heroes: Permanent Authorization of the September 11th Victims Compensation Act

Councilwoman Latner requested we pass a supporting Resolution. In answer to Councilwoman Amitai, Borough Attorney explained this was a fund for the first responders who got ill as a result of responding on September 11th; and there was a sunset provision on the fund which is running out of money. No objections were voiced; and the Mayor asked the Borough Attorney to have a Resolution for the next meeting.

Item No. 6: Received 05/09/19, Dated 05/09/19, from Nancy Dargis, Bergen County, to Nick DeNicola; c: Edward T. Rogan, Loretta Castano, Mayor John C. Glidden, Jr. re Certified copy of Bergen County Board of Chosen Freeholders Resolution No. 470-19 re Shared Services Agreement Between County & Borough of Closter for Intersection Improvement and Signalization at Piermont Road & Vervalen Street – adopted 4/30/19; requesting concurring resolution from the Borough of Closter

Councilwoman Amitai voiced her understanding that the Borough will not have to put up any money for this project; and the Borough Engineer informed that was not so. He explained the Borough pays for the engineering and surveying of the intersection and any property acquisitions required for the installation of the new intersection. The County pays for all the construction costs and inspections. He said it is not a 50-50 split by any means because construction is a lot more than the design. Mrs. Amitai recalled the discussions at the Planning Board where Edens had said they would participate in the costs of this

project; and Mr. DeNicola explained the County will conduct a study to determine Edens' fair share which could be any number; but it is part of the Planning Board Resolution. In terms of the timeframe, Borough Attorney said there is only a Resolution on the Agenda for this evening to enter into an Agreement with the County. Borough Engineer noted the County is currently undertaking five (5) intersection projects; so it will definitely not take place this year, and possibly not next year.

Item No. 7: Received 05/08/19, Dated 05/08/19, from Oakland Borough Clerk to Bergen County Municipal Clerks re Certified copy of 8-page Resolution Opposing Construction of the North Bergen Liberty Generating Power Plant (Copy to Board of Health, Environmental Commission)

Councilwoman Amitai asked for confirmation we already approved this Resolution and the Mayor affirmed same.

Item No. 11: Received 05/16/19, Dated 05/16/19, from Tim Adriance, Chairman, Historic Preservation Commission, to Borough Clerk re Lustron Funding - Listed allocations to be taken from Open Space Trust Funds for necessary improvements (Copy to Borough Attorney)

Councilman Yammarino noted this request for Open Space Funds and said he believes that is why Mayor Emeritus Heymann is here. Mayor Glidden said they would take it up under the public portion of the meeting.

Item No. 12: Received 05/16/19, Dated 05/16/19, from Patricia E. Segedin, Authorized Agent for Michael M. Talty and Ann Talty, Permit Expediting Services, to Borough Clerk (hand delivered) re Block 610, Lot 3, 174 Durie Avenue, Borough of Closter, NJ – NJDEP Freshwater Wetland Letter of Interpretation: Line Verification; NJDEP Freshwater Wetlands General Permit 6 – Non-Tributary Wetland, A Water Quality Certificate, a Flood Hazard Area Verification and Flood Hazard Area Individual Permit; Applicant/Property Owner: Michael M. and Ann Talty (letter only!) Complete originals also to: LUC/Planning Board and Board Assistant to Environmental Commission - ORIGINAL ON FILE IN BOROUGH CLERK'S OFFICE FOR PUBLIC REVIEW!!

In answer to Councilwoman Amitai, Borough Engineer explained this application includes where they think the line is and the DEP will verify or dispute that. He said he hasn't read the whole thing yet but it looks like it has been granted. He affirmed that the applicant will have shown the DEP the footprint and the location of the house and how many feet it is from the stream.

c. MAIL LIST of MAY 23, 2019 – This item was requested by Councilman Devlin.

Item No. 2: dated 5/18/19 from Councilman Scott Devlin to Borough Clerk re *Change in Procedure for Curb and Sidewalk Inspections (Distributed to M&C at WS 5/22/19)

Councilman Devlin requested a Resolution to memorialize this going forward at the next Council meeting. He explained that Boswell Engineering used to do the curb and sidewalk inspections; but it was jointly discussed that the Building Department would now perform same; and the monies that used to be paid out will be brought in house. Borough Engineer said the ordinance would need to be changed because it would be a fee to the Borough instead of an escrow deposit for Boswell. Borough Attorney agreed to prepare a Resolution for the next meeting. He said the ordinance would have to be amended because it says Engineer and from "escrow" to "fee".

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of May 22, 2019)

Mayor Glidden asked if any member of the Council wished to discuss any item on the Consent Agenda. Councilwoman Amitai referred to Item Nos. 10 and 11; Councilman Yammarino referred to Item No. 15; Councilman Devlin referred to Item No. 16.

*10. RESOLUTION APPROVING SETTLEMENT OF TAX APPEAL FOR THE YEAR 2018:
FLAMM v. BOROUGH OF CLOSTER (for 20 Collins Avenue, Block 2103, Lot 19) Received from Borough Attorney 5/15/19

*11. RESOLUTION APPROVING SETTLEMENT OF TAX APPEAL FOR THE YEAR 2018: FLAMM v. BOROUGH OF CLOSTER (for 374 Ruckman Road, Block 2101, Lot 3) Received from Borough Attorney 5/15/19

In answer to Councilwoman Amitai, Borough Attorney advised that there are a number of properties owned by the Flamm Estate.

*15. RESOLUTION AUTHORIZING THE RECREATION COMMISSION'S WOUNDED WARRIOR SOFT BALL GAME on SATURDAY, JUNE 1, 2019 (Received from Administrator's Office 5/16/19)

In answer to Councilman Yammarino, Borough Attorney advised that the Wounded Warrior event is being authorized by this resolution; and the resolution for whatever reason gives background referencing the food truck but does not approve same. He assumed that at the time the resolution was prepared that they had not complied with the insurance regulations and informed he did not prepare same.

*16. RESOLUTION APPROVING RECREATION 2019 SUMMER CONCERTS (Received from Borough Administrator's office 5/16/19)

In answer to Councilman Devlin, Borough Attorney advised that beer and wine are not permitted at the Summer Concerts; and consumption would have to be authorized by the Mayor and Council upon a request for same. In answer to Councilwoman Amitai, he advised that nobody should be drinking any alcohol on public property without Council approval and a permit.

6. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY – YAMMARINO (DEVLIN/WITKO)

1) REPORT RE FINANCE COMMITTEE MEETINGS – Councilman Yammarino reported now that the Budget is behind us there are a few items they are going to try to catch up on.

2) REPORT RE TECHNOLOGY COMMITTEE MEETINGS – Mr. Yammarino reported the new Borough e-mail system is up and running; and responses have been favorable. He informed he spoke with Chief Kaine and he relayed one of the issues they were having is the ability to have credit card processing available during Court. Chief Kaine explained that on Tuesday night, there was Court; and most people aren't happy to be there in the first place, but due to cash payments, they had a line from the Court Administrator all the way down to Lewis Street. People were standing in the stairwell, which is a fire safety hazard; it also gets hot in there. One person had waited on line for 20 minutes; and when he got to the window, he found out he couldn't pay by credit card; so he had to go to the ATM at Bank of America and then wait another 25 minutes on line, so he was irate. Chief Kaine urged the acquisition of a credit card machine for the Court Administrator because she is overworked as it is. He reiterated that it would be helpful for her to speed up the process in addition to alleviating the potential dangers of the summer months and having people lined up like that in the heat. In answer to Councilwoman Amitai, the Chief said there are signs about cash payments; but most people don't notice them. Borough Attorney explained that most municipal courts are taking credit cards. Chief Kaine said most younger people have debit cards or credit cards and don't carry cash anymore or they don't have checking accounts. In answer to Councilwoman Chung, he said this has long been an issue but this last court date was very bad. Mrs. Chung asked what was impeding this process from happening and Councilman Yammarino explained that the Borough has to collect the fine due; they can't collect the credit card processing fees; so we would have to charge an additional surcharge. He previously spoke to the Borough Administrator about it; and he agreed it was something we could set up. IT Coordinator Kevin Whitney informed he also spoke with the Administrator and he has been in touch with several companies because he was asked to prioritize this after the e-mail conversion was complete. They discussed surcharges and other logistics so he will be in touch with the Finance and Technology Committees to move it forward. In answer to Mrs. Chung, he explained they would be passing the surcharges over as a convenience fee to the person paying.

3) LIAISON REPORTS – Councilman Yammarino reported on the following:

a. Historic Preservation Commission – They are seeking bids for work on the Lustron House which they will speak about in open session.

6. COMMITTEE REPORTS (Continued)

A. FINANCE AND TECHNOLOGY – YAMMARINO (DEVLIN/WITKO) (Continued)

3) LIAISON REPORTS (Continued)

b. Recreation Commission – The USA Patriots Wounded Warriors events include the PBA Officer of the Year Beefsteak/Comedy Night at the Closter Elks which is sold out; the softball game is June 1st at 7:30 p.m. but there is an entire day of activities planned; and on Sunday morning, there will be a fundraiser pancake breakfast at the Elks.

4) REPORT – Councilman Yammarino informed he spoke to the Chair of the Board of Ethics earlier in the day and was told that of the 104 individuals required to file a Financial Disclosure Statement, 90 have filed so far; so they are doing a final follow up.

B. PUBLIC SAFETY - LATNER (CHUNG/YAMMARINO)

1) REPORT RE PUBLIC SAFETY COMMITTEE MEETINGS – Councilwoman Latner reported they are moving forward with promotions in lieu of the Chief's retirement. They are waiting on numbers to continue with contract negotiations.

2) LIAISON REPORTS – Councilwoman Latner reported on the following:

a. Board of Education – NVRHS

b. Library Board of Trustees – They are still not sure about the system that gets the books back and forth; and if BCCLS does close, it would be bad in terms of our Library because we would lose $10,000 in funding. The Librarian is fighting along with others to keep it. The Closter Lions donated a computer for the visually impaired. In answer to Councilwoman Chung, she explained what the BCCLS delivery system is and said we earn money on the amount of books borrowed by others. Mrs. Chung informed she uses the Libby app through the Library to reserve digital copies of books and has been sharing this information with residents so they are aware they can do so.

C. PUBLIC WORKS - CHUNG (AMITAI/LATNER)

1) REPORT RE PUBLIC WORKS COMMITTEE MEETINGS – Councilwoman Chung reported the DPW Superintendent is busy preparing for Memorial Day which she is sure will go very well. She has a proposal to add another position for the next meeting.

2) LIAISON REPORTS – Councilwoman Chung reported on the following:

a. Board of Health – Mrs. Chung expressed this was something she wanted to spend a little bit of time on. She knows there was a PTO Spring Event this past weekend; and at the last Health Department meeting, the Health Inspector and Registrar did ask the Board and herself if there are any vendors that had not submitted the application for a permit at the site would anybody have any objections to asking them to leave; and Mrs. Chung said if that was their protocol, she did not have any objections because they are protecting the safety of our residents. At the PTO Event, the Health Inspector asked an ice cream truck to leave because they did not have the proper paperwork and she also asked the Korean Parents Association to leave because they were also selling food and did not have proper paperwork; and it did not go over well. She said you can't blame the Health Inspector because her concern was not knowing where the food was prepared, was it prepared in sanitary conditions and packed and stored at the proper temperatures etc. She asked them to provide the name of the restaurant where the food was prepared and they couldn't; she then asked them to fill out the application and submit it by e-mail at that time and they did not do that. This was on the day of, so she tried to work with them knowing they made quite an investment to purchase the food and she felt badly; but neither request was met; and she asked them to leave. She did not know that they returned; but she has since heard that they returned an hour and a half later because somebody told them to. Mrs. Chung is not aware of who that person might be that told them to go back and she was unable to reach Ms. Bae today to get more information and she was also unsuccessful in reaching the President of the Korean Parents Association. Mrs. Chung said our Health Inspector is quite angry as is our Health Registrar. Once they get all of the information, they can discuss it further; but she thinks it was a bit of an issue. Mayor Glidden informed he had some conversations with Ms. Bae on Saturday and he requested that she give them a pass saying that we recognize that they prepared all of this and didn't know they had to have that (paperwork) so he asked Ms. Bae to consider giving them a pass; and he spoke to her again later; and she decided she was going to give them a pass. Chris Cho confirmed that to him and he had a separate conversation with Barbara (Guile) and the other guy

6. COMMITTEE REPORTS (Continued)

C. PUBLIC WORKS - CHUNG (AMITAI/LATNER) (Continued)

2) LIAISON REPORTS (Continued)

a. Board of Health (Continued)

Tony Neusch in his office last night and he was going to prepare a letter for the PTO and the KPG to let them know it will not be tolerated if they don't have the proper paperwork in the future. He reiterated that he spoke to Ms. Bae and that she said she was going to give them a pass this one time. Councilwoman Latner said maybe that's why they came back an hour and a half later. Mrs. Chung said she could invite Ms. Bae to the next meeting because she relayed to her that she was not aware and did not authorize them to return. Mayor Glidden said something fell through the cracks there and asked that Ms. Bae come to the next meeting and Mrs. Chung said she would invite her. In answer to Councilwoman Amitai, she informed the ice cream truck did not come back. Mrs. Amitai said she had heard if they filled out the form and paid the $50.00 they would be allowed to; that's what she was told at that time. Mayor Glidden said they were run off. Councilwoman Chung suggested that going forward it might be a good idea in January to sit down all the heads of the Boards and Commissions and the PTO and other entities that would have large events to review the rules of purchasing and permits. She knows the PTO changes every year and she is not sure the information is being passed to each new President. Although they have the event every year, it is a new person leading the event. Mayor Glidden said that would be a good idea.

b. Zoning Board of Adjustment – The Board does an annual reevaluation and they will create a report which they can review in depth once everyone receives it. Regarding the Land Use office, it is still a work in progress.

c. Northern Valley Greenway – No report.

3) Special Mayoral Assignment – Stigma Free (WS 6/27/18) – No report.

D. ORDINANCES - DEVLIN (WITKO/AMITAI)

1) REPORT RE ORDINANCE & LEGISLATIVE COMMITTEE MEETINGS – Councilman Devlin reported the Committee discussed the road opening ordinance and it was at the same meeting that they decided to bring the curb and sidewalk inspections in house. There will be changes to the road opening ordinance coming soon.

2) LIAISON REPORTS – Councilman Devlin reported on the following:

a. Environmental Commission (Voting member) – Planting will begin at the MacBain Farm; and there will be a group of volunteers to staff it to make sure nobody picks anything they shouldn't. The staff will also pick weeds and keep the Farm nice for everyone. The Commission is working on specifications for previously appropriated money to bring water and electricity to the farm to improve irrigation and provide water for the volunteers so there is the possibility of more events in the future. He reiterated these monies have already been appropriated; and the appropriation and spending process broke down last year when it came down to appropriations from the Open Space Fund.

b. Shade Tree Commission (Voting member) – There will be a meeting with the Shade Tree Commission and members of the Ordinance Committee to discuss enforcement of the Shade Tree Ordinance and a new Shade Tree ordinance.

Councilwoman Chung asked if the Ordinance Committee was still working on the job description for the Administrator; and Mr. Devlin said they were not. He said they talked about it but there has not been an official Ordinance Committee meeting. They are still working on the personnel ordinance and waiting on information from the Borough Attorney as to how to calculate the time. Mr. Rogan reminded the ordinance was pulled at the time of introduction; and noted he has only heard back from Councilman Devlin regarding same. Mr. Devlin asked how to calculate the days in terms of the super extra you get when you leave and what's the start date. Mr. Rogan reminded there were also questions about new hires and vacation days, but there was never a consensus on that matter. Mrs. Chung asked if there was anything the Personnel Committee could do to help in terms of the Borough Administrator's job description to get it finalized. She said he has the latest copy from when it was last worked on; and the Committee is not sure they would add anything further to what they already have. Mr. Devlin said he had it but it has taken time because it is a large list.

6. COMMITTEE REPORTS (Continued)

E. HUMAN RESOURCES – WITKO (CHUNG/LATNER)

1) REPORT RE PERSONNEL COMMITTEE MEETING(S) – Councilwoman Witko reported there are some ongoing things they will talk about later and they have a recommendation for Borough Administrator to be made in Closed Session.

2) LIAISON REPORTS – Councilwoman Witko reported on the following:

a. Board of Education – Closter Public Schools – She attended the Budget Hearing and as hard as this is to believe the average assessed home of $678,032 will be a minus 8.36 (-$8.36). The population of Hillside School has reached 701 students and Tenakill School is 515 students and they will be doing a demographic study. They spoke about the non-immunized children at the schools; and there are 26 at Hillside and 5 at Tenakill all of which are due to religious reasons.

b. Fire Department – There were twenty-six (26) total incidents in the month of April with 300 total personnel hours. At the same time in 2018 the total incidents were twenty-four (24) and personnel hours were 421.

F. LAND USE AND CONSTRUCTION - AMITAI (DEVLIN/YAMMARINO)

1) REPORT RE CONSTRUCTION DEPARTMENT MEETING(S) - Ms. Amitai confirmed with the Borough Attorney that the Deputy Treasurer will be taking over locally the future COAH Apartments as she is aware that there will be an upcoming application before the Planning Board which has not yet taken place. Therefore, she said that Ms. Woods wanted to be prepared in advance to handle the process correctly.

A Committee meeting will be held tomorrow night regarding the Re-Examination of the Master Plan which is being chaired by Mayor Emeritus Sophie Heymann.

Regarding the Building Department, Ms. Amitai had a question. She explained that when the former Construction Official was here, there was a large influx of work due to the Edens/Closter Plaza Development. Each Sub-Code Official was granted an extra 10 hours per week to facilitate the heavy workload and she clarified that they didn't get paid for those extra hours unless they were used.

At this time, Joe Zavardino, who was in the audience, asked Ms. Amitai if she had received his e-mail when they talked two days ago; and she said she had not. She, therefore, asked if Mr. Zavardino could speak to the matter. Mayor Glidden recommended that she continue with her report explaining that Mr. Zavardino could speak to the matter when the meeting is opened to the public.

Ms. Amitai continued that it was supposed to be done annually and they do not have those hours. They need to be paid for a few extra hours this month, Mr. Zavardino particularly. Because he went over his allotment, he submitted a voucher to Maria Passafaro who said there weren't sufficient funds to cover this. Ms. Amitai therefore asked that a decision be made as to how many hours will be allotted since they should be paid for the work done. She reminded that we have Village School coming up before us, the Nursery School coming up on Vervalen and Piermont Road and who knows what else is coming down the pike. Mayor Glidden confirmed with Maria Passafaro that there was no resolution to cover this.

In response to Ms. Chung's questions, Ms. Amitai said it was a busy year and a half. We now have a lot of construction of new homes and renovations. One sub-code official needed to do his work, he put in his voucher and he is going over his regularly allotted hours. Ms. Latner said it is her understanding that this happens occasionally. She asked if it could be added to the Resolution, but was informed it ended in January.

Borough Attorney questioned whether there was provision made in the Municipal Budget for this purpose; and since Ms. Passafaro said it was not, he said it should have been; and he will look into the matter.

6. COMMITTEE REPORTS (Continued)

F. LAND USE AND CONSTRUCTION - AMITAI (DEVLIN/YAMMARINO) (Continued)

Ms. Amitai questioned the method of handling a matter regarding the Construction Official's hours. Mayor Glidden asked her if she had discussed same with him, she said no and suggested the Borough Attorney do so. At this point, Mr. Rogan advised that due to the nature of the subject, it should be further clarified in Closed Session as it is a matter involving personnel.

Ms. Amitai questioned whether we received the signature from CSX on the grant that would allow us permission to pave over it. The Borough Engineer explained the Borough was looking to lease the property along the railroad tracks to park on that property; Officer Sarubbi had sent it to the Administrator for follow through. Mayor Glidden advised that Mr. Yammarino attended the meeting with CSX; and Mr. Yammarino said he spoke with the liaison and determined that the Administrator had received a verbal approval for parking spaces; but we want to receive written approval before moving forward.

2) LIAISON REPORTS – Councilwoman Amitai reported on the following:

a. Planning Board (Voting member)

b. Improvement Commission (Voting member) - The Hoe Down is coming, they are still having difficulty complying with the rules, but they will keep trying.

c. Senior Citizens – No report.

G. MAYOR'S LIAISON REPORT

a. Ambulance Corps

b. Borough Engineer

c. Northern Valley Mayor's Association

Mayor Glidden confirmed that as of 4:00 p.m. yesterday afternoon, CSX reported that the Old Hook Road work has been completed.

The Mayor informed that our Municipal Court Judge, Peter Geiger, was promoted to Superior Court. He was forced to resign as our Municipal Court Judge and Mayor Glidden has begun collecting resumes. He has four on his desk and he will do what he can to cull it down to two unless they can provide him with more.

In response to Mr. Devlin's question whether this is an RFP request for professional service requiring advertisement on the web site and the Borough Attorney advised it is up to the Council. Mayor Glidden said it poses difficulty in terms of time. At this point, we have a temporary judge and we will have to continue to do so. If you have to do a complete advertisement, it would take several months. He recommended we limit our selection to six or eight candidates. He has four on his desk; and that is the way it should be done in a timely fashion so we don't have to continue to have a temporary judge. It is difficult on the police department and difficult in terms of handling the things like the Chief of Police was talking about a while ago when we had people with lines going all the way down the stairs. Having a temporary fix does not help that situation; so his recommendation is to go with the latter. He confirmed with Ms. Amitai that the term would be until the end of the year at which time we will have a full process. No objections were voiced to the Mayor's suggestion.

The Mayor informed Councilman Devlin and the members of the Council that if you have a name you would like to put forward, please get it to him. Leslie is keeping track of them. He'll cull it down a little bit and give it to the Personnel Committee who will decide how many they would like to interview. Mr. Devlin confirmed with the Borough Attorney that it is a three year term that expires the end of this year and it is non-tenured. Mr. Rogan cautioned that the candidates customarily handle multiple towns, so it is not only the person but the person's availability on our Court schedule. They might be interested but not available.

At this time, the Mayor referred to the "UNFINISHED BUSINESS" listed below and explained that as soon as we have a temporary Business Administrator on board, some of these items may be addressed quickly; so we hope it comes up within a week or so. We had one problem crop up a week or so ago which the Borough Clerk said had been cleared up.

7. OLD BUSINESS

Borough Attorney advised that the contract with the Board of Health for Health Officer services was never finalized this year due to questions about when representatives would be available during the day. He understands that the issue has been resolved and he asked for Council authorization to prepare the same agreement as last year. In answer to Councilman Devlin, Borough Attorney advised that the President of the Board of Health indicated that there have been no issues this year in terms of vacation or hours. He said the position is part time.

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 2/13/19, WS 2/27/19, WS 3/13/19, WS 3/27/19, WS 4/10/19 and WS 5/8/19)

Borough Engineer advised said he heard from Councilwoman Witko that a person who attended Norwood meetings said that this was the first time they had heard discussion about the bridge. Borough Attorney said he has written to the County and noted he was in contact with the Norwood Attorney and Engineer. He said he has not had a reply from the County.

b. UNFINISHED BUSINESS

1) STATUS REPORT RE SWIM CLUB PHASE II CONTAMINATION INVESTIGATION (Authorized RM 7/9/14) Requested by Borough Engineer @ WS 5/8/19/To be prepared by Borough Attorney for RMA 6/12/19/Requested by Borough Attorney 5/17/19

Borough Attorney said he had prepared a resolution to authorize the proposal but has not received confirmation from the Chief Financial Officer relative to same.

2) ~~*POSSIBLE*~~ AUTHORIZING THE TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH N.J.S.A. 54:4-66.2 (Received from Tax Collector 5/15/19/Pending Chief Financial Officer approval 5/17/19)

Tax Collector advised that she would prefer to have the approval to provide cash flow to pay bills. Borough Attorney said the authorization could be approved by voice vote and have the resolution memorialized at the next meeting.

3) STATUS OF RESIGNATION OF JUDGE PETER GEIGER AS MUNICIPAL COURT JUDGE FOR A 3-YEAR UNEXPIRED TERM TO 12/31/19 DUE TO APPOINTMENT AS SUPERIOR COURT JUDGE (WS 5/8/19)

8. NEW BUSINESS

Councilwoman Amitai referred to an incident where trees were being cut down that should not have been; and on the suggestion of the Borough Engineer, we have a meeting between Planning/Zoning members, attorneys, engineers and the Ordinance Committee on this matter. Borough Engineer advised that he was unaware of the incident until he received a call and he then stopped the tree cutting.

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

Seth Schwinger, 7 Hickory Lane, referred to the guide rail on the corner of Hickory Lane and Piermont Road in front of his house which he considered a safety hazard and the drastic change in the traffic pattern on Hickory Lane due to the increase in traffic for the farm. He described and provided pictures of an incident that his wife incurred trying to exit their driveway and the impact of the end piece of the guide rail with her vehicle. The car was subsequently totaled by the insurance company but is much less than the replacement value. The Engineer and DPW inspected the guide rail and a makeshift repair was done; but as of today, the sharp edge is still protruding into the roadway; and he noted that at the corner of his driveway it is impossible to make a right had turn if there is an oncoming vehicle. He read from a report he had obtained about guide rails and adequate maintenance of same. He felt that something should be done immediately to rectify the matter; and he cited the report from the N.J. Transportation Department on same. He said that the terminal piece of the rail should be moved toward Piermont Road away from his driveway. Mayor Glidden requested the Borough Engineer and DPW Superintendent meet on this matter and come up with a proposal to rectify this situation. He suggested that this be done on an emergency basis and not wait for the road program.

Joe Zavardino referred to the number of hours allocated for a potential increase in workload in the Department and inspection called for on Good Friday, which he was able to accomplish for the resident. He said he put in extra time in April because he had to get the work done.

Sophie Heymann noted that the Historic Preservation Commission meeting was cancelled because of the lack of attendance. She referred to a letter and proposal from an architect; and noted there is an emergency with the breezeway where the roof has given way to such an extent that every storm floods the area and has actually ruined some floor tiles which will need to be replaced. The roof must be replaced and the estimate for same is no more than $8,000. The other request is for the driveway, walkway and landscaping; and finally we need a cleaning crew to maintain the interior of the house. We need an ordinance to appropriate this money for these improvements. Borough Engineer noted that the paving of the driveway is included in the road program; but he suggested that a small contractor do the job because more care is taken. Mayor Emeritus Heymann noted that several films have been produced in the house one of which was shown in Lincoln Center. In answer to Councilwoman Chung, Mayor Emeritus Heymann said the ordinance clearly states that the money can be used for maintenance and acquisition of open space and historic properties in addition to recreational facilities. In answer to Councilman Devlin, she said that there are no grants at this time; but when same are available, an application is made. Relative to the flagstone walkways, same need to be repaired because some are a hazard at this time and the quote was from the architect and may be less. She said the walkway exists all around the house. Joe Zavardino said he would inspect the property and provide a report on his findings. Borough Attorney noted that the cleaning crew cannot be part of the capital ordinance.

Dr. Barad referred to the tree removal and referred to Code Chapter 181which cited that the tree expert does not give permits but advises the Planning Board on trees. He felt that the current ordinance should be enforced properly. Regarding the Building Department, the extension was given on a temporary basis because of the excessive work being done on the Plaza. It was supposed to be only for a year because of concern about extending the hours permanently. If someone is away for two weeks and does not work those hours, then the monthly budget should be extended to the other two weeks.

10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

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

12. ADJOURNMENT

Motion to adjourn the Work Session at 9:05 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 June 6, 2019 for approval
at the Regular Meeting to be held
June 12, 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 June 12, 2019
Consent Agenda Item No. 27b