

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – APRIL 24, 2013 - 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 Notice of Meetings which was published in The Record and the Star Ledger issues of January 8, 2013, 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 PROCLAMATIONS DECLARING THE FOLLOWING:

- a. CONGRATULATING SPECTRUM FOR LIVING ON THE OCCASION OF ITS 30TH ANNIVERSARY (7. M.L. 4/4/13 – Received from Mayor 4/16/13)
- b. CLOSTER VOLUNTEER WEEK - APRIL 21, 2013 TO APRIL 27, 2013
(Received from Mayor's office 4/16/13)
- c. ARBOR DAY - FRIDAY, APRIL 26, 2013
(Requested by Councilman Kashwick 4/9/13/read at RM 4/10/13)

4. MAYORAL APPOINTMENT (Requested by Mayor 4/17/13):

| <u>OFFICE</u> | <u>APPOINTEE</u> | <u>TERM</u> | <u>EXPIRATION</u> |
|---|------------------------|-------------|-------------------|
| ENVIRONMENTAL COMMISSION Associate Member | <u>Arthur Goldberg</u> | 1 Year | 12/31/13 |

5a. VOTE ON CONSENT AGENDA ITEMS

RESOLUTIONS

- 6. RESOLUTION APPOINTING _____
TO SERVE AS ALTERNATE PROSECUTOR(S) FOR A ONE YEAR TERM TO 12/31/13
(Opening held 4/4/13 @ 11:30 a.m./Adjourned from RM 4/10/13)
- 7. RESOLUTION OPPOSING THE NORTHERN VALLEY REGIONAL HIGH SCHOOL CAPITAL PROJECT (Received from Councilman Kashwick 4/18/13)
- 8. RESOLUTION SUPPORTING S-1896/A-1503 SHARING THE BURDEN OF PROPERTY ASSESSMENT APPEAL REFUNDS (Requested by Mayor 4/8/13) (M.L. 4/11/13 - 1a1)
- 9. RESOLUTION IN SUPPORT OF A-3393, LEGISLATION TO PROTECT RESIDENTIAL PROPERTY TAXPAYERS FROM THE LOSS OF TELECOMMUNICATIONS TAX SUPPORT (Requested by Mayor 4/15/13)
- 10. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A SHARED SERVICES AGREEMENT WITH THE NORTHERN VALLEY REGION SCHOOL DISTRICTS AND MUNICIPALITIES FOR AN EARLY-WARNING LIGHTNING DETECTION SYSTEM (Received from Borough Attorney 4/10/13)
- 11. RESOLUTION MEMORIALIZING MOTION GRANTING APPROVAL FOR PLACEMENT OF FARMERS MARKET SIGNS PURSUANT TO THE INTERSECTIONS LISTED AND PROVIDED TO THE COUNCIL AND BE MADE PART OF THE MEMORIALIZING RESOLUTION NOS. 1 THROUGH 8, EFFECTIVE APRIL 14TH, 2013, AND CONTINUING THEREAFTER TO THE MIDDLE OF EACH MONTH UP AND THROUGH NOVEMBER 2013 PURSUANT TO CLOSTER ORDINANCE 173-83E AND SUBJECT TO ANY COUNTY PROPERTY MAINTENANCE REGULATIONS AND POLICE RESTRICTIONS (RMA 03/10/13) - TO BE PREPARED BY BOROUGH ATTORNEY

CLOSTER MAYOR AND COUNCIL
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5a. VOTE ON CONSENT AGENDA ITEMS (Continued)

RESOLUTIONS (Continued)

12. RESOLUTION AWARDING CONTRACT FOR FIELD MAINTENANCE SERVICES TO LUPARDI'S NURSERY INC., 75 BLANCH AVE., CLOSTER, IN AN AMOUNT NOT TO EXCEED \$20,835.00 FOR 2013 AND \$20,835.00 FOR 2014; AND AUTHORIZING ADMINISTRATOR TO ISSUE A PURCHASE ORDER FOR EACH YEAR (Received from Administrator 4/18/13)

MOTIONS

13. MOTION APPROVING THE FOLLOWING MINUTES – NO ABSTENTIONS (Distributed 5/19/13):
- a. REGULAR MEETING HELD 4/10/13
 - b. WORK SESSION HELD 4/10/13
14. MOTION GRANTING APPROVAL FOR JACK IN THE BOX, CLOSTER, TO USE THE MUNICIPAL BUILDING PARKING LOT PREMISES AT 295 CLOSTER DOCK ROAD AS THE SITE TO CONDUCT THEIR THIRD ANNUAL TRIKE-A-THON FUNDRAISER TO BENEFIT RESEARCH FOR NEONATAL LUPUS, ON SATURDAY, 6/1/13, FROM 10:00 A.M. TO 12 :00 P.M.; RAIN DATE: SUNDAY, 6/9/13 (Approval received from Risk Management Consultant 4/13)
15. MOTION GRANTING APPROVAL FOR AMERICAN DIABETES ASSOCIATION TO CONDUCT "TOUR DE CURE" (OF APPROXIMATELY 500 RIDERS) PARTIALLY THROUGH THE BOROUGH ON SUNDAY, 6/2/13, FROM APPROXIMATELY 8:00 A.M. TO 4:00 P.M., FOLLOWING ROUTE PROVIDED (2. M.L. 4/18/13/Approval received from Risk Management Consultant 4/15/13)
16. MOTION GRANTING APPROVAL FOR ISSUANCE BY POLICE DEPARTMENT OF THE FOLLOWING HAWKERS AND PEDDLERS LICENSE FOR CALENDAR YEAR 2013 PER BOROUGH CODE CH. 127 (Received from Chief of Police 4/8/13):

PERMIT NO 2013-005 – FOR JOSEPH MAC DONALD, 1 GROESBECK COURT, EMERSON, NJ 07630, TO CONDUCT PAINTING AND POWER WASHING – SEALING

17. REPORTS

- a. CHIEF OF POLICE – MARCH 2013 (Received 4/9/13)

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

18. 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)

19. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY

20. ADJOURNMENT

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

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – APRIL 24, 2013 - 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 8, 2013, 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 APRIL 11, 2013
 - b. MAIL LIST OF APRIL 18, 2013
5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of April 24, 2013)
6. COMMITTEE REPORTS
 - A. FINANCE AND TECHNOLOGY - DOLSON (GLIDDEN/ KASHWICK)
 - 1) STATUS REPORT RE CLOSTER WEBSITE
 - 2) REPORT
 - B. PUBLIC SAFETY - GLIDDEN (LATNER/BARAD)
 - 1) REPORT
 - C. PUBLIC WORKS - LATNER (DOLSON/GLIDDEN)
 - 1) REPORT
 - D. ORDINANCES - BARAD (KASHWICK/AMITAI)
 - 1) REPORT RE ORDINANCE COMMITTEE MEETINGS
 - 2) REPORT
 - E. HUMAN RESOURCES - KASHWICK (DOLSON/LATNER)
 - 1) REPORT RE PERSONNEL COMMITTEE MEETINGS
 - 2) REPORT
 - F. LAND USE AND CONSTRUCTION – AMITAI (BARAD/DOLSON)
 - 1) REPORT
7. OLD BUSINESS

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8. NEW BUSINESS
9. 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
10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
11. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE
GOVERNING BODY
12. ADJOURNMENT

MAIL LIST

April 11, 2013

| NO. | DATE REC'D | DATE | FROM | SUBJECT *COPY ATTACHED | AGENDA/ COMMITTEE/ LIAISON |
|------------|--|--|--|---|---|
| 1. | 04/02/13 04/08/13 04/04/13 04/05/13 04/08/13 | 04/02/13 04/08/13 04/04/13 04/05/13 04/08/13 | William G. Dressel, Jr., Executive Director, NJS League of Municipalities to closterboroughclerk | *a. Mayors Advisory re: 1) Ethics Resources from the League (Copy to J. Yammarino) 2) Urging for Sharing the Burden of Property Assessment Appeal Refunds Sample Resolution 3) Urging Support for Sharing the burden of Property Assessment Appeal Refunds Sample Resolution 4) Water Quality Planning Grant Money Availability b. Notices re: 1) League Foundation issues latest policy paper "Appropriating Energy Tax Receipts: The New Normal for New Jersey". NJ proclaims April 2013 as Child Abuse Prevention and Awareness Month 2) Federal Income Tax Exemption for Municipal Bonds Still Under Attack 3) Washington Watch Update on Recent and Pending Action | Borough Attorney RM Agenda 04/24/13 |
| 2. | 4/5/13 | 4/5/13 | Lisette Aportela-Hernandez, Municipal Clerk, Borough of Tenafly to closterboroughclerk | *Adoption on 4/4/13 of Resolution for Tenafly to participate in Bergen County mutual aid plan and rapid deployment force (Copy to Chief Kaine) | Glidden/Public Safety |
| 3. | 4/5/13 | 4/3/13 | Loretta Weinberg, Senator, District 37, Gordon M. Johnson, Assemblyman, District 37 to Mayor Heymann | *Answers to our resolution opposing S2511 which revises and updates the Open Public Meetings Act. | Borough Attorney |
| 4. | 4/5/13 | 4/3/13 | Bergen County Board of Taxation to Mayor and Council | *Preliminary Equalization Table, County of Bergen for the Year 2013 | |
| 5. | 4/8/13 | 4/6/13 | Janice S. Mironov, President, NJS League of Municipalities, Mayor, East Windsor | *Mayor's Newslite – April 2013 | |
| 6. | 4/8/13 | 4/1/13 | David M. Watkins, Esq. to Borough Clerk Zoning Board of Adjustment | *Public Notice re Variance request at Zoning Board of Adjustment Meeting on 4/17/13 re Application of Paul Keller requesting a two family house for Block 702, Lot 6, 24 Robinhood Avenue. | Dolson/Zoning Board of Adjustment |

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| 7. | 4/8/13 | 4/3/13 | Claire Foy, Borough Clerk of Carlstadt, to closterboroughclerk | * Adoption on 3/18/13 of Resolution for Carlstadt to participate in the Bergen County mutual aid plan and rapid deployment force (Copy to Chief Kaine) | Glidden/Public Safety |
| 8. | 4/8/13 | 4/8/13 | Helen Polito, Township Clerk, Township of Lyndhurst | * Adoption on 3/12/13 of Resolution for Lyndhurst approving the Bergen County Mutual Agreement. (Copy to Chief Kaine) | Glidden/Public Safety |
| 9. | 4/8/13 | 4/8/13 | Margaret Scanlon, Borough Clerk, Rutherford to closterboroughclerk | * Resolution adopted on 3/26/13 promoting public safety by reducing gun violence. (Copy to Chief Kaine) | Glidden/Public Safety |
| 10. | 4/8/13 | 4/8/13 | David M. Watkins, Esq. to Edward Rogan, Esq. C: Mayor and Council and Edward Richard Schmidt | * Notification of Hearing regarding historic designation proposed for the Lustron House, 421 Durie Avenue, Block 1003, Lot 21 owned by Mr. Schmidt and requesting same be returned to Historic Preservation Commission for exclusion of his property as an historic property (Distributed 4/10/13) | Kashwick/Historic Preservation Commission |
| 11. | 4/8/13 | 4/5/13 | Jim Oettinger, Director, Closter Recreation Commission to Mayor and Council; CC: Chief Kaine | Request for permission to hold the Annual Little League Parade and opening ceremonies on 4/21/13 beginning at 12:30 at the Closter Borough Hall proceeding through town to Memorial Field for the opening day ceremonies. Request the Mayor to throw out one of the first balls and Council members to attend the opening ceremonies at 1:00 p.m. (Copy to Glenn Parsells) (Distributed 4/10/13) | RM Agenda 04/10/13 |
| 12. | 4/9/13 | 4/4/13 | Michele DiIorgi, Clerk to the Board of Chosen Freeholders, to Bergen County Municipal Clerks | *Certified Copies of the following Ordinances introduced 4/3/13 – public hearing 4/17/13 @ 7:30 p.m.: a. <u>No. 13-03</u> “Bond Ordinance Appropriating \$46,000,000 For Various Improvements for the County Special Services School District and Authorizing Issuance of Bonds or Notes of the County” b. <u>No. 13-04</u> – “Providing for Rehabilitation of Patterson Street Bridge in the Borough of Hillsdale and Appropriating the Aggregate Amount of \$2,000,000 in Connection with the NJDOT Aid Allocation From the State Fiscal Year 2012 NJ Transportation Trust Fund Local Bridges, Future Needs Program” | |
| 13. | 04/10/13 | 04/09/13 | Gary J. Vinci, Registered Municipal Accountant, Lerch, Vinci & Higgins, LLP, to Borough Clerk | *13 copies of the Adopted 2013 Municipal Budget for distribution as follows: 7 to Mayor and Council, 3 to the Division of Local Government Services, Department of Community Affairs, 1 to Chief Financial Officer, 1 to Administrator, 1 for Borough files (1 copy of adopting resolution to be submitted to the County Board of Taxation) | |
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| 14. | 4/11/13 | 4/9/13 | James Weinstein, Executive Director, New Jersey Transit Corporation, to Borough Clerk | *Fiscal Year 2013 Request for Federal Financial Assistance; Public comments on the noted projects due by 5/23/13 | |
| 15. | 4/11/13 | 4/11/13 | Cindy W. Randazzo, Director, Office of Local Government Services, NJDEP, to Borough Clerk | *NJDEP Compliance Advisory Alert – Emergency Generator Demand Response. The emergency generator General Permit does NOT allow its use for demand response or peak shaving programs; those require a regular air Preconstruction or Operating permit approval and comply with applicable requirements. | Borough Engineer |

MAIL LIST

April 18, 2013

| NO. | DATE REC'D | DATE | FROM | SUBJECT *COPY ATTACHED | AGENDA/ COMMITTEE/ LIAISON |
|-----|--|--|---|--|--|
| 1. | 4/12/13 | 4/11/13 | Andrew S. Kohut, Esq/Wells, Jaworski & Liebman, LLP, Attorney for the Applicant, to Borough Clerk | *Notice of Zoning Board of Adjustment Public Hearing to be held 4/24/13 @ 8:00 pm re the application of Arcella Family Trust, for property located at 322 Harrington Avenue (Block 1312, Lot 11) | Dolson/ZBA |
| 2. | 4/12/13 | 4/12/13 | Gina Ihne, Associate Director, Corporate Development, American Diabetes Association, Greater New York, to Ms. Castano | *Requesting permission for approval to conduct the New York City Tour de Cure to travel through the Borough on Sunday, 6/2/13, from 8 a.m. to 4 p.m. - enclosed proposed route (Copy to Chief Kaine, William Dahle, III/Certificate of Insurance and Hold Harmless Agreement to Glenn Parsells 4/15/13) | RM Agenda 04/24/13 |
| 3. | 4/15/13 | 4/3/13 | Michael Saudino, Bergen County Sheriff, to Chief Dennis Kaine c: Honorable Sophie Heymann | *Acknowledging receipt of letter on behalf of the Borough requesting the services of the Bergen County Sheriff's Office Inmate Labor Program; and informing same is being processed by Work Release Administrator, Sgt. Bill Phillips (Copy to Chief Kaine, William Dahle, III) | Administrator |
| 4. | 4/15/13 Via e-mail | 4/15/13 | mayor@closterboro.com to boroclerk@closterboro.com | *Forwarded email from Andrew Galinac, Captain, Closter Volunteer Ambulance Corps, to Chief Kaine thanking the Department for their continued support of the Lucas CPR Device | Glidden/Public Safety Administrator |
| 5. | 4/15/13 | 4/15/13 | William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Borough Clerk | *IMMEDIATE ACTION NEEDED – VERIZON BPPT RESOURCES LOST | RM Agenda 04/24/13 |
| 6. | 4/10/13 | 4/10/13 | Cindy W. Randazzo, Director, Office of Local Government Assistance, NJ Department of Environmental Protection, to Mayor and Municipal Clerk | *NJDEP Press Release: Christie Administration Gears Up for Busy Recreational Fishing and Boating Season Along the Jersey Shore; Last of Recreational Use Advisories Lifted for Raritan Bay | |
| 7. | 4/15/13 4/15/13 4/16/13 4/17/13 | 4/15/13 4/15/13 4/16/13 4/17/13 | William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Borough Clerk | *Mayor's Advisory re: a. Treasurer Testifies on State Budget and ETR b. Governor Takes Action on Legislation I. Signs S-589, Farmland Assessment Law Changes II. Vetoes S-2425, Project Labor Agreement Changes c. Free Mold Removal Training Classes to Be Held Near Communities Impacted by Sandy d. I. Legislative Alert: S-2/A-1171, Shared Services Bill Threatens to Penalize Taxpayers, Recent Amendments Weaken Management Reforms II. New Jersey Digital Government Summit (5/29-5/30/13) III. League Professional Development Seminar "Insurance Claim Responses, How to Handle Insurance Claims after Hurricane Sandy" (5/7/13) | |

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| 8. | 4/16/13 | 4/11/13 | Maria Lignos and Janet Nellen, Event Chairladies, Sue Arlia, Owner, Jack in the Box Schools | *Requesting permission to conduct Third Annual Trike a Thon to benefit Research for Neonatal Lupus on Saturday, 6/1/13, from 10 a.m. to 12 p.m.; Rain date Sun., 6/9/13 in the Borough Parking Lot; Certificate of Insurance, Permission from neighboring property, Plan of riding route, Hold Harmless form and blank copy of Permission Slip provided by Research for Neonatal Lupus attached; also Approval from Risk Management Consultant | RM Agenda 04/24/13 |
| 9. | 4/17/13 | 4/12/13 | Alan Zalkind, Director, Rutgers Center for Government Services, to Mayor | *Checklist for emergency crises brochure: Reflecting Upon Hurricane Sandy and the November Nor'Easter (Copy to Emergency Management Coordinator) | Borough Administrator |
| 10. | 4/17/13 | 4/17/13 | Lauren St. Helaire, Executive Assistant, Bergen County Executive to boroclerk@closterboro.com | *Press Release: Bergen County is hosting Together North Jersey and the North Jersey Transportation Planning Authority (NJTPA) on 4/24/13 from 6:00 p.m. to 8:30 p.m. at Bergen Community College, Moses Family Meeting and Training Center, Technical Education Center/TEC Building 400 Paramus Road, Paramus, to seek public input - flyer attached! | |
| 11. | 4/18/13 | 4/18/13 | Paul Demarest, Board Coordinator, Zoning Board of Adjustment, to Anthony & Linda De Falco c: Zoning Officer Borough Clerk Deputy Treasurer | *Certified copy of Resolution dated 4/17/13 granting approval, in whole or part for the application of De Falco, 175 Herbert Avenue, Block 1501/Lot 15 | Dolson/ZBA |
| 12. | 4/18/13 | 4/11/13 | PSE&G, Construction Inquiry Team, Customer Solutions, to Borough Clerk and Mayor | *Unmetered Service Attachments Webcast to be held 4/30/13 from 9:00 a.m. to 10:00 a.m. focused on initiating a request to attach customer owned equipment to PSE&G infrastructure such as surveillance cameras, traffic signal equipment, red light cameras, shot detectors; flyer with registration instructions enclosed (Copy to Construction Official, Chief of Police, DPW Superintendent, Borough Engineer) | Administrator Borough Engineer Amitai/Construction Latner/DPW Glidden/Public Safety |
| 13. | 4/18/13 | 4/18/13 | egg@dca.state.nj.us to Borough Clerk | *Local Finance Notice LFN 2013-14R, 2013 Financial Disclosure Statements, Filing Instructions for Local Government Officers (Copy to Joe Yammarino) | Borough Attorney Borough Clerk Board of Ethics |

ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held April 10, 2013

Unapproved Minutes of Work Session held April 10, 2013