MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – MARCH 25, 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. INTRODUCTION OF THE FOLLOWING ORDINANCE - PUBLIC HEARING, 4/22/15 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received from Auditor 3/19/15)


4. INTRODUCTION OF THE 2015 MUNICIPAL BUDGET AND RELATED RESOLUTIONS PUBLIC HEARING – 4/22/15 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD - TO BE PREPARED BY AUDITOR

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

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<tr>
<th>OFFICE</th>
<th>INCUMBENT</th>
<th>APPOINTER</th>
<th>TERM</th>
<th>EXPIRES</th>
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<tbody>
<tr>
<td>COAH Planner</td>
<td>Michael G. Hakim</td>
<td>Hakim Associates</td>
<td>1 Year</td>
<td>31-Dec-15</td>
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<td>Improvement Commission</td>
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<td>Member/ Historic Preservation</td>
<td>Susan McTigue</td>
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<td>2 Years Unexp (McTigue)</td>
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<td>Liaison</td>
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<td>Municipal Court</td>
<td>VACANT</td>
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<td>31-Dec-15</td>
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<td>Deputy Court Administrator</td>
<td>Francis J. Banisch, III</td>
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<td>Planner to Implement</td>
<td>VACANT</td>
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<td>1 Year</td>
<td>31-Dec-15</td>
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<td>Portions of the 2008 Master Plan</td>
<td>Banisch Associates, Inc.</td>
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<td>Treasurer</td>
<td>VACANT</td>
<td></td>
<td>1 Year</td>
<td>31-Dec-15</td>
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6a. VOTE ON CONSENT AGENDA ITEMS

RESOLUTIONS

7. TRANSFER RESOLUTION NO. 6 - AUTHORIZING THE TRANSFER OF 2014 BUDGET APPROPRIATIONS (Received from Deputy Treasurer 3/19/15) - TO BE ADOPTED BY NOT LESS THAN 2/3 VOTE OF THE FULL MEMBERSHIP!

8. RESOLUTION AMENDING TEMPORARY BUDGET APPROPRIATIONS FOR 2015 (Received from Deputy Treasurer 3/18/15) - TO BE ADOPTED BY NOT LESS THAN 2/3 VOTE OF THE FULL MEMBERSHIP!

9. RESOLUTION ENDORSING SUBMISSION OF THE 2014 MUNICIPAL RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND DESIGNATING CAROLE DACEY TO ENSURE PROPER FILING OF SAID APPLICATION (Received from Carole Dacey 3/13/15)

10. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK TO WELLS FARGO REAL ESTATE TAX SERVICES FOR THE FOLLOWING PROPERTIES DUE TO 1ST QUARTER 2015 TAX OVERPAYMENTS: BLOCK 1318, LOT 1, 444 HIGH STREET, AMOUNT: $1,682.78; BLOCK 1318, LOT 2, 450 HIGH STREET, AMOUNT: $1,195.26 (Received from Tax Collector’s Office 3/11/15)
6a. VOTE ON CONSENT AGENDA ITEMS (Continued)

RESOLUTIONS (Continued)

11. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK TO CORE LOGIC REAL ESTATE TAX SERVICES FOR THE FOLLOWING PROPERTIES DUE TO 1ST QUARTER 2015 TAX OVERPAYMENTS: BLOCK 1606, LOT 3, 47 TRAUTWEIN CRESCENT, AMOUNT: $113.91; BLOCK 1714, LOT 16, 45 FIRST STREET, AMOUNT: $276.69; BLOCK 2008, LOT 4.03, 30 CAROLINE COURT, AMOUNT: $6,990.58; BLOCK 2008, LOT 6, 225 PIERMONT ROAD, AMOUNT: $412.02 (Received from Tax Collector’s Office 3/13/15)

12. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEAR 2014: STAMBERG V. CLOSTER (Received from Borough Attorney 3/16/15)

13. RESOLUTION MEMORIALIZING THE DECISION OF THE GOVERNING BODY TO APPROVE THE CARRYOVER OF 2014 UNUSED VACATION DAYS UNTIL JUNE 30, 2015 FOR THIS YEAR ONLY (Received from Borough Attorney 3/16/15)

14. RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE DEVELOPER’S AGREEMENT FOR BLOCK 1607, LOT 1 & BLOCK 1310, LOT 2 (CLOSTER MARKETPLACE (EBA) LLC AND CENTENNIAL AME ZION CHURCH), SUBJECT TO RECEIPT BY THE BOROUGH OF APPROVED ESCROW PAYMENTS, BONDS AND INSURANCE DOCUMENTS (Received from Borough Attorney 3/18/15)

15. RESOLUTION AUTHORIZING CHIEF FINANCIAL OFFICER THE AUTHORITY TO PAY CERTAIN OBLIGATIONS AS NEEDED (Received from Temporary CFO 3/18/15)

16. RESOLUTION AUTHORIZING TWO CHANGE ORDERS FOR BOROUGH HALL EXTERIOR IMPROVEMENTS TO CLARK CATON HINTZ FOR PROFESSIONAL ARCHITECTURAL SERVICES IN THE AMOUNT OF $7,500.00 FOR ADDITIONAL CONSTRUCTION ADMINISTRATION AND $3,000.00 FOR OVERSIGHT OF ADDITIONAL REPOINTING (Received from Administrator 3/19/15)

17. RESOLUTION AWARDING FLEXIBLE SPENDING ACCOUNT ADMINISTRATION TO NATIONAL BENEFIT SERVICES, LLC OF WEST JORDAN, UTAH AS AWARDED BY THE MIDDLESEX REGIONAL EDUCATIONAL COOPERATIVE #65MESCioCCPS, RFP# MRESC-11-12-2, CONTRACT DATES 7/1/12 – 12/31/16, EFFECTIVE MAY 1, 2015; AND AUTHORIZING BOROUGH ATTORNEY TO PREPARE CONTRACTS OR OTHER DOCUMENTS PURSUANT TO THIS AWARD; AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE CONTRACTS OR DOCUMENTS PURSUANT TO THIS AWARD AS NECESSARY (Received from Administrator 3/19/15)

18. TAX REIMBURSEMENT CERTIFICATION OF SUBMISSION OF EXPENDITURE FOR TAXES PAID PURSUANT TO THE RECYCLING ENHANCEMENT ACT, P.L. 2007, c. 311, IN 2014 IN THE AMOUNT OF $8,407.38 (Received from Administrator 3/19/15)

19. RESOLUTION AUTHORIZING RECREATION LIGHTING IMPROVEMENTS TO MEMORIAL FIELD-PLAYGROUND AND RUCKMAN FIELD AND AUTHORIZING PESH-ELECTRIC, INC. OF CLOSTER TO COMPLETE THE ELECTRICAL WORK IN THE AMOUNT OF $5,620 FOR MEMORIAL PARK AND $1,195 FOR RUCKMAN PARK; AND AUTHORIZING METRO LANDSCAPE IRRIGATION OF CLOSTER TO COMPLETE THE TRENCH WORK IN AN AMOUNT OF $3,200 FOR MEMORIAL FIELD PLAYGROUND (Ordinance 2014:1179 Capital Account C-04-14-179-000-010) (Received from Administrator 3/19/15)

20. RESOLUTION AUTHORIZING CHANGE ORDER #3 IN THE AMOUNT OF $58,428.37 FROM THREE SONS RESTORATION FOR BOROUGH HALL EXTERIOR IMPROVEMENTS (Received from Administrator 3/19/15)

21. RESOLUTION EXTENDING APPOINTMENT OF TEMPORARY CERTIFIED MUNICIPAL FINANCE OFFICER TO 1/30/16 (Received from Administrator 3/19/15)

MOTIONS

22. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 3/19/15)

NO ABSTENTIONS:

a. REGULAR MEETING HELD 3/11/15
b. WORK SESSION HELD 3/11/15
CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – MARCH 25, 2015 - 7:30 P.M.

6a. VOTE ON CONSENT AGENDA ITEMS (Continued)

MOTIONS (Continued)

23. MOTION GRANTING APPROVAL FOR ST. PAUL’S LUTHERAN CHURCH TO HOLD A ONE-HOUR EASTER SERVICE AT 7:00 A.M. ON SUNDAY, 4/5/15, IN THE CLOSTER MEMORIAL FIELD BANDSTAND AREA (6. M.L. 3/12/15/Approval received from Risk Management Consultant 3/11/15)

24. MOTION GRANTING APPROVAL FOR INTERNATIONAL ACADEMY OF ARTS AND SCIENCES TO USE MEMORIAL FIELD, 150 HARRINGTON AVENUE, ON SUNDAY, 5/17/15, FROM 8:30 A.M. TO 12 NOON TO CONDUCT THE IAAS FIELD DAY EVENT FOR CHILDREN AND PARENTS; RAIN DATE: SATURDAY, 5/30/15 (8. M.L. 3/5/15/Approval received from Risk Management Consultant 3/20/15)

25. REPORTS
   a. FIRE CHIEF – February 2015 (Received 3/13/15)

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 – MARCH 25, 2015 - 7:30 P.M.

1. 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, which 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 continuously 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

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS
   a. MAIL LIST OF MARCH 12, 2015
   b. MAIL LIST OF MARCH 19, 2015
   c. DISCUSSION RE CARRY OVER OF ITEM NO. 9 MAIL LIST OF 3/5/15 - Apv-re Development request for sidewalk/curb waiver for property located at 17 Poplar Street/aka Block 504 Lot 76 (Adjourned from WS 3/11/15)

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING (Refer to Regular Meeting Agenda of March 25, 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
6. COMMITTEE REPORTS (Continued)

   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

7. OLD BUSINESS

   a. STATUS REPORT RE APPRAISALS OF POTENTIAL ACQUISITIONS FOR THE
      BOROUGH (Requested by Councilwoman Amitai at WS 3/11/15)

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
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<tr>
<td>1.</td>
<td>03/06/15</td>
<td>February 2015</td>
<td>William G. Dressel, Jr. Executive Director, NJS League of Municipalities, to Loretta Castano</td>
<td>*Legislative Bulletin No. 1; 2014-2015 Legislative Session</td>
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| 2.  | 03/06/15   | 03/06/15    | William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Borough Clerk | *League Advisories re: Washington Watch Advisory re: Offshore Drilling Proposal Public Hearing Scheduled Weekly Policy Update:  
   I. Legislative Alert: EIT Mandate Up for Assembly Vote on Monday (A-3548)  
   II. Pension and Health Benefits Task Force Issues Recommendations  
   III. Police Car Mandate Became Effective March 1 (C. 54 of the Public Laws of 2014) Copy to Chief Kaine | Dolson/Public Safety |                           |
| 3.  | 03/06/15   | 03/04/15    | David M. Watkins, Esq., Attorney for Capital Hardware, to Borough of Closter, Attention Gary Montroy – Construction Official  
   c: Mayor and Council Edward Rogan, Esq. | *Copy of letter sent via Facsimile, Regular Mail and Certified Mail re Capital Hardware, 10 Railroad Avenue demanding complete list of deficiencies preventing issuance of a Certificate of Occupancy to the subject property no later than 4:00 p.m. on March 5, 2015 before action is filed in Superior Court (Copy to Construction Official) | Borough Attorney Amitai/Construction & Land Use |                           |
| 4.  | 03/10/15   | 03/10/15    | Leslie Weatherly (lweatherly@closternj.us) to Loretta Castano (lcastano@closternj.us) | *Letter from Closter Shade Tree Commission requesting permission to distribute small tree seedlings which will be provided at no cost to the Borough by the NJ Forestry Program to Kindergarten students at Hillside Elementary as part of the annual Arbor Day educational program the Commission delivers to the schools and informing activity is pending approval from the school and the availability of the seedlings (Copy to Shade Tree Commission) | Barad/Shade Tree |                           |
| 5.  | 03/10/15   | 03/10/15    | William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Borough Clerk | *Mayors Advisories re:  
   a. I. Trouble Ahead for Road Repair Funding  
   II. Open Space, Farmland and Historic Preservation Funding (Copy to Environmental Commission, Historic Preservation Commission, Recreation Commission)  
   III. Professional Development Seminar: Budget, Ethics and Procurement Updates (3/11/15)  
   IV. Professional Development Program: Open Public Records Act (3/17/15) | Hennessey/ Environmental Hennessey/HPC Mayor/Recreation |                           |
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<td>b.</td>
<td>NJ Supreme Court Council on Affordable Housing (COAH) Ruling – Sample Resolution calling for reforms to the Fair Housing Act attached</td>
<td>Borough Attorney</td>
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<td>Rev. Robert Holsten, St. Paul's Lutheran Church</td>
<td>*Request for permission to conduct one hour Easter service at 7 a.m. on Sunday, 4/5/15 in the Closter Memorial Field Bandstand Area; Certificate of Insurance and Hold Harmless Agreement provided to the Borough under separate cover – Approval received from Risk Management Consultant 3/11/15 (Copy to Jim Oettinger, Risk Mgt. Consultant)</td>
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<td>03/11/15</td>
<td>MCANJ IT Committee on behalf of PSE&amp;G Payment Assistance Outreach Team, to <a href="mailto:members@njclerks.org">members@njclerks.org</a></td>
<td>*Information regarding utility bill payment assistance through the following programs: Low Income Home Energy Assistance Program (LIHEAP); Universal Service Fund (USF); Payment Assistance Gas and Electric (PAGE); NJ SHARES (NJS) and NJ Lifeline; and requesting information be posted on town website and in newsletter and shared with the community; Brochure in English and Spanish attached – Posted on Municipal Clerk’s Bulletin Board 3/12/15 (Copy to Food and Assistance Board)</td>
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| 8. | 03/11/15 | 03/11/15 | Cindy W. Randazzo, Director, Office of Local Government Assistance, NJ Department of Environmental Protection, to Municipal Clerk | *a. 2015 Recreational Trails Program grant application – deadline **April 30, 2015** – letter only! Copy of complete application via e-mail to Environmental Commission)  
  b. Information re upcoming Earth Day (4/22/15) and Environmental Education Week (4/19/15-4/25/15) Copy to Environmental Commission |
| 9. | 03/12/15 | 03/06/15 | Martha Sapp, Acting Administrator, NJDEP Green Acres Program, to Mayor John C. Glidden, Jr.  
  c: Jonathan DeJoseph, Administrator | *Project #0207-00-012, Closter Open Space Acquisition, Closter Borough, Bergen County; informing the noted Green Acres Project is about to be cancelled for lack of progress; noting only one (1) parcel has been purchased with no additional funds disbursed since April 2009 and informing Green Acres has not received appraisals for other potential purchases as previously mentioned by former Mayor Heymann (Copy to Environmental Commission) |
<p>| 10. | 03/12/15 | No Date | Bergen County Department of Planning and Economic Development, to Borough Clerk | *Notice of Public Hearings to receive comments on proposed sale of County-owned land located at 66-70 Zabriskie Street, Hackensack, Block 527, Lot 5.02 and Block 532.02, Lot 1 and Block 531.01, Lot 1 commonly known as the Bergen County Zabriskie Street site; Hearing #1 scheduled to be held 4/13/15 @ 7 p.m.; Hearing #2 scheduled to be held 4/28/15 @ 7 p.m. at the Bergen County Administration Building, Learning Center, 4th Floor (Room 460) located at One Bergen County Plaza in Hackensack |</p>
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<td>03/13/15</td>
<td>03/13/15</td>
<td>William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Borough Clerk</td>
<td>*Mayors Advisories re:  a. Pension and Health Benefits Reform b. Pet Shop Disclosure Act (P.L. 2015, c. 7) Copy to Board of Health, Planning Board, Zoning Board of Adjustment, Zoning Officer</td>
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<td>Dolson/Health Amitai/Planning Dolson/Zoning</td>
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<td>3.</td>
<td>03/16/15</td>
<td>03/11/15</td>
<td>Allen M. Bell, Jacobs and Bell, P.A. to Borough of Closter</td>
<td>*Notice of Planning Board Hearing to be held 3/26/15 @ 8 p.m. re Application for Preliminary and Final Site Plan Approval for renovation of existing building at 50 Railroad Avenue</td>
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<td>Amitai/Planning</td>
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<td>4.</td>
<td>03/16/15</td>
<td>03/13/15</td>
<td>Anthony J. Pace, Esq., 394 Harrington Avenue c: Mayor and Council</td>
<td>*Letters of Commendation to: a. Chief of Police, Dennis Kaine, re Sgt. Thornhill and Officers Barbieri and Fehsal b. Fire Chief Brian Pierro – Department Volunteers</td>
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<td>Dolson/Public Safety Latner/Fire</td>
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<td>5.</td>
<td>03/16/15</td>
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<td>Paul G. MacDonald, Chairman, Environmental Commission</td>
<td>*Concerns re growing deer population in town and alternative measure options for control (Copy to Marc Gussen and Nature Center Association)</td>
<td>Hennessey/Environmental</td>
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<td>6.</td>
<td>03/16/15</td>
<td>03/16/15</td>
<td>Neil L. Winter, Jr. (<a href="mailto:wintern@oru.com">wintern@oru.com</a>) to Borough Clerk</td>
<td>*Rockland Electric Proposes Storm Hardening and Technology Initiative to Enhance Service Reliability (Copy to OEM Coordinator)</td>
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<td>7.</td>
<td>03/18/15</td>
<td>03/16/15</td>
<td>Terry Beym, Supervisor, Permit Administration Section, NJS Department of Environmental Protection, to NJPDES Permittee</td>
<td>*Notice re FY2015 Annual Fee Report and Assessment of Fees for NJ Pollutant Discharge Elimination System (NJPDES) permit program which is available at <a href="http://www.nj.gov/dep/dwq/njpdesfees.html">www.nj.gov/dep/dwq/njpdesfees.html</a> - Public Hearing for period 7/1/14 through 6/30/15 to be held 4/15/15 @ 9 a.m. at NJDEP, 401 East State St – 5th Floor Conference room (5E003) Trenton, NJ; Public Comment period to remain open until 4/15/15 – submit written comments to: Mail Code 401-02B, Terry Beym, Supervisor, NJDEP – Water Pollution Management Element, Trenton, NJ; Refer questions to Mike Dillon in Fee Management Unit @609-984-4428 (Copy to William Dahle, III)</td>
<td>Borough Engineer Latner/Public Works</td>
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<td>8.</td>
<td>03/18/15</td>
<td>03/18/15</td>
<td>Cynthia L. Ege, CMR, RMC, City Clerk, City of Lambertville, to Municipal Clerks</td>
<td>*Resolution Opposing New Jersey Assembly Bill 4197 which will cut funding for historic preservation (Copy to Tim Adriance)</td>
<td>Hennessey/Historic Preservation</td>
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**ALSO DISTRIBUTED:**
Unapproved Minutes of Regular Meeting held March 11, 2015
Unapproved Notes of Work Session held March 11, 2015