MAYOR AND COUNCIL BOROUGH OF CLOSTER

REGULAR MEETING AGENDA - MONDAY, APRIL 6, 2009 - 7:30 P.M.

- 1. PLEDGE OF ALLEGIANCE
- 2. OPEN PUBLIC MEETINGS ACT STATEMENT
- 3. ROLL CALL
- 4. MAYORAL PROCLAMATION DECLARING THE MONTH OF JUNE AS MYASTHENIA GRAVIS MONTH (7. M.L. 4/2/09)
- 5. <u>OPEN MEETING TO PUBLIC FOR ANY MATTER, PER N.J.S.A. 10:4-12 (a)</u> (Subject to 5-minute limit per General Rule No. 10)
- 6. COMMUNICATIONS
 - a. MAIL LIST MARCH 26, 2009
 - b. MAIL LIST APRIL 2, 2009
- 7. <u>OPEN MEETING TO PUBLIC FOR COMMUNICATION ITEMS ONLY</u> (Subject to 5-minute per By-Laws General Rule No. 10)
- 8a. <u>REVIEW OF CONSENT AGENDA ITEMS</u> (PROCEDURE TO BE EXPLAINED BY MAYOR HEYMANN)

ORDINANCES AND RESOLUTIONS

- 9.* BILL RESOLUTION APRIL 15, 2009 TO BE PREPARED BY TREASURER
- 10.* POSSIBLE APPOINTMENT OF BOROUGH ALTERNATE PROSECUTOR (Opening held 1/8/09 @ 10:30 a.m.) (Adjourned from RM 1/28/09; 2/11/09; 2/25/09; 3/11/09; 3/25/09)
- 11.* POSSIBLE APPOINTMENT(S) OF SALARIED EMPLOYEES (NOT MADE AT THE REORGANIZATION MEETING HELD 1/5/09) RESOLUTIONS TO BE PREPARED BY ACTING ADMINISTRATOR/TREASURER (Adjourned from RM 1/14/09; 1/28/09; 2/11/09; 2/25/09; 3/11/09; 3/25/09):

<u>OFFICE</u>	APPOINTEE	TERM	EXPIRATION
**ADMINISTRATOR		1 Year	12/31/09
DEPUTY TAX COLLECTOR		1 Year	12/31/09
DESK DISPATCHER			
FULL TIME		1 Year	12/31/09
PART TIME		1 Year	12/31/09
POLICE MATRON		1 Year	12/31/09
SCHOOL CROSSING GUARD		1 Year	12/31/09

** **Note:** The following appointments are outstanding, to date, in the absence of Administrator/ Treasurer:

TREASURER	1 YEAR	12/31/09
AFFIRMATIVE ACTION		
OFFICER	1 YEAR	12/31/09
APPROPRIATE AUTHORITY	1 YEAR	12/31/09

- 12.* RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE INTERBORO MUTUAL AID GROUP AGREEMENT (Received from Borough Attorney 3/26/09)
- 13.* RESOLUTION HONORING THE NEW JERSEY NATIONAL GUARD AND RESERVE (Received from Mayor's office 3/31/09)
- 14.* RESOLUTION ACCEPTING THE LOW BID RECEIVED AT THE BID OPENING HELD 4/3/09 @11:30 A.M. FROM ______ FOR THE 2009 ROAD IMPROVEMENT PROGRAM (Received from Borough Attorney 3/31/09)
- 8a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

ORDINANCES AND RESOLUTIONS (Continued)

- RESOLUTION APPOINTING ERIK LENANDER AS MUNICIPAL CONSULTANT ON 15.* A TEMPORARY PART-TIME BASIS FOR A MAXIMUM OF 10 HOURS PER WEEK AT \$90.00 PER HOUR, SUBJECT TO THE TERMS OF THE PROFESSIONAL AGREEMENT TO BE EXECUTED BETWEEN THE PARTIES (Received from Borough Attorney 3/31/09)
- RESOLUTION AUTHORIZING MAYOR, CHAIR OF THE POLICE COMMITTEE AND 16.* CLERK TO EXECUTE THE CONTRACT BETWEEN THE BOROUGH OF CLOSTER AND PBA LOCAL 233 DATED JANUARY 1, 2008 THROUGH DECEMBER 31, 2011 (Received from Borough Attorney 4/2/09)

MOTIONS

17.* 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:

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	EXPIRATION
BOARD OF HEALTH		2 Year un-	
ALT. NO. 2		expired to	12/31/09
HISTORIC PRESERVATION		4 Year	12/31/12
COMMISSION/MEMBER			
IMPROVEMENT COMMISSION		2 Year un-	
MEMBER		expired to	12/31/09
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			

- 18.* **POSSIBLE MOTION APPOINTING** TO SERVE AS MEMBER OF THE HISTORIC PRESERVATION COMMISSION FOR AN UNEXPIRED 4-YEAR TERM (REIMERS) TO 12/31/09 (13. M.L. 3/5/09) (Adjourned from RM 2/25/09; 3/11/09; 3/25/09)
- MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL REGULAR 19.* **MEETING MINUTES:**
 - a. FEBRUARY 25, 2009 (Distributed 3/26/09) ABSTENTION: AMITAI
 - b. MARCH 11, 2009 (Distributed 4/2/09 NO ABSTENTIONS
- GRANTING APPROVAL FOR CLOSTER PUBLIC LIBRARY BOARD OF TRUSTEES 20.* TO SERVE WINE AT A RECEPTION IN THE OUTSIDE COURTYARD BETWEEN THE LIBRARY AND THE BELSKIE MUSEUM ON SUNDAY, 4/26/09, FROM 3 P.M. TO 6:30 P.M.; IN EVENT OF RAIN IN THE BELSKIE MUSEUM (8. M.L. 3/26/09)
- 21.* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS: a CONSTRUCTION OFFICIAL – MARCH 2009 (Received 3/13/09)
- 8b. VOTE ON CONSENT AGENDA ITEMS
- 22. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA
- ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING 23. **BODY**
 - a. CONTINUED DISCUSSION RE PARKING SPACE FEE (Requested by Mayor 1/18/08) RM 9/10/08
- DISCUSSION OF PUBLIC COMMENTS OR ANY OTHER TIMELY MATTER, IF 24. <u>APPROPRIATE</u>
- 25. **ADJOURN**

ADDENDUM NO. 1

- 3a. INTRODUCTION OF 2009 MUNICIPAL BUDGET AND RELATED RESOLUTIONS PUBLIC HEARING MAY 13, 2009 @7:30 P.M. (Requested by Auditor 4/3/09 @ 1:00 P.M.)
- 8a. REVIEW OF CONSENT AGENDA ITEMS
 (PROCEDURE TO BE EXPLAINED BY MAYOR HEYMANN)
 - ORDINANCES AND RESOLUTIONS (Continued)
- 16a.* RESOLUTION APPROVING INCREASE OF HOURS OF WORK FOR WILLIAM ZUCKERMAN FROM NO MORE THAN 24 HOURS A WEEK, AT A SALARY OF \$15.00 PER HOUR, TO 32 HOURS AT THE SAME RATE OF \$15.00 PER HOUR, OR \$480 PER WEEK (Received from Mayor's office 4/3/09 @9:15 A.M.)

MAYOR AND COUNCIL BOROUGH OF CLOSTER

WORK SESSION AGENDA – MONDAY, APRIL 6, 2009 - 7:30 P.M.

- 1. ROLL CALL
- 2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT
- 3. PROFESSIONAL REPORTS
 - A. <u>BOROUGH ATTORNEY</u>
 - 1) REPORT
 - B. BOROUGH ENGINEER
 - 1) STATUS REPORT RE WEST STREET PROJECT (Bid Awarded to Arnold's Roads RM 2/25/09/\$115,000)
 - 2) REPORT
- 4. REPORTS
 - A. ACTING BOROUGH ADMINISTRATOR
 - 1) STATUS REPORT RE PREPARATIONS FOR 2009 MUNICIPAL BUDGET
 - 2) STATUS REPORT RE BOROUGH WEBSITE
 - 3) STATUS REPORT RE FOLLOW UP WITH FILE BANK FOR STORAGE OF RECORDS (Requested by John DiStefano at WS 10/6/08)
 - 4) REPORT RE INSURANCE ITEM(S) FOR FOLLOW UP:
 - a. Boy Scout Troop 63 to conduct yard sale in Borough Parking Lot on 6/13/09; Rain Date 6/20/09 (5. M.L. 4/2/09)
 - 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) REPORT RE 2009 MEETING DATES
 - 5) REPORT RE PREPARATION FOR ELECTIONS
 - a. Annual School Election to be held 4/21/09 from 2 p.m. to 9 p.m.
 - b. Primary Election to be held 6/2/09 from 6 a.m. to 8 p.m.
 - 6) REPORT
 - C. CHIEF OF POLICE
 - 1) REPORT
- 4. REPORTS (Continued)
 - D. MAYOR
 - 1) STATUS REPORT RE FOLLOWING GRANT APPLICATIONS:

CLOSTER MAYOR AND COUNCIL WORK SESSION AGENDA – MONDAY, APRIL 6, 2009 - 7:30 P.M.

a. GRANTS FILED

- 1. FY 2007 NATIONAL TRAIL RECREATION GRANT \$25,000 \$10,000 MATCH FOR TRAIL MAINTENANCE (Extension requested???)
- 2. GREEN COMMUNITIES 2008 APPLICATION FOR \$4,500 WITH A MATCHING SUM FROM CLOSTER IN THE AMOUNT OF \$1500 (Requested by Mayor Heymann 11/7/07)
- 3. COMMUNITY DEVELOPMENT GRANT OF \$110,000 \$205,000.00 FOR A.D. ACCESSIBLE BATHROOMS IN TWO PUBLIC PARKS (SHAUBLE AND MOLLICONE) RM 9/24/08 Mayor requested at WS 10/6/08 that this addition be made to her Report in the amount of \$210,000

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
- 4. ANJEC GRANT \$20,000 requested/\$6,000 received
- 5. 2008 NJDOT MUNICIPAL AID PROGRAM FOR WEST STREET (SECTION 3) \$150,000 awarded (5. M.L. 12/27/07)
- 6. FY2008 ENHANCED 9-1-1 GENERAL ASSISTANCE GRANT- \$28,019.00 awarded (5. M.L. 04/24/08)
- 7. 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)
- 8. PROJECT GRANT APPLICATION RE BERGEN COUNTY OPEN SPACE TRUST FUND/\$68,100.00 FOR IMPROVEMENTS TO BOROUGH PARKS IN THE MUNICIPALITY OF CLOSTER; CASH-FOR-CASH MATCH Approved RM 6/25/08 (Requested by Mayor 7/2/08) \$68,100 awarded; Mayor reported at WS 9/10/08 CONTRACT NO. OST-CSR-08 03/01/09-4/30/10 (Various Park Improvements)

D. MAYOR (Continued)

- 2) STATUS REPORT RE FOLLOWING GRANT APPLICATIONS:
- b. GRANTS AWARDED (Continued)

CLOSTER MAYOR AND COUNCIL WORK SESSION AGENDA – MONDAY, APRIL 6, 2009 - 7:30 P.M.

9. RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES GRANT AWARD \$10,000 (for all persons with varying disabilities in the NVRS District (7. M.L. 9/11/08)

c. GRANTS TO BE FILED

- 2) STATUS REPORT RE RESOLUTION CALLING FOR CHANGES TO OPRA APPROVED BY NJS LEAGUE OF MUNICIPALITIES
- 3) REPORT

5. OLD BUSINESS

- a. STATUS REPORT RE KIDDIE SOCCER/POSSIBLE POLICY ESTABLISHED BY RECREATION COMMISSION RE USE OF BOROUGH PARKS (Discussed at W.S. 11/12/08)
- 6. NEW BUSINESS
- 7. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
- 8. OPEN MEETING TO THE PUBLIC
- 9. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
- 10. ADJOURNMENT

MAIL LIST March 26, 2009

NO.	DATE REC'D	DATE	FROM	SUBJECT COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	03/19/09	03/19/09	Paul Demarest/Land Use Coordinator/Zoning Board of Adjustment to Joon Kim, etal Lisa Weber Edgar & Hariclea Pena	*Resolutions of approval on 3/18/09 re following: a. 277 Herbert Avenue/1 Ruckman Road (Block 1306/Lots 1&2) DEVELOPER'S AGREEMENT REQUIRED!! b. 14 Church Court (Block 2202/Lot 3) c: 21 Bergenline Avenue	Borough Engineer Borough Attorney
2.	03/20/09	03/18/09	Mark N. Mauriello, Acting Commissioner, NJS Department of Environmental Protection, to Mayor	*Informing of 2009 Clean Communities entitlement in the amount of \$10,433.85 (Copy to William Dahle)	Kashwick/2009 Municipal Budget
3.	03/20/09	03/18/09	Ed Scott, Project Manager, Capital Program Management, NJS Department of Transportation, to Borough Clerk	*Train Preemption for Traffic Signals North II, Use of Municipal Police Officers as Traffic Directors	Administrator
4.	03/20/09	03/17/09	Westwood Borough Clerk	*Resolution re Joseph McGowan	
5.	03/20/09	03/17/09	Dumont Borough Clerk	*Resolution re Joseph McGowan	
6.	03/23/09	03/23/09	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Mayor	*Mayors Fax Advisory re: a. Local Finance Notice on Pension Deferral Law b. Update of Joining a Health Insurance Fund c. Sample Resolution Honoring Troops d. Stimulus Funding News From the EPA and HUD e. Urgent Action, Contract Governor's office Today: A-3772 & S-2577, Conversion of Age-Restricted Housing	
	03/25/09 03/26/09	03/25/09 03/26/09		f. League Budget Testimony g. Furloughs Permitted by Civil Service Commission Emergency Rules h. Binding Arbitration Reform Needed Now i. Federal Stimulus Funding U.S. Department of Energy j. League Labor Counsel Update	
7.	03/23/09	03/23/09	Dennis McNerney, County Executive; Joseph Rutch, Director, Community Development; James M. Carroll, Freeholder Chairman, to Municipal Clerk	*Public Notice informing of Meetings re Availability of Funds under the American Recovery and Reinvestment Act of 2009 (ARRA) to be held 3/30/09	

8.	03/24/09	03/22/09	Donald M. Farrell, President & Treasurer, Closter Public Library	*Request for permission to serve wine at reception in outside courtyard between the Library and the Belskie Museum on 4/26/09 from 3:00 p.m. to 6:30 p.m.; in the event of rain to be held in the Belskie Museum; also invitation for governing body to attend	
9.	03/24/09	03/19/09	Valerie Coniglio, Clerk to the Board of Chosen Freeholders, to Municipal Clerk	Notification re following Ordinances approved 3/18/09: a. Adoption of Ordinance No. 09-04 re Department of Planning and Economic Development Capital Improvements b. Introduction of following Ordinances scheduled for Public Hearing on 4/1/09 @7:30 p.m. 1) No. 09-06 DPW Engineering Division - Establish Weight Limits for Bergen County Bridges 2) No. 09-07 Bond Ordinance re Various Capital Improvements - \$1,409,100 3) No. 09-08 Bergen County Improvement Authority Guaranty Ordinance Not to Exceed \$3,563,400 4) No. 09-09 Bergen County Improvement Authority Guaranty Ordinance Not to Exceed \$120,000,000	
10.	03/24/09	03/23/09	Ryan D. McGinley, Environmental Scientist, and Shane J. Sechrist, Project Manager, Kleinfelder, Inc., to Clerk	*Notification of Revised Classification Exception Area (CEA) Former Mobil Facility #15-PER, 563 Piermont Road, NJDEP Case #91-12-19-1357, UST #0222293, Pl#022229 (Copy to Board of Health, Construction Official	Barad/Board of Health Amitai/Construction
11.	03/24/09	03/24/09	Raymond R. Jacobus, Northern Valley Regional High School Board of Education	*Annual School Election poster (posted 3/24/09)	
12.	03/25/09	03/20/09	Dennis McNerney, County Executive, to Mayor	*Availability of funds through the American Recovery and Reinvestment Act of 2009 - Meeting to be held 3/30/09	
13.	03/25/09	March 2009	Alex DeCroce, Assembly Republican Leader, to Mayor	*Governor Corzine's FY 2010 State Budget	
14.	03/26/09	03/26/09	Adam E. Falk, Vice President, Government and Regulator Affairs, Cablevision, to Celeste Fasone, Director, NJ Board of Public Utilities Office of Cable Television	*a. Launch of Style Channel b. Digital Transition	Barad/Cable TV Advisory Committee

ALSO DISTRIBUTED:

Minutes of Regular Meeting held February 25, 2009

MAIL LIST May 2, 2009

NO.	DATE REC'D	DATE	FROM	SUBJECT COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	03/27/09	03/26/09	Wayne E. Haussler, P.E., P.P., P.T.O.E., Dewberry Project Engineer, Traffic/Electrical, to Mr. Dahle Bill, Superintendent DPW c: Borough Clerk	*Railroad Pre-emption of Traffic Signals (Train II) Old Hook, Road (CR 502) at Schraalenburgh road (CR 39 (Location #1) (Copy to Chief Berrian - letter only!) CONSTRUCTION PLAN ON FILE IN BOROUGH CLERK'S OFFICE!	Hennessey/DPW Nick DeNicola Chief Berrian
2.	03/30/09	03/26/09	David N. Grubb, Executive Director, Bergen County Municipal Joint Insurance Fund	*Proposed Bylaw Amendment to Bergen JIF Bylaws (Copy to Glenn Parsells)	Possible Resolution Approving/Disapproving Bylaw Amendment (Must be received no later than 9/19/09)
3.	03/27/09	03/26/09	Matthew G. Capizzi, Law Offices of Elliot W. Urdang	*Request for return of Zoning Board of Adjustment application fee and escrow for RGAKO, LLC, 91 Ruckman Road, Block 501, Lot 3, due to withdrawal of application (Copy to Land Use Coordinator/ZBA)	Administrator
4.	03/27/09	03/27/09	William G. Dressel, Jr., Executive Director, to Mayor	*Mayors Fax Advisory re: a. Workshop on "Green Schools" Scheduled b. League Professional Development Seminar	
	03/30/09	03/30/09		c. Local Unit Alignment, Reorganization and Consolidation Commission Adopts Report (LUARCC) d. Proposed Re-Adoption Police Training Commission Rules	
	03/31/09	03/31/09		e. Furlough Rule Challenged f. Important New Information from the Division of Local Government Services g. League Professional Development Seminar: NJ Law Family Leave Act (FLA)	
	04/01/09	04/01/09		h. NJ Hall of Fame Awards Ceremony Scheduled i. Membership Fax Advisory - "Blight: To Revitalization" j. Membership Fax Advisory - NJLM Professional Development Seminars k. New League Service - Recruitment and Selection Advisory Service Launched l. Governor Helps League Kick-off Census 2010 Campaign	

				m. S-2711 - Revises Reassessment Procedures	
5.	03/31/09	04/01/09	Edward Cappelluti, Committee member, Boy Scout Troop 63	*Request that date of annual yard sale be changed to Saturday, 6/13/09; Rain date: 6/20/09 with certificate of insurance forthcoming (Copy to Glenn Parsells, Bill Brewster, Chief Berrian, William Dahle, III)	Possible motion of approval upon receipt of approval of insurance from Risk Management Consultant
6.	03/31/09	No date	Winne, Dooley & Bole, P.C.	*Notice of Meeting to Property Owners re Application for variance from Zoning Board of Adjustment for Viray I, LLC re 38 Fairview Avenue, Block 704, Lot 10; meeting to be held 4/15/09 at 8 p.m.	Hennessey/Zoning Board of Adjustment
7.	04/01/09	03/23/09	Kelley A. DeVincentis, Executive Director & a Myasthenic, to Mayor	*Request for Proclamation declaring month of June as Myasthenia Gravis Awareness Month	Mayoral Proclamation RM Agenda 4/6/09
8.	04/01/09	April 2009	Timothy McDonough, Mayor, Hope, NJS League of Municipalities, to Mayor	*Mayor's Newsline - April 2009	
9.	04/01/09	No date	Ronald J. Borsellino, Acting Director, Division of Environmental Planning and Protection, US Environmental Protection Agency, Region 2, to Mayor	*Greening the Implementation of State Revolving Loan Fund Projects	Kashwick/Environmental
10.	03/31/09	03/31/09	Lisa A. Gorab, Esq. to Kathleen Donovan, Marlene Verrastro, Peter Incardone, Patricia DiCostanzo c: Loretta Castano	*Ballot Question for Annual School District Election to be held 4/21/09	
11.	04/01/09	03/30/09	Washington Township Borough Clerk to Closter Borough Clerk	*Resolution supporting position that Joseph McGowan should not be granted another parole hearing for a minimum of 35 years	

ON FILE IN BOROUGH CLERK'S OFFICE:

County of Bergen Department of Human Services, Division of Senior Services, to Borough Clerk (packet received 3/27/09)

ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held March 11, 2009 The New Jersey Planner, March 2009/April 2009, Vol. 70, No. 1 (Received 3/30/09)