1. PLEDGE OF ALLEGIANCE

2. OPEN PUBLIC MEETINGS ACT STATEMENT

3. ROLL CALL

4. MAYORAL APPOINTMENT OF ____________________________ AS MEMBER OF THE ENVIRONMENTAL COMMISSION FOR AN UNEXPIRED 3-YEAR TERM (ISACOFF) TO 12/31/09 (M.L. 10/22/09)

5. 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)

6. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCE @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

   The following Ordinance was introduced at the Regular Meeting held 10/28/09 and was published in the Press Journal on 11/5/09 as stated in the printer’s affidavit of publication. Reprint of this Ordinances was posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public:

   a. NO. 2009:1061, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 147, PROPERTY MAINTENANCE, SPECIFICALLY SECTIONS 147-6 AND 147-13”

7. COMMUNICATIONS

   a. MAIL LIST – NOVEMBER 12, 2009

   b. MAIL LIST – NOVEMBER 19, 2009

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

9a. REVIEW OF CONSENT AGENDA ITEMS

   (PROCEDURE TO BE EXPLAINED BY MAYOR HEYMANN)

10.* BILL RESOLUTION – NOVEMBER 30, 2009

   TO BE PREPARED BY DEPUTY TREASURER


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<tr>
<th>OFFICE</th>
<th>APPOINTEE</th>
<th>TERM</th>
<th>EXPIRATION</th>
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<tbody>
<tr>
<td>DEPUTY TAX COLLECTOR</td>
<td></td>
<td>1 Year</td>
<td>12/31/09</td>
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<tr>
<td>DESK DISPATCHER</td>
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<tr>
<td>FULL TIME</td>
<td></td>
<td>1 Year</td>
<td>12/31/09</td>
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<tr>
<td>POLICE MATRON</td>
<td></td>
<td>1 Year</td>
<td>12/31/09</td>
</tr>
</tbody>
</table>

12.* RESOLUTION AUTHORIZING THOSE LICENSEES WHO HAVE NOT RECEIVED THEIR TAX CLEARANCE CERTIFICATES FROM THE DIVISION OF TAXATION, WHO HAVE COMPLIED WITH ALL OTHER REQUIREMENTS FOR RENEWAL OF THEIR 2009-2010 ANNUAL LIQUOR LICENSE RENEWALS, TO APPLY FOR AN AD INTERIM PERMIT UNTIL SUCH TIME AS THEIR TAX CLEARANCE CERTIFICATE IS OBTAINED FROM THE DIVISION OF TAXATION

13.* RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A CHECK IN THE AMOUNT OF $910.00 TO GIARDINA, SUZANNE CAMILLE, FOR PROPERTY RECOVERED ON 5/10/09 PURSUANT TO N.J.S.A. 40A:14-157B (Received from Tax Collector 11/13/09)
14.* RESOLUTION AUTHORIZING DEPUTY TREASURER TO RETURN REMAINING ESCROW IN THE AMOUNT OF $123.72 TO JIMMY AYOUB, LOCATION MANAGER & PHOTOGRAPHY, FOR OVERPAYMENT OF POLICE SERVICES, IN ACCORDANCE WITH LOCAL FINANCE NOTICE 2000-14 (Received from Chief of Police 11/10/09)

15.* RESOLUTION AUTHORIZING DEPUTY TREASURER RETURN THE REMAINING ESCROW IN THE AMOUNT OF $41.48 TO CORE FITNESS FOR OVERPAYMENT OF POLICE SERVICES IN ACCORDANCE WITH LOCAL FINANCE NOTICE 2000-14 (Received from Chief of Police 11/10/09)

16.* RESOLUTION APPOINTING JANINE MICERA AS PROBATIONARY CROSSING GUARD FOR A PERIOD NOT TO EXCEED 60 DAYS AT AN HOURLY RATE OF $12.85, EFFECTIVE 11/23/09 (Received from Police Department 11/11/09)

17.* RESOLUTION ACCEPTING THE BID OF MIELE SANITATION CO., FOR THE LEASE OF A PORTION OF WELLINGTON AVENUE IN THE AMOUNT OF $11,000 ANNUALLY, RECEIVED AT BID OPENING HELD 11/13/09 @11 A.M. (Received from Borough Attorney 11/16/09)

18.* RESOLUTION TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDING CONTRACTS FOR CERTAIN CONTRACTS AWARDED IN THE BOROUGH OF CLOSTER FOR THE FOLLOWING POSITIONS: ATTORNEY; BOND ATTORNEY; APPRAISER – COMMERCIAL PROPERTIES; PUBLIC DEFENDER; PROSECUTOR; ALTERNATE PROSECUTOR; ATTORNEY TO PLANNING BOARD; ATTORNEY TO THE ZONING BOARD OF ADJUSTMENT; AUDITOR; ENGINEER, INCLUDING PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT; RISK MANAGER (Received from Borough Attorney 11/11/09)

19.* RESOLUTION AUTHORIZING RELEASE AND RETURN OF REMAINING ESCROW FUNDS TO NINE (9) NAMED APPLICANTS WHO SATISFACCTORILY COMPLETED IMPROVEMENTS IN ACCORDANCE WITH THE REQUIREMENTS OF BOROUGH CODE CHAPTER 108, “FLOOD DAMAGE PREVENTION”, ARTICLE II, “ZERO INCREASE IN STORM-WATER RUN OFF” (Received from Deputy Treasurer 11/18/09)

20.* RESOLUTION AUTHORIZING RETURN OF BALANCE OF ESCROW MONIES TO NINE (9) NAMED APPLICANTS FOR SATISFACTORY COMPLETION OF IMPROVEMENTS, IN ACCORDANCE WITH THE REQUIREMENTS OF BOROUGH CODE CHAPTER 167, “SOIL MOVEMENT” (Received from Deputy Treasurer 11/18/09)

21.* RESOLUTION AUTHORIZING RELEASE OF REMAINING PLANNING BOARD ESCROW MONIES TO SEVEN (7) NAMED APPLICANTS WHO HAVE SATISFACCTORILY COMPLETED ALL REQUIRED IMPROVEMENTS (Received from Deputy Treasurer 11/18/09)

22.* RESOLUTION AUTHORIZING RELEASE OF REMAINING ZONING BOARD OF ADJUSTMENT LEGAL ESCROW MONIES TO TWO (2) NAMED APPLICANTS (Received from Deputy Treasurer 11/18/09)

23.* RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COUNTY CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-11 (6) & N.J.A.C. 5:34-7.11c., FROM 11/23/09 TO 12/31/09: FOR DIESEL FUEL - RACHELES/MICHELE’S OIL CO., INC, BID #09-98/AWARDED BY RES.#1407 BY BOARD OF CHOSEN FREEHOLDERS, FOR DIESEL FUEL IN THE MAXIMUM AMOUNT OF $7,500.00 (Received from Administrator 11/19/09)
9a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

ORDINANCES AND RESOLUTIONS (Continued)

24.* RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT Vendors PURSUANT TO N.J.S.A. 40A:11-11 – 12a., FROM 11/16/09 TO 12/31/09 – FOR RADIO EQUIPMENT – MOTOROLA STATE CONTRACT A53804, IN THE MAXIMUM AMOUNT OF $10,690.00 (Received from Administrator 11/20/09)

25.* RESOLUTION AWARDED CONTRACT FOR SITE INVESTIGATIONS SERVICES FOR 37 HOMANS AVENUE, BLOCK 1308, LOTS 3 & 4 KNOWN AS THE FLAMM PROPERTY, TO BOSWELL ENGINEERING FOR ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED $9,400.00 (Received from Administrator 11/19/09)

26.* RESOLUTION AWARDS CONTRACT FOR ENGINEERING DESIGN AND CONSTRUCTION INSPECTION SERVICES FOR WEST STREET SECTION 5 TO BOSWELL ENGINEERING IN AN AMOUNT NOT TO EXCEED $34,000.00 (Received from Administrator 11/19/09)

27.* RESOLUTION APPOINTING MICHAEL MARVINELLO, JR., CMFO, AS BOROUGH TREASURER, TO REPORT DIRECTLY TO THE BOROUGH ADMINISTRATOR, FOR A PERIOD FROM 12/1/09 TO 12/31/09 AT THE RATE OF $36.05 PER HOUR NOT TO EXCEED 15 HOURS PER WEEK (Received from Administrator 11/20/09)

28.* RESOLUTION FIXING FOLLOWING SALARIES FOR 2009 FOR BOARD OF HEALTH EMPLOYEES (Received from Administrator 11/20/09):

<table>
<thead>
<tr>
<th>OFFICE</th>
<th>TERM</th>
<th>AMOUNT</th>
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<tbody>
<tr>
<td>REGISTRAR/SECRETARY</td>
<td>Jan. – April</td>
<td>$14,897.00</td>
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<tr>
<td>REGISTRAR/SECRETARY</td>
<td>May &amp; After</td>
<td>$32,439.94</td>
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<tr>
<td></td>
<td>Increase in hrs.</td>
<td></td>
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<tr>
<td>DEPUTY REGISTRAR</td>
<td></td>
<td>6,021.63</td>
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</table>

29.* RESOLUTION AUTHORIZING ONE TIME PAYMENT (BONUS) IN THE AMOUNT OF $4,000 TO THE FOLLOWING INDIVIDUALS IN APPRECIATION FOR THEIR TIRELESS EFFORTS AND COOPERATION IN MAINTAINING A SMOOTH FLOW OF BOROUGH BUSINESS DUE TO EXTENDED VACANCY IN THE POSITIONS OF TREASURER & ACTING ADMINISTRATOR DURING 2009 (Received from Administrator 11/20/09): LESLIE WEATHERLY, DEE WOODS, MARIA PASSAFARO

30.* RESOLUTION ACCEPTING MAINTENANCE BOND, APPROVING CHANGE ORDER #2 AND FINAL, AND APPROVING FINAL PAYMENT IN THE AMOUNT OF $33,438.80 FOR THE 2009 ROAD IMPROVEMENT PROGRAM (ORIGINAL CONTRACT: $1,494,692.50; CHANGE ORDER #1 ($46,077.65); CHANGE ORDER #2 AND FINAL $3,486.50: FINAL CONTRACT AMOUNT: $1,452,101.35 – FINAL PAYMENT $33,438.80 (Received from Administrator)

MOTIONS


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<thead>
<tr>
<th>OFFICE</th>
<th>APPOINTEE</th>
<th>TERM</th>
<th>EXPIRATION</th>
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<tbody>
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<td>BOARD OF HEALTH</td>
<td>____</td>
<td>2 Year un-expired</td>
<td>12/31/09</td>
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<tr>
<td>ALT. NO. 2</td>
<td>____</td>
<td>4 Year</td>
<td>12/31/12</td>
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<tr>
<td>HISTORIC PRESERVATION</td>
<td>____</td>
<td>2 Year</td>
<td>12/31/10</td>
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<tr>
<td>COMMISSION/MEMBER</td>
<td>____</td>
<td>2 Year</td>
<td>12/31/10</td>
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<tr>
<td>IMPROVEMENT COMMISSION</td>
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<td>12/31/09</td>
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<tr>
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<td>____</td>
<td>2 Year</td>
<td>12/31/10</td>
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<tr>
<td>ALT. NO. 2</td>
<td>____</td>
<td>2 Year</td>
<td>12/31/10</td>
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<tr>
<td>RECREATION COMMISSION</td>
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<td>12/31/10</td>
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<tr>
<td>ASSOCIATE MEMBER</td>
<td>____</td>
<td>2 Year</td>
<td>12/31/10</td>
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<tr>
<td>**SHADE TREE COMMISSION</td>
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<td>2 Year</td>
<td>12/31/10</td>
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<td>ALT. NO. 2</td>
<td>____</td>
<td>1 Year</td>
<td>12/31/09</td>
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<tr>
<td>** Mayoral Appointment</td>
<td>____</td>
<td>2 Year</td>
<td>12/31/10</td>
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</tbody>
</table>
9a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

MOTIONS (Continued)

32.* APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed 11/12/09) ABSTENTION: TUTOLI
   a. REGULAR MEETING OF NOVEMBER 9, 2009
   b. WORK SESSION OF NOVEMBER 9, 2009


34.* GRANTING APPROVAL FOR THE FRIENDS OF THE CRÈCHE TO PLACE NATIVITY CRÈCHE IN FRONT OF BOROUGH HALL DURING THE WEEK OF 12/07/09 TO BE REMOVED PRIOR TO 1/04/2010 (2. M.L. 11/05/09)

35.* GRANTING APPROVAL FOR THE CHANUKAH CEREMONY COMMITTEE TO CONDUCT CHANUKAH CEREMONY IN FRONT OF, AND ADJACENT TO THE CLOSTER SENIOR CITIZENS CENTER ON TUESDAY, 12/15/09 AT 7 P.M. AND TO ERECT A DISPLAY MENORAH IN THE AREA DESIGNATED BY THE TOWN AT BOROUGH HALL FROM 12/11/09 TO 12/20/09 (2. M.L. 11/12/09) Approval received from Risk Management Consultant 11/6/09)

36* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:
   a. CHIEF OF POLICE – OCTOBER 2009 (Received 11/20/09)

9b. VOTE ON CONSENT AGENDA ITEMS

37. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA

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

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

40. ADJOURN

ALL BUSINESS WILL TERMINATE AT 11:00 P.M.
WORK SESSION AGENDA – NOVEMBER 23, 2009 (MONDAY) - 7:30 P.M.

1. ROLL CALL
2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT
3. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY - KASHWICK (GLIDDEN/HENNESSEY)
   1) STATUS REPORT RE CAPITAL BUDGET/CAPITAL PLAN
      (RM 7/9/08)
   2) STATUS REPORT RE CLOSTER WEBSITE
   3) REPORT

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

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

D. ORDINANCE - BARAD (KASHWICK/AMITAI)
   1) STATUS REPORT RE ORDINANCE COMMITTEE MEETINGS
   2) REPORT RE NEW LAW REGARDING ABSENTEE POLICIES FOR
      MEMBERS OF BOARDS, COMMITTEES… (1. M.L. 10/22/09)
      (Received from Borough Attorney 11/11/09)
   3) REPORT

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

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

4. OLD BUSINESS
5. NEW BUSINESS
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
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<th>SUBJECT</th>
<th>COPY ATTACHED</th>
<th>AGENDA/COMMITTEE/ LIAISON</th>
</tr>
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<tbody>
<tr>
<td>1.</td>
<td>11/06/09</td>
<td>11/05/09</td>
<td>Jim Oettinger, Director, Closter Recreation Commission to Borough Clerk c: Mayor</td>
<td>Letter requesting to close Ruckman and Memorial Fields for winter organized sports on the grassy portion of the field from 11/9/09 with a tentative date to reopen on 4/24/10. (Distributed 11/6/09)</td>
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<td>2.</td>
<td>11/06/09</td>
<td>11/05/09</td>
<td>Philip Gotthelf, The Chanukah Ceremony Committee of Closter</td>
<td>*Requesting permission to conduct Chanukah Ceremony in the public area in front of, and adjacent to the Closter Senior Citizens Center on Tuesday, 12/15/09, @ 7:00 p.m.; and to erect a display Menorah from 11/11/09 through 11/20/09 (Copy to Chief Berrian)</td>
<td>RM Agenda 11/23/09 (Approval rec’d from Risk Management Consultant 11/6/09)</td>
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<tr>
<td>3.</td>
<td>11/09/09</td>
<td>11/02/09</td>
<td>Tricia Kaminski, Assistant to Government Affairs, Cablevision; to Ms. Kristi Izzo, Office of Cable Television, Board of Public Utilities c: Celeste Fasone, OCTV, All affected municipalities</td>
<td>*Copy of Cablevision tariff with Bergen County reflecting new price point for new HBO a la carte customers, effective 11/2/09</td>
<td>Barad/Cable TV Advisory</td>
<td></td>
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<tr>
<td>4.</td>
<td>11/10/09</td>
<td>11/05/09</td>
<td>John Birkner, Jr., Mayor, Borough of Westwood to Mayor</td>
<td>*Letter of appreciation to the Mayor and Council for supporting the continuing efforts to return a full service acute care community hospital to the Pascack Valley and placing the public question on the general election ballot.</td>
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<td>5.</td>
<td>11/12/09</td>
<td>11/09/09</td>
<td>David C. Krueger, President, DTI, Environmental Technology Inc., to Closter Borough Municipal Clerk c: Richard Schmidt</td>
<td>*Request for Letter of Interpretation, Line Verification, Applicant: Richard Schmidt; Block 1608; Lots 3 &amp; 4, 563 Piermont Road (letter only!) COMPLETE COPY ON FILE IN BOROUGH CLERK’S OFFICE (Copy to Construction Official, Environmental Commission (letter only!))</td>
<td>Environmental/Kashwick</td>
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<td>6.</td>
<td>11/12/09</td>
<td>11/09/09</td>
<td>Richard Wierer, Acting Executive Director, Bergen County Utilities Authority, to Loretta Castano</td>
<td>*Correction re Notice of Public Hearing Re Computation of User Charges for Combined Sewer System - to be held at the Authority on 12/10/09 @ 10 a.m. (original letter 11. M.L. 10/22/09; corrected letter 5. M.L. 10/29/09) Copy to William Dahle, III</td>
<td>Borough Administrator</td>
<td></td>
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</tbody>
</table>

**ALSO DISTRIBUTED:**
Hackensack TIDELINES - Summer 2009, Volume XII, Issue 3 (Received 11/9/09)
Unapproved Minutes of Regular Meeting held November 9, 2009 (Monday)
Unapproved Minutes of Work Session held November 9, 2009 (Monday)
<table>
<thead>
<tr>
<th>NO.</th>
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<th>SUBJECT</th>
<th>COPY ATTACHED</th>
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<tbody>
<tr>
<td>1</td>
<td>11/13/09</td>
<td>11/09/09</td>
<td>Donald Cramer, Acting Section Chief, Bureau of Underground Storage Tanks, NJDEP to Rich Rodack, Project Manager, ExxonMobil Environmental Services Co. c: Sarah Kinsel, Case Manager, NJDEP/SP/RUST, Glenn B. Kays, Kleinfelder, Municipal Clerk, Closter Health Department, Hansel Asmar, Bergen County Dept. of Health Services</td>
<td>*Notice of Deficiency, Remedial Investigation Report and Remedial Action Workplan for: Exxon R/S #3-5410, 681 Piermont Road, Closter, Bergen County, SRP PI# 008972, Case # 88-11-15-1503, SEC# 5 (Copy to Board of Health, Construction Official, Environmental Commission)</td>
<td>Barad/Board of Health Kashwick/Environmental</td>
<td></td>
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</table>
| 2   | 11/13/09   | 11/05/09   | Valerie Coniglio, Clerk to the Board of Chosen Freeholders, to Municipal Clerk | *Notice of Adoption on 11/4/09 of the following Ordinances which were introduced 10/20/09:  
a) 09-30 “BOND ORDINANCE PROVIDING AN APPROPRIATION OF $2,610,000 FOR VARIOUS CAPITAL IMPROVEMENTS AT THE BERGEN COUNTY COMMUNITY COLLEGE, IN AND BY THE COUNTY OF BERGEN, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF $2,610,000 BONDS OR NOTES OF THE COUNTY”  
b) 09-31 “BOND ORDINANCE PROVIDING AN APPROPRIATION OF $2,353,000 FOR VARIOUS CAPITAL IMPROVEMENTS AT THE BERGEN COUNTY COMMUNITY COLLEGE, IN AND BY THE COUNTY OF BERGEN, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF $2,353,000 BONDS OR NOTES OF THE COUNTY” | Barad/Cable TV Advisory                                                                                              |
| 3   | 11/13/09   | 11/13/09   | Adam E. Falk, Vice President, Government and Regulatory Affairs, Cablevision, to Ms. Celeste Fasone, Director, NJ Board of Public Utilities, Office of Cable Television, to Mayor | *Launch of Tele El Salvador and Smithsonian Channel and Smithsonian Channel HD |                                                                                                                            |                                                                                                                          |
| 4   | 11/13/09   | 11/13/09   | William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Mayor | *League Alert Re:  
I. New Law Affecting members of Local Authorities, Boards and Commissions  
II. League’s Consulting Period on General Municipal Topics at the 94th | Borough Clerk  
Borough Attorney  
W.S. Agenda 11/23/09 - Barad - O&L Committee                                                                                           |                                                                                                                          |
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<th>Name</th>
<th>Role</th>
<th>Details</th>
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<tbody>
<tr>
<td>5</td>
<td>11/18/09</td>
<td>11/16/09</td>
<td>Charles A. Richman, Acting Commissioner, State of New Jersey, Department of Community Affairs, to Mayor</td>
<td>Annual Conference</td>
<td>*Notification of Closter Borough to receive a Rec Opps For Individuals with Disabilities Grant of $10,000 for recreational sports activities for all individuals with varying disabilities within the Northern Valley Regional School District (Copy to Jim Oettinger)</td>
</tr>
<tr>
<td>6</td>
<td>11/18/09</td>
<td>No date</td>
<td>Jane Dunhamn, Project Coordinator, New Jersey Council on Developmental Disabilities (NJCDD)</td>
<td>Mayor/Grants Administrator</td>
<td>*Information and materials encouraging the Council’s goal, in their joint effort with the New Jersey Statewide Self-Advocacy Project, to communicate the hurtful nature of certain words regarding developmental disabilities</td>
</tr>
<tr>
<td>7</td>
<td>11/17/09</td>
<td>No date</td>
<td>Victoria L. Sidrow, President and CEO, Vantage Health System</td>
<td>Administrator - 2010 Municipal Budget</td>
<td>*Letter of appreciation regarding past contributions to their non profit organizations over the years; and requesting inclusion in 2010 Municipal Budget of contribution of $2,500 (individual letters to Mayor and Council distributed separately)</td>
</tr>
</tbody>
</table>

**ALSO DISTRIBUTED**
Municipal Excess Liability Joint Insurance Fund folder entitled “Community Safety Leadership, Safety Programs to Protect the Public” rec’d 11/16/09 - 6 copies received - distributed to Council members

*The New Jersey Planner, November 2009; VOL. 70, NO. 5 (Received 11/19/09)*