

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – MONDAY, NOVEMBER 22, 2010 - 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, was included in the Notice of Meetings which was sent to the Press Journal and The Record and published in both newspapers on January 7, 2010, 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. 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 10/13/10 and were published in The Record on 11/8/10 as stated in the printer’s affidavit of publication. Reprints 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. BOND ORDINANCE NO. 2010:1082, “ORDINANCE REAPPROPRIATING \$17,199.65 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES TO PROVIDE FOR EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS IN THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN NEW JERSEY”

b. ORDINANCE NO. 2010:1083, “AN ORDINANCE TO DETERMINE THE RATE, AMOUNT, SALARIES, WAGES, COMPENSATION, AND THE METHOD OF PAYMENT THEREOF TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF CLOSTER FOR THE YEARS 2010, OR AS OTHERWISE NOTED” (OFFICE OR POSITION: BUILDING MAINTENANCE/ROAD DEPARTMENT, ADMINISTRATIVE SECRETARY, DEPUTY MUNICIPAL COURT ADMINISTRATOR, BUILDING SUBCODE OFFICIAL)

- 5a. VOTE ON CONSENT AGENDA ITEMS

RESOLUTIONS

6. BILL RESOLUTION – NOVEMBER 15, 2010 (Adjourned from RM 11/8/10) TO BE PREPARED BY DEPUTY TREASURER
7. BILL RESOLUTION – NOVEMBER 30, 2010 TO BE PREPARED BY DEPUTY TREASURER
8. TRANSFER RESOLUTION NO. 1 (Requested by Administrator 11/3/10/Adjourned from RM 11/8/10) - TO BE PREPARED BY TREASURER/CFO
9. POSSIBLE APPOINTMENT(S) OF SALARIED EMPLOYEES (NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/10; RM 1/13/10; 1/27/10; 2/10/10; 2/24/10; 3/10/10; 3/24/10; 4/14/10; 4/28/10; 5/12/10; 5/26/10; 6/9/10; 6/23/10; 7/14/10; 7/28/10; 8/11/10; 8/25/10; 9/7/10; 9/22/10; 10/13/10; 10/27/10; 11/8/10) RESOLUTIONS TO BE PREPARED BY ADMINISTRATOR

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
DEPUTY BOROUGH CLERK	_____	1 Year	12/31/10
DEPUTY TAX COLLECTOR	_____	1 Year	12/31/10
DESK DISPATCHER			
FULL TIME	_____	1 Year	12/31/10
PERMANENT CLERICAL FLOATER	_____	1 Year	12/31/10
POLICE MATRON	_____	1 Year	12/31/10

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5a. VOTE ON CONSENT AGENDA ITEMS (Continued)

RESOLUTIONS (Continued)

10. RESOLUTION RATIFYING ISSUANCE OF CHECK BY THE TREASURER IN THE AMOUNT OF \$78,034.59 PAYABLE TO U.S. BANK – CUST/SASS MUNI V DTR LLC FOR THE REDEMPTION OF TAX SALE CERTIFICATE #08-00007 RE 2007 DELINQUENT TAXES FOR BLOCK 2102, LOT 5, 49 WILSON PLACE (Adjourned from RM 11/8/10) (Received from Borough Attorney 11/12/10)
11. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a AS FOLLOWS:
Commodity/Service: Protective Clothing and Equipment; Vendor: – AAA Emergency Supply; State Contract #: A76370; Max. Amt.: \$1,207.44; Commodity/Service: Park Equipment and Parts; Vendor: – Ben Shaffer & Asso, Inc.; State Contract #: A59054; Max. Amt.: \$6,085.20; (Received from Administrator 11/12/10)
12. RESOLUTION AUTHORIZING SIDEWALK AND PARKING LOT ACCESS FOR GROUND WATER INVESTIGATION BY BRENNAN ENVIRONMENTAL, INC. (BEI) WITH RESPECT TO 222 CLOSTER DOCK ROAD (3b. M.L. 10/28/10) (Received from Administrator 11/15/10)
13. RESOLUTION TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDED CONTRACTS FOR CERTAIN CONTRACTS AWARDED IN THE BOROUGH OF CLOSTER FOR THE FOLLOWING POSITIONS: BOROUGH ATTORNEY, BOROUGH BOND ATTORNEY, BOROUGH APPRAISER – COMMERCIAL PROPERTIES, BOROUGH PUBLIC DEFENDER, BOROUGH PROSECUTOR, BOROUGH ALTERNATE PROSECUTOR, ATTORNEY TO THE PLANNING BOARD, ATTORNEY TO THE ZONING BOARD OF ADJUSTMENT, BOROUGH AUDITOR, BOROUGH ENGINEER - INCLUDING PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT; RISK MANAGER, DULY LICENSED PERSONNEL TO CARRY OUT THE FOLLOWING PUBLIC HEALTH ACTIVITIES (a) PUBLIC HEALTH ADMINISTRATION: HEALTH OFFICER, ELECTRONIC INFORMATION NOTIFICATION (LINCS) HEALTH EDUCATION (b) ENVIRONMENTAL HEALTH SERVICES – REGISTERED ENVIRONMENTAL HEALTH SPECIALITY (16 Hours per week) – ALL SERVICES IN a&b SHALL MEET “PUBLIC HEALTH STANDARDS OF PERFORMANCE FOR LOCAL BOARDS OF HEALTH IN NEW JERSEY” (Received from Borough Attorney 11/16/10)
14. RESOLUTION APPROVING ISSUANCE OF 2010 CERTIFICATES OF COMPLIANCE TO JOHN PETERS PROFESSIONAL LIMOUSINES, 231 HERBERT AVENUE, CLOSTER, NJ, FOR TWO (2) NAMED VEHICLES IN ACCORDANCE WITH N.J.S.A. 48:16-17; EXPIRATION: 12/31/2010 (Appropriate fees paid/Approvals received 11/18/10 from Risk Management Consultant and 11/19/10 from Borough Attorney)

MOTIONS

15. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed 11/18/10) ABSTENTION: BARAD:
 - a. REGULAR MEETING OF NOVEMBER 8, 2010
 - b. WORK SESSION OF NOVEMBER 8, 2010
16. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS (NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/10; RM 1/13/10; 1/27/10; 2/10/10; 2/24/10; 3/10/10; 3/24/10; 4/14/10; 4/28/10; 5/12/10; 5/26/10; 6/9/10; 6/23/10; 7/14/10; 7/28/10; 8/11/10; 8/25/10; 9/7/10; 9/22/10; 10/13/10; 10/27/10; 11/8/10:

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
*SHADE TREE COMMISSION Member (Ryan) (3. M.L. 3/11/10) * <i>Mayoral Appointment</i>	_____	5 Year un- expired to	12/31/11

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING AGENDA – MONDAY, NOVEMBER 22, 2010 - 7:30 P.M.

5a. VOTE ON CONSENT AGENDA ITEMS (Continued)

MOTIONS (Continued)

17. MOTION APPOINTING _____ TO SERVE AS MEMBER OF THE BOARD OF ETHICS FOR AN UNEXPIRED 5-YEAR TERM (ARCHER) TO 12/31/2013 (6. M.L. 7/15/10) (Adjourned from RM 7/28/10; 8/11/10; 8/25/10; 9/7/10; 9/22/10; 10/13/10; 10/27/10; 11/8/10)

18. MOTION APPOINTING _____ TO SERVE AS MEMBER OF THE CLOSTER IMPROVEMENT COMMISSION FOR AN UNEXPIRED 2-YEAR TERM (MATTES) TO 12/31/2011 (1. M.L. 9/16/10) Adjourned from RM 10/13/10; 10/27/10; 11/8/10

19. MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO FILL THE FOLLOWING *NON-SALARIED* APPOINTMENTS MADE AT THE REORGANIZATION MEETING HELD ON 1/4/10 (Which have not been accepted as of the time of preparation of this Agenda):

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION Member	_____	2 Year un- expired to	12/31/10
*SHADE TREE COMMISSION Alternate No. 2	_____	4 Year un- expired to	12/31/11

**Mayoral Appointment*

20. MOTION APPOINTING _____ TO SERVE AS ALT. NO. 1 MEMBER OF THE CLOSTER IMPROVEMENT COMMISSION FOR AN UNEXPIRED 2-YEAR TERM (PEREIRA) TO 12/31/11 (7. M.L. 10/21/10) Adjourned from RM 10/27/10; 11/8/10

21. MOTION APPROVING RAFFLES APPLICATION FOR B.P.O.E. #2304 CLOSTER LODGE TO CONDUCT ON-PREMISE 50/50 CASH RAFFLE ON SATURDAY, 1/22/11, AT 148 RAILROAD AVENUE, FROM 7:00 P.M. TO 11:00 P.M. (Completed application filed and appropriate fees paid 11/5/10)

22. GRANTING APPROVAL FOR THE CHANUKAH CEREMONY COMMITTEE TO CONDUCT CHANUKAH CEREMONY IN FRONT OF, AND ADJACENT TO THE CLOSTER SENIOR CITIZENS CENTER ON TUESDAY, 12/1/10, AT 7:00 P.M.; AND TO ERECT A DISPLAY MENORAH IN THE AREA DESIGNATED BY THE BOROUGH IN FRONT OF BOROUGH HALL FROM 12/1/10 TO 12/9/10 (5. M.L. 11/4/10) (Approval received from Risk Management Consultant 11/15/10)

23. ACCEPTANCE OF THE FOLLOWING REPORTS:

- a. CHIEF OF POLICE – OCTOBER 2010 (Received 11/12/10)
- b. CONSTRUCTION OFFICIAL – OCTOBER 2010 (Received 11/15/10)

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

24. 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. 10)

25. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY

26. ADJOURNMENT

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

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – MONDAY, NOVEMBER 22, 2010 - 7:30 P.M.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – MONDAY, NOVEMBER 22, 2010 - 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, was included in the Notice of Meetings which was sent to the Press Journal and The Record and published in both newspapers on January 7, 2010, 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 NOVEMBER 11, 2010
 - b. MAIL LIST OF NOVEMBER 18, 2010
5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of November 22, 2010)
6. COMMITTEE REPORTS
 - A. FINANCE AND TECHNOLOGY - DOLSON (GLIDDEN/ KASHWICK)
 - 1) STATUS REPORT RE CLOSTER WEBSITE
 - 2) REPORT
 - B. PUBLIC SAFETY - GLIDDEN (DOLSON/LATNER)
 - 1) REPORT
 - C. PUBLIC WORKS - LATNER (AMITAI/GLIDDEN)
 - 1) REPORT
 - D. ORDINANCES - BARAD (KASHWICK/AMITAI)
 - 1) REPORT RE ORDINANCE COMMITTEE MEETINGS
 - a. STATUS REPORT ON CHAPTER 181 (TREE PRESERVATION AND REMOVAL) REVISIONS RECEIVED FROM SHADE TREE AND ENVIRONMENTAL COMMISSION (Discussed/WS 7/28/10)
 - b. STATUS REPORT RE CONSERVATION ZONE RECOMMENDATIONS TO THE PLANNING BOARD (Requested by Mayor/WS 8/25/10)
 - 2) REPORT
 - E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON)
 - 1) REPORT RE PERSONNEL COMMITTEE MEETINGS
 - 2) REPORT
 - F. PRIVATE CONSTRUCTION, LAND USE, ZONING ENFORCEMENT & NEW BUILDINGS – AMITAI (BARAD/DOLSON)
 - 1) REPORT

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WORK SESSION AGENDA – MONDAY, NOVEMBER 22, 2010 - 7:30 P.M.

7. OLD BUSINESS
8. NEW BUSINESS
 - a. DISCUSSION RE POSSIBLE DEMOLITION AT 131 WEST STREET
(Requested by Administrator 11/12/10)
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 10) 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

MAIL LIST

November 11, 2010

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	11/05/10 11/08/10	11/05/10 11/08/10	William G. Dressel, Jr., Executive Director, NJS League of Municipalities	*League Alert Re: a. Assembly to Consider Housing Legislation b. OPRA Fee Changes - URGENT New OPRA Rates Effective November 9, TOMORROW c. Legislative Bulletin, October 2010, No. 5, 2010-2011 Legislative Session d. Newly Elected Officials	Borough Attorney Borough Clerk
2.	11/09/10 11/08/10	October 2010 11/05/10 11/03/10	Kirstin Hahn, Bureau Chief, Bureau of Case Assignment and Initial Notice, NJDEP to Ms. Patricia Reuten c: Municipal Clerk	*No Further Action Letter: Unrestricted Use for the Areas of concern [one 2,000-gallon and one 1,000-gallon #2 heating oil UST's], Fred Reuten, Inc., 231 Herbert Avenue, Closter, Program Interest #: 030119, Activity Number: USR100001, Document Title: N01-0667 INS, Communications Center Number: 02-10-12-1645-25 INS, Block #1501, Lot #11 (Copy to Board of Health, Environmental Commission, Construction Official)	Dolson/Health Kashwick/Environmental
3.	11/08/10	11/04/10	Bahram Farzaneh, P.E., P.P. Sr. Engineer, French & Parrello Associates, P.A. to Closter Borough Clerk	*Public Notice of application for flood hazard area permit to the State of NJ DEP for property located at 200 Old Hook Road, Block 1601, Lot 1; 3 copies of application enclosed; comments requested in writing within 15 calendar days of receipt of this letter - 11/23/10 (Original also to Construction Official, Borough Engineer on 11/9/10)	Borough Engineer
4.	11/09/10	11/03/10	Barbara J. Nagy, Clifton City Clerk, to Closter Borough City Clerk	*Certified copy of Resolution Urging Immediate "Passage of Toolkit" Legislation; and requesting acknowledgment of request and the status of the this item for legislative consideration, vote and passage	
5.	11/09/10	11/04/10	Jennifer H. Kleinman, Acting Clerk, Board of Chosen Freeholders, County of Bergen, to Municipal Clerk	*Copies of following ordinances introduced 11/3/10; scheduled for adoption on 12/1/10: a. <u>10-28</u> : Bond Ordinance Providing an Appropriation of \$1,950,000 for Various Improvements for the Bergen County Special Services School District, in and by the County of Bergen, New Jersey, and Authorizing the Issuance of \$1,950,000 Bonds or Notes of the County b. <u>10-29</u> : Bond Ordinance Providing an Appropriation of \$2,750,000 for Various Improvements at the Bergen County Technical Schools, in and by the County of Bergen, New Jersey, and Authorizing the Issuance of	

				<p>\$2,750,000 Bonds or Notes of the County</p> <p>c. <u>10-30</u>: Bond Ordinance Providing an Appropriation of \$3,121,531 for Various Improvements for the Bergen County Community College, in and by the County of Bergen, New Jersey, and Authorizing the Issuance of \$3,121,531 Bonds or Notes of the County</p> <p>d. <u>10-34</u>: An Ordinance to Vacate a Portion of Redneck Avenue on the Borough of Moonachie, County of Bergen and Extinguishing all Public Rights Therein</p>	
6.	11/09/10 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 5, 2010; to be removed prior to January 4, 2011 (Copy to Glenn Parsells, Chief Berrian)	Administrator/Insurance
7.	11/10/10	11/04/10	Adam E. Falk, Vice President, Government and Regulatory Affairs, Cablevision, to Ms. Kristi Izzo, Office of Cable Television, Board of Public Utilities c: Ms. Celeste Fasone, Director, OCTV All affected municipalities	*Copy of tariffs reflecting rate adjustments to certain unregulated tariffs effective 12/8/10	Barad/Cable TV Advisory

ALSO DISTRIBUTED:

Bergen Momentum, Vol. III, No. 2, Fall 2010 (Received 11/09/10)

MAIL LIST

November 18, 2010

NO.	DATE REC'D	DATE	FROM	SUBJECT	*COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	11/12/10	9/28/10	Borough Clerk, Borough of Tenafly, to Borough Clerk	*Certified copy of Resolution No. R10-318 authorizing entry into a Shared Services Agreement with member municipalities of the Riverside Cooperative for shared use of the County owned infrared mounted restoration system for asphalt		
2.	11/16/10 Hand del'd	11/16/10	Paul Demarest, Land Use Coordinator, Zoning Board of Adjustment, to Andrew Kohut, Esq., Wells, Jaworski & Liebman, LLP c: Zoning Officer Borough Clerk Deputy Treasurer	*Certified copy of Resolution memorialized 11/15/10 granting in whole or part, approval of application re Dolan, 9 First Street , Block 1707, Lot 1		Dolson/Zoning
3.	11/16/10	11/04/10	Charlotte Vandervalk, Assemblywoman, 39 th District	*Acknowledging receipt of Resolution supporting S-2310/A-3283, which would implement Governor's "Tool Kit" proposals for public employee collective bargaining		
4.	11/16/10	10/13/10	Guy J. Watson, Bureau Chief, Recycling and Planning, NJDEP Solid and Hazardous Waste Management Program, to Closter Boro (New Jersey Waste Hauler)	*Informing of the implementation of "The Electronic Waste Management Act" banning disposal of "covered electronic devices" including televisions, computers, monitors and portable/laptop components, effective as of 1/1/11 and encouraging public education regarding same (Copy to William Dahle, III)		Latner/DPW
5.	11/17/10	No Date	Gregory Eisenstark, Esq., Associate General Regulatory Counsel, PSE&G, to Municipal Clerk	*Notice to Public Service Electric and Gas Company Electric and Gas Customers: In the Matter of the Petition of Public Service Electric and Gas Company for Approval of Changes in its Electric and Gas Societal Benefits Charge Rates; for a Change in its Electric Non-Utility Generation Charge Rate; and for Changes in the Tariff for Electric Service B.P.U.N.J. No.15 Electric; and Changes in the Tariff for Gas Service B.P.U.N.J. No.15 Gas, Pursuant to N.J.S.A. 48:2-21; N.J.S.A. 48:2-21.1 and N.J.S.A. 48:3-60 - Hearings to be held 12/6/10 @ 7 p.m., Bergen County Administration Bldg., 12/6/10 @ 3:30 p.m., Middlesex County Administration Bldg., 12/7/10 @ 3:30 p.m., Burlington County Administration Bldg.		

6.	11/17/10	No Date	Richard Wierer, Acting Executive Director, Bergen County Utilities Authority, to Loretta Castano	*Public Hearing Notice re a proposed Amendment to the Bergen County District Solid Waste Management Plan to incorporate Anything IT Class D Recycling Facility, to be held 12/7/10 @ 10:00 a.m.in the Public Meeting Room at the Bergen County Utilities Authority Administration Building, Foot of Merhof Road, Little Ferry, NJ - Draft Amendment Attached (copy to William Dahle, III)	Latner/DPW
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ALSO DISTRIBUTED:

Unapproved Regular Meeting Minutes of November 8, 2010

Unapproved Work Session Notes of November 8, 2010