MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – AUGUST 27, 2008 - 7:30 P.M.

1. PLEDGE OF ALLEGIANCE

2. OPEN PUBLIC MEETINGS ACT STATEMENT

3. ROLL CALL

   Proclamation to be read by Mayor although it was declared by the Council President at the Regular Meeting held August 13, 2008, in the absence of the Mayor.

5. PUBLIC HEARING AND ADOPTION OF THE 2008 MUNICIPAL BUDGET, WITH RELATED RESOLUTIONS:
   The Municipal Budget was introduced at the Special Meeting held March 19, 2008. Synopsis of the Municipal Budget was published in the Press Journal on April 3, 2008, as stated in the printer’s affidavit of publication. Reprint of the Synopsis was posted on the Municipal Bulletin Board, in accordance with statutory requirements, and copies have been made available to the general public. A copy of the Municipal Budget was hand delivered to the Closter Library on March 25, 2008 for review by the public, as stated in the Municipal Clerk’s memo to the Mayor and Council dated March 25, 2008.

   At the Regular Meeting held April 23, 2008, the public hearing and adoption of the Municipal Budget was adjourned to the Regular Meeting of May 28, 2008.

   At the Regular Meeting held May 28, 2008, the public hearing and adoption of the Municipal Budget was adjourned pending receipt of word from the State regarding Extraordinary Aid.

   At the Regular Meeting held July 9, 2008, Mayor Heymann adjourned the public hearing and adoption of the Budget to the Regular Meeting of July 23, 2008 (On July 11, 2008, written communication was received from the Commissioner of the Department of Community Affairs that the Borough had received $250,000 in Extraordinary Aid (2. M.L. 7/17/08.)

   At the Regular Meeting held August 13, 2008, a public hearing was held but was not closed to the public. Therefore, this matter has been continued to this meeting.

   a. RESOLUTION(S) AMENDING THE 2008 MUNICIPAL BUDGET
      (Requested by Acting Administrator/Treasurer 8/8/08)
      TO BE PREPARED BY AUDITOR
      At the Regular Meeting held August 13, 2008, no vote was taken on this item.
      Therefore, it has been carried to this meeting.

6. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCE AT 7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:
   The following Ordinance was introduced at the Regular Meeting held 7/23/08 and was published in the Press Journal issue of 7/31/08, 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:
   ORDINANCE NO. 2008:1017, “AN ORDINANCE AMENDING SCHEDULE A: LIMITING SCHEDULE, SPECIFICALLY CHANGING THE MAXIMUM SIZE OF RETAIL STORES IN DISTRICT NO. 3 BUSINESS AREA PURSUANT TO THE RECOMMENDATION OF THE PLANNING BOARD”

7. PUBLIC HEARING ON APPLICATION OF CABLEVISION FOR RENEWAL OF ITS MUNICIPAL CONSENT @7:45 P.M.
   Notice of Public Hearing was published in The Record issues of July 12, 2008 and August 16, 2008. Reprint of these publications was posted on the municipal bulletin board on July 15, 2008 and copies have been made available to the general public.
8. **PUBLIC HEARING RE REQUEST FOR WAIVER OF SIDEWALK REQUIREMENT**
   (CODE CH. 171, SECTION 29A(2) FOR PROPERTY AT 38 FAIRVIEW AVENUE
   (PREVIOUSLY 40 FAIRVIEW AVENUE), LOT 10, BLOCK 704 (8. M.L. 8/21/08)

9. **OPEN MEETING TO PUBLIC FOR ANY MATTER, PER N.J.S.A. 10:4-12 (a)**
   (Subject to 5-minute limit per General Rule No. 10)

10. **COMMUNICATIONS**
    a. MAIL LIST – AUGUST 14, 2008
    b. MAIL LIST – AUGUST 21, 2008

11. **OPEN MEETING TO PUBLIC FOR COMMUNICATION ITEMS ONLY**
    (Subject to 5-minute per By-Laws General Rule No. 10)

12a. **REVIEW OF CONSENT AGENDA ITEMS**
    (PROCEDURE TO BE EXPLAINED BY MAYOR HEYMANN)

13.* **INTRODUCTION OF ORDINANCE NO. 2008:1018, “AN ORDINANCE AMENDING
    AND SUPPLEMENTING THE CODE OF THE BOROUGH OF CLOSTER
    SPECIFICALLY, ADDING CHAPTER 93, CONSTRUCTION AND REPAIR OF
    SIDEWALKS AND CURBS: PERMIT REQUIRED”** (Received from Borough Attorney
    8/20/08) – PUBLIC HEARING 9/24/08 @ 7:30 P.M. OR AS SOON THEREAFTER AS
    THE MATTER MAY BE HEARD

14.* **BILL RESOLUTION – AUGUST 31, 2008
    TO BE PREPARED BY TREASURER**

15.* **RESOLUTION AUTHORIZING AD INTERIM PERMIT FOR PLENARY RETAIL
    CONSUMPTION LICENSE NO. 0207-33-006-006 ISSUED TO KLIP, LLC. t/a
    ASSEMBLY EAST HILL, 597 PIERMONT ROAD**

16.* **RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEAR
    2008: SAFCHIK V. CLOSTER** (Received from Borough Attorney 7/31/08) Adjourned from
    RM 8/13/08

17.* **RESOLUTION AUTHORIZING BOROUGH ATTORNEY TO PREPARE THE
    NECESSARY NOTICE TO BIDDERS, BID PACKAGE AND SPECIFICATIONS AND
    FOR BOROUGH CLERK TO ADVERTISE FOR BIDS FOR TRIPLE COMBINATION
    PUMPER** (Received from Borough Attorney 8/19/08)

18.* **RESOLUTION AUTHORIZING TAX ABATEMENT – VANTAGE HEALTH
    SYSTEMS** (Received from Borough Attorney 8/20/08)

19.* **RESOLUTION APPROVING APPOINTMENT OF JOHN ANTHONY BART TO THE
    POSITION OF CODE ENFORCEMENT OFFICER AT THE FOLLOWING RATE OF
    MAXIMUM OF 20 HOURS PER WEEK AT $20.23 PER HOUR ON A PROBATIONARY
    PERIOD TO DECEMBER 31, 2008** (Received from Administrator/Treasurer 8/20/08)

20.* **RESOLUTION CONFIRMING ENDORSEMENT OF FY 2008 BERGEN COUNTY
    (COMMUNITY) DEVELOPMENT GRANT OF $5,000.00 FOR INSTALLATION OF A
    FIRE ALARM SYSTEM AT THE CLOSTER SENIOR CENTER** (This Resolution does not
    obligate the financial resources of the municipality and is intended solely to expedite
    expenditure of the CD Funds) (Received from Mayor 8/20/08)

21.* **RESOLUTION APPOINTING JUSTIN KRAPELS TO THE POSITION OF DISPATCHER
    TRAINEE, A PER DIEM POSITION, FOR A PERIOD NOT TO EXCEED 180 DAYS AT
    AN HourLY RATE OF $11.36** (Received from Chief of Police 8/15/08)
12a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

ORDINANCES AND RESOLUTIONS (Continued)

22.* RESOLUTION EVIDENCING COMPLIANCE BY THE GOVERNING BODY WITH N.J.S.A. 40A:5-4 AND N.J.S.A. 40A:5-6 RE 2005 AUDIT (Audit Report rec’d. 8/19/08/distributed 8/22/08) GROUP AFFIDAVIT FORM CERTIFICATION OF GOVERNING BODY RE 2007 AUDIT REPORT (to be signed by each member of the Governing Body certifying they have personally reviewed and are familiar with at least the “Letter of Comments and Recommendations” Section of the Annual Report of Audit) 9. M.L. 8/21/08

MOTIONS

23.* APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/02/08; Adjourned from Regular Meetings held 1/09/08, 1/23/08, 2/13/08, 2/27/08, 3/12/08, 3/26/08, 4/9/08, 4/23/08, 5/14/08, 5/28/08, 6/11/08, 6/25/08, 7/9/08, 7/23/08, 8/13/08

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<td>Alternate No. 2</td>
<td>Phyllis Buonomo</td>
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<td>Member</td>
<td>Wilson Reimers</td>
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<td>Alternate No. 1</td>
<td>Frank Rodriguez</td>
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<td>2 Year</td>
<td>12/31/09</td>
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<td>Alternate No. 2</td>
<td>Bobbie-Bouton-Goldberg</td>
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<td>Unexp.</td>
<td>12/31/09</td>
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24.* MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO SERVE AS MEMBER(S) OF THE HISTORIC PRESERVATION COMMISSION TO FULFILL REQUIREMENT MADE BY ADOPTION OF ORDINANCE NO. 2008:1004 ON 3/12/08 (Term to be determined by Borough Attorney in accordance with N.J.S.A. 55D-107) – Adjourned from RM 04/23/08, 5/14/08, 5/28/08, 6/11/08, 6/25/08, 7/9/08, 7/23/08, 8/13/08

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<td>a.</td>
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<td>b.</td>
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25.* MOTION APPOINTING __________________ TO SERVE AS MEMBER OF THE BOARD OF ETHICS FOR AN UNEXPIRED 5-YEAR TERM (PRIGOFF) TO 12/31/2011 (D) SHADE TREE COMMISSION RECOMMENDATION (13. M.L. 7/24/08) Adjourned from RM 8/13/08

26.* MOTION APPROVING THE FOLLOWING MINUTES – NO ABSTENTIONS

a. REGULAR MEETING HELD AUGUST 13, 2008 (Distributed 8/21/08)
b. WORK SESSION HELD AUGUST 13, 2008 (Distributed 8/21/08)

27.* GRANTING APPROVAL FOR USE OF FIRE PREVENTION VEHICLES (771 & 775), FIRE CHIEF’S VEHICLE (751), ASSISTANT CHIEF’S VEHICLE (752) AND SUPPORT VEHICLE (767) FOR THE PURPOSE OF ATTENDING THE NJ STATE FIREFIGHTERS’ CONVENTION IN WILLOWWOOD, NJ, FOR THE DATES OF 9/11, 9/12, 9/13, AND 9/14/08 (3. M.L. 8/7/08) Adjourned from RM 8/13/08

28.* GRANTING APPROVAL FOR CORE THE CENTER OF FITNESS TO CONDUCT THE RUCKMAN ROAD 5K RACE ON SATURDAY, 10/18/08, AT 10 A.M. TO START IN FRONT OF THEIR FACILITY AT 91 RUCKMAN ROAD, MAKE A LEFT AT ANDERSON AVENUE, A LEFT DOWN BOWERS LANE, ACROSS BUZZONI CROSSING OVER RUCKMAN ROAD TO VENUS DRIVE BACK UP HILL TO RUCKMAN AND RETURN TO THE FACILITY (11. M.L. 8/7/08/Approval received from Risk Management Consultant 8/11/08)
CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – WEDNESDAY, AUGUST 27, 2008 – 7:30 P.M.

12a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

MOTIONS (Continued)

29.* GRANTING APPROVAL FOR CLOSTER VOLUNTEER AMBULANCE CORPS TO ERECT A STAND AT MEMORIAL FIELD ON 9/1/08 TO SELL FOOD AND BEVERAGES DURING THE LABOR DAY ACTIVITIES, Subject TO RECEIPT OF APPROVALS FROM THE BOARD OF HEALTH AND FIRE INSPECTOR (3. M.L. 8/14/08)

30.* GRANTING APPROVAL FOR ENVIRONMENTAL COMMISSION TO SET UP AN INFORMATION TABLE AT THE LABOR DAY CELEBRATION TO BE HELD AT MEMORIAL FIELD ON 9/1/08, INCLUDING 2-3 POSTERS; TABLE TO BE MANNED FROM 1 P.M. TO 3 P.M., POSSIBLY 4 P.M. (6. M.L. 8/21/08)

31.* GRANTING APPROVAL FOR LABOR DAY FIREWORKS (Approval received from the MEL/received from Mayor’s Office 8/21/08; Risk Management Consultant report dated 7/9/08)

32.* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:
   a. CHIEF OF POLICE – JULY 2008 (Received 8/15/08)

12b. VOTE ON CONSENT AGENDA ITEMS

33. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA

34. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
   a. CONTINUED DISCUSSION RE PARKING SPACE FEE (Requested by Mayor 1/18/08)

35. DISCUSSION OF PUBLIC COMMENTS OR ANY OTHER TIMELY MATTER, IF APPROPRIATE

36. ADJOURN

ALL BUSINESS WILL TERMINATE AT 11:00 P.M.
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<th>SUBJECT</th>
<th>*COPY ATTACHED</th>
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<tbody>
<tr>
<td>07/08/08</td>
<td>William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Mayor</td>
<td>*Mayor’s Fax Advisory re: a. Economic Development Workshop at Rutgers, September 12, 2008 b. League Motion before COAH</td>
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<tr>
<td>08/08</td>
<td>Nancy Wittenberg, Assistant Commissioner, Environmental Regulation, NJ DEP</td>
<td>*NOTICE OF PUBLIC HEARING FOR THE PROPOSED FFY2009 PRIORITY SYSTEM, INTENDED USE PLAN AND PROJECT PRIORITY LIST DOCUMENT FOR CLEAN WATER FINANCING</td>
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<td>05/08</td>
<td>Don Albelli, Closter Volunteer Ambulance and Rescue Corps, Inc.</td>
<td>*Request for permission to erect a stand at Memorial Field on 9/1/08 to sell food and beverages during Labor Day activities (Copy to Board of Health, Fire Official, Glenn Parsells and Jim Oettinger)</td>
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<tr>
<td>25/08</td>
<td>Mrs. Marcy Prastos, 10 Grove Street, Closter, member of Kaleidoscope of Hope Foundation</td>
<td>Request for Borough to commemorate September as Ovarian Cancer Awareness Month with their annual Turn the Town Teal Campaign by 1) Proclaiming the month of September as “Ovarian Cancer Awareness Month” and 2) granting permission for their volunteers to tie 50 teal ribbons around the trees on the main streets of Closter from 9/1/08 to 9/30/08 (Copy to Kyle Dennerlein, Glenn Parsells) Distributed 8/8/08</td>
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<tr>
<td>08/08</td>
<td>Adam E. Falk, Vice President, Government &amp; Regulatory Affairs, Cablevision; to Ms. Celeste Fasone, Director, NJ Board of Public Utilities, Office of Cable Television</td>
<td>*Notice of local programming and PEG access to be changed to digital format; digital cable ready televisions, a digital cable box or a CableCARD will be needed in order to receive these channels; change to take effect 9/16/08</td>
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<td>09/06/08</td>
<td>Dennis McNerney, Bergen County Executive; to Mayor Heymann</td>
<td>*Invitation to attend the Bergen County World Trade Center Memorial in Overpeck County Park in Leonia on 9/11/08 at 6 p.m., in order to honor those lost and support family members</td>
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<td>08/08</td>
<td>James A. Caporrino, Esq., Park, Weinsteing &amp; Caporrino, LLC</td>
<td>*Notice re Planning Board Hearing to be held on 8/28/08 at 8 p.m. regarding the application of Dae Ung Kim for soil movement approval at Block 510, Lot 16, 29 Hawthorne Terrace</td>
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<td>08/08</td>
<td>Paul A. Hoelscher, Mayor; to Mayor Heymann</td>
<td>*Letter of thanks for assistance and support during incidents in the Borough of Hawthorne on 8/6/08 (Copy to William Dahle)</td>
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<td>DATE</td>
<td>Andrew K. Dembia, Esq., Assistant General Corporate Rate Counsel, PSE&amp;G</td>
<td>*Notice of the 2008/2009 Annual Compliance Filing for a change in the Statewide electric and Gas Permanent Universal Service Fund Program Factors within the Electric and Gas Societal Benefits Charges Rates Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-2.; notice of Public Hearing to be held 9/9/08 at 3:30 p.m. and 5:30 p.m. at the Bergen County Administration Building, Freeholders’ Public Meeting Room #540</td>
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<td>08/08</td>
<td>Andy Kim, President, The Korean-American Association of New Jersey; to Mayor Heymann</td>
<td>*Invitation to attend the Opening Ceremony of the 7th Annual Korean Thanksgiving Festival of New Jersey on 9/27/08 at 4:30 p.m. at Overpeck County Park in Leonia, NJ; request proclamation or congratulatory letter noting the event, which will be printed in the program journal</td>
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<td>08/08</td>
<td>Laura Levine, Director of Marketing, Big Brothers Big Sisters of Morris, Bergen and Passaic, Inc.; to Mayor Heymann</td>
<td>*Invitation to attend upcoming Team Captain Kick-off “Walk for Kids Sake” Luncheon to be held 9/9/08 from 12 noon to 2 p.m. at the Hanover Marriot in Whippany, NJ to launch the team portion of the 3rd annual “Walk for Kids Sake,” being held 10/26/08 in Parsippany, NJ (enclosed information)</td>
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<td>08/08</td>
<td>Raymond R. Jacobus, Business Administrator/Board Secretary, Northern Valley Regional High School District</td>
<td>*Notice of Special Meeting of the Northern Valley Regional High School Board of Education to be held 8/19/08 at 6 p.m.; open meeting to public to commence at 6:30 p.m.</td>
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<td>08/08</td>
<td>Senator Gerald Cardinale, 39th District</td>
<td>*Guide to reduce energy costs in the Borough facilities</td>
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<td>07/08</td>
<td>John D. Del Colle, Regional Manager, Office of Government and Community Relations, NJ Transit, to The Honorable Sophie Heymann, Mayor</td>
<td>*Informing of new customer services telephone number: (973) 275-5555, effective immediately; requesting an update of all websites, publications and documents that may contain the old “800” number (Copy to Kevin Whitney)</td>
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| 04/08 | William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Mayor | *Mayors Fax Advisory re:  
a. Important New Information from the Division of Local Government Services  
b. Important New Information from the Division of Local Government Services |                |
| 02/08 | William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Mayor | *Re 2008 League Conference Resolutions; Summary deadline: 10/03/08; Full text deadline: 10/17/08 |                |
| 05/08 | Cherilyn Martinez, Acting Land Use Clerk, to David M. Watkins, Esq.  
c: Clover Mayor and Council  
Keith Sager, Construction Official Leonard Sinowitz, Zoning Officer | *Carmine A. Stella, Block 2302, Lot 40, 8 Laurence Court - certified copy of Zoning Board Resolution dated 07/16/08, granting Variance Approval |                |
| 05/08 | Cherilyn Martinez, Acting Land Use Clerk, to Eric Mattes  
c: Clover Mayor and Council  
John Pacholek, P.E., Zoning Board Engineer  
Keith Sager, Construction Official Leonard Sinowitz, Zoning Officer | *Eric Mattes and Roger Girardin, Block 1406, Lot 1, 72 Primrose Lane - certified copy of Zoning Board Resolution dated 07/16/08, granting Variance Approval |                |
| 08/08 | David Scholz, Chairman, Clover Environmental Commission, to Mayor, Council Members and Clover Recreation Commission | *Requesting permission to set up an information table at the Labor Day celebration at Memorial Field on 09/01/08; including 2-3 posters; table to be manned from 1 p.m. to 3 p.m.; possibly 4 p.m. (copy to James Oettinger and Glenn Parsells) |                |
| Date  | United Water New Jersey, 200 Old Hook Road, Harrington Park, NJ, to Borough of Clover; Att: Clerk | *Public Notice to customers of United Water New Jersey Inc., informing of the relocation of its customer service offices from 190 Moore Street, Hackensack, to 65-69 DeVoe Place, Hackensack, effective on or around 03/01/09; also welcoming any views or objections to be submitted in writing no later than 09/20/08 to the Board of Public Utilities |                |
| 08/08 | Edna J. Jordan, Winnie & Boole, P.C., A Professional Corporation, to Mayor and Council  
c: Boswell Engineering (Att: Nick DeNicola, P.E.)  
Viray I (Att: Robert Boyle)  
Borough Clerk | *Requesting sidewalk waiver for the property located at 38 Fairview Avenue (previously 40 Fairview Avenue) Block 704, Lot 10; and requesting that the matter be placed on the Regular Meeting Agenda of 08/27/08 - also attached is a letter from the clients’ builder in further support of their position (Copy to Nick DeNicola and Keith Sager) |                |
| 03/08 | Gary J. Vinc, Registered Municipal Accountant, Lerch, Vinci & Higgins, LLP to Loretta Castano | *a. Notification of delivery of eleven (11) copies of the Report of Audit for the year ended 12/31/07 (Copy to Edward T. Rogan - letter only!)  
b. Requesting distribution of copies of Borough of Clover Report of Audit for year ended 12/31/07 (Copy to John DiStefano, Joseph Luppino) |                |
| 01/08 | Jun Wang and Ning Yang, 511 Homans Avenue, to Mayor Heymann and Council | *Requesting review of existing driveway posts at 511 Homans Avenue, located on Borough property, and seeking a final decision in the matter; request for consideration of driveway posts to remain where they are (Copy to Keith Sager, Leonard Sinowitz) |                |

**ALSO DISTRIBUTED:**

- [MAIL LIST](#) August 21, 2008
MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – AUGUST 27, 2008 - 7:30 P.M.

1. ROLL CALL

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT

3. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY - KASHWICK (GLIDDEN/TUTOLI)
   1) STATUS REPORT RE CAPITAL BUDGET/CAPITAL PLAN (RM 7/9/08)
   2) STATUS REPORT RE TRANSPORTATION MEETING HELD IN ENGLEWOOD 6/30/08
   3) STATUS REPORT RE CLOSTER WEBSITE
   4) STATUS REPORT RE IN-KIND MATCH OF $25,000 FOR COMMUNITY FORESTRY GRANT (Work to be done by DPW) RM 6/27/07
   5) REPORT

B. PUBLIC SAFETY - GLIDDEN (HENNESSEY/TUTOLI)
   1) REPORT

C. PUBLIC WORKS - HENNESSEY (AMITAI/GLIDDEN)
   1) REPORT

D. ORDINANCES - BARAD (KASHWICK/AMITAI)
   1) REPORT RE ORDINANCE COMMITTEE MEETING HELD 8/19/08 VIA CONFERENCE CALL
   2) REPORT

E. HUMAN RESOURCES - TUTOLI (KASHWICK/BARAD)
   1) REPORT RE PERSONNEL COMMITTEE MEETINGS
   2) REPORT

F. LAND USE AND CONSTRUCTION - AMITAI (BARAD/HENNESSEY)
   1) REPORT

4. OLD BUSINESS

5. NEW BUSINESS
   a. KIDDIE SOCCER (Requested by Mayor 7/3/08)
   b. DISCUSSION OF POSSIBLE POLICY RE USE OF BOROUGH PARKS (Requested by Mayor 7/18/08/ Discussed WS 7/23/08)
   c. STATUS REPORT RE ORGANIZATION CHART (Discussed WS 7/23/08) (Requested by Mayor 8/20/08)
   d. STATUS REPORT RE COAH PLANNER (Discussed WS 7/23/08) (Requested by Mayor 8/20/08)
   e. JOINT BOARD MEETING TO BE HELD 9/13/08 (Requested by Mayor 8/20/08)
6. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY

7. OPEN MEETING TO THE PUBLIC

8. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

9. ADJOURNMENT