

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA - MAY 9, 2007 - 7:30 P.M.

1. PLEDGE OF ALLEGIANCE
2. OPEN PUBLIC MEETINGS ACT STATEMENT
3. ROLL CALL
4. MAYORAL PROCLAMATIONS DECLARING THE FOLLOWING:
 - a. MONTH OF JUNE AS MYASTHENIA GRAVIS MONTH (14. M.L. 3/29/07)
 - b. MONTH OF JUNE AS NATIONAL SCLERODERMA AWARENESS MONTH (7. M.L. 4/5/07)
5. OPEN MEETING TO PUBLIC FOR ANY MATTER, PER N.J.S.A. 10:4-12 (a)
(Subject to 5-minute limit per General Rule No. 10)
6. COMMUNICATIONS
 - a. MAIL LIST - APRIL 26, 2007
 - b. MAIL LIST - MAY 3, 2007
7. OPEN MEETING TO PUBLIC FOR COMMUNICATIONS ITEMS ONLY
(Subject to 5-minute limit per By-Laws General Rule No. 10)
- 8a. REVIEW OF CONSENT AGENDA ITEMS
(PROCEDURE TO BE EXPLAINED BY MAYOR HEYMANN)

ORDINANCES AND RESOLUTIONS

- 9.* BILL RESOLUTION - MAY 15, 2007
TO BE PREPARED BY TREASURER
- 10.* RESOLUTION IN SUPPORT OF S-231 TO AUTHORIZE THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AT FISCAL YEAR 2006 LEVELS THROUGH 2012 AND S-368 PROVIDING 1.15 BILLION DOLLARS TO CONTINUE THE COPS PROGRAM AND FUNDING FOR COPS SCHOOL RESOURCE OFFICER PROGRAM AIMED AT COMBATING VIOLENCE IN SCHOOL (5. M.L. 4/12/07) RM 4/25/07 (Received from Borough Attorney 4/30/07)
- 11.* RESOLUTION APPROVING SUBMISSION OF STATE OF NEW JERSEY, OFFICE OF INFORMATION TECHNOLOGY, OFFICE OF EMERGENCY TELECOMMUNICATIONS SERVICES ENHANCED 9-1-1 GRANT APPLICATION

(PSAP EQUIPMENT GRANT) IN THE TOTAL AMOUNT OF \$14,009.73 TO PURCHASE AND INSTALL RECORDING PLAY-BACK EQUIPMENT AND UPGRADE EXISTING MAPPING SOFTWARE FOR THE INTERBOROUGH DISPATCH CENTER LOCATED IN THE CLOSTER POLICE DEPARTMENT, SERVING SEVEN (7) MUNICIPALITIES AS WELL AS THE PALISADES INTERSTATE PARKWAY (Received from Emergency Management Coordinator 5/3/07)

- 12.* RESOLUTION APPROVING SUBMISSION OF STATE OF NEW JERSEY, OFFICE OF INFORMATION TECHNOLOGY, OFFICE OF EMERGENCY TELECOMMUNICATIONS SERVICES ENHANCED 9-1-1 GRANT APPLICATION (PSAP GENERAL ASSISTANCE GRANT) IN THE TOTAL AMOUNT OF \$34,798.00 (Received from Emergency Management Coordinator 5/3/07)

8a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

(PROCEDURE TO BE EXPLAINED BY MAYOR HEYMANN)

MOTIONS

- 13.* *POSSIBLE* MOTION APPROVING/DENYING REQUEST BY SPECTRUM FOR LIVING GROUP HOMES, INC. (8. M.L. 3/22/07) TO WAIVE PERMIT FEES FOR THE EXPANSION OF CLOSTER INTERMEDIATE CARE FACILITY (Adjourned from RM 3/28/07)

Removed from RM Agenda of 4/11/07/never discussed/requested by Mayor Heymann 5/3/07)

- 14.* MOTION GRANTING APPROVAL FOR WAIVING OF FEE FOR CLOSTER LIONS CLUB TO INSTALL A PERMANENT SIGN DISPLAY ON BOROUGH RIGHT OF WAY LOCATED AT SOUTH SIDE OF VER VALEN STREET OPPOSITE THE K-MART PARKING LOT (12. M.L. 3/29/07/RM Agenda 4/11/07)

- 15.* GRANTING APPROVAL/DENIAL FOR ISSUANCE BY POLICE DEPARTMENT OF THE FOLLOWING HAWKERS AND PEDDLERS PERMIT FOR CALENDAR YEAR 2007

(Received from Chief of Police 5/2/07):

Permit No. 2007-004 - LEROY S. MEAD AMERICAN LEGION POST 111, P.O. BOX 29, CLOSTER, NJ 07624, TO SELL HOT DOGS AND SODA IN FRONT OF THE STOP & SHOP ON WEDNESDAYS DURING THE SUMMER MONTHS; AND WAIVING FEE; APPROVAL TO BE OBTAINED FROM BOARD OF HEALTH

- 16.* APPROVING THE FOLLOWING MINUTES/NO ABSTENTIONS:

a. REGULAR MEETINGS

- 1) APRIL 11, 2007 (Distributed 4/26/07)
- 2) APRIL 25, 2007 (Distributed 5/03/07)

b. WORK SESSION NOTES

- 1) APRIL 11, 2007 (Distributed 4/26/07)
- 2) APRIL 25, 2007 (Distributed 5/3/07)

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17.* REORGANIZATION MEETING APPOINTMENTS NOT MADE AT REGULAR
 MEETING HELD 04/25/07

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
DEPUTY BOROUGH CLERK	Vacant	<u>vacant</u>	1 Year	12/31/07
ENVIRONMENTAL COM- MISSION				
Associate Member	*Adrienne L. Isacoff	<u>no appointment</u>	1 Year	12/31/07
HISTORIANS	William Cahill	<u>vacant</u>	1 Year	12/31/07
RECREATION COMMISSION				
ASSISTANT DIRECTOR, PERFORMING ARTS	Susan Warren	<u>vacant</u>	1 Year	12/31/07

*Mayoral appointment not requiring ratification by the governing body

18. MAYORAL APPOINTMENT OF _____ TO SERVE AS
 PLANNING BOARD ALTERNATE NO. 2 FOR AN UNEXPIRED 2-YEAR TERM
 (FRIEDMAN) TO 12/31/07 (Mrs. Albelli declined appointment made by Mayor at the
 Reorganization Meeting held 1/02/07, effective 4/10/07) Adjourned from RM 4/25/07

19.* MOTION GRANTING APPROVAL FOR FRIENDS OF THE BROOKSIDE CABIN TO
 CONDUCT ON PREMISE 50/50 RAFFLE AT THE TENAKILL MIDDLE SCHOOL,
 275 HIGH STREET, ON FRIDAY, 6/15/07, BETWEEN THE HOURS OF 7 P.M. AND
 10 P.M. (Completed applications and required fees received 5/2/07)

REPORTS

20.* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:

a. CONSTRUCTION OFFICIAL - APRIL 2007 (Received 4/30/07)

CLOSTER MAYOR AND COUNCIL
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8b. VOTE ON CONSENT AGENDA ITEMS

21. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA

22. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE
GOVERNING BODY

23. DISCUSSION OF PUBLIC COMMENTS OR ANY OTHER TIMELY MATTER,
IF APPROPRIATE

24. ADJOURN

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA - MAY 9, 2007 - 7:30 P.M.

c. 1. 7. ROLL CALL

d. 8. PROVISIONS OF OPEN PUBLIC MEETINGS ACT

3. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

- 1) STATUS REPORT RE ACQUISITION OF RIGHTS/SOUTH PARKING LOT
- 2) STATUS REPORT RE ABRAM DEMAREE FARM (R.M. 1/24/01)/MOTION TO GO TO SUPREME COURT RE ABRAM DEMAREE FARM LITIGATION (Meeting held 1/18/06)
- 3) REPORT RE PREPARATION OF FOLLOWING CONTRACTS:
 - a. PROFESSIONAL SERVICES
 1. HUMAN RESOURCES CONSULTANT/LINDA TRIGNANO (Not to exceed \$17,500)
 2. REMEDIAL INVESTIGATION AND REMEDIAL ACTION SERVICES
AT CLOSTER'S DEPARTMENT OF PUBLIC WORKS FACILITY
AWARDED RM 4/11/07 TO LANGAN ASSOCIATES

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IN THE AMOUNT OF \$48,000

b. BASKETBALL LIGHTING IMPROVEMENTS - MEMORIAL FIELD
AWARDED TO MARGONIS ELECTRICAL CONSTRUCTION CO.
(RM 3/14/07/\$57,800)

- 4) STATUS REPORT RE 28 FOURTH STREET, BLOCK 17 AND 18
1. REPORT RE FOLLOWING DEVELOPER'S AGREEMENTS:
 - a. PLANNING BOARD - SAM LEE, CLOSTER DOCK ROAD, BLOCK 1305
LOTS 5 & 6 FINAL SITE PLAN APPROVAL (6. M.L. 5/30/07)
 - b. ZONING BOARD OF ADJUSTMENT - VILLAGE SCHOOL
CONDOMINIUMS, LLC, BLOCK 1316 LOT 9, 511 DURIE AVENUE,
VARIANCE APPROVAL & PRELIMINARY SITE PLAN APPROVAL
(7. M.L. 4/19/07)
- 6) REPORT

B. BOROUGH ENGINEER

- 1) STATUS REPORT RE CULVERT REPLACEMENT/INTERSECTION OF
PIERMONT ROAD/HOMANS AVENUE (RM 5/28/03) - Pre construction
meeting held 2/13/07 from 9:30 a.m. to 10:30 a.m.

3. PROFESSIONAL REPORTS (Continued)

B. BOROUGH ENGINEER (Continued)

- 2) STATUS REPORT RE IMPROVEMENTS TO WEST STREET (SECTION 2)
FROM BLANCH AVENUE TO HARRINGTON AVENUE, AWARDED
RM 12/27/06 TO CONQUEST INDUSTRIES, LLC./\$148,735.25
- 3) REPORT RE BASKETBALL COURT LIGHTING IMPROVEMENTS
MEMORIAL FIELD AWARDED TO MARGONIS ELECTRICAL
CONSTRUCTION CO. (RM 3/14/07/\$57,800)
- 4) STATUS REPORT RE INVESTIGATION FOR POSSIBLE PURCHASE
OF TEMPORARY TRAFFIC LIGHT AT HOMANS AVENUE AND
RUCKMAN ROAD (RM 4/25/07)
- 5) REPORT RE 28 FOURTH STREET, BLOCK 17 AND 18 (Requested by Mayor)
- 6) REPORT RE QUOTES TO BE OBTAINED FOR MANHOLE
REPAIR/ARNOLD AVENUE (RM 4/25/07)
- 7) REPORT

4. REPORTS

A. MAYOR

- 1) STATUS REPORT RE FOLLOWING GRANT APPLICATIONS (Moved from

CLOSTER MAYOR AND COUNCIL
WORK SESSION NOTES - MAY 9, 2007 - 7:30 P.M.

Borough Administrator's Report to Mayor (Requested at WS 3/14/07) :

a. GRANTS FILED

1. NJDEP Green Acres Program, Acquisition of Volunteer Park, Grant and Loan, not to exceed \$2,000,000, filed 4/14/06, local match TBD (added 4/20/06)
2. DOT Application for State Aid, Section 3 of West Street/\$453,600
3. Application for Allocation of Clean Renewable Energy Bonds (CREBS)/\$5,100,000 filed with IRS on 4/25/06
4. FY 2007 Community Development Block Grants:
 - a. Handicapped Accessible ramps on the east side of town - \$53,300
 - b. Backup Generator for the Senior Center - \$45,000
- a. NJ Safe Routes to School Program - Application Deadline: 12/31/06
6. FY 2007 National Trail Recreation Grant - \$25,000 - \$10,000 match for Trail Maintenance

b. GRANTS AWARDED

1. Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund; due 7/7/06; filed by Councilman Kashwick - 50% local match required - Acquisition of Flamm Property end of Ruckman Road/Homans Avenue - \$500,000 awarded

4. REPORTS (Continued)

A. MAYOR (Continued)

2. Bergen County Open Space Trust Fund - 2004 Funding Round for Municipal Park Improvement and Land Acquisition Program(50% local match); Application Deadline: 10/29/04 (8. M.L. 8/26/04) (\$190,000.00 for Recreational Trails Program/RM10/27/04 - \$120,000 Recommended Award - County Public Hearing 5/26/05)
3. Historic Preservation Grant CLG Category 2 Grant (Design Guide Booklets - \$5,040 plus \$3,360 local match/filed 3/31/05)
4. FY 2006 Community Development Block Grant - Access Ramps at Borough Hall \$50,750 requested/\$40,000 awarded 2/7/06)
5. Bergen County Open Space Trust Fund 2005 - lighting upgrade at Memorial Park \$30,000 requested/\$27,203 awarded (this award requires a 50% match from the local Open Space Trust Fund)
6. National Trails Recreation Program - \$25,000 (local match of \$10,000 required) filed 12/15/05
7. NJ Division of Highway Safety, Federal Pass Through Funds for DWI,

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Commercial Vehicle Details & Bicycle Safety, \$9,600 - filed 3/31/06,
no local match (added 4/20/06)

c. GRANTS TO BE FILED

2) REPORT

B. ACTING BOROUGH ADMINISTRATOR

1) STATUS REPORT RE FOLLOWING PROJECTS:

a. WEBSITE

2) REPORT RE INSURANCE ITEMS FOR FOLLOW UP

a. STATUS REPORT INSURANCE FOR BASKETBALL COURT LIGHTING
IMPROVEMENTS MEMORIAL FIELD AWARDED TO MARGONIS
ELECTRICAL CONSTRUCTION CO. (RM 3/14/07/\$57,800) -

b. REQUEST BY LISA SMITH/CLOSTER BOOTERY, FOR APPROVAL TO
CHAMBER OF COMMERCE TO HOLD ANNUAL SIDEWALK SALE
7/26, 27 and 28 (2. M.L. 4/19/07) Waiting for Certificate of Insurance

ON
and
Consultant.

Hold Harmless Agreement to be approved by Risk Management

3) STATUS REPORT RE CONTRACTS NOT YET RETURNED

a. CONTRACT FOR REMEDIAL INVESTIGATION AND REMEDIAL
ACTION SERVICES AT CLOSTER'S DPW - AWARDED TO LANGAN
ENGINEERING AND ENVIRONMENTAL SERVICES - \$49,528.00

(RM

4/11/07)

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- b. CONTRACT FOR 2 APPRAISERS FOR VOLUNTEER PARK (Awarded RM 4/11/07) MASON HELMSTETTER ASSOCIATES LLC, \$2,250; REALTY INVESTMENT ECONOMICS (RIE) \$3,000
- 4) REPORT RE DPW COMPUTER SYSTEMS CONSULTANT (4/11/07)
- 5) REPORT

C. BOROUGH CLERK

- 1) STATUS REPORT RE 2007 APPOINTMENTS
- 2) STATUS REPORT RE 2007 OATHS OF OFFICE
- 3) STATUS REPORT RE 2007 LICENSES
- 4) STATUS REPORT RE 2007 MEETING DATES
- 5) REPORT RE ELECTIONS
 - a. PRIMARY ELECTION - to be held Tuesday, 6/5/07
 - b. GENERAL ELECTION - to be held Tuesday, 11/6/07
- 6) FINANCIAL DISCLOSURE STATEMENTS (Originally due to be filed with Board of Ethics on 4/10/07; to be filed with Local Finance Board deadline: 4/30/07)
- 7) REPORT

D. CHIEF OF POLICE

- 1) REPORT

5. OLD BUSINESS

6. NEW BUSINESS

7. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY

8. OPEN MEETING TO THE PUBLIC

9. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

10. ADJOURNMENT

MAIL LIST
 April 26, 2007

NO.	DATE REC'D	DATE	FROM	SUBJECT _COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	04/20/07	04/19/07	Allison & Larry Schwartz, 42 Cedar Court	*Inquiry re status of possible quiet zone such as one being pursued by Harrington Park (Copy to Chief Berrian & Donald Winters)	
2.	04/19/07 04/24/07 04/25/07	04/19/07 04/24/07 04/25/07	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Mayor	* <i>Mayors Fax Advisory</i> re: a. Validity of Solicitation Ordinances in New Jersey (Copy to Chief Berrian and Borough	Borough Attorney

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				Attorney) b. Federal Energy Bill - (S.115) <i>*Washington Watch re:</i> c. NLC Works to Advance Legislative Priorities as Congress Returns	
3.	04/23/07	04/18/07	Barbara A Nasuto, Borough Clerk, Borough of Cresskill	*Certified copy of Resolution requesting New Jersey Transit to provide bus service between towns of Northern Valley and the new ferry terminal in Edgewater	
4.	04/23/07	04/19/07	Gwen Cogan, Franchise Service Manager, Verizon, to Borough Clerk	*Informing of strong disagreement with Comcast's conclusion that interconnection of the companies' networks is statutorily positioned as a last resort regarding PEG channels	Mayor Heymann/Cable TV Advisory
5.	04/25/07	04/20/07	Lucy Voorhoeve, Executive Director, State of NJ, COAH, to Mayor	*Encouraging all municipalities that have growth share ordinances in place as of 1/25/07 Appellate Division Decision to continue to implement these ordinances	Mayor Heymann Borough Attorney John DiStefano
6.	04/25/07@ 9:00 p.m.	04/04/07	Jim Oettinger, Director, Recreation Commission c: Chief Dave Berrian	*Request for permission to conduct Little League Parade on Sunday, 4/29/07, beginning at 1:00	RM 04/25/07

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				p.m.	
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ALSO DISTRIBUTED:

Minutes of Regular Meeting held April 11, 2007

Work Session Notes of April 11, 2007

The Recycling Bin - Vol. XIX, Issue No. 1 – Winter 2007 - Rec'd 04/25/07

MAIL LIST
 May 3, 2007

NO.	DATE REC'D	DATE	FROM	SUBJECT _ COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	04/27/07	04/24/07	Dennis McNeerney, County Executive, to Mayor Heymann	*Invitation to attend Bergen County Emergency Management Summit on 5/11/07 @ 10 a.m. at the Bergen County Technical High School, Route 46 W and Central Avenue, Teterboro, NJ (separate invitations to each member of the Council) (Copy to Mayor on 5/1/07)	Mayor Heymann
2.	04/30/07	04/26/07	William G. Dressel, Jr., Executive Director, NJLM, to Mayor c: Municipal Clerks	*New League Pamphlet - "Making Your Voice Heard" (Tips on How to Communicate with the Legislature)	
3.	04/30/07	May 2007	David DeVecchio, Mayor, Lambertville, NJLM, to Mayor	*Mayors Newsline	Mayor Heymann
4.	04/30/07	04/19/07	Valerie Coniglio, Clerk to the Board of Chosen Freeholders, to Municipal Clerk	*a. Copies of the following County Ordinances adopted on 4/18/07: 1) No. 07-16 "Establishing	

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				Speed Limits along Haworth Avenue in Borough of Haworth” 2) No. 07-17 “Establishing the Speed Limits along Valley Road in the Boroughs of Closter and Haworth” (Copy to Chief Berrian) *b. Certified copy of Resolution No. 526 declaring week of April 23, 2007 to April 29, 2007 as “National County Government Week”	
5.	04/26/07	undated	Borough Clerk of Emerson to Borough Clerk	*Copy of Resolution No. 83-07 - “Resolution in Support of S-2043/A-194 the Reduced Cigarette Ignition Propensity and Firefighter Protection Act (Copy to Chief Pierro, Kevin Whitney)	Hennessey/Fire
6.	05/01/07	05/01/07	Lynn Conway, Planning Board Clerk to: a. David M. Watkins, Esq. b. Matthew G. Capizzi, Esq.	*Certified copy of following Resolutions granting: a. Sam Lee, Block 1305, Lots 5 and 6, Closter Dock Road - Final Site Plan Approval - DEVELOPER’S AGREEMENT REQUIRED!! b. Blue Tulip Corp./Minor	Borough Attorney

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				Site Plan Approval, Block 1314 Lot 2, 248 Closter Dock Road	
7.	05/01/07	05/01/07	Michael L. Prigoff, Chairman, Board of Ethics c: Board of Ethics	* Proposed Change to Code of Ethics; Report on Financial Disclosure Statement Compliance	Borough Attorney
8.	05/02/07	05/02/07	Gregory E. Lake, Esq. to Borough Clerk	*Notice of Meeting to property owners at Planning Board Meeting to be held 5/31/07 @8:00 p.m. re applicant KM3, LLC for soil movement approval at 325 Piermont Road, Block 1904 Lot 2	Amitai/Planning
9.	05/02/07	04/26/07	Margaret B. Beiran, Project Manager, BEM Systems, Inc. to Mr. Maurice Migliarino, Section Chief, NJDEP, Bureau of Industrial Site Remediation c: Closter Health Department (w/o Attachment); Closter Borough Clerk (w/o Attachment)	*Former Hotel Research Laboratories Site, Closter, Bergen County, New Jersey, ISRA Case No. 85774, Response to NJDEP 27 March 2007 Comment Letter (Copy to Lou Apa, Keith Sager)	Barad/Board of Health Kashwick/Environmental Commission
10.	05/02/07	05/02/07	Donald M Farrell	*Proposed Green Acres Purchase Corner	Mayor Heymann

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				of Ruckman and Homans Avenues	
11.	05/03/07	05/01/07	Norwood Borough Clerk	*Certified copy of Resolution adopted 5/1/07 opposing A-3959 and urging the Legislature to oppose the Bill for the following reasons: it would extend the polling hours for Primary and General Elections for an additional hour (currently they are open from 6:00 a.m. to 8:00 p.m. - a total of 15 hours); board workers have to be at the polls by 5:15 a.m. and currently work until the polls are closed , at least 8:30 p.m. - total work day of over 16 hours; recent revisions of the to absentee ballot statute permit anyone to vote by absentee ballot	Borough Clerk Possible Resolution
12.	05/03/07	04/23/07	Old Tappan Borough Clerk	*Certified copies of the following resolutions adopted 4/23/07: a. Requesting that New Jersey Transit provide new ferry terminal in Edgewater, New Jersey, which would greatly benefit residents b. Supporting	Hennessey/Fire Possible Resolution

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				passage of the Cigarette Fire Safety and Firefighter Protection Act (A-2575 and S-2043) and urging Legislature and Governor to enact same (Copy to Chief Pierro)	
13.	05/03/07	05/02/07	Shaul Ben Gera, 33 Parkside Lane, to Mayor	*Thanking Mayor for asked Borough Engineer to check out the problem regarding the overflowing brook at his property; and requesting inspection of roadside conditions requiring repair (Copy to Supt. of Public Works)	Mayor Heymann Borough Engineer Hennessey/DPW

ALSO DISTRIBUTED:

Regular Meeting Minutes of April 25, 2007
 Work Session Notes of April 25, 2007

ON FILE IN BOROUGH CLERK'S OFFICE:

Department of Human Services Division of Senior Services Update on Division of Senior Services and Announcement re Successful Aging, Retirement & Caregiving EXPO to be held May 23, 2007, 10:00 a.m. - 8:00 p.m. @Saddle Brook Holiday Inn & Conference Center (Received 5/3/07)

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ALL BUSINESS WILL TERMINATE AT 11:30 P.M.