

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – APRIL 28, 2010 - 7:30 P.M.

1. PLEDGE OF ALLEGIANCE
 2. OPEN PUBLIC MEETINGS ACT STATEMENT
 3. ROLL CALL
 4. a. INTRODUCTION OF ORDINANCE NO. 2010:1067, ‘BOROUGH OF CLOSTER CALENDAR YEAR 2010 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) – PUBLIC HEARING – 5/26/10 @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received from Auditor 4/23/10)
 - b. INTRODUCTION OF 2010 MUNICIPAL BUDGET AND RELATED RESOLUTIONS PUBLIC HEARING – JUNE 9, 2010 @7:30 P.M. (Requested by Auditor 4/23/10 @10 A.M.)
TO BE PREPARED BY AUDITOR
 5. 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)
 6. 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 3/24/10 and were published in the Press Journal on 4/1/10 as stated in the printer’s 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. 2010:1064, “AN ORDINANCE ADOPTING AMENDMENTS TO THE SEPTEMBER 2009 PERSONNEL MANUAL”
 - b. ORDINANCE NO. 2010:1065, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS, SPECIFICALLY FOR THE POLICE DEPARTMENT’S FEES FOR PRIVATE DUTY WORK”
 - c. ORDINANCE NO. 2010:1066, “AN ORDINANCE REPEALING ORDINANCE 2009:1036 AND AMENDING SCHEDULE A: LIMITING SCHEDULE, SPECIFICALLY, CHANGING THE MAXIMUM SIZE OF RETAIL STORES IN DISTRICT NO. 3 BUSINESS AREA”
 7. COMMUNICATIONS
 - a. MAIL LIST – APRIL 15, 2010
 - b. MAIL LIST – APRIL 22, 2010
 8. OPEN MEETING TO PUBLIC FOR COMMUNICATION 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.* BILL RESOLUTION – APRIL 30, 2010
TO BE PREPARED BY DEPUTY TREASURER

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING AGENDA – APRIL 28, 2010 – 7:30 P.M.

9a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

ORDINANCES AND RESOLUTIONS (Continued)

- 11.* *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) - RESOLUTIONS TO BE PREPARED BY ADMINISTRATOR

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
*ALTERNATE PROSECUTOR	_____	1 Year	12/31/10
DEPUTY BOROUGH CLERK	_____	1 Year	12/31/10
CONSTRUCTION OFFICIAL	_____	4 Year	12/31/13
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
**QUALIFIED PURCHASING AGENT	_____	1 Year	12/31/10
SCHOOL CROSSING GUARD			
PART TIME	_____	1 Year	12/31/10

* (Fair and Open Process)

**Permissive (1b. Mail List 12/23/09 – recommended Borough Attorney review)

- 12.* RESOLUTION APPOINTING _____ AS ALTERNATE PROSECUTOR FOR A 1-YEAR TERM TO 12/31/10 (Resumes received 3/3/10) (Removed from RM Agenda 3/10/10) - TO BE PREPARED BY ADMINISTRATOR
- 13.* RESOLUTION AWARDED CONTRACT FOR PURCHASE AND INSTALLATION OF SPORTS FIELD LIGHTING CONTROLS AT MEMORIAL PARK (A/K/A CONTROL LINK LIGHTING) TO QUALITY ELECTRICAL CONSTRUCTION CO., 290 LAUREL AVENUE, WEST KEANSBURG, NJ 07734-3022, IN THE AMOUNT OF \$20,800 (Total bid amount) (Received from Borough Attorney 3/30/10/Removed from RM Agenda 4/14/10)
- 14.* RESOLUTION APPROVING SIDEWALK WAIVER FOR 66 TAILLON TERRACE, BLOCK 607, LOT 3, SANDRA JAQUEZ (Discussed at RM 4/14/10) TO BE PREPARED BY BOROUGH ENGINEER
- 15.* POSSIBLE RESOLUTION AWARDED CONTRACT FOR PLANNER – HISTORIC PRESERVATION (Sole RFQ received at opening held 4/22/10 @10:30 a.m. and distributed 4/23/10)
- 16.* RESOLUTION OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY PROVIDING FOR THE ISSUANCE AND SALE OF THE BOROUGH’S GENERAL OBLIGATION BONDS, SERIES 2010, AUTHORIZED BY BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE VARIOUS GENERAL IMPROVEMENTS IN THE BOROUGH AND PROVIDING FOR THE FORMS, MATURITY DATES AND SALE TO THE BERGEN COUNTY IMPROVEMENT AUTHORITY; AND PROVIDING OTHER DETAILS WITH RESPECT TO SAID BONDS (Requested by Bond Counsel) TO BE PREPARED BY BOND COUNSEL

MOTIONS

- 17.* APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed 4/22/10) ABSTENTION: LATNER
- a. REGULAR MEETING OF APRIL 10, 2010
 - b. WORK SESSION OF APRIL 10, 2010

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING AGENDA – APRIL 28, 2010 – 7:30 P.M.

9a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

MOTIONS (Continued)

18.* 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):

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION Member	_____	2 Year	12/31/11
*SHADE TREE COMMISSION Member (Ryan) (3. M.L. 3/11/10)	_____	5 Year un- expired to	12/31/11
* <i>Mayoral Appointment</i>			

19.* MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO FILL THE FOLLOWING 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>
HISTORIC PRESERVATION COMMISSION Member (Class B)	_____	4 Year	12/31/13
Alternate No. 2	_____	2 Year	12/31/11
IMPROVEMENT COMMISSION Member	_____	2 Year	12/31/11
Member	_____	2 Year un- expired to	12/31/10
Alternate No. 2	_____	2 Year un- expired to	12/31/10
LIBRARY Belskie Foundation Representative	_____	1 Year	12/31/10
POLICE DEPARTMENT Assistant Police Surgeon	_____	5 Year	12/31/14
RECREATION COMMISSION Assistant Director	_____	1 Year	12/31/10
*SHADE TREE COMMISSION Alternate No. 2	_____	4 Year un- expired to	12/31/11
* <i>Mayoral Appointment</i>			

20.* MOTION APPROVING/DENYING APPLICATION FOR HAWKER & PEDDLER PERMIT NO. 2010-002 FOR JOHN MARCASCIANO, MANAGER, TRG/VERIZON FIOS TO GO DOOR-TO-DOOR SELLING VERIZON FIOS (Received from Chief of Police 4/21/10)

21.* RESOLUTION APPROVING ISSUANCE OF 2010 CERTIFICATE OF COMPLIANCE TO JOHN PETERS PROFESSIONAL LIMOUSINES, 231 HERBERT AVENUE, CLOSTER, NJ, FOR ONE (1) NAMED VEHICLE PURSUANT TO N.J.S.A. 48:16-17; EXPIRATION: 12/31/2010 (Appropriate fees paid and approvals received from Risk Management Consultant on 4/16/10 and Borough Attorney on 4/19/10)

22.* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:
 (None received at time of preparation of this Agenda)

9b. VOTE ON CONSENT AGENDA ITEMS

23. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – APRIL 28, 2010 – 7:30 P.M.

24. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
25. DISCUSSION OF PUBLIC COMMENTS OR ANY OTHER TIMELY MATTER, IF APPROPRIATE
26. ADJOURN

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

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – APRIL 28, 2010 - 7:30 P.M.

1. ROLL CALL
2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT
3. 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. PRIVATE CONSTRUCTION, LAND USE, ZONING ENFORCEMENT & NEW BUILDINGS – AMITAI (BARAD/DOLSON)
 - 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
APRIL 15, 2010

NO.	DATE REC'D	DATE	FROM	SUBJECT	COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	04/08/10@ 2:35 p.m.	03/18/10	Michael G. Hakim, LLA, PP, ASLA, President, Borough Planning Consultant, to Mayor	Proposed Retail Space Square Footage Ordinance (distributed 4/8/10)		Borough Attorney
2.	04/09/10 04/13/10 04/15/10	04/09/10 04/12/10 04/15/10	Adam E. Falk, Vice President, Government and Regulatory Affairs, Cablevision, to Ms. Celeste Fasone, Director, NJ Board of Public Utilities, Office of Cable Television c: Affected Municipalities	*Re: a. Launch of National Geographic Wild SD & HD Channels b. Channel Line-Up Changes effective 5/16/10 c. Update to notice sent 4/12/10 re Channel Line-Up Changes effective 5/16/10		Barad/Cable TV Advisory
3.	04/09/10	04/08/10	Jean M. Pelligra, RMC, Borough Clerk, Borough of Maywood, to Loretta Castano	*Resolution Opposing United Water Rate Increase		
4.	04/09/10 04/13/10 04/14/10	04/09/10 04/13/10 04/14/10	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerks	*League Alert Re: a. Defeated School Budgets b. A. League Professional Development Seminar: "Maintaining a Safe Community within Current Budget Constraints: A Discussion on Budgeting, Shared Services, and Labor Negotiations. B. Two Issues I. Defeated School Budgets Resources Conference Call on Defeated School Budgets - 4/22/10 II. Ask the Governor to Veto S-82/A-437, Eliminates Time of Decision C. More Disaster Recovery Centers Open in NJ c. "National Donate Life Month" Press Conference d. I. Q & A with Education Commissioner Bret Schundler New Jersey's Schools in Financial Crisis II. Changes to the DLGS Website		
5.	04/12/10	04/05/10	Fran Lehmann, Borough Clerk, Borough of Leonora, to Borough of Closter	*Resolution Opposing United Water Rate Increase		
6.	04/12/10	No Date	Andrew S. Kohut, Wells, Jaworski & Liebman, LLP, Attorney for Applicant, to Borough Clerk	*Borough of Closter Zoning Board of Adjustment Notice of Public Hearing to be held 4/21/10 @8:00 p.m. re Robert and Michelle Armaniaco, Block 1203, Lot 6 and 7, 35 John Street		Dolson/Zoning

7.	04/12/10	04/01/10	Ronald T. Corcory, Assistant Director, Enforcement & Assignment Element, NJDEP Child Care/Educational Facility Unit to Amy Nelson, Temple Beth El Nursery School c: Health Department Borough Clerk Construction Official	*NJDEP Child Care Facility Approval Letter for Temple Beth El Nursery School, 221 Schraalenburgh Road, Block 302, Lot 1, 2, 3 & 4, Preferred ID: 441871, Activity Reference Number: CCF100001, DCF Child Care License #: 02TEM0001 (Copy to Board of Health, Construction Official, Environmental Commission)	Dolson/Board of Health Amitai/Construction Kashwick/Environmental
8.	04/12/10	No Date	Andrew S. Kohut, Wells, Jaworski & Liebman, LLP, Attorney for Applicant, to Borough Clerk	*Borough of Closter Zoning Board of Adjustment Notice of Public Hearing to be held 4/21/10 @ 8:00 p.m. re James V. Crimmins, Block 1203, Lot 5, 49 John Street	Dolson/Zoning
9.	04/14/10	04/13/10	Rose Marie Sees, Borough Clerk, Borough of Hasbrouck Heights, to Borough Clerk	*Resolution Opposing United Water Rate Increase	
10.	04/15/10	04/13/10	Marc Pfeiffer, Acting Director, Dept. of Community Affairs, Division of Local Government Services - Distribution to Borough Clerk via GovConnect	*Local Finance Notice LFN 2010-11, "Local Government Ethics Law; 2010 Financial Disclosure Statements" (Copy to Edward Archer, Chairperson, Board of Ethics)	Borough Attorney
11.	04/15/10	04/08/10	Valerie Coniglio, Clerk to the Board of Chosen Freeholders, to Dennis McNerney, Bergen County Executive c: Bergen County Municipalities	*Certified copy of Resolution #424 adopted by the Bergen County Board of Chosen Freeholders on 4/7/10 declaring the month of April, 2010 as "National County Government Month"	
12.	04/15/10	04/13/10	Marilyn Hayward, Planning Board Secretary, Borough of Alpine, to Borough Clerk	*Public Notice re Planning Board public hearing to be held 4/27/10@ 7:30 p.m. for the adoption of a proposed Periodic Reexamination of the Master Plan & Land Use Plan Update (Copy to Planning Board, Zoning Board of Adjustment)	Amitai/Planning

ON FILE IN THE BOROUGH CLERK'S OFFICE:

ADDED & OMITTED ABSTRACT OF RATABLES, BERGEN COUNTY, 2009 (Received from County of Bergen, Board of Taxation 4/13/10)
2010 BERGEN COUNTY DISTRICT SUMMARIES

MAIL LIST

APRIL 22, 2010

NO.	DATE REC'D	DATE	FROM	SUBJECT	AGENDA/COMMITTEE/ LIAISON
1.	04/16/10	04/13/10	Laura J. Graham, Borough Clerk, Borough of Oradell, to Loretta Castano	*Resolution Opposing United Water Rate Increase	
2.	04/16/10	04/05/10	Ralph A. Fragola, Jr., 73 Haring Street	*Petition on behalf of the residents of Haring Street requesting the Borough, as caretaker of the south side of Haring Street (Green Acres), to assist in the "clean up day" arranged by the residents to be held 5/8/10 by providing manpower and equipment and informing of dead trees that need to be cut within a 25' setback from the curb	Borough Attorney
3.	04/16/10 04/19/10	04/16/10 04/19/10	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerks	*League Alert re: a. Replacement/Census Forms b. Two Developments 1. Mayor Chiarello, League First Vice President, Voices Municipal Reaction to Governor's Proposed Budget 2. Red Tape Review Group Issues Mandates Relief Report c. Federal Update for Period Ending April 16, 2010 1. Local Jobs Bill Gains Support 2. Unemployment Benefits and COBRA Subsidy Extended 3. Senators Call for EECBG Funding Issued by DOE 4. DOE Announces Changes to the Procurement Process for EECBG 5. NLC Opposes FCC Plan for Public Safety Interoperability 6. Vice President Biden Announces Tighter Enforcement of Recovery Act 7. Immigration Reform Expected to Gather Steam in Senate 8. Airport Reauthorization - Support Passenger Facility Charges Increase d. Affordable Housing - What's Next e. Three Mayors Ltrs I. Division of Pension and Benefits Further Guidance on Pension Reforms II. Invitation from Mayors Committee for a Green Future to Elevate	
	04/15/10 04/21/10	04/15/10 04/21/10			

4.	04/19/10	04/12/10	David M. Watkins, Esq., Attorney for Applicant to Borough Clerk	your Sustainable Jersey Energy Programs III. Local Jobs for America Act Update *Notice of Planning Board Public Meeting to be held 4/29/10 @ 8:00 p.m. re Application of Capital Young Properties, LLC, Block 1205, Lot 8, 10 Railroad Avenue	Amitai/Planning
5.	04/20/10	04/14/10	Carol Donovan, Deputy Borough Clerk, Borough of Norwood, to Borough Clerk	*Resolution Opposing a Rate Increase for United Water	
6.	04/20/10	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 to Modify Its Manufactured Gas Plant (MGP) Remediation Component Within Its Electric Societal Benefits Charge (SBC) and Its Gas SBC; For a Board Order Finding that Its MGP Remediation Work Performed During the Remediation Adjustment Charge (RAC) 17 Period, 8/1/08 to 7/31/09 was Prudent; That the Resulting RAC 17 Costs are Reasonable and Available for Recovery; and to Make Changes in the Tariff for Electric Service B.P.U.N.J. No. 14 and to Make Changes in the Tariff for Gas Service B.P.U.N.J. No. 14, Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1 - Hearings to be held 5/10/10 @ 7 p.m., Bergen County Administration Bldg., 5/11/10 @ 3:30 p.m., Middlesex County Administration Bldg., 5/13/10 @ 3:30 p.m., Burlington County Administration Bldg.	
7.	04/20/10	04/12/10	Marcella Giampiccolo, Borough Clerk, Borough of Rockleigh, to Loretta Castano	*Resolution Opposing United Water Rate Increase	
8.	04/13/10	04/13/10	Marilyn B. Bojanoswki, RMC, Assistant Municipal Clerk, Borough of Fair Lawn to Loretta Castano	*Resolution Opposing United Water Rate Increase	
9.	04/19/10	04/19/10	Barbara Rae, RMC, CMC, Borough Clerk, Borough of Edgewater, to Loretta Castano	*Resolution Opposing United Water Rate Increase	
10.	04/22/10	04/22/10	Valerie Coniglio, Clerk to the Board of Chosen Freeholders, to Municipal Clerk	a. Notice of Adoption of the following Ordinances on 4/7/10 - introduced 3/24/10: 1) 10-06: "AN ORDINANCE PROVIDING FOR THE INSTALLATION AND OPERATION OF AUTOMATIC TRAFFIC CONTROL SIGNALS	

11.	04/22/10	04/22/10	Paul Demarest, Land Use Coordinator/Zoning Board of Adjustment c: Planning Board	<p>AT VARIOUS LOCATIONS IN LODI, MAYWOOD & ROCHELLE PARK" (No copies)</p> <p>2) 10-07: "GUARANTY ORDINANCE SECURING THE BERGEN COUNTY IMPROVEMENT AUTHORITY'S OBLIGATIONS IN CONNECTION WITH A PROPOSED GOVERNMENTAL LOAN PROGRAM FOR GOVERNMENTAL ENTITIES LOCATED IN THE COUNTY OF BERGEN IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$72,500,000" (No copies)</p> <p>b.*Notice of Introduction of the following Ordinance on 4/7/10 - Public Hearing 4/21/10 @7:30 p.m.:</p> <p>10-08: BOND ORDINANCE AMENDING BOND ORDINANCE 05-36 FINALLY ADOPTED NOVEMBER 22, 2005 AS AMENDED BY BOND ORDINANCE 08-60 FINALLY ADOPTED NOVEMBER 25, 2008, BY THE COUNTY OF BERGEN, NEW JERSEY, IN ORDER TO PROVIDE FOR A CHANGE IN THE IMPROVEMENTS AUTHORIZED BY SUCH BOND ORDINANCE" (Note: Improvement to Closter - Page 3)</p> <p>*2008/2009 Zoning Board of Adjustment Annual Report</p>	Borough Attorney Borough Engineer Dolson/Zoning Amitai/Planning
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ON FILE IN BOROUGH CLERK'S OFFICE:

United Water New Jersey/United Water New York Watershed Recreation Permit Application, 2010 Season, April 1 - November 30

ALSO DISTRIBUTED:

Minutes of Regular Meeting held April 10, 2010

Minutes of Work Session held April 10, 2010

Legislative Bulletin, April 2010, No. 2, 2010-2011 Legislative Session