

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA - MAY 23, 2007 - 7:30 P.M.

1. PLEDGE OF ALLEGIANCE
2. OPEN PUBLIC MEETINGS ACT STATEMENT
3. ROLL CALL
4. 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)
5. MAYORAL PROCLAMATION DECLARING WEEK OF MAY 20, 2007 TO MAY 26, 2007  
AS EMERGENCY MEDICAL SERVICES (EMS) WEEK (Requested RM 5/9/07)
6. PUBLIC HEARING AND ADOPTION OF ORDINANCE NO. 2007:984, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 43, OFFICERS AND EMPLOYEES, OF THE CODE OF THE BOROUGH OF CLOSTER (This ordinance creates the position of Land Use Coordinator)  
  
This Ordinance was introduced at the Regular Meeting held April 25, 2007, and was published in the Press Journal issue of May 3, 2007, as stated in the printer's affidavit of publication. Reprint of this Ordinance was posted on the Municipal Bulletin Board, in accordance with statutory requirements, and copies have been made available to the general public.
7. COMMUNICATIONS
  - a. MAIL LIST - MAY 10, 2007
  - b. MAIL LIST - MAY 17, 2007
8. OPEN MEETING TO PUBLIC FOR COMMUNICATIONS ITEMS ONLY  
(Subject to 5-minute limit per By-Laws General Rule No. 10)
- 9a. REVIEW OF CONSENT AGENDA ITEMS  
(PROCEDURE TO BE EXPLAINED BY MAYOR HEYMANN)

ORDINANCES AND RESOLUTIONS

10.\* INTRODUCTION OF THE FOLLOWING ORDINANCES - PUBLIC HEARING -  
6/27/07

@ 7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received  
from Borough Attorney 5/16/07):

- a. ORDINANCE NO. 2007, 985, "AN ORDINANCE REVISING CHAPTER 200,  
ZONING, AND ADDING ARTICLE V-A, ISOLATED UNDERSIZED LOTS"
  
- b. ORDINANCE NO. 2007, 986, "AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 173 SUBDIVISION OF LAND AND SITE PLAN REVIEW, SECTION 173-  
52, UTILITY IMPROVEMENTS OF THE CODE OF THE BOROUGH OF CLOSTER  
REGARDING AMBULANCE SERVICES"
  
- c. ORDINANCE NO. 2007, 987, "AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING  
FEES AND DEPOSITS FOR LAND USE AND REVISING SECTION 108-21 FOR  
CONTINUITY"

11.\* BILL RESOLUTION - MAY 31, 2007  
TO BE PREPARED BY TREASURER

9a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

(PROCEDURE TO BE EXPLAINED BY MAYOR HEYMANN)

ORDINANCES AND RESOLUTIONS (Continued)

- 12.\* RESOLUTION AUTHORIZING TREASURER TO ISSUE REFUND CHECK TO FIRST AMERICAN REAL ESTATE TAX SERVICE 1 FIRST AMERICAN WAY, IN THE AMOUNT OF \$5,268.27 FOR BLOCK 1901 LOT 10.02, SECOND QUARTER 2007 OVERPAYMENT FOR INACTIVE/NON-ESCROW (Received from Tax Collector 5/8/07)
- 13.\* RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEAR 2006 & 2007: WACHOVIA BANK, N.A. (Received from Borough Attorney 5/10/07)
- 14.\* RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEAR 2006 & 2007: HEIDENBERG CLOSTER ASSOCIATES (Received from Borough Attorney 5/10/07)
- 15.\* RESOLUTION ADOPTING MAY 2007 BY LAWS OF THE BOROUGH OF CLOSTER (Received from Borough Attorney 5/16/07)
- 16.\* RESOLUTION SUPPORTING S-115, "THE ENERGY EFFICIENCY PROMOTION ACT"  
(2. M.L. 4/26/07/RM 5/9/07) (Received from Councilman Kashwick 5/17/07)
- 17.\* RESOLUTION ASKING THE NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION TO TAKE IMMEDIATE ACTION ON TWO CONTAMINATED SITES  
(Received from Councilman Kashwick 5/17/07)
- 18.\* RESOLUTION OPPOSING A-3959 WHICH WOULD EXTEND POLLING HOURS FOR ONE ADDITIONAL HOUR FOR THE PRIMARY AND GENERAL ELECTIONS  
(11. M.L. 5/3/07/  
RM 5/11/07)

MOTIONS

- 19. MAYORAL APPOINTMENT OF \_\_\_\_\_ TO SERVE AS

PLANNING BOARD ALTERNATE NO. 2 FOR AN UNEXPIRED 2-YEAR TERM (FRIEDMAN) TO 12/31/07 (Mrs. Albelli declined appointment made by Mayor at the Reorganization Meeting held 1/02/07, effective 4/10/07) Adjourned from RM 5/9/07

- 20.\* APPROVING MINUTES OF THE REGULAR MEETING HELD MAY 9, 2007  
(Distributed 5/17/07) NO ABSTENTIONS

REPORTS

- 21.\* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:

a. CHIEF OF POLICE - APRIL 2007 (Received 5/17/07)

9b. 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

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

25. ADJOURN

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION AGENDA - MAY 23, 2007 - 7:30 P.M.

- c. 1 1) ROLL CALL
2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT

3. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY - KASHWICK (GLIDDEN/TUTOLI)

- 1) STATUS REPORT RE CAPITAL BUDGET/CAPITAL PLAN
- 2) REPORT RE TRANSPORTATION (Requested by Mr. Kashwick @ W.S. 4/25/07)
- 3) STATUS REPORT RE CLOSTER WEBSITE (up and running 4/12/07!) (moved from Tutoli to Kashwick - Requested W.S. 4/25/07)
- 4) REPORT RE FUNDING FOR TRAFFIC LIGHT AT HOMANS AVENUE/RUCKMAN ROAD (Approved RM 5/9/07)
- 5) REPORT

B. PUBLIC SAFETY - GLIDDEN (HENNESSEY/TUTOLI)

- 1) REPORT

C. PUBLIC WORKS - HENNESSEY (KASHWICK/GLIDDEN)

- 1) STATUS REPORT RE FOLLOW UP OF FEASIBILITY STUDY FOR EXPANSION OF MUNICIPAL BUILDING OR CONSTRUCTION OF NEW BUILDING (Presentation made at RM 12/10/03/Further presentations made at  
made at WS12/20/04) (Moved from Glidden to Albelli/WS 3/23/05) Presentation

at WS 7/27/05/Presentation by Tom Reinecke/RM 5/10/06 - Moved from Kashwick to Hennessey WS 1/24/07

- 2) REPORT

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

- 1) STATUS REPORT RE ITEMS DISCUSSED AT ORDINANCE COMMITTEE MEETINGS HELD 3/6/07 AND 4/17/07
- 2) REPORT RE ITEMS DISCUSSED AT ORDINANCE COMMITTEE MEETING HELD 5/15/07
- 3) REPORT

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3. COMMITTEE REPORTS (Continued)
- E. HUMAN RESOURCES - TUTOLI (AMITAI/BARAD)
  - 1) REPORT RE PERSONNEL COMMITTEE MEETING HELD SECOND MONDAY IN MAY
    - a. REPORT
- F. LAND USE AND CONSTRUCTION - AMITAI (BARAD/HENNESSEY)
  - 1) REPORT
4. OLD BUSINESS
5. NEW BUSINESS
6. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
7. OPEN MEETING TO THE PUBLIC
8. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
9. ADJOURNMENT

**MAIL LIST**

May 10, 2007

| NO. | DATE REC'D | DATE     | FROM   | SUBJECT COPY ATTACHED  | AGENDA/COMMITTEE/LIAISON             |
|-----|------------|----------|--|--|--------------------------------------|
| 1.  | 05/04/07   | 05/02/07 | Barbara A. Nasuto, Borough Clerk, Borough of Cresskill       | *Resolution Opposing A-3959 extending Polling Place hours; and urging the Legislature's support  | Possible Resolution                  |
| 2.  | 05/04/07   | No Date  | Brian M. Chewcaskie, Esq., Gittleman, Muhlstock & Chewcaskie | *Notice of Zoning Board of Adjustment Public Hearing to be held @ 8:00 p.m. on 05/16/07 re Application of Young Tuk Yun for variance approval at 131 West Street, Block 1205, Lots 1 & 2 | Hennessey/Zoning Board of Adjustment |
| 3.  | 05/04/07   | 05/03/07 | David M. Watkins   | *Sol Mar Day Spa (Copy to Borough Attorney via fax on 5/8/07)  | Borough Attorney                     |
| 4.  | 05/04/07   | 05/03/07 | Bradford M.  | *Notice of Public  |                                      |

CLOSTER MAYOR AND COUNCIL  
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|    |          |          |   |   |   |
|----|----------|----------|---|---|---|
|    |          |          | Stern,<br>Rothfelder<br>Stern, L.L.C.,<br>to Borough<br>Clerk   | Hearing to be held<br>@ 11:00 a.m. on<br>5/31/07 at the<br>Board of Public<br>Utilities, Two<br>Gateway Center,<br>8 <sup>th</sup> Floor,<br>Conference Room<br>77, Newark, NJ<br>07102, regarding<br>Approval of Local<br>Consent  |   |
| 5. | 05/07/07 | 05/03/07 | Gloria T.<br>Grant, Section<br>Chief, Bureau<br>of Northern<br>Field<br>Operations, to<br>Lawrence<br>Henry Bank,<br>Riverhead<br>Construction<br>Inc.<br>c:Closter<br>Borough Clerk<br>Closter<br>Health<br>Department | *Notice of<br>Deficiency re Site<br>Investigation<br>Report 03/22/07<br>for: 222 Closter<br>Dock Road (Copy<br>to Lou Apa, Keith<br>Sager)  | Barad/Board of Health<br>Kashwick Environmental<br>Commission |
| 6. | 05/08/07 | 05/03/07 | Valerie<br>Coniglio,<br>Clerk to the<br>Board of<br>Chosen<br>Freeholders, to<br>the Municipal<br>Clerk   | *Certified copies<br>of the following<br>Resolutions<br>adopted 5/2/07:<br>a. No. 602 -<br>Proclaiming<br>month of May as<br>“National Military<br>Appreciation<br>Day”<br>b. No. 606 -<br>Recognizing May<br>14, 2007 through<br>May 18, 2007 as<br>National Police<br>Week and May<br>23, 2007 as Peace<br>Officer’s<br>Memorial Day in<br>Bergen County<br>c. No. 612 -<br>Emphatically<br>urging the FAA to<br>utilize ocean<br>routing alternative<br>for Teterboro<br>Airport |   |
| 7. | 05/08/07 | 05/08/07 | Jim Oettinger,<br>Recreation  | Request for<br>permission to  | RM Agenda Addendum<br>5/9/07                                  |

CLOSTER MAYOR AND COUNCIL  
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|     |          |          |   |  |                                      |
|-----|----------|----------|---|--|--------------------------------------|
|     |          |          | Director  | serve beer to coaches at annual coaches picnics at Memorial Field beginning at 7:00 p.m. on the following dates: Friday, May 25, Friday, July 6, Friday, August 31 - Rain Dates: Saturday, May 26, Saturday, July 7, Saturday, September 1 (Copy to Glenn Parsells, Chief Berrian, Robert Stauffer) Distributed 5/9/07 |                                      |
| 8.  | 05/08/07 | 05/01/07 | David M. Watkins  | *Notice of Zoning Board of Adjustment hearing to be held 5/16/07 @8:00 p.m. re request for variance and waivers at 1 Ruckman Road, Block 1306, Lot 1 and 2, for applicant: Jung Kim  | Hennessey/Zoning Board of Adjustment |
| 9.  | 05/08/07 | 05/08/07 | Gerald C. Griffin   | *Recommendation that governing body adopts an Ordinance banning placement of "storage boxes" in the Borough (per article in The Record issue of 5/7/07) Copy to Zoning Officer   | Borough Attorney                     |
| 10. | 05/09/07 | 04/19/07 | Bobby Knee, Chairman, Zoning Board of Adjustment                              | *Opposition of High Street Widening  | Borough Engineer                     |
| 11. | 05/09/07 | 04/11/07 | Vanessa Wermert, Den Leader & Assistant Cub Master/Closter Pack 20 Cub Scouts | *Expression of displeasure regarding pre-scheduled appointment for Scout Den to tour the Recycling Center to observe   | Hennessey/DPW Acting Administrator   |



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|     |          |          |   |   |  |
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|     |          |          |   | the services provided (Copy to Rob Stauffer)  |  |
| 12. | 05/10/07 | 05/03/07 | Valerie Coniglio,<br>Clerk to the Board of Chosen Freeholders, to the Municipal Clerk | <p>a. Certified copies of following County Ordinances adopted 5/2/07:</p> <p>1) No. 07-22<br/> 2) No. 07-23<br/> 3) No. 07-25</p> <p>*b. Certified copies of the following County Ordinances introduced on 5/2/07 - Public Hearing 5/16/07 @ 7:30 p.m.</p> <p>1) No. 07-26, "Bond Ordinance Amending Bond Ordinance 97-10 Finally Adopted 5/7/97 by the County of Bergen, New Jersey, in Order to Provide for a Change in the Improvement Authorized by such Ordinance"</p> <p>2) No. 07-27, "Bond Ordinance Providing for Various Improvements for the County of Bergen, New Jersey, Appropriating the Aggregate Amount of \$1,535,000 Therefor, and Authorizing the Issuance \$1,458,000 Bonds or Notes of the County for Financing Part of the Cost Thereof"</p> |  |
| 13. | 05/10/07 | 05/10/07 | William G. Dressel, Jr.,<br>Executive Director, NJS League of                         | *Pension Reform Bill Signed into Law  |  |

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|  |  |  | Municipalities<br>, to Mayor |  |  |
|--|--|--|------------------------------|--|--|

**ON FILE IN BOROUGH CLERK'S OFFICE:**

NJ Department of Environmental Protection - *DEP Bulletin* · May 2, 2007 · Volume 31 Issue 9 -  
 Rec'd 5/7/07

**MAIL LIST**

May 17, 2007

| NO. | DATE<br>REC'D | DATE     | FROM   | SUBJECT<br>_COPY<br>ATTACHED   | AGENDA/COMMITTEE/<br>LIAISON |
|-----|---------------|----------|--|--|------------------------------|
| 1.  | 05/11/07      | 05/11/07 | Adam E. Falk,<br>Vice President,<br>Communications,<br>Government &<br>Public Affairs,<br>NJ, to Ms.<br>Celeste Fasone,<br>Director, NJ<br>Board of Public<br>Utilities Office of<br>Cable Television<br>c: Mayor/All<br>affected<br>municipalities<br>(w/o enclosure) | *Programming<br>additions to iO<br>en Espanol<br>Package   |                              |
| 2.  | 05/11/07      | 05/11/07 | Pubic Notice<br>from United<br>Water   | *Public Notice<br>re Hearing on<br>Proposed<br>Change of<br>Control -<br>proposed change<br>in ownership<br>and control of<br>United Water<br>New Jersey,<br>United Water<br>Toms River,<br>United Water<br>Lambertville and<br>United Water<br>Mid-Atlantic to<br>be held in<br>Bergen County<br>Freeholders'<br>Public Meeting<br>Room, One<br>Bergen County<br>Plaza, 5 <sup>th</sup> Floor<br>Room 520 on<br>5/31/07 @7:30<br>p.m. |                              |
| 3.  | 05/14/07      | 04/18/07 | Patrolman<br>Timothy P.<br>Conway, Badge   | *Letter of<br>Commendation<br>regarding  | Glidden/Public Safety        |

CLOSTER MAYOR AND COUNCIL  
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|    |          |          |  |  |                                      |
|----|----------|----------|--|--|--------------------------------------|
|    |          |          | 10, Closter Police Department, Tour Commander<br>c: Closter, Demarest & Harrington Park Fire Chiefs;<br>Closter First Aid Squad, Norwood Police Chief , Demarest, Norwood & Harrington Park Mayor and Council, 200 Club, NJ Honor Legion, NVPBA Local #233 | professional manner and heroic actions of named Dispatchers and Officers during massive Nor-easter Storm on April 15 and April 16  |                                      |
| 4. | 05/14/07 | 05/07/07 | Charlotte Vandervalk<br>Assemblywoman, 39 <sup>th</sup> District   | *Acknowledging receipt of M&C Resolution (RM 3/28/07) regarding need for legislation to exempt solar energy systems from property taxes; and informing of A-1882, currently pending in Assembly Appropriations Committee | Kashwick/Environmental Commission    |
| 5. | 05/14/07 | 05/15/07 | William G. Dressel, Jr.,<br>Editor in Chief, <i>New Jersey Municipalities</i> (Magazine of the New Jersey State League of Municipalities),<br>to Mayor   | *Personal invitation to submit an article to the League Magazine   | Mayor Heymann                        |
| 6. | 05/17/07 | 05/17/07 | Lynn Conway,<br>Land Use Clerk,<br>to the following applicants:<br>Ehud & Nathalie Shapir<br>Hernan Betinardi  | *Certified copies of the following Zoning Board of Adjustment Resolutions, adopted 5/16/07, awarding Variance Approvals for:<br>a. Block 504, Lot 51, 105 High Street<br>b. Block 1710,                                  | Hennessey/Zoning Board of Adjustment |

CLOSTER MAYOR AND COUNCIL  
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|    |          |          |  |  |  |
|----|----------|----------|--|--|--|
|    |          |          |  | Lot 20, 3 Westervelt Avenue  |  |
| 7. | 05/17/07 | No date  | Leonard R. Kaiser, Executive Director, Bergen County Utilities Authority, to Municipal Clerk   | *Public Hearing Notice re proposed Plan Amendment to Bergen County District Solid Waste Management Plan (District) to be held 6/6/07 at 10 a.m. in the Public Meeting Room, Bergen County Utilities Authority Administration Building, Foot of Mehrhof Road, Little Ferry (Copy to Rob Stauffer) | Hennessey/DPW  |
| 8. | 05/17/07 | 05/01/07 | Mary P. Kriston, Rutherford Borough Clerk, to Borough Clerk  | *Resolution expressing extreme dissatisfaction with the ICC Plan to the FAA, and calling upon the FAA to utilize the ocean routing alternative for Teterboro Airport   | Possible Resolution  |
| 9. | 05/17/07 | 05/11/07 | Robert N. Monyer, Coordinator Health Projects, Animal Population Control, Infectious and Zoonotic Disease Program, NJS Department of Health and Senior Services, to Municipal Clerks | *Submission of Monthly Dog License Reports (Copy to Vi Caputo)   | Barad/Board of Health<br>John DiStefano Acting Administrator/Treasurer |

**ALSO DISTRIBUTED:**  
Regular Meeting Minutes of May 9, 2007

CLOSTER MAYOR AND COUNCIL  
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**ON FILE IN BOROUGH CLERK'S OFFICE:**

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ALL BUSINESS WILL TERMINATE AT 11:30 P.M.