

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – JUNE 24, 2015 - 7:30 P.M.

1. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was published in The Record and The Star Ledger on January 9, 2015, 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

3. PRESENTATION BY COAH PLANNER (Requested by Borough Attorney 6/19/15)

4. APPOINTMENTS - (Not made at the Reorganization Meeting held 1/5/15 - Requiring Council confirmation)

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Improvement Commission Member/ Historic Preservation Liaison	<u>Susan McTigue</u>	_____	2 Years Unexp (McTigue)	31-Dec-15
Planner to Implement Portions of the 2008 Master Plan	<u>Francis J. Banisch, III</u> <u>Banisch Associates, Inc.</u>	_____	1 Year	31-Dec-15
Treasurer	<u>VACANT</u>	_____	1 Year	31-Dec-15

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

These Ordinances were introduced at the Regular Meeting held 5/27/15 and were published in The Record on 6/2/15 as stated in the Municipal Clerk’s affidavit of publication. Reprint of these Ordinances were posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public.

- a. 2015:1189: “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 171 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING STREETS AND SIDEWALKS”
- b. 2015:1190: “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 29 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING IMPROVEMENT COMMISSION”
- c. 2015:1192: “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 108 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FLOOD DAMAGE PREVENTION”
- d. 2015:1193: “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS, SPECIFICALLY FOR THE CONSTRUCTION OFFICE”

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

This Ordinance was introduced at the Regular Meeting held 6/10/15 and was published in The Record on 6/13/15 as stated in the printer’s affidavit of publication. Reprint of this Ordinance was posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public.

BOND ORDINANCE NO. 2015:1188, “AN ORDINANCE OF THE BOROUGH OF CLOSTER IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING SECTION 3(e) OF (BOND) ORDINANCE NO. 2013:1142 OF THE BOROUGH FINALLY ADOPTED ON MAY 8, 2013, PROVIDING FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$1,817,500 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,584,125 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME”

CLOSTER MAYOR AND COUNCIL
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7a. VOTE ON CONSENT AGENDA ITEMS

ORDINANCES

8. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING 7/22/15 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2015:1194, “AN ORDINANCE AMENDING CHAPTER 30 THE CODE OF THE BOROUGH OF CLOSTER REGARDING INTERMUNICIPAL AGREEMENTS” (Received from Borough Attorney 6/16/15)

RESOLUTIONS

9. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$1,064.50 TO ROBERT E. SPIOTTI ESQ FBO SPIOTTI & ESPOSITO FBO DE LA BASTIDA, JENNE FOR BLOCK 1314, LOT 5, FOR 2014 REAL ESTATE TAXES AS AGREED VIA SETTLEMENT PER RESOLUTION DATED 2/11/15 DUE TO TAX COURT JUDGMENT (TCJ RENDERED 6/5/15) (Received from Tax Collector 6/15/15)
10. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$1,907.58 TO JACOBUS & ASSOCIATES, LLC FBO MOCHAROV, ANDREW & ELENA FOR BLOCK 2302, LOT 21, FOR 2014 REAL ESTATE TAXES AS AGREED VIA SETTLEMENT PER RESOLUTION DATED 1/28/15 DUE TO TAX COURT JUDGMENT (TCJ RENDERED 5/15/15) (Received from Tax Collector 6/15/15)
11. RESOLUTION APPOINTING KEVIN WHITNEY TO SERVE AS FIRE OFFICIAL FOR A 2-YEAR TERM FROM 8/1/15 TO 7/31/17
12. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$30,642.20 TO US BANK CUSTODIAN FOR BV001 TRST & CRDT FOR REDEMPTION OF CERTIFICATE #15-00006 FOR BLOCK 2404 LOT 12 A/K/A 584 CLOSTER DOCK ROAD, SOLD AT THE MUNICIPAL TAX SALE HELD ON 6/16/15 FOR 2014 DELINQUENT TAXES (Received from Tax Collector 6/18/15)
13. RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO SIGN GROUP DISABILITY INSURANCE AMENDMENT FOR DEPARTMENT OF PUBLIC WORKS EMPLOYEES WITH STANDARD INSURANCE FOR A 36-MONTH PERIOD STARTING 7/1/15 TO LOWER RATES WITHOUT CHANGING COVERAGE (Received from Administrator 6/18/15)
14. RESOLUTION MEMORIALIZING AUTHORIZATION APPROVED AT THE REGULAR MEETING HELD 6/10/15 FOR THE BOROUGH ADMINISTRATOR TO PREPARE AND SUBMIT A 2015 DECLARATION OF INTENT TO APPLY FOR BERGEN COUNTY HISTORIC PRESERVATION TRUST FUND FOR THE LUSTRON HOUSE (Received from Borough Attorney 6/19/15)

MOTIONS

15. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS TO THE FOOD AND ASSISTANCE BOARD (In accordance with Ordinance No. 2015:1185 adopted 5/13/15 changing membership and stipulating initial terms of appointment): Carried from RM 5/27/15/RM 6/10/15

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
MEMBER	<u>New Member</u>	_____	2 Years	12/31/16
MEMBER	<u>New Member</u>	_____	3 Years	12/31/17

16. *POSSIBLE MOTION* GRANTING APPROVAL FOR CLOSTER CHAMBER OF COMMERCE TO HANG BANNER ACROSS MAIN STREET (VERVALEN STREET) IN MID JULY ANNOUNCING THE SIDEWALK SALE TO BE HELD 7/30/15, 7/31/15 AND 8/1/15, SUBJECT TO RECEIPT OF APPROVAL FROM RISK MANAGEMENT CONSULTANT OF REQUIRED INSURANCE (Carried from RM 6/10/15)
17. MOTION GRANTING APPROVAL FOR ST. MARY RC CHURCH TO CANCEL ON PREMISE CASINO NIGHT WITH TEXAS HOLD’EM AT THE SCHOOL BUILDING, 300 HIGH STREET, ON SATURDAY, 6/13/15, FROM 7:00 P.M. TO 11:00 P.M. ORIGINALLY APPROVED AT RM 4/8/15 AGENDA NO. 16
18. MOTION APPROVING RAFFLES APPLICATION FOR CLOSTER ANIMAL WELFARE SOCIETY (CLAWS), P.O. BOX 172, CLOSTER, NJ 07624, TO CONDUCT OFF-PREMISE 50/50 CASH RAFFLE; DRAWING TO BE HELD AT THE CLOSTER PUBLIC LIBRARY, 280 HIGH STREET, CLOSTER, NJ 07624, ON 12/12/15 AT 12 Noon (Completed application filed and appropriate fees paid 6/9/15)

CLOSTER MAYOR AND COUNCIL
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7a. VOTE ON CONSENT AGENDA ITEMS (Continued)

MOTIONS (Continued)

19. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 6/18/15) NO ABSTENTIONS:

- a. REGULAR MEETING HELD JUNE 10, 2015
- b. WORK SESSION HELD JUNE 10, 2015

20. REPORTS

- a. CHIEF OF POLICE – MAY 2015 (Received 6/12/15)

7b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

21. 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)

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

23. ADJOURNMENT

ALL BUSINESS WILL TERMINATE AT 11:00 P.M.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – JUNE 24, 2015 - 7:30 P.M.

1. PLEDGE OF ALLEGIANCE
2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

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3. ROLL CALL
4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS
 - a. MAIL LIST OF JUNE 11, 2015
 - b. MAIL LIST OF JUNE 18, 2015
5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of June 24, 2015)
6. COMMITTEE REPORTS
 - A. FINANCE AND TECHNOLOGY - HENNESSEY (DOLSON/DI DIO)
 - 1) STATUS REPORT RE CLOSTER WEBSITE
 - 2) REPORT
 - B. PUBLIC SAFETY - DOLSON (AMITAI/LATNER)
 - 1) REPORT
 - C. PUBLIC WORKS - LATNER (HENNESSEY/DI DIO)
 - 1) REPORT
 - D. ORDINANCES - BARAD (HENNESSEY/AMITAI)
 - 1) REPORT RE ORDINANCE COMMITTEE MEETINGS
 - 2) REPORT
 - E. HUMAN RESOURCES - DI DIO (LATNER/DOLSON)
 - 1) REPORT RE PERSONNEL COMMITTEE MEETINGS
 - 2) REPORT
 - F. LAND USE AND CONSTRUCTION – AMITAI (BARAD/DOLSON)
 - 1) REPORT RE STATUS OF DISCUSSION IN SUBCOMMITTEE RE CHANGE IN ZONE 5 (Requested by Mayor Heymann WS 8/13/14)
 - 2) REPORT

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7. OLD BUSINESS
8. NEW BUSINESS
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
10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
11. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE
GOVERNING BODY
12. ADJOURNMENT

MAIL LIST
JUNE 11, 2015

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	06/05/15	06/02/15	Ann E. Fay, RMC, CMC, Clerk-Administrator, Borough of Haworth, to Loretta Castano	*Notice of Borough of Haworth Planning Board Public Hearing for Proposed Housing Plan Element and Fair Share Plan, Master Plan, scheduled to be held 6/17/15 @8:00 PM at the Borough Hall, 300 Haworth Avenue	Amitai/Planning
2.	06/08/15	06/01/15	Ralph LaRossa, President and COO, PSE&G, to Mayor	PSE&G ranks highest in J.D. Power studies of business customer satisfaction; Lower gas bills for six straight months; Modernizing our gas system; Making New Jersey Energy Strong; Preparing for 2015 summer electric demand	
3.	06/08/15	06/05/15	Robert A. Abbatomarco, Executive Director, Bergen County Division of Open Space, Open Space Trust Fund, to Loretta Castano	*Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund – Public Hearing Notice – Monday, 7/13/15 @ 5:00 p.m. at the County Administration Building, One Bergen County Plaza, The Learning Center, Room 460, 4 th floor, Hackensack, Re Proposed Funding Allocation to Concerned Citizens of Allendale, Inc. for Open Space Acquisition of the John Fell House and the Department of Parks for park improvements projects (Van Saun Park) Posted on Municipal Clerk’s Bulletin Board 6/12/15!	
4.	06/05/15 06/08/15 06/09/15	06/05/15 06/08/15 06/09/15	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerk	*Mayors Advisories re: a. Weekly Policy Update: I. OPRA and OPMA Bills Before Committee on Monday II. Costly Public Safety Workers’ Compensation Bills Advance III. Spill Act Amendment Advances b. More Info Posted on FEMA Grant Availability (Copy to OEM Coordinator) c. Urgent Legislative Alert: S-781 and S-782 Amendments to the Open Public Meetings Act and Open Public Records Act d. New Jersey Supreme Court Ruling on Pension Payment Obligations e. Washington Watch Advisory – Update on Federal Developments I. EPA Releases Final “Waters of the U.S.” Rule II. House to Vote on Preemption on Internet Taxes III. Committee Hearing Fails to Consider Sales Tax Equity Matter IV. Supreme Court Rules on Religious Accommodation Case	Borough Attorney Borough Attorney Borough Attorney

	06/11/15	06/11/15		f. Mayors Advisory re: I. New Jersey Supreme Court Case on Pension Funding (“Chapter 78”) II. Federal Highway Administration Memo on Roadside Safety Hardware III. “The Making of our Nation’s Laws” and other resources available on our website	Borough Attorney
5.	06/05/15 06/08/15	06/05/15 06/08/15	Cindy Randazzo, Director, Office of Local Government Assistance, NJDEP to Municipal Official	*NJDEP Press Release(s) re: a. Christie Administration Seeks Federal Court Ruling to Stop Seismic Research Project b. New Underground Tunnel to Help Wildlife Cross Road Unveiled in Bedminster	
6.	06/08/15	06/04/15	George D. Cascino, P.E., P.P., Consulting Engineer, to Guy Watson, Chief, NJDEP, Bureau of Recycling & Hazardous Waste Mgt. C: Joseph Miele Alan Ashkinaze Closter Municipal Clerk Richard Wierer, BCUA Director Recycling & Solid Waste Mgt.	*Renewal of General Class B Permit; Miele Sanitation, GDC File #95-8; NJDEP Facility No. 197012; Permit No. CBG 050002 (Copy to William Dahle, III)	Borough Attorney Latner/Public Works
7.	06/08/15	06/05/15	Stuart D. Liebman, Wells, Jaworski & Liebman, LLP to Loretta Castano, Borough Clerk c: James Crimmins Edward T. Rogan, Esq.	*Re 49 John Street – Request to have matter placed on an upcoming meeting Agenda to provide additional information to support this request as previously discussed (WS 5/13/15) Copy to Planning Board	Borough Attorney Amitai/Planning
8.	06/08/15	06/03/15	Richard D. Loccke, Loccke, Correia & Bukosky, to Public Employment Relations Commission, Ms. Daisy B. Barreto, Director of Arbitration/ Conciliation c: Edward T. Rogan, Esq. Mayor and Council Association	*Borough of Closter and PBA Local No. 233 (Closter Unit) Notice of Impasse for Filing and Docketing; Our File No.: 1619.002-00069360 (distributed to Mayor and Council on 6/10/15)	Borough Attorney
9.	06/09/15	06/09/15	Ronald S. Ladell, Senior Vice President, AvalonBay Communities, to Municipal Clerk, Mayor and Council, Secretary/ Planning Board	*AvalonBay Communities, Inc. Affordable Housing Service List (Copy to LUC/Planning Board)	Amitai/Planning
10.	06/10/15	06/10/15	Jim Oettinger, Recreation Parks Director, to Jonathan DeJoseph	*Closter Improvement Commission Hoe Down (distributed to Mayor and Council on 6/10/15)	

11.	06/10/15	06/10/15	Borough of Montvale, Deputy Municipal Clerk/Tax Collector, to Municipal Clerks	*Certified copy of Resolution adopted 6/9/15 Supporting the Transparent Tax Act of 2015	
12.	06/11/15	06/11/15	Gary Montroy, (Part Time) Construction Official, Governing Body/Jonathan DeJoseph	*Noxious Odors Relating to Borough Hall Repairs	Administrator

MAIL LIST
JUNE 18, 2015

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	06/08/15	May 2015	Christine A. Sanz, Chief Executive Officer, Meadowlands Conservation Trust, to Loretta Castano	*2014 Meadowlands Conservation Trust Annual Report – (letter only!) REPORT ON FILE IN BOROUGH CLERK'S OFFICE (Copy to Environmental Commission – letter only!)	Hennessey/ Environmental
2.	06/11/15	No Date	County of Bergen Department of Human Services, Division of Disability Services, to Loretta Castano	*Invitation from Bergen County Executive and Board of Chosen Freeholders to attend A Celebration of the 25 th Anniversary of The Americans with Disabilities Act (ADA) on Friday, 7/24/15 from 11:30 a.m. to 2 p.m.; Ticket reservation form enclosed (Original to Mayor Glidden 6/18/15)	
3.	06/11/15 06/12/15	06/11/15 06/12/15	Cindy Randazzo, Director, Office of Local Government Assistance, NJDEP to Municipal Official	*NJDEP News Releases re: a. Ground-level ozone – information on free resources and services (Copy to OEM Coordinator) b. DEP Site Remediation – New Webpage Announcement: www.nj.gov/dep/srp/community/access.html (Copy to Board of Health, Construction Official, Environmental Commission) c. Christie Administration Announces Free Fishing Days to be Held 6/13/15 and 10/17/15	Borough Engineer Dolson/Health Hennessey/ Environmental
4.	06/11/15 06/12/15 06/17/15	06/11/15 06/12/15 06/17/15	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerk	*League Advisories re: a. REVISED COPY: New Jersey Supreme Court Case on Pension Funding (“Chapter 78”) b. Federal Law Enforcement Body-Worn Camera Program (Copy to Chief Kaine) c. Weekly Policy Update I. Senate Budget Appropriations Committee Holds OPRA and OPMA Bills (S-781 & S-782) II. New Jersey Supreme Court Ruling on Pension Payment Obligation III. Bill advances that permits municipalities to implement a 5 year residency requirement for Public Safety Employees (S-2783/A-4265) (Police & Paid Fire Employees) Copy to Chief Kaine IV. BPU-Verizon Stipulation Agreement d. Impact on Property Taxes When Implementing an Element of Pension and Benefits “Roadmap” Report	Borough Attorney Dolson/Public Safety Borough Attorney Dolson/Public Safety

5.	06/12/15	06/12/15	egg@dca.state.nj.us to lcastano@closternj.us	*DCA Launches New Electronic Plan Review System “ePlans” (Copy to LUC/Planning Board, LUC/Zoning Board of Adjustment, Construction Official)	Borough Attorney Borough Engineer Amitai/Construction Dolson/Zoning
6.	06/12/15	06/12/15	Rose Mitchell, Planning Board Coordinator, to Mr. Bell, Law Offices of Jacobs & Bell c: Zoning Officer Board Engineer Borough Clerk	*Certified copy of “Resolution of the Planning Board of the Borough of Closter Granting Preliminary and Final Site Plan Approval of the Application by 50 Railroad Avenue, LLC for the Renovation of 50 Railroad Avenue, Block1205, Lot 9, Borough of Closter, New Jersey Subject to the terms and Conditions Set Forth Herein” DEVELOPER’S AGREEMENT REQUIRED	Borough Attorney Borough Engineer Amitai/Planning
7.	06/15/15	06/15/15	a. Cliffside Park Borough Clerk b. Emerson Municipal Clerk c. Midland Park Borough Clerk d. North Arlington Acting Clerk	* Certified copy of Resolutions Opposing the Municipal “User-Friendly” Budget	
8.	06/15/15	06/05/15	David M. Watkins, Esq., Attorney for Applicant, to Borough of Closter	*Notice of Planning Board Hearing scheduled to be held 6/25/15 @ 8 p.m. to hear the Application of Changiz Asfarjani and Afsaneh Kiarash for soil movement permit for property located at Block 1003, Lot 21.02, 77 Legion Place	Amitai/Planning
9.	06/17/15	06/17/15	Adeline Hanna, RMC, Administrator/Borough Clerk, Borough of Midland Park, to Municipal Clerks	*Certified copy of Resolution Supporting the Transparent Tax Act of 2015 (A-4325)	
10.	06/18/15	06/15/15	Patti McKim, Deputy Borough Clerk, Borough of Cresskill, to Municipal Clerks	*Certified copy of Resolution Designating Stigma-Free Zone in the Borough of Cresskill	

ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held June 10, 2015

Unapproved Notes of Work Session held June 10, 2015