

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – MAY 27, 2009 - 7:30 P.M.

1. PLEDGE OF ALLEGIANCE
2. OPEN PUBLIC MEETINGS ACT STATEMENT
3. ROLL CALL
4. ADOPTION OF 2009 MUNICIPAL BUDGET AND RELATED RESOLUTIONS
@ 7:30 P.M OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD

The 2009 Municipal Budget was introduced at the Regular Meeting held 4/6/09. Summary of the Municipal Budget was published in the Press Journal on 4/16/09, as stated in the printer's affidavit of publication. Reprint of the Summary 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 5/4/09 for review by the public, as stated in the Municipal Clerk's memo to the Mayor and Council dated 5/4/09.

The Public Hearing on the 2009 Municipal Budget was held at the Regular Meeting of 5/13/09. The following Amendment to the Municipal Budget was introduced at that meeting and is scheduled for public hearing at this meeting:

5. PUBLIC HEARING OF AMENDMENT NO. 1 TO THE MUNICIPAL BUDGET
@7:30P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

This Amendment was introduced at the Regular Meeting held 5/13/09 and was published in the Press Journal on 5/21/09 as stated in the printer's affidavit of publication. Reprint of this Amendment was posted on the Municipal Bulletin Board, in accordance with statutory requirements, and copies have been made available to the general public.

6. INTRODUCTION OF AMENDMENT NO. 2 TO THE MUNICIPAL BUDGET - PUBLIC HEARING 6/10/09 @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received from Auditor 5/21/09)

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

The following Ordinances were introduced at the Regular Meeting held 4/22/09 and were published in the Press Journal on 4/30/09 as stated in the printers 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. No. 2009:1039, “ORDINANCE AMENDING CHAPTER 92, DRIVEWAYS, OF THE CODE PURSUANT TO THE DECISION OF THE SUPERIOR COURT IN DOCKET NO. BER-L-7852-05 “
- b. No. 2009:1040, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS”

8. MAYORAL APPOINTMENT OF BILLY BAUER AS ASSOCIATE MEMBER OF THE ENVIRONMENTAL COMMISSION FOR A 1 YEAR TERM TO 12/31/09 (7. M.L. 5/21/09)

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 – MAY 14, 2009
- b. MAIL LIST – MAY 21, 2009

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)

ORDINANCES AND RESOLUTIONS

13.* BILL RESOLUTION – MAY 31, 2009 _____
TO BE PREPARED BY DEPUTY TREASURER

14.* *POSSIBLE APPOINTMENT(S) OF SALARIED EMPLOYEES (NOT MADE AT THE REORGANIZATION MEETING HELD 1/5/09) RESOLUTIONS TO BE PREPARED BY*

ACTING ADMINISTRATOR/TREASURER (Adjourned from RM 1/14/09; 1/28/09; 2/11/09; 2/25/09; 3/11/09; 3/25/09; 4/6/09; 4/22/09; 5/13/09):

<u>EXPIRATION</u>	<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>
12/31/09	**ADMINISTRATOR	_____	1 Year
12/31/09	DEPUTY BOROUGH CLERK	_____	1 Year
12/31/09	ASSISTANT TO BOROUGH CLERK	_____	1 Year
12/31/09	DEPUTY TAX COLLECTOR	_____	1 Year
12/31/09	DESK DISPATCHER FULL TIME	_____	1 Year
12/31/09	PART TIME	_____	1 Year
	POLICE MATRON	_____	1 Year 12/31/09
	SCHOOL CROSSING GUARD	_____	1 Year 12/31/09

**** Note:** The following appointments are outstanding, to date, in the absence of Administrator/ Treasurer:

TREASURER	_____	1 YEAR	12/31/09
AFFIRMATIVE ACTION	_____	1 YEAR	12/31/09
OFFICER	_____	1 YEAR	12/31/09
APPROPRIATE AUTHORITY	_____	1 YEAR	12/31/09

15.* RESOLUTION AUTHORIZING THE TREASURER TO RETURN THE REMAINING ESCROWS IN THE AMOUNT OF \$594.05 TO COMMUNICATIONS CONSTRUCTION GROUP FOR POLICE TRAFFIC DIRECTOR SERVICES IN COMPLIANCE WTH LOCAL FINANCE NOTICE 2000-14 (Received from Chief of Police 5/11/09)

16.* RESOLUTION APPOINTING THOMAS GIAGNACOVA, DISPATCHER TRAINEE, AS A PER DIEM POSITION AT AN HOULY RATE OF \$12.17 FOR A PERIOD NOT TO EXCEED 180 DAYS, EFFECTIVE 6/1/09 (Received from Chief of Police 5/20/09)

17.* RESOLUTION AUTHORIZING MAYOR AND CLERK TO SIGN DEVELOPER’S AGREEMENT RE K&H GROUP, LLC, 55 TRIANGLE BOULEVARD, CARLSTADT, NJ FOR BLOCK 1601 LOTS 1 & 2 AT 189 HOMANS AVENUE (Received from Land Use Coordinator/Planning Board 5/22/09) RESOLUTION TO BE

PREPARED BY BOROUGH ATTORNEY

MOTIONS

18.* MOTION APPROVING THE FOLLOWING NON-SALARIED APPOINTMENTS
(NOT MADE AT THE REORGANIZATION MEETING HELD 1/5/09)

Adjourned from RM

1/14/09;1/28/09; 2/11/09; 2/25/09; 3/11/09; 3/25/09; 4/6/09;4/22/09; 5/13/09:

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>
<u>EXPIRATION</u> BOARD OF HEALTH ALT. NO. 2 12/31/09	_____	2 Year un- expired to
HISTORIC PRESERVATION 12/31/12	_____	4 Year
COMMISSION/MEMBER IMPROVEMENT COMMISSION MEMBER	_____	2 Year un- expired to 12/31/09
MEMBER 12/31/10	_____	2 Year
ALT. NO. 2 12/31/10	_____	2 Year
RECREATION COMMISSION ASSOCIATE MEMBER 12/31/09	_____	1 Year
**SHADE TREE COMMISSION ALT. NO. 2 12/31/10	_____	2 Year

** Mayoral Appointment

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

19.* POSSIBLE MOTION APPOINTING _____ TO SERVE AS
MEMBER OF THE HISTORIC PRESERVATION COMMISSION FOR AN
UNEXPIRED
4-YEAR TERM (REIMERS) TO 12/31/09 (13. M.L. 3/5/09) (Adjourned from RM 2/25/09;
3/11/09; 3/25/09; 4/6/09; 4/22/09)

20.* APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES
(Distributed 5/21/09) NO ABSTENTIONS

- a. REGULAR MEETING OF MAY 13, 2009
- b. WORK SESSION OF MAY 13, 2009

21.* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:

- a. CHIEF OF POLICE – APRIL 2009 (Received 5/13/09)

12b. VOTE ON CONSENT AGENDA ITEMS

22. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA

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

- a. CONTINUED DISCUSSION RE PARKING SPACE FEE (Requested by Mayor 1/18/08)
RM 9/10/08

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

25. ADJOURN

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

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – MAY 27, 2009 - 7:30 P.M.

1. ROLL CALL
2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT
3. COMMITTEE REPORTS
 1. 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. STATUS REPORT RE IN-KIND MATCH OF \$25,000 FOR COMMUNITY FORESTRY GRANT (Work to be done by DPW) RM 6/27/07
 4. REPORT
 - B. PUBLIC SAFETY - GLIDDEN (TUTOLI/HENNESSEY)
 - 1) REPORT
 - A. PUBLIC WORKS - HENNESSEY (AMITAI/GLIDDEN)
 - 1) REPORT
 - B. ORDINANCE - BARAD (KASHWICK/AMITAI)
 - 1) STATUS REPORT RE ORDINANCE COMMITTEE MEETINGS
 - 2) REPORT
 - i)
 - C. HUMAN RESOURCES - TUTOLI (KASHWICK/BARAD)
 - ii) STATUS REPORT RE PERSONNEL COMMITTEE MEETINGS
 - iii) REPORT
 - F. LAND USE AND CONSTRUCTION – AMITAI (BARAD/HENNESSEY)
 - 1) REPORT
- 10.* OLD BUSINESS
23. NEW BUSINESS
24. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
25. OPEN MEETING TO THE PUBLIC
26. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
27. ADJOURNMENT

MAIL LIST

May 14, 2008

NO.	DATE REC'D	DATE	FROM	SUBJECT ATTACHED	*COPY	AGENDA/ COMMITTEE/ LIAISON
1.	05/08/09	05/01/09	Dennis McNerney, County Executive Department of Planning & Economic Development	*2009 Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund Application Notification. Deadline: Friday, 7/31/09		Mayor Heymann
2.	05/07/09	05/07/09	Rose M. Mitchell, Planning Board Clerk, to David Watkins	*Certified copy of Resolution Correction on 5/6/09 re Galcik Subdivision, Block 1805/Lot 7- 8, 375-395 Blanch Avenue		Amitai/Planning
3.	05/07/09	05/07/09	Rose M. Mitchell, Planning Board Clerk, to Porzio, Bromberg & Newman; Attn: Lawrence Calli	*Certified copy of Resolution Correction re American Signcrafters, Block 1607/Lot 3, 570 Piermont Road		Amitai/Planning
4.	05/11/09 05/12/09 05/13/09 05/14/09	05/11/09 05/12/09 05/13/09 05/14/09	William G. Dressel, Jr., Executive Director to Mayor	*Mayor's Fax Advisory re: a. Important New Information from the Division of Local Government Services b. League Co-Sponsors Mayors Clean Communities Council Conference c. 2009 NJ Environmental Infrastructure Trust Financing Program Information Session - May 14, 2009 at 10 a.m. at the Wyndham Princeton Forrestal Hotel & Conference Center, Plainsboro, N.J. d. Recent Arbitration Award re State of New Jersey and PBA Local 105 e. Registration and Regulation of Convicted Sex Offenders f. NLC Briefs Help Local Officials Make the Most of the Recovery Act g. Healing Homes: A Road to Recovery for New Jersey Children h. US Department of Energy Webcasts on Stimulus Funding Opportunities i. NJ Supreme Court Rules That Tree Replacement Ordinance Valid j. Reminder re NJN Open House: Getting Your Message out in New Jersey's "New" Media Environment k. A-3062 - Inherently Beneficial Uses l. HUD Stimulus Funding for Public Housing Authorities		
5.	05/12/09	05/08/09	Gail L. Price, Price, Meese, Shulman & D'Arminio	*Notice of Zoning Board of Adjustment Application for Amended Site Plan & Use		Hennessey/Zoning Board

			Attorney for G. Futterknecht, to Borough Clerk	Variance/Waiver Relief, Block 1302, Lots 28 & 29 - Hearing to be held 5/20/09 @ 8 p.m.	
6.	05/12/09	05/11/09	Adam E. Falk, Vice President, Government and Regulatory Affairs, to Ms. Celeste Fasone, Director, NJ Board of Public Utilities, Office of Cable Television	*Launch of Boomerang Channel	Barad/Cable TV Advisory Committee
7.	05/11/09	05/07/09	Gerald Cardinale, Senator, 39 th District	*Information that Closter received a Grant from the DOT 2009 Safe Routes to School Program (Copy to Chief Berrian)	Borough Engineer
8.	05/13/09	05/12/09	Stephen Dilts, Commissioner, NJS Department of Transportation, to Mayor c: Municipal Clerk Municipal Engineer	*Notification that Closter has been selected to receive funding from the DOT's Safe Routes to School Program for the Safe Sidewalks to Tenakill Middle School Infrastructure project in the amount of \$275,000; project must be authorized for implementation within two years (2) of the date of this letter. Must be authorized prior to incurring any project related costs to be reimbursed under this program (Copy to Chief Berrian)	Borough Engineer
9.	05/13/09	05/07/09	Valerie Coniglio, Clerk to the Board of Chosen Freeholders, to Municipal Clerk	*Certified copies of the following: a. Ordinances introduced 5/6/09 scheduled for public hearing 5/20/09 @7:30 p.m.: 1) <u>No. 09-14</u> , "GUARANTY ORDINANCE SECURING BERGEN COUNTY IMPROVEMENT AUTHORITY'S OBLIGATIONS IN CONNECTION WITH A PROPOSED GOVERNMENTAL LOAN PROGRAM FOR GOVERNMENTAL ENTITIES LOCATED IN THE COUNTY OF BERGEN IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$30,700,000 2) <u>No. 09-15</u> , "AN ORDINANCE TO ESTABLISH ROAD OPENING PERMIT FEES" (Copy to William Dahle III) b. RESOLUTION DECLARING WEEK OF 5/3/09 TO 5/9/09 AS "NATIONAL COUNTY GOVERNMENT WEEK"	
10.	05/12/09	05/07/09	PERMA	*Request that municipality send	

			(Municipal Joint Insurance Fund), to Bergen JIF Members c: Risk Management Consultants	representative to the following meeting: Sustainable Energy Joint Meeting/Informational Meeting - 5/21/09 @ 6:30 p.m., Westwood Borough (Copy to Glenn Parsells)	
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MAIL LIST

May 21, 2009

N O.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/COMMITTEE/LIAISON
1.	05/15/09 hand delivered	05/15/09	Donald R. Schmidt	*162 Closter Dock Road	Hennessey/Zoning Board of Adjustment Planning/Amitai Borough Attorney Borough Engineer
2.	05/15/09	05/12/09	Stephen Dilts, Commissioner State of New Jersey Department of Transportation, to Mayor	*Funding Notification re Department of Transportation's Safe Routes to School Program- \$275,000 for the Safe Sidewalks to Tenakill Middle School (Copy to Chief Berrian)	Borough Engineer
3.	05/18/09	05/08/09	David M. Watkins, Esq. to BoroughClerk	*Planning Board Public Meeting Notice - 5/28/09 @8:00 p.m. re Gerber Auto Center Site Plan Approval Application for Block 1008 Lot 2 - 434 Demarest Avenue	Amitai/Planning
4.	05/18/09	No Date	Tom Murphy, Director County Division of Community Transportation, to Borough Clerk	*Invitation to Annual Public Hearing on Transportation Funding for Senior Citizens and Disabled Persons, Wednesday, 6/17/09 @ 9 a.m. in the Freeholder Meeting Room, 5 th Floor, 1 Bergen County Plaza, Hackensack (Copy to Bill Brewster) Copy posted on Borough Clerk's bulletin board 5/21/09!	
5.	05/18/09	No Date	County Board of Taxation to Municipal Clerk	*Final Equalization Table, County of Bergen For the Year 2009 (Copy to CFO, Auditor, Assessor)	
6.	05/18/09 No Envelope	05/07/09 05/07/09	Kevin Kratina, Bureau Chief, Bureau of Underground Storage Tanks, NJS Department of Environmental Protection, to Andrew	*a. Notice of Violation - Warehouse Facility and Residence, 277 Herbert Avenue, Identifying #: 032793, Case #08-04-28-0857-06 (Copy to Board of Health, Construction Official)	

			Torrieri & Joong E. Kim et al c: Closter Municipal Clerk, 14 Garry Road, Closter, New Jersey Closter Health Department	b. Notice of Deficiency - Remedial Investigation Report/ Remedial Investigation Workplan dated: Jan 2008, Warehouse Facility and Residence, 277 Herbert Avenue, SRP PI#032793, Activity Number Reference: USR020001, Case #99-08-06-0940-02 BUST C2, Sec #:4 (Copy to Board of Health, Construction Official)	
7.	05/19/09	05/19/09	Mayor to Borough Clerk	*William Bauer, 172 Alpine Drive, bio. for appointment as Associate on the Environmental Commission	
8.	05/15/09 05/18/09 05/20/09 05/18/09	05/15/09 05/18/09 05/19/09 5/19/09	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Mayor	* Mayors Fax Advisory re: a. Binding Arbitration Award Update b. A-1645 - Qualified Purchasing Agent c. Proposed Amendments to Vegetation Management Rules d. Article Submission Request for League Magazine feature on Towns with Article Submission Guidelines e. League/Site Remediation Brownfield Outreach f. Meeting on Federal Recovery Act g. Two Issues: I. State Budget Update II. Alert: Age Restricted Housing h. First of a Series of Regional COAH Briefings - 1/16/09, Bergen Community College, 10 a.m. to 12 Noon	
9.	05/21/09	05/20/09	Louise G. Ungar, Secretary Closter Shade Tree Commission	*Letter from New Jersey Shade Tree Federation and suggested Resolution for S-2503 and A-2872 to license tree Experts and tree care	Kashwick/Shade Tree Possible Agenda Item RM 6/10/09

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ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held May 13, 2009

Unapproved Work Session Notes of May 13, 2009