

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – MONDAY, SEPTEMBER 24, 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 ORDINANCE @8:00 P.M.

OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

The following Ordinances were introduced at the Regular Meeting held 8/22/12 and were published in The Record on 8/28/12 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.

a. ORDINANCE NO. 2012:1130 “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 173 OF THE CODE OF THE BOROUGH OF CLOSTER, SPECIFICALLY SECTION 173-27D, AS CORRECTED”

b. ORDINANCE NO. 2012:1131 “AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$55,000.00 FROM THE CLOSTER OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS”

4. PUBLIC HEARING @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD RE BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION IN THE AMOUNT OF \$326,300 TOWARDS A POTENTIAL \$435,000 RENOVATION/REHABILITATION PROJECT FOR THE EXTERIOR OF BOROUGH HALL (Requested by Administrator 9/19/12)

5. MAYORAL APPOINTMENT OF _____ TO SERVE AS MEMBER OF THE ENVIRONMENTAL COMMISSION FOR A 3-YEAR UNEXPIRED TERM (RAVIT) TO 12/31/14 (3. M.L. 6/21/12 – Resigned effective 6/17/12)

6. MAYORAL APPOINTMENTS (*NON SALARIED*) TO THE FOLLOWING COMMISSIONS (Not made at the Reorganization Meeting held 1/3/12/Adjourned from RM 1/11/12; 1/25/12; 2/8/12; 2/22/12; 3/14/12, 3/28/12; 4/11/12; 4/25/12; 5/9/12; 5/23/12; 6/13/12; 6/27/12; 7/11/12; 7/25/12; 8/8/12; 8/22/12; 9/12/12):

<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				
Alt. No. 2 12/31/15	Kathi Cochran	_____	4 Year	

7a. VOTE ON CONSENT AGENDA ITEMS

ORDINANCES

8. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING – 10/24/12 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD

ORDINANCE NO. 2012:1133, “AN ORDINANCE TO PROHIBIT SMOKING IN THE PUBLIC PARKS AND PARKLANDS WITHIN THE BOROUGH OF CLOSTER” (Received from Borough Attorney 9/18/12)

7a. VOTE ON CONSENT AGENDA ITEMS (Continued)

RESOLUTIONS

9. RESOLUTION GRANTING APPROVAL FOR RELEASE AND RETURN OF REMAINING ZONING BOARD OF ADJUSTMENT LEGAL ESCROW FEES IN THE AMOUNT OF \$723.00 TO JAMES BYRNE FOR PROPERTY LOCATED AT BLOCK 403, LOT 11,
 90 CEDAR COURT FOR SUCCESSFUL COMPLETION OF SERVICES RENDERED (Received from Deputy Treasurer 9/12/12)

10. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN \$1253.59 TO APPLICANT, THE WOLF OF WALL STREET LLC, FOR SUCCESSFUL COMPLETION OF POLICE TRAFFIC DIRECTOR SERVICES IN COMPLIANCE WITH LOCAL FINANCE NOTICE 2000-14 (Received from Chief of Police 9/19/12)

11. RESOLUTION AWARDED CONTRACT FOR PROFESSIONAL ARCHITECTURAL SERVICES IN CONJUNCTION WITH DESIGN AND PREPARATION OF SPECIFICATIONS FOR TWO PARK BATHROOM FACILITIES (MOLLICONE AND SCHAUBLE FIELD RESTROOMS), PER PROPOSAL DATED 9/18/12, TO JOSEPH A. CECCO, AIA, LLC IN AN AMOUNT NOT TO EXCEED \$6,300 (Received from Administrator/CFO 9/19/12)

12. RESOLUTION AMENDING CHANGE ORDER NO. 1 (IN THE AMOUNT OF \$36,795.90) REDUCING CONTRACT PRICE WITH MARINI BROTHERS CONSTRUCTION CO., INC. FOR 2009 SAFE ROUTES TO SCHOOL PROJECT (Original Contract amount: \$182,538.85; Amended Contract Price: \$145,742.95) (Received from Administrator 9/19/12)

13. *POSSIBLE* RESOLUTION CONFIRMING ENDORSEMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION IN THE AMOUNT OF \$326,300.00 FOR THE EXTERIOR ENVELOPE RESTORATION OF CLOSTER BOROUGH HALL (Received from Administrator 9/19/12)

14. RESOLUTION MEMORIALIZING ACTION TAKEN AT THE 9/12/12 REGULAR MEETING TO SUPPORT THE NEW JERSEY LEAGUE OF MUNICIPALITIES AND BOROUGH OF HOPEWELL’S APPEAL OF TAX COURT DECISION IN VERIZON V. HOPEWELL AND AUTHORIZING THE CONTRIBUTION OF \$220.00 TO SUPPORT SAME (Received from Borough Attorney 9/13/12)

MOTIONS

15. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS/BOARDS AND COMMISSIONS (Not made at the Reorganization Meeting held 1/3/12/Adjourned from 1/11/12; 1/25/12; 2/8/12; 2/22/12; 3/14/12; 3/28/12; 4/11/12; 4/25/12; 5/9/12; 5/23/12; 6/13/12; 6/27/12; 7/11/12; 7/25/12; 8/8/12; 8/22/12;9/12/12):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION				
Member	Wilson Reimers	_____	2 Year	
12/31/13	Alt. No. 1	Donna Arbietman	_____	2 Year
12/31/13				

16. MOTION APPOINTING _____ AS BOARD OF HEALTH ALT. NO. 2 FOR A 2-YEAR UNEXPIRED TERM (RAVIT) TO 12/31/13 (3. M.L. 6/21/12 – Resigned effective 6/17/12)

17. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES:

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – MONDAY, SEPTEMBER 24, 2012 - 7:30 P.M.

(Distributed via e-mail on 9/21/12) NO ABSTENTIONS

- a. REGULAR MEETING HELD 9/12/12
 - b. WORK SESSION HELD 9/12/12
18. *POSSIBLE* MOTION GRANTING APPROVAL FOR WAIVER OF FEES ASSOCIATED WITH BUILDING PERMIT SUB-CODE APPLICATIONS IN THE AMOUNT OF \$25 FOR THE GENERAL CONTRACTOR REGISTRATION FEE AND \$125 FOR THE ZONING PERMIT APPLICATION FOR CLOSTER KINGDOM HALL OF JEHOVAH’S WITNESSES, 25 HARRINGTON AVENUE (5. M.L. 9/20/12)
- 7a. VOTE ON CONSENT AGENDA ITEMS (Continued)
19. REPORTS
(None received at the time of preparation of this Agenda)
- 7b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA
20. 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)
21. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY
22. ADJOURNMENT

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – MONDAY, SEPTEMBER 24, 2012 - 7:30 P.M.

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

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – MONDAY, SEPTEMBER 24, 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 SEPTEMBER 13, 2012
 - b. MAIL LIST OF SEPTEMBER 20, 2012
5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of Monday, September 24, 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

7. OLD BUSINESS

- a. PARK BATHROOMS – PROPOSED AIA CONTRACT (Requested by Administrator 9/19/12)

8. NEW BUSINESS

- a. REPORT ON NOTE SALE RE \$1,516,965 BANS (HELD 9/19/12) (Requested by Administrator 9/19/12)
- b. PRICE FOR APPLICATION FOR NOMINATION OF BOROUGH HALL FOR REGISTER OF HISTORIC PLACES (Requested by Administrator 9/19/12)
- c. COMMUNITY DEVELOPMENT APPLICATION (Requested by Administrator 9/19/12)

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
SEPTEMBER 13, 2012

NO.	DATE REC=D	DATE	FROM	SUBJECT	COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	09/06/12 Hand del'd	09/06/12	Katherine Friese, Event Planner, Closter Chamber of Commerce	*Requesting permission to host a "Scarecrow Walk of Fame" from 10/20/12 through 11/1/12 by attaching scarecrows to the lampposts in the downtown area; to be discarded on 11/1/12 or 11/2/12 (Copy to Glenn Parsells, Chief Kaine)		Administrator/ Insurance Possible approval upon receipt of approval from Risk Management Consultant
2.	09/06/12 09/07/12 09/10/12	09/06/12 09/07/12 09/10/12	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerks	*League Alert(s) re: a. Affordable Housing Trust Funds Update b. Visit the League's Grants Resource Center c. National Preparedness Month (Copy to Lt. Winters) d. DCA Develops New Budget Reporting Tool e. West Nile Virus Alert (Copy to Board of Health)		Borough Attorney
3.	09/07/12	08/28/12	Maura R. DeNicola, Freeholder Event Liaison, and James Thebery, M.A., CSW, Director, Division of Disability Services, to Mayor	*Invitation to attend Bergen county Division of Disability Services "Access for All" Summit to be held Saturday, 9/22/12, beginning at 8 a.m. at the Bergen County Law and Public Safety Institute; RSVP by 9/17/12; Event flyer and map attached (Copy to Lt. Winters)		
4.	09/10/12	09/04/12	David M. Watkins, Esq., to Loretta Castano	*Notice of Zoning Board of Adjustment Hearings scheduled to be held 9/19/12, at 8:00 p.m. for the purpose of reviewing and taking action on the following applications: a. John Galdi, Block 1704, Lot 17, 343 Old Closter Dock Road for "use" variance for two family dwelling b. Fiore Osso, Block 1301, Lot 22, 247 West Street for "use" variance for two family dwelling		Dolson/Zoning Board of Adjustment
5.	09/12/12	09/10/12	Honorable Brian Wahler, Mayor, Piscataway; Chair, NJLM Telecommunications Committee,	*Letter re Appeal of Hopewell v. Verizon Tax Court Case; addressed to "Mayors of the 45 Municipalities that will lose Verizon Business Personal Property Tax,		Administrator/RM 9/12/12

			and William G. Dressel, Jr., Executive Director, to Mayor	beginning in 2013”; and requesting that Mayor contact Mr. Dressel at the League office to indicate whether the Borough will pledge \$220 to assist the League in appealing the case (distributed 9/12/12)	
6.	09/13/12 via e-mail	09/13/12	Keith Rasquinha, President, Erica Donuts II., 278 Closter Dock Road, to Loretta Castano	*Requesting permission to place a “re-open banner and Adversail flags” for the Closter Dunkin Donuts for a period of 10 days after re-opening beginning 9/24/12; sample diagram attached (Copy to Glenn Parsells, Zoning Officer, Chief Kaine)	Administrator/ Insurance Possible approval upon receipt of date change and approval of insurance requirements from Risk Management Consultant
7.	09/13/12	09/11/12	David M. Watkins, Esq., to Loretta Castano	*Notice of Zoning Board of Adjustment Hearings scheduled to be held <u>9/26/12</u> , at 8:00 p.m. for the purpose of reviewing and taking action on the following application: John Galdi, Block 1704, Lot 17, 343 Old Closter Dock Road for “use” variance for two family dwelling (Change of date from Item No. 4a. M.L. 9/13/12)	Dolson/Zoning Board of Adjustment

MAIL LIST
SEPTEMBER 20, 2012

NO.	DATE REC=D	DATE	FROM	SUBJECT □ COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	09/13/12 09/14/12 09/18/12 09/20/12	09/13/12 09/14/12 09/18/12 09/20/12	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to New Jersey Mayors	*Memorandum re: a. Fall League Legislative and Litigation Update re: I. COAH – Affordable Housing Trust Fund Update II. Energy Tax Receipts Update III. S-1451 and S-1452 – Amendments to OPRA and OPMA IV. S-1534/A-2586 – Private Colleges Exemption to MLUL V. S-2 – Senator Sweeney’s Shared Services Bill VI. Removal of Statute of Limitation for Certain Civil Actions for Sexual Abuse VII. A-323/S-2074 – Permits “Agricultural Tourism” Activities on Preserved Farmland VIII. League Amicus Update b. NLC Webinar on New Facebook Policies c. 2012 Conference Resolutions (Summary due 10/5/12; full text of Resolution due 10/19/12) d. “Base Salary” Litigation Update e. Memorial Service for Stuart R. Koenig, Esq. scheduled to be held 9/22/12 from 12 Noon to 1:30 p.m. @ Rutgers: The State University/New Brunswick f. I. National Hunger Action Month (copy to Annette Vasiloff) II. League Professional Development Program “Taking the Mystery Out of Applying for Grants”	
2.	09/14/12	09/13/12	Robert Varakian, 56 Whitney Street	*Request for Waiver of Sidewalk Requirements for property located at 56 Whitney Street, Block 908, Lot 3; photos attached (Copy to Construction Official)	Borough Engineer
3.	09/14/12 hand del’d	09/14/12	Rose Mitchell, Planning Board Clerk, Closter Planning Board, to Loretta Castano	*Certified copy of Resolution memorialized at the Work Session Meeting held 9/5/12 re “Resolution of the Planning Board of the Borough of Closter Concerning Amendment to Chapter 141 of the Closter Code Regarding Outdoor Cafes”	Borough Attorney Barad/Ordinance & Legislative Committee
4.	09/17/12	09/11/12	David M. Watkins, Esq., to Loretta Castano	*Notice of Zoning Board of Adjustment Hearings scheduled to be held <u>9/26/12</u> , at 8:00 p.m. for the purpose of reviewing and taking action on the following application: Fiore Osso, Block 1301, Lot 22, 247 West Street for “use” variance for	Dolson/Zoning Board of Adjustment

				two family dwelling (Change of date from Item No. 4b. M.L. 9/13/12)	
5.	09/18/12	08/21/12	Erik Redmond, Coordinating Elder, Closter Kingdom Hall of Jehovah's Witnesses	*Requesting a waiver of building permit fees in the amount of \$25 for General Contractor Registration Fee and \$125 for Zoning Permit Application Fee (Copy to Construction Official)	RM Agenda 09/24/12
6.	09/19/12	09/13/12	Karen Mastriano, Clerk to the Board of Chosen Freeholders, to Municipal Clerk to Kathleen A. Donovan, Bergen County Executive to Governor Chris Christie	a. Certified copy of Ordinance adopted 9/12/12 (introduced 08/10/12): <u>12-26</u> : Bond Ordinance Providing an Appropriation of \$1,500,000 for Various Improvements at the Bergen County Community College, in and by the County of Bergen, New Jersey, and Authorizing the Issuance of \$1,500,000 Bonds or Notes of the County *b. Certified copies of the following Resolutions adopted 9/12/12: 1) #1252-12 proclaiming 9/15/12-10/15/12 as Hispanic Heritage Month 2) #1256-12 proclaiming September 2012 as National Prostate Cancer Awareness Month 3) #1253-12 in Recognition of Rosh Hashanah 2012 4) #1254-12 recognizing September 2012 as National POW/MIA Recognition Day in Bergen County 5) #1255-12 recognizing September 11, 2012 as a day of remembrance in Bergen County 6) #1316-12 expressing sadness and deepest sympathy to the family, friends, and millions worldwide touched by the honorable life lived by American Hero, Neil Armstrong 7) #1319-12 proclaiming September 2012 as "National Recovery Month: Prevention Works, Treatment is Effective, People Recover in Bergen County" 8) #1320-12 honoring National Disability Employment Awareness Month/Access for All	
7.	09/19/12	09/18/12	Evelyn Rosario, Township Clerk, Township of Nutley, to Loretta Castano	*Resolution adopted 9/18/12 in support of joining the League of Municipalities in their continued efforts to appeal the tax court decision in the matter of Hopewell v. Verizon	

8.	09/20/12 Hand del'd	09/20/12	Paul Demarest, Coordinator, Zoning Board of Adjustment, to named Applicants c: Zoning Officer Borough Clerk Deputy Treasurer	*Certified copies of the following Resolutions memorialized at the 9/19/12 Hearing: a. to Sean Gunderman, Granting, in whole or in part the application for property located at 16 Morrison Street, Block 902, Lot 2 b. to Ramona Grbic, Granting, in whole or in part the application for property located at 144 Haring Street, Block 605, Lot 6	Dolson/Zoning Board of Adjustment
9.	09/20/12 Hand del'd	09/19/12	Joseph Bianco, AIA, APA, PP, Chairman, Zoning Board of Adjustment	*Letter thanking the Mayor and Council for forwarding Ordinance No. 2012:1130 to the Zoning Board of Adjustment for consideration of proposed changes with attached memorandum from the Zoning Board of Adjustment Attorney outlining concerns with case law examples	Borough Attorney
10.	09/20/12	08/31/12	Chris Christie, Governor, to The Honorable Sophie I. Heymann	*Letter announcing four (4) new contracts available to assist in purchasing equipment more easily and cost effectively: Police and Homeland Security; Firefighter Protective Clothing and Equipment; Parks and Playground Equipment; Sporting Goods; and providing contact information for the Cooperative Purchasing Hotline for assistance (Copy to Chief of Police, OEM Coordinator, Fire Chief, Recreation Director)	Borough Administrator

ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held 9/12/12 (sent via e-mail 9/21/12)

Unapproved Minutes of Work Session held 9/12/12 (sent via e-mail 9/21/12)