

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – MAY 23, 2012 - 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 included in the Notice of Meetings which was sent to The Record and published on January 6, 2012 and to the Star Ledger and published on January 7, 2012, 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.

2. ROLL CALL

3. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCES @8:00 P.M.

OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

a. The following Ordinances were introduced at the Regular Meeting held 4/11/12 and were published in The Record on 4/17/12 as stated in the 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.

At the Regular Meeting held 5/9/12, these ordinances were adjourned to this meeting.

1) ORDINANCE NO. 2012:1122: “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200 OF THE CODE OF THE BOROUGH OF CLOSTER AND AMENDING SCHEDULE A: LIMITING SCHEDULE”

2) ORDINANCE NO. 2012:1123, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200 OF THE CODE OF THE BOROUGH OF CLOSTER AND AMENDING SCHEDULE A: LIMITING SCHEDULE TO ADD PROVISIONS FOR HISTORIC PRESERVATION AND AMENDING CHAPTER 35, ARTICLE VII, HISTORIC PRESERVATION, TO CROSS REFERENCE THE LIMITING SCHEDULE”

b. The following Ordinances were introduced at the Regular Meeting held 4/25/12 and were published in The Record on 5/1/12 as stated in the 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:

1) ORDINANCE NO. 2012:1124, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 65 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING ALARMS, SPECIFICALLY SECTION 65-10, LOCAL ALARMS”

2) BOND ORDINANCE NO. 2012:1125, “AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE RECONSTRUCTION OF VARIOUS ROADWAYS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$455,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$294,500 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME”

4. MAYORAL APPOINTMENTS (*NON SALARIED*) TO THE FOLLOWING COMMISSIONS (Not made at the Reorganization Meeting held 1/3/12/Adjourned from RM 1/11/12; RM 1/25/12; RM 2/8/12; RM 2/22/12; RM 3/14/12/RM 3/28/12; 4/11/12; 4/25/12; 5/9/12):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ENVIRONMENTAL COMMISSION				
Alt. No. 2	(Adam Nock resigned)	_____	2 Year un-expired to	12/31/12
SHADE TREE COMMISSION				

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – MAY 23, 2012 - 7:30 P.M.

Alt. No. 2
12/31/15

Kathi Cochran

4 Year

5a. VOTE ON CONSENT AGENDA ITEMS

RESOLUTIONS

6. BILL RESOLUTION – MAY 31, 2012
TO BE PREPARED BY DEPUTY TREASURER

7. RESOLUTION ADOPTING PERSONNEL MANUAL AND PROCEDURES (Received from Borough Attorney 5/17/12)

8. RESOLUTION APPROVING/REJECTING REQUEST OF MICHAEL J. HUBSCHMAN, P.E., P.P. RE JOE SPIVACK, 40 JOHNSON COURT, BLOCK 2304, LOT 21, FOR CONSTRUCTION OF 14' RETAINING WALL ON TWO (2) BOROUGH EASEMENTS

(Requested by Borough Engineer – WS 5/9/12) RESOLUTION TO BE PREPARED BY BOROUGH ATTORNEY AFTER DISCUSSION AT THIS MEETING!

9. RESOLUTION APPROVING THE PLANS PREPARED BY BOSWELL ENGINEERING FOR THE PROJECT KNOWN AS HERBERT AVENUE SECTION 5 & BLANCH AVENUE IMPROVEMENTS, 2012 ROAD IMPROVEMENTS, & SCHAUBLE FIELD WALKING PATH (Received from Borough Administrator 5/15/12)

10. RESOLUTION AUTHORIZING THE BIDDING OF PROJECT KNOWN AS HERBERT AVENUE SECTION 5 & BLANCH AVENUE IMPROVEMENTS, 2012 ROAD IMPROVEMENTS, & SCHAUBLE FIELD WALKING PATH (Received from Borough Administrator 5/15/12)

11. RESOLUTION ACCEPTING THE SOLE BID RECEIVED AT THE BID OPENING HELD 5/11/12 BY PIERCE MANUFACTURING INC. IN THE AMOUNT OF \$1,079,579.00 FOR THE 95' MID-MOUNTED AERIAL PLATFORM LADDER TRUCK OR EQUAL (Received from Borough Administrator 5/15/12)

12. RESOLUTION TO REAFFIRM THE BOROUGH OF CLOSTER'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS (Received from Borough Attorney 5/15/12)

13. RESOLUTION APPROVING RENEWAL OF *INACTIVE/POCKET* PLENARY RETAIL CONSUMPTION LIQUOR LICENSE NO. 0207-33-005-003, SUBJECT TO 12.39 SPECIAL RULING FROM THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL FOR THE 2011-2012 AND 2012-2013 LICENSE TERMS FOR MODERN BAR LLC (Appropriate fees paid, and required approvals received from the Division for Alcoholic Beverage Control and Division of Taxation)

MOTIONS

14. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed via e-mail on 5/18/12) NO ABSTENTIONS:
a. REGULAR MEETING OF MAY 9, 2012
b. WORK SESSION MEETING OF MAY 9, 2012

15. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS/BOARDS AND COMMISSIONS (Not made at the Reorganization Meeting held 1/3/12/Adjourned from RM 1/11/12; RM 1/25/12; RM 2/8/12; RM 2/22/12; RM 3/14/12; RM 3/28/12; 4/11/12; 4/25/12; 5/9/12):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
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CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – MAY 23, 2012 - 7:30 P.M.

IMPROVEMENT
COMMISSION

Member	Wilson Reimers	_____	2 Year
12/31/13	Alt. No. 1	Donna Arbietman	_____
12/31/13			2 Year

16. REPORTS

a. CHIEF OF POLICE – APRIL 2012 (Received 5/8/12)

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

17. 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)

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

19. ADJOURNMENT

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – MAY 23, 2012 - 7:30 P.M.

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

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – MAY 23, 2012 - 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 Record and published on January 6, 2012 and to the Star Ledger and published on January 7, 2012, 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 MAY 10, 2012
 - b. MAIL LIST OF MAY 17, 2012
5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of May 23, 2012)
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
 - 2) REPORT
 - E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON)
 - 1) REPORT RE PERSONNEL COMMITTEE MEETINGS
 - 2) REPORT
 - F. LAND USE AND CONSTRUCTION – AMITAI (BARAD/DOLSON)
 - 1) REPORT

CLOSTER MAYOR AND COUNCIL
WORK SESSION AGENDA – APRIL 25, 2012 - 7:30 P.M.

7. OLD BUSINESS
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

MAIL LIST
MAY 10, 2012

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/COMMITTEE/LIAISON
1.	05/03/12 via e-mail	05/03/12	Karen Hughes, Borough Clerk, Borough of Westwood, to Loretta Castano	*Resolutions adopted 5/1/12: a. Opposing Senate Bill 1451 (Open Public Meetings Act) b. Opposing Senate Bill 1452 (Open Public Records Act)	
2.	05/07/12 via e-mail	05/07/12	Laren St. Helaire, Executive Assistant, on behalf of Kathleen A. Donovan, County Executive, County of Bergen, to Municipal Leader	*Flyer and press release regarding the 2012 Sustainable Jersey Small Grants Program and referring interested communities to the Sustainable Jersey website for grant requirements and downloadable application; applications due to Sustainable Jersey by 7/15/12	Mayor/Grants
3.	05/07/12	05/01/12	Chief Vincent J. Caruso, Lodi Police Department, President, Bergen County Police Chiefs Association	*Letter of introduction with enclosed copy of New Jersey Association of Chiefs of Police White Paper: Police Department Regionalization, Consolidation, Merger & Shared Services, Important Decisions for Policymakers (Copy to Chief Kaine)	Glidden/Public Safety
4.	05/07/12	05/01/12	County of Bergen, Board of Taxation , to Municipal Clerk	*Final Equalization Table, County of Bergen for the Year 2012	
5.	05/08/12	05/03/12	Karen Mastriano, Clerk to the Board of Chosen Freeholders, to Honorable Chris Christie/to Municipal Clerk	*Certified copies of Resolutions adopted 5/2/12 Proclaiming: a. Week of May 6-12, 2012 as National Pet Week b. Month of May 2012 as National Military Appreciation Month c. Week of May 20-26, 2012 as National Public Works Week d. May 8, 2012 as National Teacher Day e. Month of May 2012 as Asian/Pacific American Heritage Month f. May 2012 as Foster Care Month g. May 2012 as National Historic Preservation Month h. Month of May 2012 as Older Americans Month i. Month of May 2012 as Cystic Fibrosis Awareness Month j. May 2012 as Mental Health Month in Bergen County	
6.	05/08/12 05/09/12	05/08/12 05/09/12	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Mayor	*League Alerts re: URGENT!! Action Needed Now (distributed 5/9/12) a. I. Property Tax Funding Restoration Committee Action Scheduled for vote on S-1900 on 5/17/12 II. Updated QPA Credits! League Professional Development Program: "A Review of the Open Public Records Act (OPRA)" b. I. Federal Transportation Policy Debates	Resolution RM 5/9/12

				<p>II. Webinar on United States Supreme Court cases of interest to local governments</p> <p>III. Posting public contracts on the PERC website</p>	
7.	05/09/12	05/07/12	<p>Natalie Ahearn, Project Scientist, Sovereign Consulting Inc., to Closter Clerk's Office</p> <p>c: Closter Health Department</p>	<p>*Classification Exception Area (CEA) Termination Request, Former Shell Service Station, 530 Piermont Road, Closter, Bergen County, New Jersey, PI# 003228, Case #88-07-14-1525; informing Termination Request Report was submitted to the NJDEP pursuant to N.J.A.C. 7:26E-8; Remedial Action Protectiveness/Biennial Certification Form (Groundwater) attached - full report available upon request (Complete copy to Construction Official , Environmental Commission/copy (letter only!) to Board of Health</p>	<p>Dolson/Health</p> <p>Kashwick/Environmental</p>
8.	05/08/12	05/03/12	<p>Karen Mastriano, Clerk to the Board of Chosen Freeholders, to Municipal Clerk</p>	<p>Certified copies of following Ordinances :</p> <p>a. Adoption of Ordinance <u>No. 12-14</u>: "Ordinance to Legally Revise Existing Speed Limit on Portion of a County Road - Englewood-Teaneck - East & West Forest Avenue County Road 64" (adopted 5/2/12) - no copies</p> <p>*b. Introduction of Ordinance <u>No. 12-15</u> , "An Ordinance of the County of Bergen to Amend the Bergen County District Solid Waste Management Plan (introduced on 5/2/12 and scheduled for public hearing on 6/6/12 (Copy to William Dahle, III)</p>	<p>Latner/DPW</p>

MAIL LIST
MAY 17, 2012

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	05/11/12 via e-mail	05/11/12	Margaret M. Scanlon, Borough Clerk, Borough of Rutherford, to Loretta Castano	*Certified copy of Resolution No. 82 adopted 5/7/12 Supporting the Employment Incentive Program of the NJ Guard and Reserve	
2.	05/14/12 via e-mail	05/12/12	Sercan Zoklu, Borough Clerk/Deputy Administrator, Borough of Cliffside Park, to Loretta Castano	*Certified copies of Resolutions adopted 5/8/12: a. No. 2012-97 - Opposing S-1451 (Open Public Meetings Act) and S- 1452 (Open Public Records Act) b. No. 2012-105 - Calling for the Restoration of Energy Taxes to Municipalities (S-1900)	
3.	05/14/12	05/10/12	Lorraine L. McMackin, RMC, CMC, Borough Clerk, Borough of Norwood, to Borough of Closter	*Certified copy of Resolution No. 12:105 adopted 5/9/12 Supporting the Employment Incentive Program of the NJ Guard and Reserve	
4.	05/14/12	05/08/12	Senator Paul Sarlo, Senator Linda Greenstein and Assemblyman Troy Singleton, New Jersey Legislature, to Mayor	*Informing of legislation introduced to return hundreds of millions of dollars that had been cut from municipal aid through the State's diversions of money from the Energy Tax Receipts	
5.	05/14/12	05/07/12	Robert J. Lindsey, M.Ed. CEAP, President/CEO, National Council on Alcoholism and Drug Dependence, Inc. (NCADD), to Mayor	*Acknowledging receipt of the Borough's New Jersey Alcohol Awareness Month 2012 Proclamation and thanking for support re same; and informational flyer about the National Council on Alcoholism and Drug Dependence, Inc.	
6.	05/15/12	05/01/12	Robert Soboleski, Bureau Chief, NJDEP Bureau of Maintenance & Monitoring, to Donald R. Schmidt c: Closter Health Department Municipal Clerk, Closter	*No Further Action Letter re: Remedial Type: Unrestricted Use for two 2,000 gal. gasoline tanks, one 1,000 gal. diesel tank, two 1,000 gal. heating oil tanks, and three 550 gal. heating oil tanks; Donald R. Schmidt Inc., 277 Herbert Avenue, Closter; Program Interest# 032793; Activity # PFR090002; Document Title: 99-08-06-0940-02 BUST C2; Communications Center #: 99-08-06-0940-02; TMS Number: N98-2927, Block 1301, Lot 1 (Complete copy to Construction Official, Environmental Commission/Copy to Board of Health - letter only!)	Dolson/Health Kashwick/Environmental
7.	05/15/12	05/15/12	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Mayor	*League Alert(s) re: a I. Historic Site Management Grants are Available from the Garden State Historic Preservation Trust Fund	

	05/16/12	05/16/12		<p>II. Mini Conference Offers Licensed Officials a Chance to Earn 8 CEU Credits in One Day!</p> <p>b. I. Supreme Court decision in <u>Seals v. County of Morris</u> II. S-1914, User Fees (see also 5/8/12 Dear Mayor Letter)</p> <p>c. I. Affordable Housing, COAH Trust Funds, A-2950 - <u>LEGISLATIVE ALERT!</u> II. Mayors Brownfield Site Remediation Roundtable Event 6/19/12</p>	Mayor
8.	05/15/12	No Date	Department of Human Services, Division of Community Transportation, to Borough Clerk	*Public Hearing on Transportation Funding for Senior Citizens and Persons with Disabilities scheduled to held 6/14/12 @ 9 a.m. (Posted 5/17/12/Copy to Bill Brewster, President, Closter Senior Citizens Club	Mayor/Seniors
9.	05/15/12	05/14/12	Rev. Paul A. Cannariato, Pastor, Church of St. Mary	*Notice of intention to close St. Mary Church Parking Lot to the public on Sunday, 6/10/12, from 5 p.m. through Monday, 6/11/12, until 5 p.m. in accordance with N.J.S.A. 2A:14-06 (Copy to Glenn Parsells)	
10.	05/15/12	05/08/12	David M. Watkins, Esq., Attorney for Applicant, to Borough Clerk	*Public Notice re Zoning Board of Adjustment Special Hearing on 5/30/12 @ 8 P.M. to review and take action on the Application of Aurora Bairan for validation of a 6-family residential use for property located at 318 Harrington Avenue, Block 1312, Lot 10	Dolson/Zoning
11.	05/16/12 hand del'd	05/07/12	Linda Albelli, Closter Chamber of Commerce	*Requesting permission to conduct the 2012 Sidewalk Sale on Thursday, 6/26/12, and Friday, 6/27/12, from 9 a.m. to 9 p.m. and Saturday, 6/28/12, from 9 a.m. to 6 p.m.; AND requesting the fees for same be waived; Hold Harmless Agreement and Certificate of Insurance attached; AND requesting permission to hang the Sidewalk Sale banner across VerValen Street in early July AND to post 25 yard signs on private and Borough property to advertise the event which will be removed on 6/29/12; list of participants is to be provided (Complete copy to Glenn Parsells 5/16/12/Copy to Chief Kaine, Board of Health, DPW Superintendent, Zoning Officer, Construction Official - letter only!	Agenda Item upon receipt of approval from : Risk Management Consultant Zoning Officer Construction Official Chief of Police Board of Health
12.	05/17/12	05/17/12	Paul Demarest, Land Use Coordinator, Zoning Board of Adjustment: c: Zoning Officer Borough Clerk Deputy Treasurer	<p>*Certified copies of Resolutions adopted 5/16/12 granting approval of applications:</p> <p>a. to Rose Tubito, Esq., re Giannotti Estate, 47-49 Fairview Avenue, Block 705/Lot 11</p> <p>b. to Netchert, Dineen & Hillman, Attn. John Dineen, Esq., re Patel, 14 Susan Drive, Block 2102/Lot 2</p> <p>*Certified copy of Resolution adopted 5/16/12 denying approval of application:</p> <p>c: to Sekas & Abrahamsen, LLC, re Witko, 17 Bogert Street, Block 1710/Lot 7</p>	<p>Dolson/Zoning</p> <p>Dolson/Zoning</p>

13.	05/17/12	05/02/12	Adam E. Falk, Vice President, Government & Public Affairs, Cablevision c: All affected municipalities	*a. to Lawanda Gilbert, Acting Director, Office of Cable Television, Board of Public Utilities re Digital Transition Project in New Jersey Systems b. to Ms. Kristi Izzo, Secretary, Office of Cable Television, Board of Public Utilities re Digital Transition Project in New Jersey Systems	Barad/Cable TV Advisory Barad/Cable TV Advisory
14.	05/17/12	05/16/12	Robert Laux, Executive Director, Bergen County Utilities Authority c: Loretta Castano Richard Wierer	*BCUA Sewer Connection Fee - Municipal Incentive Program Rebate, enclosed 2011 rebate check number WC029185 in the amount of \$905.36 (Copy of letter and ORIGINAL CHECK to Administrator on 5/17/12 for processing) Copy to William Dahle III - letter only! 5/17/12	Administrator
15.	05/17/12	05/16/12	James S. Simpson, Commissioner, New Jersey Department of Transportation, to Loretta Castano	*Informing of acceptance of applications for the 2012 Transportation Enhancement Program; program brochure available at http://www.state.nj.us/transportation/business/localaid/enhancements.shtm ; applications must be submitted on or before 7/17/12 through NJDOT SAGE	Borough Engineer

ALSO DISTRIBUTED:

Unapproved Minutes of the Special Meeting held May 9, 2012

Unapproved Minutes of the Work Session held May 9, 2012

Unapproved Minutes of the Regular Meeting held May 9, 2012