

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – JULY 27, 2016 - 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 was published in The Record and the Star Ledger on January 7, 2016, 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. MAYORAL PRESENTATIONS
(Requested by Mayor’s office 7/7/16)

4. MAYORAL APPOINTMENTS* TO THE FOLLOWING BOARDS AND COMMISSIONS NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/16:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
*Environmental Commission				
Member/Shade Tree Liaison	<u>Brian Stabile</u> (Elected to Council)	_____	3 Years (Unexp. Stabile)	31-Dec-17
*Shade Tree Commission				
Member/Environmental Commission Liaison	<u>Brian Stabile</u> (Elected to Council)	_____	5 Years (Unexp. Stabile)	31-Dec-16

5. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCES @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

These Ordinances were introduced at the Regular Meeting held 6/22/16, were published in The Record issue of 6/28/16, as stated in the printer’s affidavit and Municipal Clerk’s affidavit of publication. Reprints 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. 2016:1208: “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTERS 110, AND A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS, SPECIFICALLY FOR THE CLERK, CONSTRUCTION OFFICE, LAND USE, ASSESSOR, POLICE DEPARTMENT & DPW”
- b. ORDINANCE NO. 2016:1209: “A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$124,508 FOR THE RUCKMAN PARK WALKING PATH LIGHTING PROJECT TO BE UNDERTAKEN BY THE BOROUGH OF CLOSTER AND TO APPROPRIATE \$62,254 FROM A GRANT PROVIDED BY BERGEN COUNTY OPEN SPACE FUNDS AND \$62,254 PROVIDED FROM THE MUNICIPAL OPEN SPACE PRESERVATION TRUST FUND”

6a. VOTE ON CONSENT AGENDA ITEMS

RESOLUTIONS

- 7. RESOLUTION AUTHORIZING THE PROMOTION OF POLICE OFFICER VINCENT AIELLO TO THE RANK OF SERGEANT (Received from Chief of Police 7/21/16)
- 8. RESOLUTION AUTHORIZING THE PROMOTION OF POLICE OFFICER MICHAEL FEHSAL TO THE RANK OF SERGEANT (Received from Chief of Police 7/21/16)
- 9. RESOLUTION REVISED CLEANING SERVICES CONTRACT AWARDED TO NATIONAL MAINTENANCE SERVICE (Received from Borough Attorney 7/18/16)
- 10. RESOLUTION AUTHORIZING THE CONSUMPTION OF ALCOHOLIC BEVERAGES DURING CERTAIN LABOR DAY ACTIVITIES PURSUANT TO CHAPTER 67 OF THE CLOSTER CODE (Received from Borough Attorney 7/20/16)
- 11. RESOLUTION AUTHORIZING PERSON-TO-PERSON TRANSFER OF PLENARY (*INACTIVE/POCKET*) RETAIL CONSUMPTION LICENSE NO. 0207-33-005-004 FROM 540 YOUNG LIMITED LIABILITY COMPANY TO HOOT TWO LLC (Transfer Notice published in The Record on 7/14/16 & 7/21/16)

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6a. VOTE ON CONSENT AGENDA ITEMS (Continued)

RESOLUTIONS (Continued)

- 12. RESOLUTION EVIDENCING COMPLIANCE BY THE GOVERNING BODY WITH N.J.S.A. 40A:5-4 AND N.J.S.A. 40A:5-6 RE 2015 AUDIT (Audit Report rec'd. – 8a. M.L. 7/07/16/distributed via e-mail on 7/07/16) GROUP AFFIDAVIT FORM CERTIFICATION OF GOVERNING BODY RE 2015 AUDIT REPORT (to be signed by each member of the Governing Body certifying they have personally reviewed and are familiar with at least the “Letter of Comments and Recommendations” Section of the Annual Report of Audit) Carried from RM 7/13/16
- 13. RESOLUTION AUTHORIZING THE PAYMENT OF ACCRUED VACATION AND SICK DAYS TO ALFONSO DIASPARRA DUE TO RETIREMENT FROM POSITION IN THE DEPARTMENT OF PUBLIC WORKS, EFFECTIVE 8/1/16 (Received from Temporary Chief Financial Officer 7/21/16)
- 14. RESOLUTION APPOINTING LT. JAMES WINTERS TO THE COUNTY PUBLIC SAFETY COMMUNICATIONS ADVISORY BOARD (Received from Borough Attorney 7/21/16/Requested at WS 7/13/16 – 2. M.L. 6/30/16)
- 15. RESOLUTION APPOINTING THE CANNING GROUP TO CONTINUE TO PROVIDE TEMPORARY BOROUGH ADMINISTRATOR SERVICES (Received from Temporary CFO 7/21/16)
- 16. RESOLUTION REQUESTING APPROVAL FOR AUTHORIZATION OF AN EMERGENCY APPROPRIATION IN ACCORDANCE WITH N.J.S.A. 40A:4-46 – IMPROVEMENTS TO VERVALEN STREET (Received from Temporary Administrator 7/22/16)

MOTIONS

- 17. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 7/21/16) NO ABSTENTIONS:
 - a. REGULAR MEETING HELD JULY 13, 2016
 - b. WORK SESSION HELD JULY 13, 2016
- 18. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/16:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Treasurer	<u>No Appointment in 2015</u>	_____	1 Year	31-Dec-16
Board of Health				
Alternate No. 2	<u>(Jeanne Baer)</u>	_____	2 Years	31-Dec-17

- 19. MOTION APPROVING THE FOLLOWING *SALARIED* APPOINTMENTS NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/16:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Municipal Court				
Deputy Court Administrator	<u>No Appointment in 2015</u>	_____	1 Year	31-Dec-16

- 20. REPORTS
 (No reports received at the time of preparation of this Agenda)

6b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

- 21. 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)
- 22. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY
- 23. ADJOURNMENT

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

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – JULY 27, 2016 - 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 published in The Record and the Star Ledger on January 7, 2016, 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 JULY 14, 2016
 - b. MAIL LIST OF JULY 21, 2016
5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of July 27, 2016)

8. COMMITTEE REPORTS

- A. FINANCE AND TECHNOLOGY - STABILE (BARAD/DI DIO)
 - 1) STATUS REPORT RE CLOSTER WEBSITE
 - 2) REPORT
- B. PUBLIC SAFETY - LATNER (DI DIO/CHUNG)
 - 1) REPORT
- C. PUBLIC WORKS - CHUNG (LATNER/STABILE)
 - 1) REPORT
- D. ORDINANCES - BARAD (CHUNG/AMITAI)
 - 1) REPORT RE ORDINANCE COMMITTEE MEETINGS
 - 2) REPORT
- E. HUMAN RESOURCES - DI DIO (CHUNG/LATNER)
 - 1) REPORT RE PERSONNEL COMMITTEE MEETINGS
 - 2) REPORT
- F. LAND USE AND CONSTRUCTION - AMITAI (BARAD/STABILE)
 - 1) REPORT

9. OLD BUSINESS

- a. DISCUSSION RE (DANGEROUS) SIGHT ISSUES AT HARVARD STREET (Follow up from 5. M.L. 05/26/16 – Discussed at WS 6/11/17 – Requested by Temporary Borough Administrator 6/14/16) Discussed at WS 6/22/16 – referred to Property Maintenance Officer by V. Amitai
- b. Request for Amended Resolutions to be signed by Mayor/Manager/Executive and Borough Clerk for Bus Stops on Municipal & County Road (10. M.L. 7/7/16) - Discussed at WS 7/13/16.

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10. NEW BUSINESS
11. 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
12. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
13. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
14. ADJOURNMENT

MAIL LIST
JULY 14, 2016

NO.	DATE REC'D	DATE	FROM	SUBJECT	*COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	07/11/16	07/06/16	Michael Russo, Director, NJDOT Local Aid and Economic Development, to Loretta Castano	*Notification that effective 7/6/16 Governor Christie enacted Executive Order No. 210 declaring a State of Emergency and directing an immediate and orderly shutdown of all ongoing work that is funded by the Transportation Trust Fund Authority (TTFA) due to delay in replenishment of the Transportation Trust Fund Account with copy of Shutdown Order and Executive Order No. 210		Borough Engineer
2.	07/11/16	07/05/16	Richard Loveless, Acting Manager, NJDOT Bureau of Local Aid – District 2, to Mayor c: Borough Clerk Borough Engineer	*One (1) complete executed Agreement approved by the NJDOT for the Ver Valen Street (Section 2) 2016 Municipal Aid Program Project in the amount of \$155,500.00 funded by the Transportation Trust Fund Authority Act		Borough Engineer
3.	07/11/16	07/07/16	James P. Barsa, Mayor, Borough of Norwood	*Letter commending Closter Fire Department and EMS for assistance during the Fourth of July fireworks hosted by the Borough of Norwood (Copy to Chief Pierro, Capt. Terri DeLyon)		Latner/Fire Dept. Barad/Amb. Corps
4.	07/11/16	07/07/16	Emanuel Klein, The Fountain Group	*Informing the company is ready, willing and able to build all of the housing needed to agree with the state of New Jersey laws and requesting a list of all properties that have the zoning laws to permit the process		
5.	07/11/16	07/11/16	Nancy Bonall, New Jersey Residents Against Puppy Mills & Alan Braslow, Dog Advocacy and Rescue	*Request for consideration of an Ordinance Banning the Sale of Dogs and Cats From Pet Shops with copy of Ordinance adopted by the City of Hackensack (copy to Board of Health) See also 7. M.L. 5/5/16; 10. M.L. 6/23/16		Chung/Health
6.	07/11/16	07/11/16	Susan Krause, Administrative Assistant, Division of Veterans Services, Dept. of Human Services, County of Bergen, to Municipal Clerk	*3 rd Qtr. 2016 Volume 38 Bergen County Veterans Newsletter (Copy to Bill Brewster)		
7.	07/11/16	No Date	County of Bergen, Department of Public Safety, Communications Division, Public Safety Operations Center, to Borough Clerk	*Two (2) complete executed Agreement: County of Bergen and Borough of Closter GIS Data Exchange Agreement (Copy to OEM Coordinator)		
8.	07/08/16	07/08/16	Michael J. Darcy, CAE, Executive Director, NJS League of Municipalities	*a. Weekly Round Up Re Weekly Policy Update: I. Update to TTF, Best Practices And Transitional Aid II. On The Governor's Desk July 8, 2016		Borough Clerk

	07/11/16	07/11/16		<p>III. One-Year Permit Extension In Sandy Impacted Counties Signed Into Law</p> <p>IV. “Transportation Network Companies” Look To Evade Local Regulation</p> <p>V. Legislative Alert: Affordable Housing “Gap” Period</p> <p>VI. Are You Going To DNC Or RNC? Join NLC for Special Events!</p> <p>VII. July Grant Page Posted</p> <p>b. Daily Update re Important Affordable Housing Ruling on “Gap” Issue w/copy of Appellate Division Decision: <u>In Re Declaratory Judgment Actions Filed by Various Municipalities, County of Ocean, Pursuant to the Supreme Court’s Decision in In Re Adoption of N.J.A.C. 5:26</u>, Docket No. A-3323-15T1 (N.J. App. Div. 2016) which states municipal housing obligations do not include a separate and distinct “gap period” calculation</p>	<p>Borough Clerk</p> <p>Borough Attorney</p> <p>Mayor/Grants</p> <p>Borough Attorney</p>
9.	07/12/16	07/07/16	Ralph LaRossa, President and Chief Operating Officer, PSE&G, to Mayor	*PSE&G project and service update	
10.	07/12/16	07/12/16	Robert Nadeau, CEM, Deputy Director, Intergovernmental Affairs Division FEMA Office of External Affairs, to Intergovernmental Colleagues	* FEMA Bulletin Week of July 11, 2016 (Copy to OEM Coordinator)	
11.	07/14/16	07/13/16	John McLoughlin, Chief of Department, Demarest Fire Department to Chief Brian Pierro c: Mayor and Council Members via individually addressed envelopes Demarest Mayor and Council	*Letter expressing sincere gratitude to the Closter Fire Department for their assistance with Ex-Chief “Chick” Tethers funeral detail; and commending the professionalism of the Department (Copy to Chief Pierro)	Latner/Fire Dept.
12.	07/14/16	07/12/16	Congressman Scott Garrett, 5 th Legislative District, to Mayor John Glidden and Council Members via individually addressed envelopes	*Invitation to join a forum on train safety at 5 p.m. on Monday, 7/25/16, at the Bergenfield Municipal Building and requesting RSVP (Copy to Chief Kaine, OEM Coordinator)	
13.	07/14/16	07/14/16	Steve Isaacson, 97 Columbus Avenue, to Loretta Castano	*Recommendation for Mayor and Council to open the meeting to the public earlier in the meetings in order to provide more opportunities for public comment to encourage “Open and Honest Dialogue”	

ALSO DISTRIBUTED:

VIA E-MAIL on 7/8/16 From Cindy Randazzo, NJ Dept. of Environmental Protection, to Municipal Clerk - *Live Coverage of Discover DEP podcast (sent via e-mail on 7/8/16 to Mayor and Council and Environmental Commission Chair due to timing)

ON FILE IN BOROUGH CLERK’S OFFICE:

2016-2017 New Jersey Municipal Guide (received 7/12/16 from Lee Peterson, Publisher - Publisher@MunicipalPublishingLLC.com)

	07/20/16	07/20/16		V. Urban Enterprise Zones (UEZs) VI. Are You Going To DNC Or RNC? Join NLC for Special Events! VII. July Grant Page Posted b. Daily Update re: Conversations on race relations, justice, policing and equality	Mayor/Grants
3.	07/18/16	07/18/16	Marc N. Schrieks, Deputy Chief of Staff for County Executive James J. Tedesco III, to Municipal Clerks	*Wortendyke Barn Museum Concert Series poster (Posted on Municipal Clerk's Bulletin Board 7/21/16)	
4.	07/18/16	07/18/16	Cindy W. Randazzo, Director, Office of Local Government Assistance, NJ Department	*Discover DEP Podcast: New Jersey Environmental Infrastructure Trust (Copy to Environmental Commission)	Stabile/Environmental
5.	07/18/16	07/18/16	Chief Dennis Kaine, to Nick DeNicola, Edward. T. Rogan, Esq., Mayor and Council, John Fry, Loretta Castano	*Forwarded e-mail from Michael Russo, Director, Local Aid and Economic Development, NJ Dept. of Transportation, dated 7/18/16 reminding Shutdown Order issued 7/6/16 that all contract work financed by TTFA was required to begin an orderly shutdown and remain ceased until further notice from the NJDOT with copy of Shutdown Order attached	Borough Engineer
6.	07/19/16	07/13/16	Robert A. Gates, Executive Vice President of Operations, Eagle Creek Renewable Energy, for Great Falls Hydroelectric Company, to Stakeholder	*Notice of Joint Agency / Stakeholder Meeting to be held 8/3/16 re FERC Project No. 2814 Great Falls Hydroelectric Project Relicensing, to be held at the Rogers Meeting Center, 2nd floor at 32 Spruce Street, Paterson, NJ immediately after Plant tour to begin at 1 p.m.	
7.	07/20/16	07/20/16	egg@dca.state.nj.us to lcastano@closternj.us	*Extension of Comment Period for Pre-proposed Rule Amendments re Certification of Available Funds – comment period extended to 7/27/16 (Copy to Temporary CFO)	
8.	07/11/16	07/11/16	Bill Brewster, President, Closter Senior Citizens Club, to Mayor, Councilwoman Amitai, Borough Clerk, Borough Administrator	*Response re letter from Northvale Senior Citizens Center – 5. M.L. 7/7/16	Mayor/Seniors
9.	07/20/16	07/20/16	Steve Isaacson	*Request re number of set aside of units for COAH housing for a <i>potential</i> housing project containing 100 apartments	Borough Attorney
10.	07/21/16	07/21/16	Nancy Mize, U.S. Department of Homeland Security, Federal Emergency Management Agency	* a. FEMA Intergovernmental Affairs Advisory – FEMA Urges Americans to Be Prepared for Extreme Heat, Download FEMA Smartphone App (Copy to OEM Coordinator) b. FEMA Bulletin – Week of July 18, 2016 (Copy to OEM Coordinator)	

ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held July 13, 2016

Unapproved Work Session Notes of July 13, 2016