

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – OCTOBER 25, 2017 - 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 included in the Annual Notice of Meetings which was published in The Record and The Star Ledger on January 9, 2017, 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. MAYORAL PRESENTATION(S)

4. MAYORAL APPOINTMENT(S) TO THE FOLLOWING BOARDS/COMMISSIONS:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Environmental Commission				
Member/Shade Tree Liaison	<u>Brian Stabile</u> <i>(Elected to Council)</i>	_____	3 Years Unexp. (Stabile)	31-Dec-17
Associate Member	<u>Arthur Goldberg</u> <i>(Dep. 3/6/17)</i>	_____	1 Year Unexp. (Goldberg)	31-Dec-17
Planning Board				
Class II/Rep. Gov’t of Closter	<u>Gary Montroy</u> <i>(Resigned)</i>	_____	1 Year Unexp. (Montroy)	31-Dec-17
Alternate No. 2	<u>Ansar Batool</u> <i>(Moved to Class IV RM 3/8/17)</i>	_____	2 Years Unexp. (Batool)	31-Dec-17
Shade Tree Commission				
Member/Environmental Commission Liaison	<u>Brian Stabile</u> <i>(Elected to Council)</i>	_____	5 Years 5 Years Unexp.	31-Dec-21
Alternate No. 1	<u>Georgia Carey</u> <i>(Did not accept appointment)</i>	_____	(A. IX)	31-Dec-17

5. AT APPROXIMATELY 8:45 P.M.OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD – PERSONNEL MATTER PURSUANT TO RICE NOTICE SENT 10/13/17

6a. VOTE ON CONSENT AGENDA ITEMS

ORDINANCES

7. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING AND ADOPTION – 11/20/17 @8:00 P.M. OR SOON THEREAFTER AS THE MATTER MAY BE HEARD:

BOND ORDINANCE NO. 2017:1233: Title to be provided by Bond Counsel re Purchase of Village School (Requested by Borough Attorney WS 10/11/17) - TO BE PREPARED BY BOND COUNSEL

RESOLUTIONS

8. RESOLUTION AUTHORIZING BERGEN COUNTY COOPERATIVE PRICING SYSTEM #11-BeCCP FOR SERVICE/COMMODITY: GASOLINE (87 OCTANE UNLEADED GASOLINE) (BID #17-41) FOR THE CONTRACT PERIOD 9/21/17 THROUGH 9/20/19 (Received from Administrator’s office 10/4/17)
9. RESOLUTION AUTHORIZING BERGEN COUNTY COOPERATIVE PRICING SYSTEM #11-BeCCP FOR SERVICE/COMMODITY: Fuel Oil #2, MAX. SULPHUR 0.2% Fuel (BID #17-43) FOR THE CONTRACT PERIOD 9/21/17 THROUGH 9/20/19 (Received from Administrator’s office 10/4/17)
10. RESOLUTION AUTHORIZING BERGEN COUNTY COOPERATIVE PRICING SYSTEM #11-BeCCP FOR SERVICE/COMMODITY: 40 CETANE PREMIUM DIESEL FUEL AND 40 CETANE PREMIUM WINTER BLEND DIESEL FUEL (BID #17-42) FOR THE CONTRACT PERIOD 9/21/17 THROUGH 9/20/19 (Received from Administrator’s office 10/4/17)

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – OCTOBER 25, 2017 – 7:30 P.M.

6a. VOTE ON CONSENT AGENDA ITEMS (Continued)

RESOLUTIONS (Continued)

11. MEMORIALIZING RESOLUTION GRANTING APPROVAL FOR LUBAVITCH ON THE PALISADES TO SET UP A MENORAH IN FRONT OF CLOSTER BOROUGH HALL FOR THE DURATION OF THE CHANUKAH HOLIDAY FROM 12/12/17 THROUGH 12/20/17; AND ARRANGE A MENORAH LIGHTING EVENT IN FRONT OF BOROUGH HALL WITH ENTERTAINMENT AND REFRESHMENTS, ON MONDAY, 12/18/17, @ 7 P.M. (Approval received from Risk Management Consultant 9/27/17) Approved at RM 10/11/17 (Received from Borough Attorney 10/19/17)
12. RESOLUTION MEMORIALIZING THE MOTION OF THE GOVERNING BODY ON 10/11/18 ALLOWING THE PLACEMENT OF TEMPORARY SIGNS ON SIDEWALKS BY PALISADES COUNTRY DAY CAMP PURSUANT TO CLOSTER SIGN ORDINANCE, BOROUGH CODE § 173-83C (Received from Borough Attorney 10/18/17)
13. RESOLUTION EXPRESSING OPPOSITION TO PROPOSED LOCAL FINANCE BOARD RULES N.J.A.C. 5:30-18.1 AND 18.2 REGARDING EMPLOYEE COMPENSATION DISCLOSURE (Discussed at WS 10/11/17 – Requested by Councilman Barad) Received from Borough Attorney 10/18/17
14. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN ZONING BOARD OF ADJUSTMENT LEGAL/ENGINEERING ESCROW FEES IN THE AMOUNT OF \$3780.00 TO CROSS FIT STEAM 2 LLC DUE TO SUCCESSFUL COMPLETION OF IMPROVEMENTS FOR BLOCK 1501, LOT 4.01, 81 RUCKMAN ROAD (Received from Deputy Treasurer 10/10/17)
15. RESOLUTION HIRING TEMPORARY LABORERS – DEPARTMENT of PUBLIC WORKS – STREETS & ROADS DIVISION, EFFECTIVE 11/1/17 UNTIL NO LATER THAN 12/31/17 AS FOLLOWS: DRIVER: ROBERT DIPPOLITO, \$18.00 PER HOUR; LABORERS: CARLO LEVIA, CHRISTOPHER SHRADER, CHRISTOS HILETZARIS AND PAUL BAUDONE, \$15.00 PER HOUR; ALTERNATE LABORER: JACOB KOUMBIS, \$15.00 PER HOUR (Received from Administrator's Office 10/17/17)
16. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 (Fire Prevention Trust Account: T-13-56-000-004-000) for the following: Qty.: 1; Commodity/Service: 2018 Dodge Durango SS-AWD Base Vehicle; Vendor: Beyer Chrysler Dodge, Morristown, NJ; NJ State Contract A88731; Period: 03/16/15-03/15/18; Amount: \$26,088.00; AND Qty.: 1; Commodity/Service: 2018 Dodge Durango SS-AWD Options; Vendor: Beyer Chrysler Dodge, Morristown, NJ; NJ State Contract A88731; Period: 03/16/15-03/15/18; Amount: \$11,491.00; **Total Amount: \$37,579.00** (Received from Administrator's Office 10/18/17)
17. A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE AND AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE THE AUCTION IN ACCORDANCE WITH N.J.S.A. 40A:11-36 (Received from Administrator's Office 10/18/17)
18. RESOLUTION AUTHORIZING THE EXPENDITURE OF \$24,999.00 FROM THE MUNICIPAL OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUNDS FOR THE DEVELOPMENT OF PRESERVATION PLAN FOR THE HAROLD HESS LUSTRON HOUSE (Received from Administrator's Office 10/18/17)
19. RESOLUTION AUTHORIZING THE CANCELLATION OF THE CHANGE FUND IN THE FINANCE DEPARTMENT (Received from Assistant CFO/Tax Collector 10/18/17)
20. RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CLOSTER REJECTING BIDS IN CONNECTION WITH 2-2017 ANNOUNCING BOOTH BID (Received from Administrator's office 10/19/17)
21. RESOLUTION TO PURSUE A "FAIR AND OPEN" PROCESS IN AWARDED CONTRACTS FOR CERTAIN CONTRACTS AWARDED IN THE BOROUGH OF CLOSTER FOR 2018 PROFESSIONAL SERVICES - TO BE PREPARED BY BOROUGH ATTORNEY

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING AGENDA – OCTOBER 25, 2017 – 7:30 P.M.

6a. VOTE ON CONSENT AGENDA ITEMS (Continued)

MOTIONS

22. MOTION APPROVING THE FOLLOWING *SALARIED* APPOINTMENT(S) NOT MADE AT THE REORGANIZATION MEETING HELD 1/3/17:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Planner to Implement Portions of the 2008 Master Plan	<u>Caroline Reiter P.P., AICP</u> <u>Christopher P. Statile, PA</u>	_____	1 Year	31-Dec-17

23. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENT(S):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Historian	<u>Arthur Goldberg</u> <i>(Dep. 3/6/17)</i>	_____	1 Year Unexp. (Goldberg)	31-Dec-17

24. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 10/19/17)
 NO ABSTENTIONS

- a. REGULAR MEETING HELD OCTOBER 11, 2017
- b. WORK SESSION HELD OCTOBER 11, 2017

25. REPORTS

- a. CHIEF OF POLICE – SEPTEMBER 2017 (Received 10/19/17)

6b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

26. 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)

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

28. ADJOURNMENT

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

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – OCTOBER 25, 2017 - 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 OCTOBER 12, 2017
 - b. MAIL LIST OF OCTOBER 19, 2017
5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of October 25, 2017)

6. COMMITTEE REPORTS

- A. FINANCE AND TECHNOLOGY – YAMMARINO (BARAD/DI DIO)
 - 1) REPORT RE CLOSTER WEBSITE
 - 2) REPORT
- B. PUBLIC SAFETY - LATNER (DI DIO/CHUNG)
 - 1) REPORT
- C. PUBLIC WORKS - CHUNG (LATNER/AMITAI)
 - 1) REPORT
- D. ORDINANCES - BARAD (YAMMARINO/AMITAI)
 - 1) REPORT RE ORDINANCE COMMITTEE MEETINGS
 - 2) REPORT
- E. HUMAN RESOURCES - DI DIO (CHUNG/LATNER)
 - 1) REPORT RE PERSONNEL COMMITTEE MEETINGS
 - 2) REPORT
- F. LAND USE AND CONSTRUCTION - AMITAI (BARAD/YAMMARINO)
 - 1) REPORT

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

CLOSTER MAYOR AND COUNCIL
WORK SESSION AGENDA – OCTOBER 25, 2017 - 7:30 P.M.

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

MAIL LIST
OCTOBER 12, 2017

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	10/06/17	10/06/17	Sercan Zoklu, Borough Clerk/Deputy Administrator, Borough of Cliffside Park, to Bergen County Municipal Clerks	*Certified copies of Resolutions adopted 10/3/17 re: a. 2017-194: Opposition to Legislative Proposals Regarding OPRA and OPMA b. 2017-195: Opposition to Concept and Implementation of New Rules NJAC 5:30-18.1 AND 18.2 Proposed By the LFB	Borough Attorney Borough Clerk
2.	10/06/17	10/06/17	Kerry Kirk Pflugh, Director, Office of Local Government Assistance, NJDEP	*NJDEP Weekly Update: October 6, 2017 a) 23rd Annual Fall Forestry Festival, Saturday, October 7 th , at the Department's Forest Resource Education Center in Jackson Township (Ocean County) from 10 a.m. to 3 p.m., rain or shine b) New Jersey Division of Fish and Wildlife begins stocking rivers, streams, and lakes across the state with thousands of large, two-year-old fish on Tuesday, October 10 th ; Flyer for Free Fishing Day on October 21 st c) DEP Podcast: Fish Smart Eat Smart Guide http://www.nj.gov/dep/podcast/ or wherever you download podcasts; to learn more about the Fish Smart, Eat Smart guide, please visit www.fishsmarteatsmartnj.org d) DEP Podcast: "Highest Elevations by County in New Jersey" e) The fall black bear hunt will take place Monday, Oct. 9 through Saturday, Oct. 14, in northwestern and west-central New Jersey f) Invitation to join The Certified Local Government Program (CLG) establishes a formalized partnership between local governments, New Jersey, and the National Park Service (NPS) to promote local historic preservation efforts and to provide technical assistance and grant funding to communities	
3.	10/06/17	10/06/17	Michael J. Darcy, CAE, Executive Director, NJS League of Municipalities	* a. Daily Update re: I. State Issues a. Interest Arbitration b. Voters Asked to Approve New Funding for Libraries (Copy to Library Board of Trustees) c. Local Governments Using Lawsuits in Fight Against Opioid Crisis d. Mayors Survey II. Federal Issues	Latner/Library Mayor

				<p>a. Federal Income Tax Reform Update (Copy to Tax Collector)</p> <p>III. 102nd Annual League Conference</p> <p>a. 2017 Conference App Available Now!</p> <p>b. Don't Use Unauthorized Hotel Reservation Services</p> <p>c. Plan Now for November: Exhibit Highlights</p> <p>d. NJLM 2017 Conference CEU List Has Been Posted!</p> <p>e. Don't Forget! CEU Tracking System Procedures for 102nd Annual NJLM Conference</p> <p>IV. Also of Interest</p> <p>a. League Professional Development Webinar: "OPRA Spotlight: The Lyndhurst Decision and Police Records" (10/18/17)</p>	
4.	10/10/17	No Date	David M. Repetto, Esq., Harwood Lloyd, LLC, Attorney for Applicant, Northern Valley Aquatics, LLC AND Matthew G. Capizzi, Esq., Attorney for Applicant Camali, LLC, to Borough Clerk	*Notice of Zoning Board of Adjustment Public Hearing to be held 10/18/17 @ 8 p.m. concerning the JOINT application of Northern Valley Aquatics, LLC (Use Variance to permit indoor swimming instruction facility) AND Camali, LLC (Amended Preliminary and Final Site Plan Approval and waivers from Site Plan Ordinance)	Chung/Zoning
5.	10/10/17	10/10/17	Susan Krause (skrause@co.bergen.nj.us), Bergen County Department of Veterans Services	*Flyer for The Valley Hospital Department of Community Health and Community Benefit event "Serving Those Who Served Us! A Day to Honor Our Veterans!" to be held Saturday, 10/28/17 from 1:30 p.m. to 4 p.m. at the Dorothy B. Kraft Center, 15 Essex Road, Paramus – Please call to register (1-877-283-2276) Posted on Municipal Clerk's Bulletin Board 10/12/17 (Copy to Bill Brewster)	Mayor/Seniors
6.	10/12/17	10/12/17	Melissa Presta, Assistant to Borough Clerk/ Administrator, Borough of Oradell, to Bergen County Municipal Clerks	*Certified copy of Resolution 17-179 approved 10/10/17 Authorizing Participation in the Mutual Aid & Rapid Deployment Force Interlocal Service Agreement (Copy to Chief Kaine)	Latner/Public Safety
7.	10/11/17	10/11/17	Marc N. Schrieks, Deputy Chief of Staff, County Executive James J. Tedesco III, to Bergen County Municipal Clerks	*Flyers in English and Spanish re Hurricane Marie Relief Drive from 10/12/17 – 10/31/17 with drop-off locations and celebrating Hispanic Heritage Month on 10/12/17 (Posted on Municipal Clerk's bulletin board 10/12/17)	

MAIL LIST
OCTOBER 19, 2017

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	10/12/17	10/12/17	Wanda A. Worner, Borough Clerk / Office Manager, Borough of Northvale, to Bergen County Municipal Clerks	*Certified copies of Resolutions adopted 10/11/17 re: a. 2017-126: Expressing Opposition to Legislative Proposals Regarding OPRA and OPMA b. 2017-129: Support the Widening of the George Washington Bridge Sidewalks	Borough Attorney Borough Clerk
2.	10/13/17	10/13/17	Katie Moore, RMC, Borough Clerk , Borough of North Arlington, to Bergen County Municipal Clerks	*Certified copy of Resolutions adopted 10/12/17 re: Expressing Opposition to Legislative Proposals Regarding OPRA and OPMA	Borough Attorney Borough Clerk
3.	10/13/17	10/13/17	Terry Hartmann, Administrative Assistant, Borough of New Milford, to Bergen County Municipal Clerks	*Certified copy of Resolutions adopted 10/11/17 re: Support the Widening of the George Washington Bridge Sidewalks	
4.	10/13/17	10/13/17	Michael J. Darcy, CAE, Executive Director, NJS League of Municipalities	* a. Weekly Update re Weekly Round-Up October 13, 2017: I. State Issues a. Legislative Priorities: Lame Duck and Beyond Election b. Appellate Division Rules Volunteer Firefighter Not Employee Entitled to CEPA Protection c. Tax Court Ruling on Surviving Spouse Eligibility for Disabled Veterans Property Tax Exemption (Copy to Tax Collector) d. Public Hearing on UCC Amendment in Minor Work (copy of League comments attached) Copy to Construction Official, Planning Board, Zoning Board of Adjustment e. Mayors Survey II. Federal Issues a. House 'Vote of Confidence' for Municipal Bonds Can Save Taxpayer Dollars and Aid Infrastructure Investment b. Local Taxpayers Targeted in Federal Tax Reform Effort (SALT); sample Resolution attached (Copy to Tax Collector) c. Waters on the United States (WOTUS) Under Review by Agencies and Supreme Court III. 102 nd Annual League Conference a. 2017 Conference App is Available Now! b. Don't Use Unauthorized Hotel Reservation Services c. Plan Now for November: Exhibit Highlights d. NJLM 2017 Conference CEU List Has Been Posted! e. Don't Forget! CEU Tracking System Procedures for 102 nd Annual NJLM Conference	Borough Attorney Di Dio/Fire Dept. Amitai/Construction Amitai/Planning Chung/Zoning Mayor

				IV. Also of Interest a. League Professional Development Webinar: “OPRA Spotlight: The Lyndhurst Decision and Police Records” (10/18/17)	
5.	10/16/17	10/16/17	egg@dca.state.nj.us to lcastano@closternj.us	*Municipal and County Budget Cap Information CY 2018 & LFN 2017-22 (Copy to Chief Financial Officer, Assistant Chief Financial Officer)	Borough Administrator Finance Committee
6.	10/16/17	10/10/17	Mike Di Luzio, Department of Public Works c: Arthur Dolson William Dahle, III	*Informing of retirement effective January 1, 2018 and thanking the Borough for providing him with a wonderful 44 year career (Copy to DPW Superintendent)	Borough Administrator Chung/Public Works
7.	10/18/17	10/18/17	Christopher Leavey, Public Employment Relations Commission to lcastano@closternj.us	*PERC Representation Rule Amendments – Notice of proposal to readopt, with amendments, N.J.A.C. 19:11 Representation Procedures; “These rules contain the procedures to allow the Commission to resolve all questions concerning the representation of public employees in units appropriate for collective negotiation pursuant to the New Jersey Employer/Employee Relations Act” - available on the Commission’s website at http://www.state.nj.us/perc - Comments may be submitted until 11/17/17 to P. Kelly Hatfield, Chair; by facsimile to: 609-777-0089 or by electronic mail to: mail@perc.state.nj.us	Pension Certifying Officer
8.	10/19/17	10/19/17	Kerry Kirk Pflugh, Director, Office of Local Government Assistance, NJDEP	*Clean Communities - Credit Opportunity; New Jersey Clean Communities Council at the League Conference on Tuesday, 11/14/17 (Copy to William Dahle, III, Carole Dacey)	Chung/Public Works
9.	10/19/17	10/19/17	Hilda Tavitian, MA, RMC, Deputy Borough Clerk, Borough of Bergenfield, to Bergen County Municipal Clerks	*Certified copy of Resolution adopted 10/17/17 re Opposition to the New Rules Regarding Employee Compensation Disclosure Proposed by the Local Finance Board Resolution	
10.	10/19/17	10/19/17	Paul Demarest, Board Coordinator, Zoning Board of Adjustment, to Jacobs & Bell, PA, c/o Raphael Jacobs, Esq. c: Zoning Officer Borough Clerk	*Certified copy of resolution memorialized 10/18/17 re <u>DENIED</u> Application of Mauro Squicciarini for Lot Area, Lot Width, Side Yard and Combined Side Yard Setbacks, Lot Coverage, and Impervious Coverage Variances and a Planning Variance for a Lot Not Abutting a Public Street Relating to Block 1810, Lots 6 & 7, Hartford Boulevard	Chung/Zoning

ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held October 11, 2017

Unapproved Notes of Work Session held October 11, 2017