

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – OCTOBER 23, 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 APPOINTMENTS (*NON-SALARIED*) TO THE FOLLOWING BOARDS/COMMISSIONS:

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ENVIRONMENTAL COMMISSION			
Alt. No. 2	_____	2 Years	12/31/14

4a. VOTE ON CONSENT AGENDA ITEMS

RESOLUTIONS

5. RESOLUTION AUTHORIZING PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 0207-33-005-003 (*INACTIVE/POCKET*) FROM MODERN BAR, LLC TO 540 YOUNG LIMITED LIABILITY COMPANY
6. RESOLUTION AUTHORIZING THE ONE-YEAR EXTENSION OF THE CONTRACT BETWEEN MIELE SANITATION COMPANY AND THE BOROUGH OF CLOSTER FOR SOLID WASTE TRANSFER SERVICES TO EXPIRE ON DECEMBER 31, 2014 (Received from Borough Attorney 10/10/13)
7. RESOLUTION AUTHORIZING THE RENEWAL OF THE RECYCLING AGREEMENT WITH MIELE SANITATION COMPANY (Received from Borough Attorney 10/10/13)
8. RESOLUTION AUTHORIZING TAX COLLECTOR TO CANCEL TAXES RECEIVABLE FOR FINAL TAX 2013 IN THE AMOUNT OF \$4,007.86 AND PRELIMINARY TAX 2014 IN THE AMOUNT OF \$3,973.83 ASSESSED TO VAN SCIVER CORP, 1 RAILROAD AVENUE, AS PART OF PILOT PROGRAM (Received from Tax Collector 10/10/13)
9. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEAR 2012: JEONG WOOK HWANG V. CLOSTER FOR BLOCK 2205 LOT 21, 55 TAYLOR DRIVE (Received from Borough Attorney 10/10/13)
10. BOROUGH OF CLOSTER RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEAR 2012: ROSS GROUP HOLDINGS, LLC V. CLOSTER FOR BLOCK 602, LOT 12, 149 DURIE AVENUE (Received from Borough Attorney 10/10/13)
11. RESOLUTION APPOINTING LORETTA CASTANO AS ACTING BOROUGH ADMINISTRATOR WITHOUT ADDITIONAL COMPENSATION FROM NOVEMBER 14, 2013 TO NOVEMBER 25, 2013 DUE TO THE ABSENCE OF THE BOROUGH ADMINISTRATOR (Received from Administrator 10/16/13)
12. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR THE 2013 TONNAGE GRANT IN THE AMOUNT OF \$15,479.05 (Received from Administrator 10/16/13)
13. RESOLUTION AWARDED CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES (TO BOSWELL MCCLAVE ENGINEERING IN CONJUNCTION WITH THE REMEDIATION OF CONTAMINATION AT THE DPW FACILITY (110 RUCKMAN ROAD) PER PROPOSAL DATED 10/9/13 FOR AN AMOUNT NOT TO EXCEED \$23,800.00) (Received from Administrator 10/16/13)
14. RESOLUTION AUTHORIZING MAYOR TO SIGN AGREEMENT RE E-TICKETING TURNKEY SYSTEM (FROM GOLD TYPE BUSINESS MACHINE, INC.) (Received from Administrator 10/16/13)

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING AGENDA – OCTOBER 23, 2013 - 7:30 P.M.

4a. VOTE ON CONSENT AGENDA ITEMS (Continued)

RESOLUTIONS (Continued)

15. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$154,264.03 AND ISSUE A RETURN OF PREMIUM FROM ESCROW IN THE AMOUNT OF \$52,500.00 TO US BANK CUST FOR SASS MUNI VI DTR FOR THE REDEMPTION OF TAX SALE CERTIFICATE #10-00007 EFFECTED 10/16/13 FOR PROPERTY LOCATED AT 626 CLOSTER DOCK ROAD, BLOCK 2404, LOT 18, SOLD AT THE MUNICIPAL TAX SALE HELD ON 9/29/10 FOR 2009 DELINQUENT TAXES (Received from Tax Collector 10/16/13)
16. RESOLUTION TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDED CONTRACTS FOR CERTAIN CONTRACTS AWARDED IN THE BOROUGH OF CLOSTER FOR THE FOLLOWING POSITIONS: BOROUGH ATTORNEY, BOROUGH BOND ATTORNEY, BOROUGH APPRAISER – COMMERCIAL PROPERTIES, BOROUGH APPRAISER – RESIDENTIAL PROPERTIES, BOROUGH PUBLIC DEFENDER, BOROUGH PROSECUTOR, BOROUGH ALTERNATE PROSECUTOR, ATTORNEY TO THE PLANNING BOARD, ATTORNEY TO THE BOARD OF ADJUSTMENT, BOROUGH PLANNER (MASTER PLAN REEXAMINATION), COAH PLANNER, BOROUGH AUDITOR, BOROUGH ENGINEER; INCLUDING PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT, RISK MANAGER, DULY LICENSED PERSONNEL TO CARRY OUT THE FOLLOWING PUBLIC HEALTH ACTIVITIES (a) PUBLIC HEALTH ADMINISTRATION: HEALTH OFFICER, ELECTRONIC INFORMATION NOTIFICATION (LINCS), HEALTH EDUCATION (b) ENVIRONMENTAL HEALTH SERVICES – REGISTERED ENVIRONMENTAL HEALTH SPECIALIST (24 Hours per week) – ALL SERVICES IN (a) & (b) SHALL MEET “PUBLIC HEALTH PRACTICE STANDARDS OF PERFORMANCE FOR LOCAL BOARDS OF HEALTH IN NEW JERSEY” (Received from Borough Attorney 10/16/13)
17. *POSSIBLE* RESOLUTION AWARDED BID TO _____ FOR THIRD PARTY PAYROLL SERVICES FOR 2014-2015 CALENDAR YEAR (Opening held 10/11/13 @ 11 a.m.) TO BE PREPARED BY ADMINISTRATOR/CFO

MOTIONS

18. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 10/18/13)
 NO ABSTENTIONS:
 a. REGULAR MEETING HELD 10/9/13
 b. WORK SESSION HELD 10/9/13
19. MOTION APPROVING APPOINTMENTS TO THE FOLLOWING BOARDS/COMMISSIONS:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
BOROUGH HISTORIAN	<u>William Cahill</u> (non-acceptance)	_____	1 Year	12/31/13
IMPROVEMENT COMMISSION				
Member/HP Liaison	<u>Irene Stella</u> (resigned)	_____	2 years unexp. (Stella) to	12/31/13
Member	<u>Tina Stratton</u> (non-acceptance)	_____	2 Years	12/31/14
Member	<u>(Cherylin Clarke)</u> (resigned)	_____	2 Years unexp. (Clarke) to	12/31/13
Alt. No. 1	<u>Shiran Slutzky</u> (resigned)	_____	2 Years unexp. (Slutzky) to	12/31/13
Alt. No. 2	<u>Wilson Reimers</u> (non-acceptance)	_____	2 Years	12/31/14

20. MOTION GRANTING APPROVAL FOR CLOSTER RECREATION COMMISSION TO CLOSE “PLAYING FIELDS (GRASSY AREA)” AT MEMORIAL PARK COMMENCING 11/10/13 AND RUCKMAN PARK COMMENCING 11/4/13 WITH TENTATIVE DATE FOR REOPENING (WEATHER PERMITTING) ON 4/20/14 (4. M.L. 10/17/13)
21. MOTION APPROVING RAFFLES APPLICATION FOR TEMPLE EMANUEL OF CLOSTER TO CONDUCT ON-PREMISE CASINO NIGHT AT 180 PIERMONT ROAD ON THURSDAY, 11/14/13, FROM 7:30 P.M. TO 11:30 P.M. (Completed Application filed and appropriate fees paid)

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – OCTOBER 23, 2013 - 7:30 P.M.

- 4a. VOTE ON CONSENT AGENDA ITEMS (Continued)
- 22. REPORTS
 - a. CHIEF OF POLICE – SEPTEMBER 2013 (Received 10/9/13)
 - b. ZONING BOARD OF ADJUSTMENT - 2011-2012 MERGED ANNUAL REPORT
(Received 10/18/13)
- 4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA
- 23. 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)
- 24. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY
- 25. ADJOURNMENT

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

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – OCTOBER 23, 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 OCTOBER 10, 2013
 - b. MAIL LIST OF OCTOBER 17, 2013
5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of October 23, 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
 - E. HUMAN RESOURCES - KASHWICK (DOLSON/LATNER)
 - 1) REPORT RE PERSONNEL COMMITTEE MEETINGS
 - 2) REPORT
 - F. LAND USE AND CONSTRUCTION – AMITAI (BARAD/DOLSON)
 - 1) REPORT

CLOSTER MAYOR AND COUNCIL
WORK SESSION AGENDA – OCTOBER 23, 2013 - 7:30 P.M.

7. OLD BUSINESS
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
OCTOBER 10, 2013

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	10/03/13 10/08/13 10/10/13	10/03/13 10/08/13 10/10/13	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Borough Clerk	*League Alert(s) re: a. League Foundation Releases Latest White Paper, "Expiring Affordability Controls, Maintaining Affordable Housing in our Municipalities" – available at http://www.njlmef.org/policy-papers/FoLG_v5_3.pdf b. 16 th Annual Elected Officials Hall of Fame (Nominations due 12/1/13) c. A-2586 & S-1534, Exempts Private Institutions of Higher Education from MLUL Requirement	
2.	10/03/13	10/03/13	Cindy W. Randazzo, Director, Office of Local Government Assistance, NJDEP, to Municipal Clerk	*NJDEP SUPER STORM SANDY: Waterway Debris Removal Project – Message to Municipalities	
3.	10/04/13	10/01/13	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Loretta Castano	*Notice of Proposed Membership Dues for Calendar Year 2014; proposing a 2% dues increase to be voted on at the Annual Business Meeting Thursday, 11/21/13 @ 3:30 p.m. in the Pearl Ballroom (2 nd level) of the Sheraton Convention Center Hotel in Atlantic City	Administrator/ 2014 Municipal Budget
4.	10/04/13	10/04/13	egg@dca.state.nj.us to closterboroughclerk@yahoo.com	*Link to P.L. 2013, c. 107 Amending Municipal Land Use Law signed by Governor Christie on 8/7/13; allows certain structures to be elevated and repaired without a zoning variance or other developmental approvals (Copy to Land Use Coordinator/Planning, Land Use Coordinator/Zoning, Zoning Officer)	Amitai/Planning Dolson/Zoning
5.	10/03/13	10/03/13	Lisa Sciancalepore, Deputy Clerk, Board of Chosen Freeholders (LSciancalepore@co.bergen.nj.us), to boroclerk@closterboro.com	*a. Certified copy of following Ordinance adopted 10/2/13 (Introduction not received): <u>13-25</u> : An Ordinance Establishing the Speed Limits Along Hillsdale Avenue in the Borough of Hillsdale b. Certified copy of following Ordinances introduced 10/2/13 (Public Hearing 10/16/13 @7:30 p.m.): 1) <u>13-26</u> : Bond Ordinance Amending Ordinance No. 11-07 Entitled "Bond Ordinance Providing an Appropriation of \$8,500,000 for Various Improvements at the Bergen County Community College, in and by the County of Bergen, New Jersey, and Authorizing the Issuance of \$8,500,000 Bonds or Notes of the County" 2) <u>13-27</u> : "An Ordinance to Amend the Administrative Code for the Purpose of Transferring the Division of the Bergen County Police Department from the Department of Public Safety to the Office of the Bergen County Sheriff" (Copy to Chief Kaine)	

6.	10/07/13	10/03/13	Paul Demarest, Board Coordinator, Zoning Board of Adjustment, to Rose Tubito, Esq. c: Zoning Officer Municipal Clerk Deputy Treasurer	*Certified copy of Resolution Approving, in whole, or in part, the Application of Vincent Tubito and Daniella Tubito, 63 Closter Dock Road, Block 805/Lot 49	Dolson/Zoning
7.	10/07/13	No Date	Andrew S. Kohut, Wells, Jaworski & Liebman, LLP, Attorney for Applicant, to Borough Clerk	*Notice of Zoning Board of Adjustment Hearing to be held 10/16/13 @ 8 p.m. re the Application of Dr. Aurora Bairan for premises located at 318 Harrington Avenue, Block 1312, Lot 10	Dolson/Zoning
8.	10/07/13	10/03/13	Linda Albelli, Secretary, Closter Chamber of Commerce, to Borough Clerk	*Requesting permission to host a “Scarecrow Walk of Fame” from 10/26/13 through 11/2/13 by attaching scarecrows to the lampposts in the downtown area using non-abrasive wire ties; AND requesting permission to use the Walkway located near the Empty Vase for set up of tables and chairs for event to be held 10/26/13 (Hold Harmless Agreement attached; Insurance to be provided by Parsells Agency) (Copy to Glenn Parsells, Chief Kaine) Distributed 10/9/13	Administrator/ Insurance Possible approval upon receipt of approval from Risk Management Consultant
9.	10/07/13	09/30/13	Christopher Neuffer, President, LSRP No. 577039, Envirotactics, Inc., to NJDEP Site Remediation Program c: Stella Selloni, Property Owner Municipal Clerk	*Notice re Response Action Outcome Letter, 309 Closter Dock Road, Block 1071, Lot 1, NJDEP Case Nos. 91-09-13-1525 and 04-05-27- 1439-19, PI# 004436 (Copy to Board of Health, Construction Official, Environmental Commission)	Dolson/Health Kashwick/ Environmental
10.	10/08/13	October 2013	Janice S. Mironov, Mayor, East Windsor, President, NJS League of Municipalities, to closterboroughclerk@yahoo.com	*Mayor’s Newslines – October 2013	
11.	11/09/13	11/07/13	Judy O’Connell, Deputy Borough Clerk, Borough of River Edge, to closterboroughclerk@yahoo.com	*Certified copy of Resolution #13-355 Opposing United Water Rate Increase	
12.	10/09/13	10/07/12	David N. Grubb, MEL Executive Director, to Member Municipalities & Authorities, Municipal Excess Liability Joint Insurance Fund	*Elected Officials’ Training Seminars at the 2013 League of Municipalities – 11/19/13 @ 3:45 p.m. – Taj Mahal Diamond Room A/B; 11/20/13 @ 3:45 p.m. – Atlantic City Convention Center Room 302 (Note: The MEL will reduce each member’s 2014 liability claims premium by \$250 for each municipal elected official who completes the course by 5/1/14)	
13.	10/10/13	10/10/13	David B. Hollenbeck, Regional Public Affairs Manager – PSE&G, Bergen County, to closterboroughclerk@yahoo.com	*Notification PSE&G Solar Loan Program Will Begin Accepting Applications at 10 a.m. on Thursday, October 31, 2013	
14.	10/10/13	10/10/13	Sean Thompson, Director, Local Planning Services, Department of Community Affairs, to closterboroughclerk@yahoo.com	*Notification of Zoning Code Enforcement Grant Program	Dolson/Zoning

MAIL LIST
OCTOBER 17, 2013

NO.	DATE REC'D	DATE	FROM	SUBJECT	*COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	10/11/13	10/03/13	Michele DiIorgi, Clerk to the Board of Chosen Freeholders, to The Honorable Chris Christie c: Borough Clerk	*Certified copies of Resolutions adopted 10/2/13: a. #1399-13 Proclaiming October 2013 as Domestic Violence Awareness Month b. #1400-13 Proclaiming October 2013 as Breast Cancer Awareness Month		
2.	10/11/13	No Date	Cynthia Arone, Senior Housing Counselor, Bergen County Housing Coalition, to Borough Clerk	*Informing the Bergen County Housing Coalition is now a program of Greater Bergen Community Action (formerly Bergen County Community Action Partnership) and new address 241 Moore Street, Hackensack, NJ 07601; and new brochures outlining services of Greater Bergen Housing Coalition (Copy to Food and Assistance Board)		
3.	10/11/13	10/10/13	Conner Strong & Buckelew, Underwriting Manager for Municipal Excess Liability Joint Insurance Fund, to Fund Commissioners of Member Joint Insurance Funds c: Risk Management Consultants Fund Professionals Fund Executive Directors	*BULLETIN MEL 13-24 re Property Program Renewal Changes		Administrator/ Insurance
4.	10/14/32 Via e-mail	10/14/13	Jim Oettinger, Director, Closter Recreation Commission	*Field Use and Field Closing for the Winter (Fall 2013): Requesting permission to close Memorial Park and Ruckman Park playing fields (grassy areas); Ruckman Park commencing 11/4/13 and Memorial Park commencing 11/10/13; reopening, weather permitting, on or about 4/20/14 (Copy to William Dahle, III)		Glidden/Recreation Latner/DPW RM Agenda 10/23/13
5.	10/15/13	10/15/13	Elissa Perrone, Confidential Assistant to First Assistant Prosecutor John L. Higgins, III, Bergen County Prosecutor's Office	*Request for consideration of passage of Resolution in Support of Fugitive Safe Surrender Program, to be held by the Attorney General's Office 11/6/13 – 11/19/13; and requesting a copy be forwarded to the Borough Administrator (Copy to Court Administrator)		Administrator

6.	10/15/13	10/11/13	Edward B. Baker, Project Manager, Ensafe, to Loretta Castano	*Informing that pursuant to New Jersey Administrative Code Administrative Requirements for the Remediation of Contaminated Sites (ARRCS) 7:26C(h)(2)(iii), Weyerhaeuser has chosen to change the method of public notification for the Former Weyerhaeuser Facility, 10 Railroad Avenue, to the posting of a sign in lieu of letter notification; copy of sign attached (Copy to Board of Health, Construction Official, Environmental Commission)	Dolson/Health Kashwick/ Environmental
7.	10/15/13	10/11/13	Fred Semrau, Esq., General Counsel, PERMA Risk Management Services, to Member Municipalities and Housing Authorities	*Update on Super Storm Sandy Flood Claims and Information on Wind Claims (see also 6. M.L. 7/11/13 and 9. M.L. 8/22/13)	Administrator
8.	10/16/13	No Date	Donna J. Vellekamp, Attorney for Applicant, to Borough Clerk	*Notice of Planning Board meeting to be held 10/31/13 @ 8:00 p.m. for approval of the application of Kikun Development Group, LLC on behalf of J & EM LLC (Eung Sik Kim) re major soil movement permit for property located at 13 Arnold Avenue, Block 2209, Lot 3	Amitai/Planning
9.	10/17/13	10/17/13	Paul Demarest, Coordinator, Zoning Board of Adjustment, to Governing Body, Planning Board	*2011 & 2012 Merged Annual Report (per N.J.S.A. 40:55D-71)	Dolson/Zoning

ON FILE IN BOROUGH CLERK'S OFFICE:

2013 Certification of the Table of Equalized Valuations (Received 10/15/13)

ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held October 9, 2013

Unapproved Minutes of Work Session held October 9, 2013