

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – NOVEMBER 9, 2009 (MONDAY) - 7:30 P.M.

1. PLEDGE OF ALLEGIANCE
2. OPEN PUBLIC MEETINGS ACT STATEMENT
3. ROLL CALL
4. MAYORAL PROCLAMATION DECLARING NOVEMBER 25, 2009 TO DECEMBER 10, 2009 AS 16 DAYS OF ACTIVISM AGAINST GENDER VIOLENCE (8. M.L. 10/22/09)
5. MAYORAL APPOINTMENT OF _____ AS MEMBER OF THE ENVIRONMENTAL COMMISSION FOR AN UNEXPIRED 3-YEAR TERM (ISACOFF) TO 12/31/09 (4. M.L. 10/22/09)
6. 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)
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 10/14/09 and were published in the Press Journal on 10/22/09 as stated in the printer's 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. 2009:1058, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 48 OF THE CLOSTER CODE REGARDING PERSONNEL POLICIES, SPECIFICALLY VACATION LEAVE AND SICK LEAVE"
 - b. NO. 2009:1059, "AN ORDINANCE ADOPTING THE SEPTEMBER 2009 CLOSTER PERSONNEL MANUAL"
 - c. NO. 2009:1060, "AN ORDINANCE ADOPTING THE CLOSTER POLICE DEPARTMENT RULES AND REGULATIONS MANUAL (REVISED 2009)"
8. COMMUNICATIONS
 - a. MAIL LIST – OCTOBER 29, 2009
 - b. MAIL LIST – NOVEMBER 5, 2009
 9. OPEN MEETING TO PUBLIC FOR COMMUNICATION ITEMS ONLY
(Subject to 5-minute limit per By-Laws General Rule No. 10)
 - 10a. REVIEW OF CONSENT AGENDA ITEMS
(PROCEDURE TO BE EXPLAINED BY MAYOR HEYMANN)
 - 11.* INTRODUCTION OF ORDINANCE NO. 2009:1062, "AN ORDINANCE OF THE BOROUGH OF CLOSTER AMENDING CHAPTER 200 ZONING ORDINANCE TO DESIGNATE HISTORIC LANDMARKS" – PUBLIC HEARING – 12/9/09 @ 7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Requested by Borough Attorney 11/6/09) TO BE PREPARED BY THE BOROUGH ATTORNEY
 - 12.* BILL RESOLUTION – NOVEMBER 15, 2009
TO BE PREPARED BY DEPUTY TREASURER
 - 13.* POSSIBLE APPOINTMENT(S) OF SALARIED EMPLOYEES (NOT MADE AT THE REORGANIZATION MEETING HELD 1/5/09) RESOLUTIONS TO BE PREPARED BY ADMINISTRATOR 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; 5/27/09; 6/10/09; 6/24/09; 7/8/09; 7/22/09; 8/12/09; 8/26/09; 9/9/09; 9/23/09; 10/14/09; 10/28/09):

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
DEPUTY TAX COLLECTOR	_____	1 Year	12/31/09
DESK DISPATCHER			
FULL TIME	_____	1 Year	12/31/09
POLICE MATRON	_____	1 Year	12/31/09
 - 10a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

ORDINANCES AND RESOLUTIONS (Continued)

- 14.* 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
- 15.* RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$2,325.25 TO FIRST AMERICAN R.E. TAX SERVICE, FOR BLOCK 907 LOT 36 DUE TO A TAX OVERPAYMENT CREATED BY A DUPLICATE PAYMENT IN SECOND QUARTER 2009 (Received from Tax Collector 10/29/09)
- 16.* RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$3,475.63 TO RISMAN, YANIV & CLARE, FOR BLOCK 606 LOT 35 , DUE TO 2009 TAX OVERPAYMENT FROM OVERAGE IN THE FOURTH QUARTER (Received from Tax Collector 11/4/09)
- 17.* RESOLUTION AUTHORIZING EXTENSION OF TEMPORARY APPOINTMENTS IN THE BUILDING DEPARTMENT (Requested by Administrator 11/5/09)
TO BE PREPARED BY ADMINISTRATOR
- 18.* RESOLUTION RATIFYING APPOINTMENT OF KEVIN WHITNEY TO SERVE AS FIRE OFFICIAL FOR A 2-YEAR TERM FROM 8/1/09 TO 7/31/11

MOTIONS

- 19.* 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; 5/27/09; 6/10/09; 6/24/09; 7/8/09; 7/22/09; 8/12/09; 8/26/09; 9/9/09; 9/23/09; 10/14/09; 10/28/09:

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

- 20.* APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES
 (Distributed 11/5/09) ABSTENTIONS: GLIDDEN, KASHWICK

- a. REGULAR MEETING OF OCTOBER 28, 2009
- b. WORK SESSION OF OCTOBER 28, 2009

- 21.* MOTION APPOINTING _____ TO SERVE AS MEMBER OF THE ZONING BOARD OF ADJUSTMENT FOR AN UNEXPIRED 4-YEAR TERM (MATTES) TO 12/31/09 (14. M.L. 6/25/09) Adjourned from RM 7/8/09; 7/22/09; 8/12/09; 8/26/09; 9/9/09; 9/23/09; 10/14/09; 10/28/09

- 22* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:

- a. CONSTRUCTION OFFICIAL – OCTOBER 2009 (Received 11/3/09)
- b. FIRE CHIEF – OCTOBER 2009 (Received 11/6/09)

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – NOVEMBER 9, 2009 (MONDAY) – 7:30 P.M.

- 10b. VOTE ON CONSENT AGENDA ITEMS
- 23. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA
- 24. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
- 25. DISCUSSION OF PUBLIC COMMENTS OR ANY OTHER TIMELY MATTER, IF APPROPRIATE
- 26. ADJOURN

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

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – NOVEMBER 9, 2009 (MONDAY) – 7:30 P.M.

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – NOVEMBER 9, 2009 (MONDAY) – 7:30 P.M.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – NOVEMBER 9, 2009 (MONDAY) - 7:30 P.M.

1. ROLL CALL
2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT
3. PROFESSIONAL REPORTS
 - A. BOROUGH ATTORNEY
 - 1) REPORT
 - B. BOROUGH ENGINEER
 - 1) STATUS REPORT RE ROAD IMPROVEMENT PROGRAM
(Bid Awarded to Rockborn Trucking & Excavation, Inc.
RM 5/13/09/\$1,494,692.50)
 - 2) STATUS REPORT RE 2009 SAFE STREETS TO SCHOOL SIDEWALK
PROJECT – NJDOT \$275,000 (not to exceed \$52,100) RM 6/24/09
 - 3) REPORT
4. REPORTS
 - A. BOROUGH ADMINISTRATOR
 - 1) STATUS REPORT RE 2009 MUNICIPAL BUDGET
 - 2) STATUS REPORT RE BOROUGH WEB SITE
 - 3) REPORT RE BID OPENING TO BE HELD 11/13/09 @ 11:00 A.M.
FOR THE LEASE OF A PORTION OF WELLINGTON AVENUE
 - 4) REPORT RE BAN SALE - \$1,092,000 (to be reported during the
Regular Meeting in accordance with the requirements of the Local Bond Law)
 - 5) REPORT
 - B. BOROUGH CLERK
 - 1) STATUS REPORT RE 2009 APPOINTMENTS
 - 2) STATUS REPORT RE 2009 OATHS OF OFFICE
 - 3) STATUS REPORT RE 2009 LICENSES
 - 4) STATUS REPORT RE 2009 MEETING DATES
 - 5) REPORT RE 2009 GENERAL ELECTION
 - 6) REPORT
 - C. CHIEF OF POLICE
 - 1) REPORT
4. REPORTS (Continued)
 - D. MAYOR

CLOSTER MAYOR AND COUNCIL
WORK SESSION AGENDA – NOVEMBER 9, 2009 (MONDAY) - 7:30 P.M.

1) STATUS REPORT RE FOLLOWING GRANT APPLICATIONS:

a. GRANTS FILED

(None at this time)

b. GRANTS AWARDED

1. BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND & HISTORIC PRESERVATION TRUST FUND; DUE 7/7/06; FILED BY COUNCILMAN KASHWICK - 50% LOCAL MATCH REQUIRED?- ACQUISITION OF FLAMM PROPERTY END OF RUCKMAN ROAD/HOMANS AVENUE- \$500,000 AWARDED 7/11/07 FOR BLOCK 1308, LOTS 3 AND 4, 37 HOMANS AVENUE (8.M.L.7/26/07)
2. BERGEN COUNTY OPEN SPACE TRUST FUND - 2004 FUNDING ROUND FOR MUNICIPAL PARK IMPROVEMENT AND LAND ACQUISITION PROGRAM (50% local match); APPLICATION DEADLINE: 10/29/04 (8.M.L.8/26/04) (~~\$190,000.00~~ \$120,000.00 for Recreational Trails Program/RM10/27/04 - \$120,000 Recommended Award - County Public Hearing 5/26/05)
3. NATIONAL TRAILS RECREATION PROGRAM - \$25,000 (local match of \$10,000 required) filed 12/15/05 - \$6,500/Match \$2,800
4. SUPER VALUE, INC./PUBLIC ENTITY GRANT - \$6,600.00 awarded for Hazardous Discharge Site Remediation – 121 Schraalenburgh Road, Block 502 Lot 3 (14. M.L. 7/3/08)
5. CERTIFIED LOCAL GOVERNMENT GRANT OF \$20,000 FOR HISTORIC PRESERVATION PLAN ELEMENT (7. M.L. 7/30/09)
6. COMMUNITY DEVELOPMENT BLOCK GRANT - \$7,000.00 Grant for Senior Center Security System (7. M.L. 6/4/09)

c. GRANTS TO BE FILED

(None at this time)

2) REPORT

5. OLD BUSINESS
6. NEW BUSINESS
7. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE
8. OPEN MEETING TO THE PUBLIC
9. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
10. ADJOURNMENT

MAIL LIST
October 29, 2009

NO.	DATE REC'D	DATE	FROM	SUBJECT <input type="checkbox"/> COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	10/22/09	10/22/09	Adam E. Falk, Vice President, Government and Regulatory Affairs, to Ms. Celeste Fasone, Director, NJ Board of Public Utilities, Office of Cable Television c: Affected Municipalities	*Re Launch of Estrella TV	Barad/Cable TV Advisory
2.	10/23/09	10/22/09	Paul Demarest, Land Use Coordinator/Zoning Board of Adjustment to Toros & Elis Tossounian c: Borough Clerk, Zoning Officer, Deputy Treasurer	*Resolution approving the application for Block 701/Lot 16, 88(A) Knickerbocker Road	Hennessey/Zoning
3.	10/23/09	10/21/09	Gloria Grant, Section Chief, Bureau of Northern Field Operations, NJDEP to Lawrence Bank c: Closter Borough Clerk, Closter Health Dept.	*Site Investigation Indoor Air Sampling Results Summary Re Cahanna Cleaners, 222 Closter Dock Road, Closter, New Jersey, Bergen County, SRP PI# 202967, Activity Number Reference: BFO070001, Communication Center #: 07-02-02-1332-57, BFO File # 02-07-055 (Copy to Board of Health, Construction Official)	Barad/Board of Health Kashwick/Environmental
4.	10/23/09	10/21/09	PERMA (Municipal Joint Insurance Fund), to Bergen JIF Members c: Fund Commissioners, Risk Management Consultants and Fund Professionals	*Public Hearing Re 2010 Proposed Budgets to be held on Monday, 11/23/09 @ 5:30 p.m. for Bergen County Municipal Joint Insurance Fund, Municipal Excess Liability Joint Insurance Fund (MEL), New Jersey Environmental Risk Management Fund (E-JIF). Public Hearings scheduled as follows: JIF - 11/23/09 @ 5:30 pm., Westwood Municipal Building, 100 Washington Avenue; MEL - 11/18/09 @ 5:00 p.m. Atlantic City Convention Center - Room 304; E-JIF - 11/18/09 @ 12 Noon, Sheraton Hotel - Steel Pier Room (League Convention); Residual Claims Fund (RCF) Adopted 10/21/09. Posted 10/29/09	Borough Administrator
5.	10/23/09	No Date	Richard Wierer, Acting Executive Director, The Bergen County Utilities Authority, to Loretta Castano	*Notice of Public Hearing re Computation of User Charges for Combined Sewer System Municipalities and Other Revisions and Amendments to the Rules and Regulations to Implement Those Changes to be held 12/10/09 @ 10:00 a.m. Notice resent due to missing pages in the original mailing (11. M.L. 10/22/09)(Copy to William Dahle, III)	
6.	10/23/09	10/20/09	Karen Hughes, Borough Clerk, Borough of	*A Resolution of the Borough of Westwood in the County of Bergen,	

			Westwood, to Loretta Castano	New Jersey Opposing the Adoption of P.L. 2009, C. 118 and Its Application Statewide - objection to and opposition of the enactment of P.L. 2009, c. 118 and opposing any plan to expand the pilot program to include Bergen County (Copy to Angela Mattiace)	
7.	10/26/09	10/21/09	Valerie Coniglio, Clerk to the Board of Chosen Freeholders, to Municipal Clerk	*Notice of Introduction of the following Ordinances on 10/20/09, up for public hearing on Wednesday, 11/4/09: a) <u>09-30</u> "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) <u>09-31</u> "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"	
8.	10/26/09 received opened	10/22/09	PERMA, Risk Management Services to Honorable Mayor & Council, BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND c: Fund Commissioners Risk Management Consultants (via e-mail)	*2009 Dividend - total amount to Closter \$6,988.14; <i>pending approval from Departments of Banking & Insurance and Community Affairs.</i> Request for return of form to PERMA no later than 11/30/09 indicating Borough's choice to either take part of dividend as a check or a credit towards next year's first assessment installment (ORIGINAL TO QUENTIN WIEST 10/27/09)	Administrator
9.	10/27/09	10/23/09	Anthony Fontana, Chief, Bureau of Transfer Stations & Recycling Facilities, NJS Department of Environmental Protection, to Mr. Arthur N. Chagaris, Esq. c: Loretta Castano, Closter Borough Clerk	*Application for a Solid Waste Facility Permit Renewal MIELE SANITATION CO. TS, Closter Boro, Bergen County, Facility ID No.: 131858, Permit No.: TRP070001 (9. M.L. 10/1/09) - Extension of deadline date to 11/9/09 for receipt of comments	Borough Administrator Borough Attorney
10.	10/28/09	10/27/09	Thomas K. Uzzo, P.E.A., Principal & Keith Tockman, C.P.G., Senior Professional Geologist to Borough Clerk c: A.J. Joshi, NJDEP, NJDEP Office of Community Relations, Sam Yanovich, Mid-Bergen Regional Health Commission, David O'Sullivan, A&P	*Public Notification and Outreach Compliance, A&P Supermarket Site, 400 Demarest Avenue (Block 1006/Lots 25 & 26), NJDEP Preferred ID# G000033803, Whitestone Project No. WJ0709364.001, including Public Notification Letter, Fact Sheet, 200 foot resident list and copy of affidavit of publication from <i>The Bergen Record</i> (letter only!) (Copy to Board of Health, Construction Official, Dave Scholz - letter only)	Barad/Board of Health Kashwick/Environmental
11.	10/29/09	10/12/09	Eoin & Clare Kennedy, 372 Durie Avenue	*Letter supporting plans for the new "Closter Town Square".	

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ALSO DISTRIBUTED:

NJLM Legislative Bulletin, October 2009, No. 4, 2008-2009 Legislative Session (Received 10/29/09)

MAIL LIST

November 5, 2009

NO.	DATE REC'D	DATE	FROM	SUBJECT <input type="checkbox"/> COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	11/02/09	10/27/09	David N. Grubb, Executive Director, Municipal Excess Liability Joint Insurance Fund, to member municipalities	*Elected Officials' Training Seminars - The MEL will reduce each member's 2010 workers' comp claims premium by \$250 for each municipal elected official and authority commissioner who completes the course by deadline of 5/01/10; Form to be completed and submitted (Copy to Fred Pitofsky)	Borough Administrator
2.	11/02/09 Hand del'd	No Date	Nick D'Amico, Jr., Friends of the Creche	* Request for permission to place Nativity Creche in front of Borough Hall during the week of December 7, 2009; to be removed prior to January 4, 2010 (Copy to Chief Berrian)	
3.	11/05/09	November 2009	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Administrator/Clerk	*Re: Newly Elected Officials	
4.	11/05/09	10/29/09	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	*Copy of Cablevision tariff with Bergen County reflecting price adjustments to certain unregulated rates, effective 12/12/09	Barad/TV Advisory

ON FILE IN BOROUGH CLERK'S OFFICE:

2009 STATE OF NEW JERSEY DEPARTMENT OF THE TREASURY DIVISION OF TAXATION CERTIFICATION OF THE TABLE OF EQUALIZED VALUATIONS (Received 10/30/09)

ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held October 28, 2009

Unapproved Minutes of Work Session held October 28, 2009