MAYOR AND COUNCIL BOROUGH OF CLOSTER

REGULAR MEETING AGENDA - MARCH 12, 2014 - 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 Annual Notice of Meetings which published in The Record and the Star Ledger on January 6, 2014, 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. POSSIBLE MAYORAL APPOINTMENT OF ______ AS CLASS IV MEMBER OF THE PLANNING BOARD FOR A 4-YEAR UNEXPIRED TERM (LIGNOS) TO 12/31/17 (5. M.L. 2/27/14)
- 4. INTRODUCTION OF THE FOLLOWING ORDINANCE PUBLIC HEARING, 4/9/14 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD TO BE PREPARED BY AUDITOR

ORDINANCE NO. 2014:1155, "BOROUGH OF CLOSTER CALENDAR YEAR 2014 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)"

- 5. INTRODUCTION OF THE 2014 MUNICIPAL BUDGET AND RELATED RESOLUTIONS PUBLIC HEARING 5/9/14 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD TO BE PREPARED BY AUDITOR
- 6. 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 Ordinance was introduced at the Regular Meeting held January 22, 2014 and was published in The Record on January 28, 2014 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. At the Regular Meeting held 2/26/14, the public hearing and adoption was adjourned to this meeting:

<u>ORDINANCE NO. 2014:1153,</u> "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 173, SPECIFICALLY 173-80 TO 173-92 REGARDING SIGNS"

b. The following Ordinance was introduced at the Regular Meeting held February 12, 2014 and was published in The Record on February 19, 2014 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.

ORDINANCE NO. 2014:1154 "AN ORDINANCE AMENDING CHAPTER 173, SUBDIVISION OF LAND AND SITE PLAN REVIEW, SPECIFICALLY SECTION 173-9, DEVELOPMENT AGREEMENTS, AND CHAPTER 103, FENCES, SPECIFICALLY SECTION 103-2, APPEALS, PURSUANT TO 2011 & 2012 ZONING BOARD MERGED ANNUAL REPORT"

7a. VOTE ON CONSENT AGENDA ITEMS

ORDINANCES

- 8. INTRODUCTION OF THE FOLLOWING ORDINANCES <u>PUBLIC HEARING AND ADOPTION</u> 4/9/14 @8 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:
 - a. <u>BOND ORDINANCE NO. 2014:1156</u>, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE REPAIR OF EXTERIOR WALLS AND REPLACEMENT OF ROOF AT BOROUGH HALL, BOROUGH OF CLOSTER, AND APPROPRIATING \$70,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$66,500 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME" (Received from Administrator 3/4/14)
 - b. ORDINANCE NO. 2014:1157, "AN ORDINANCE APPROPRIATING \$400,000 FROM THE CLOSTER OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS" (For Exterior Renovations & Roof Repair Borough Hall) (Received from Administrator 3/4/14)

CLOSTER MAYOR AND COUNCIL REGULAR MEETING AGENDA – MARCH 12, 2014 - 7:30 P.M.

7a. <u>VOTE ON CONSENT AGENDA ITEMS</u> (Continued)

ORDINANCES (Continued)

- 8. INTRODUCTION OF THE FOLLOWING ORDINANCES <u>PUBLIC HEARING AND ADOPTION</u> 4/9/14 @8 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Continued):
 - c. ORDINANCE NO. 2014:1158, "AN ORDINANCE AMENDING CHAPTER 200, ZONING, ARTICLE XIB, AFFORDABLE HOUSING, SPECIFICALY, SECTION 200-54.22 AFFIRMATIVE MARKETING" (Received from Borough Attorney 3/4/14)
 - d. ORDINANCE NO. 2014:1159, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS, SPECIFICALLY FOR LAND USE, POLICE DEPARTMENT AND RECREATION COMMISSION FEES" (Received from Borough Attorney 3/4/14)
 - e. ORDINANCE NO. 2014:1160, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 48 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING PERSONNEL POLICIES" (Received from Borough Attorney 3/4/14)
 - f. ORDINANCE NO. 2014:1161, "AN ORDINANCE ADOPTING THE 2014 CLOSTER PERSONNEL MANUAL" (Received from Borough Attorney 3/4/14)

RESOLUTIONS

- 9. BILL RESOLUTION MARCH 15, 2014 (Received from Deputy Treasurer 3/7/14)
- 10. RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AGREEMENTS WITH THE TENANTS ON THE CELLULAR TOWER LOCATED OUTSIDE BOROUGH HALL (Received from Borough Attorney 3/4/14)
- 11. RESOLUTION AUTHORIZING THE TERMINATION OF AN AGREEMENT DATED APRIL 11, 1973 BETWEEN CLOSTER PLAZA, GRAND UNION, CITIZENS NATIONAL BANK AND THE BOROUGH OF CLOSTER (Received from Borough Attorney 3/4/14)
- 12. RESOLUTION TO WELCOME THE 2014 SPECIAL OLYMPICS U.S.A. GAMES AND ALL SPECIAL OLYMPICS ATHLETES AND VOLUNTEERS TO NEW JERSEY (Received from Mayor 3/3/14)
- 13. RESOLUTION AUTHORIZING A LENGTH OF SERVICE AWARD PROGRAM (LOSAP) CONTRIBUTION ON BEHALF OF THE CLOSTER VOLUNTEER AMBULANCE AND RESCUE CORPS (Received from Deputy Treasurer 2/26/14)
- 14. RESOLUTION AUTHORIZING A LENGTH OF SERVICE AWARD PROGRAM (LOSAP) CONTRIBUTION ON BEHALF OF THE CLOSTER VOLUNTEER FIRE DEPARTMENT (Received from Deputy Treasurer 2/26/14)
- 15. RESOLUTION APPROVING BIDDING FOR THE BOROUGH HALL EXTERIOR RENOVATIONS AND ROOF REPLACEMENT (Received from Administrator 3/4/14)
- 16. RESOLUTION AUTHORIZING AMENDMENT TO CONTRACT WITH BOSWELL ENGINEERING TO PROVIDE ENGINEERING SERVICES FOR THE HICKORY LANE PAVING PROJECT (Received from Administrator 3/4/14)
- 17. RESOLUTION AMENDING TEMPORARY BUDGET APPROPRIATIONS FOR 2014 (Received from Administrator 3/5/14)
- 18. RESOLUTION ENCOURAGING PROTECTION OF NEW JERSEY PALISADES VIEWSHED (Received from Councilman Kashwick 3/5/14)
- 19. RESOLUTION APPROVING PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 0207-33-009-000-012 FROM JBS MACK, LLC, D/B/A CASK 171 TO QUEEN ANNE WINE EXCHANGE, INC. (Notice of Application for Transfer was published in The Record on 2/27/14 and 3/6/14)

CLOSTER MAYOR AND COUNCIL REGULAR MEETING AGENDA – MARCH 12, 2014 - 7:30 P.M.

7a.	VOTE ON CONSENT AGENDA ITEMS (Continued)							
	<u>MOTIONS</u>							
20.	POSSIBLE MOTION APPROVING THE FOLLOWING APPOINTMENT(S) OF SALARIED EMPLOYEES FOR A 1 YEAR TERM TO 12/31/14 (NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/14):							
	OFFICE DEPUTY COURT ADMIN P/T CLERICAL (RECREA		Vacan	MBENT t Ferraro	APPOI	NTEE		
21.	POSSIBLE MOTION APPROVING THE FOLLOWING NON-SALARIED APPOINTMENTS:							
	OFFICE BOARD OF HEALTH	<u>INCUMBEN</u>	<u>T</u>	APPOINTEE			EXPIRATION s Unexp. (Pierro)	
	Alternate No. 1					to 12/31/14		
	IMPROVEMENT COMMISSION							
	Not made at ReOrg 1/2/14:					0.17		
	Member	Vacant				to to	s Unexp. (Vacant) 12/31/14	
22.	MOTION GRANTING API VERVALEN STREET FRO DANCE (1. M.L. 1/30/14/A	OM MARCH 13, 2	014 TO I	MARCH 21, 201	4 ANNO	UNCIN	G THE PTO	
23.	MOTION GRANTING APPROVAL FOR INTERNATIONAL ACADEMY OF ARTS AND SCIENCES TO USE MEMORIAL FIELD ON SUNDAY, 5/18/14, FROM 8:30 A.M. TO 12 NOON TO CONDUCT THE IAAS FIELD DAY EVENT FOR CHILDREN AND PARENTS; RAIN DATE: SUNDAY, 5/25/14 (3. M.L. 2/13/14/Approval received from Risk Management Consultant 3/5/14)							
24.	MOTION APPROVING THE FOLLOWING MINUTES (Distributed 3/7/14):							
	a. REGULAR MEb. WORK SESSION					N		
25.	REPORTS							
	a. CONSTRUCTION OFFb. FIRE CHIEF – FEBRU				8/14)			
7b.	VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA							
26.	OPEN MEETING TO PUBLIC FOR ANY MATTER, PER N.J.S.A. 10:4-12 (a) (Subject to 5 minute limit non By Legya Concept Bule No. 11)							

- (Subject to 5-minute limit per By-Laws General Rule No.11)
- ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY 27.
- 28. **ADJOURNMENT**

MAYOR AND COUNCIL BOROUGH OF CLOSTER

WORK SESSION AGENDA – MARCH 12, 2014 - 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 Annual Notice of Meetings which was published in The Record and the Star Ledger on January 6, 2014, 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 FEBRUARY 27, 2014
- b. MAIL LIST MARCH 6, 2014
- 5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING (Refer to Regular Meeting Agenda of March 12, 2014)

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

- 1) STATUS REPORT RE PERSONNEL MANUAL
- 2) STATUS REPORT RE TRANSFER STATION
- 3) STATUS REPORT RE CELL TOWER
- 4) REPORT

B. BOROUGH ENGINEER

- 1) STATUS REPORT RE RUCKMAN ROAD, PERRY STREET, OAKLAND AVENUE, FIRE DEPARTMENT ENTRANCE RAMP AND CURB IMPVTS. HIGH STREET (from Legion Place to Knickerbocker Road), 2013 ROAD IMPROVEMENTS, & RUCKMAN PARK WALKING PATH (RM 5/8/13) Awarded to Cifelli and Son General Construction RM 7/10/13
- 2) REPORT RE ENGINEERING/INSPECTION SERVICES FOR (2013) BARRIER FREE CURB RAMP INSTALLATIONS (Per 7/15/13 proposal \$12,050/Approved RM 8/14/13)
- 3) REPORT

7. REPORTS

A. BOROUGH ADMINISTRATOR

- 1) STATUS REPORT RE FOLLOW UP OF BOROUGH ENGINEER RECOMMENDATIONS RE POTENTIAL USES FOR SWIM CLUB PROPERTY DEEDED TO THE BOROUGH (WS 5/8/13)
- 2) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S):
 - a) Mail List requests:
 - 1. American Cancer Society (27th Annual GWB Challenge) to take place 6/8/14 (10. M.L. 12/26/13)

CLOSTER MAYOR AND COUNCIL WORK SESSION AGENDA – MARCH 12, 2014 - 7:30 P.M.

7. REPORTS (Continued)

- A. <u>BOROUGH ADMINISTRATOR</u> (Continued)
 - 3) STATUS REPORT RE ACQUISITION & INSTALLATION OF EMERGENCY GENERATOR AND AUTOMATIC TRANSFER SWITCH AT SENIOR CITIZENS CENTER (Awarded at RM 2/12/14 to Pesh-E-Lectric in the amount of \$43,950.00)
 - 4) REPORT RE PREPARATIONS OF BID SPECIFICATIONS FOR EXTERIOR REPAIRS AND ROOF REPLACEMENT AT BOROUGH HALL
 - 5) REPORT

B. BOROUGH CLERK

- 1) STATUS REPORT RE 2014 APPOINTMENTS
- 2) STATUS REPORT RE 2014 OATHS OF OFFICE
- 3) STATUS REPORT RE 2014 LICENSES
- 4) STATUS REPORT RE 2014 MEETING DATES
- 5) STATUS REPORT RE CODIFICATION OF ORDINANCE NOS. 2013:1137 TO 2013:1152 AS CODE SUPPLEMENT NO. 20
- 6) REPORT RE ELECTIONS
- 7) REPORT

C. CHIEF OF POLICE

1) REPORT

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED

- 1. BERGEN COUNTY HISTORIC PRESERVATION TRUST FUND GRANT APPLICATION (\$189,000 50% matching funds available in Closter Open Space, Recreation, Historic Preservation and Farmland Preservation Municipal Trust Fund) TO ACQUIRE AND PRESERVE THE HAROLD HESS LUSTRON HOUSE, 421 DURIE AVENUE, B 1003, L 21 RM 7/24/13
- b. AWARDED
 - 1. 2013 CDBG GRANT CONTRACT #NV-CLSTR-03-13 IN THE AMOUNT OF \$10,000.00, FOR HANDICAPPED ACCESSIBLE DOORS BOROUGH HALL PROJECT FROM 7/1/13 to 6/30/14 (9. M.L. 9/12/13)
- c. TO BE FILED
 - 1. To be announced by Mayor
 - 2) REPORT
- 8. OLD BUSINESS
- 9. NEW BUSINESS
- 10. 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
- 11. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
- 12. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
- 13. ADJOURNMENT

MAIL LIST

FEBRUARY 27, 2014

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	02/20/14	02/20/14	Suzanne M. Walters, President, NJLM and Mayor, Stone Harbor Borough and Gerald J. Tarantolo, First Vice President, NJLM and Mayor, Eatontown to boroclerk@closterboro.com	*Mayors Advisory re: a. I. Request for FEMA Snow Assistance Declaration II. Seeking Comments on Important BPU Broadband Order	Barad/Cable TV Advisory
	02/25/14 02/26/14 02/27/14	02/25/14 02/26/14 02/27/14	William G. Dressel, Jr. Executive Director, NJS League of Municipalities to boroclerk@closterboro.com	b. New Content on DLGS Web Site c. SFY 2015 Budget Proposal Presented to the Legislature d. Direct Deposit Legislation (P.L. 2013 c.38) e. Washington Watch Advisory re Flood Insurance Affordability Bill Readies for House Action f. I. Levy Cap Exemption for Snow Emergencies (Copy to	Borough Administrator
2	02/21/14	02/21/14	D ID H.H. L. L. DCE e.C.	Wm. Dahle III, Maria Passafaro) II. COAH Files for Extension of Time Frame	Borough Attorney
2.	02/21/14	02/21/14	David B. Hollenbeck, PSE&G, to Loretta Castano	*More good news from PSE&G	
3.	02/24/14	02/24/14	Glenn A. Grant, J.A.D., Acting Administrative Director of the Courts, to Mayor Sophie Heymann	*Municipal Court Information Technology Improvements (Copy to Bonnie Switzer, Chief Dennis Kaine, Kevin Whitney)	
4.	02/24/14	02/24/14	Cindy Randazzo, Director, Office of Local Government Assistance, NJDEP to Municipal Official	*Press Release – Christie Administration Takes Action to Protect Water and Wastewater Systems Against Disasters Like Sandy (Copy to Wm. Dahle, III)	
5.	02/25/14	02/25/14	John M. Lignos to Mayor Heymann	*Resignation from Planning Board effective immediately (Class IV Member - 4 year term from 01/02/14 to 12/31/17)	Mayor Amitai/Planning
6.	02/26/14	02/26/14	Hon. Brian C. Wahler, Mayor, Piscataway, Chair, NJLM Telecommunications Study Committee and 3 rd Vice President, NJLM and William G. Dressel, Jr. Executive Director, NJS League of Municipalities to boroclerk@closterboro.com	*Washington Watch Advisory re Deadline for Comments on FCC Cell Tower Rule Threatening Local Land Use and Construction Controls – Comment deadline: 3/5/14 (Copy to Planning Board, Zoning Board of Adjustment, Construction Official)	Borough Attorney Amitai/Planning Barad/Cell Tower Committee Dolson/Zoning
7.	02/26/14	02/26/14	Patricia Roach (PRoach@co.bergen.nj.us) for Michele Dilorgi, Clerk to the Board of Chosen Freeholders, to Borough Clerk	*a. Certified copy of Ordinance adopted 2/19/14 (introduced 1/15/14 – see also 4. M.L. 1/23/14) No. 14-01: "An Ordinance Amending Ordinance No. 13-06, Regulation of Campaign Contributions, to Lower Permissible	

MAIL LIST MARCH 6, 2014

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	02/28/14	02/24/14	Mary Ann Ozment, Township Clerk, Township of Washington, to Borough Clerk	*Certified copy of Resolution Supporting Bergen County Law Enforcement Mutual Aid & Rapid Deployment Force (Copy to Chief Kaine)	Glidden/Public Safety
2.	02/28/14	02/28/14	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerk	*League Advisory re: a. I. Sample Resolution to Welcome Special Olympians and the Families and Supporters to New Jersey II. State Aid Certifications for CY 2014/SFY 2015 & April 2014 Pensions Bills III. League Comments on FCC Cell Tower Rule Proposal Posted On-line b. Update on Developments on Municipal Issues in Our Nation's Capital I. House Considers Flood Insurance Bill II. President Announces \$600 Million in TIGER Grants III. House Judiciary Committee to Hold Marketplace Fairness Hearing IV. House Ways and Means Chair Creatively Caps Municipal Bond Exemption in Draft Tax Reform Plan V. NLC Urges Organizations to Sign Letter Supporting Greater Federal investment in Housing and Transportation	Possible Resolution RM 3/12/14 Barad/Cell Tower Committee
3.	03/03/14	03/02/14	Ellen Stein & Richard M. Stein, MD, 26 Collins Avenue	*Comments to be read into Minutes at Mayor and Council DPW Committee Special Meeting re Garbage and Trash Collection (to be held 3/6/14) Distributed 3/6/14 (Copy to William Dahle III)	Latner/Public Works
4.	03/04/14	2/19/14	Andrew Casais, RMC, Municipal Clerk, Borough of Allendale, to Borough Clerk	*Certified copy of Resolution Supporting Bergen County Law Enforcement Mutual Aid & Rapid Deployment Force (Copy to Chief Kaine)	Glidden/Public Safety
5.	03/03/14	02/27/14	Shivaun Gaines, Director of Government Relations, Montclair State University, to Mayor Heymann	*Notice re Public Hearing of the New Jersey General Assembly Budget Committee to be held at Montclair State University at University Hall 7th Floor Conference Center on Tuesday, 3/12/14 @ 9 a.m. re the FY2015 New Jersey State Budget; information on how to register to participate and informing the hearing can be viewed live online streaming at www.montclair.edu/webcast (Posted on Municipal Clerk's Bulletin Board 3/6/14)	

6.	03/04/14	03/04/14	Grace Grootenboer, Pr Clerk/Typist, County of Bergen, Dept. of Public Works, Mosquito Control Division, to Loretta Castano	*Letter from Pete E. Pluchino, Jr., Division Director, requesting letter from the Borough authorizing the County to perform aerial spraying during mosquito breeding months to be received no later than 3/31/14 for the 2014 mosquito season (Copy to Board of Health, Environmental Commission, Jim Oettinger)	Administrator Dolson/Health Kashwick/ Environmental Glidden/Recreation
7.	03/05/14	No Date	Elliot W. Urdang, Esq., Attorney for Applicant, to Borough Clerk	*Notice of Zoning Board of Adjustment Hearing scheduled to be held 3/19/14 @ 8 pm re the application of Sadhu Vaswani Center, 494 Durie Avenue, Block 1317, Lot 20	Dolson/Zoning
8.	03/06/14	No Date	Carol Messer, Director, Bergen County Division of Cultural and Historic Affairs (D.C.H.A.) and Bruce A. Barton, Chairman, Bergen County Preservation Advisory Board (H.P.A.B.), to Mayor Heymann	*Informing the H.P.A.B. and D.C.H.A. have made the decision to cancel the 2014 Bergen County Historic Preservation Awards Program due to construction at the County Justice Center that usually accommodates the 200+ guests and informing of preparations for "New jersey's 350th Anniversary Celebration in Bergen County" and that the 2013-2015 awards will be recognized during Preservation Month May 2015 (Copy to Historic Preservation Commission)	Kashwick/HPC

ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held February 26, 2014 Unapproved Notes of Work Session held February 26, 2014