

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA - OCTOBER 24, 2007 - 7:30 P.M.

1. PLEDGE OF ALLEGIANCE
 2. OPEN PUBLIC MEETINGS ACT STATEMENT
 3. ROLL CALL
 4. MAYORAL PROCLAMATION DECLARING MONTH OF NOVEMBER AS FAMILY CAREGIVERS MONTH (10. M.L. 10/04/07) (Received from Mayor 10/22/07)
 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. MAYORAL APPOINTMENT TO THE PLANNING BOARD (Adjourned from RM 8/8/07):
CLASS IV MEMBER OF THE PLANNING BOARD FOR A 4-YEAR TERM TO 12/31/10
(Adjourned from RM 10/10/07)
 7. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCES AT 7:30 P.M OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

The following Ordinances were introduced at the Regular Meeting held September 26, 2007 and were published in the Press Journal issue of October 4, 2007, as stated in the printer's affidavit of publication. Reprint 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. 2007:993, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 59, SHADE TREE COMMISSION"
 - b. ORDINANCE NO. 2007:994, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 171 AND CHAPTER 173; UTILITIES"
 8. COMMUNICATIONS
 - a. MAIL LIST - OCTOBER 11, 2007
 - b. MAIL LIST - OCTOBER 18, 2007
 9. OPEN MEETING TO PUBLIC FOR COMMUNICATIONS ITEMS ONLY
(Subject to 5-minute limit per By-Laws General Rule No. 10)
 - 10a. REVIEW OF CONSENT AGENDA ITEMS
(PROCEDURE TO BE EXPLAINED BY MAYOR HEYMANN)
- ORDINANCES AND RESOLUTIONS
- 11.* RE-INTRODUCTION OF THE FOLLOWING ORDINANCES - PUBLIC HEARING - MONDAY, 11/19/07, @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Adjourned from RM 10/10/07)
 - a. BOND ORDINANCE NO. 2007:995, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$1,780,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,362,845 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME" (Rec'd from Bond Counsel 10/4/07)

10a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

ORDINANCES AND RESOLUTIONS (Continued)

11.* RE-INTRODUCTION OF THE FOLLOWING ORDINANCES - PUBLIC HEARING - MONDAY, 11/19/07, @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD
(Adjourned from RM 10/10/07) (Continued)

b. BOND ORDINANCE NO. 2007:996, AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE IMPROVEMENTS TO THE INTERSECTION OF HOMANS AVENUE AND OAKLAND AVENUE AND RELATED EXPENSES IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$150,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$142,855 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME” (Rec’d from Bond Counsel 10/4/07)

c. BOND ORDINANCE NO. 2007:997, “ORDINANCE RE-APPROPRIATING \$65,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR IMPROVEMENTS TO BOROUGH HALL, IN THE COUNTY OF BERGEN, NEW JERSEY” (Received from Bond Counsel 10/4/07)

d. ORDINANCE NO. 2007:998, “AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$158,125.00 FROM OPEN SPACE RECREATION FARMLAND AND HISTORIC PRESERVATION TRUST FUND FOR PARK, PLAYGROUND AND FARMLAND IMPROVEMENTS” (Received from Acting Administrator/Treasurer 10/4/07)

e. ORDINANCE NO. 2007:999, “AN ORDINANCE SUPPLEMENTING ORDINANCE 957, PROVIDING AN ADDITIONAL APPROPRIATION OF \$120,000 FROM A BERGEN COUNTY OPEN SPACE GRANT FOR THE MAKING OF PARK AND HISTORIC PRESERVATION IMPROVEMENTS” (Received from Acting Administrator/Treasurer 10/9/07)

12.* INTRODUCTION OF THE FOLLOWING ORDINANCES - PUBLIC HEARING - MONDAY, 11/19/07, @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD

a. ORDINANCE NO. 2007:1000, “AN ORDINANCE REVISING CHAPTER 181, TREE PRESERVATION AND REMOVAL (Received from Borough Attorney 10/16/07)

b. ORDINANCE NO. 2007:1001, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 50, POLICE DEPARTMENT (Received from Mayor Heymann 10/16/07)

c. POSSIBLE ORDINANCE NO. 2007:1002, re Pay to Play - *TITLE AND ORDINANCE TO BE PROVIDED BY BOROUGH ATTORNEY* (Request received from Borough Attorney 10/18/07) To be discussed in Work Session under Councilman Barad’s Report

13.* BILL RESOLUTION - OCTOBER 31, 2007
TO BE PREPARED BY ADMINISTRATOR/TREASURER

14.* RESOLUTION AUTHORIZING REFUND OF 2006 REAL ESTATE OVERPAYMENT IN THE AMOUNT OF \$584.08 TO KALABALIK, TOMAY & JOSEPHINE, FOR TAX COURT JUDGMENT RENDERED 10/05/07) FOR 323 HOMANS AVENUE, BLOCK 2302 LOT 1
(Received from Deputy Tax Collector 10/15/07)

15.* RESOLUTION AUTHORIZING MAYOR TO BE THE SIGNATORY TO A GRANT AGREEMENT WITH THE COUNTY OF BERGEN FOR THE PURPOSE OF USING \$45,000 IN YEAR 2007 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR EMERGENCY GENERATOR AT THE CLOSTER SENIOR CENTER; THE MAYOR AND COUNCIL RECOGNIZES THAT THE BOROUGH IS LIABLE FOR ANY FUNDS NOT SPENT IN ACCORDANCE WITH THE GRANT AGREEMENT, AND THAT LIABILITY OF THE MAYOR AND COUNCIL IS IN ACCORDANCE WITH HUD REQUIREMENTS (Rec’d from Acting Administrator/Treasurer 10/17/07)

10a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

ORDINANCES AND RESOLUTIONS (Continued)

- 16.* RESOLUTION APPROVING SETTLEMENT OF A TAX APPEAL FOR THE YEAR 2006 & 2007: 411 PIERMONT REALTY CO. (Received from Borough Attorney 10/11/07)
- 17.* RESOLUTION AUTHORIZING TREASURER TO REFUND CHECK IN THE AMOUNT OF \$2,103.75 TO FIRST AMERICAN REAL ESTATE TAX SERVICE ,1 FIRST AMERICAN WAY, FOR BLOCK 912, LOT 10, THIRD QUARTER 2007 OVERPAYMENT PAID BY ATTORNEY (Received from Deputy Tax Collector 10/17/07)
- 18.* RESOLUTION AUTHORIZING TREASURER TO PAY BOSWELL MC CLAVE ENGINEERING FOR FEES AND COSTS OF TWO ADDITIONAL STREAM ENCROACHMENT APPLICATIONS ANreD ADDITIONAL FIELD WORK AND TWO ADDITIONAL WETLAND GENERAL PERMIT NO. 17 APPLICATIONS FOR THE CLOSTER NATURE TRAIL AT A COST OF \$8,500.00 AND \$6,000.00 FOR A TOTAL OF \$14,500.00 (Received from Acting Administrator/Treasurer 10/22/07)
- 19.* RESOLUTION AUTHORIZING JOHNSON SOILS COMPANY TO PROVIDE GEOTECHNICAL SERVICES FOR THE TENAKILL PEDESTRIAN BRIDGE FOR THE CLOSTER NATURE TRAIL AT A COST NOT TO EXCEED \$5,300.00 (Received from Acting Administrator/Treasurer 10/22/07)

MOTIONS

- 20.* APPOINTING _____ TO SERVE AS CLOSTER IMPROVEMENT COMMISSION ALTERNATE NO. 2 FOR AN UNEXPIRED 2-YEAR TERM (Bouton-Goldberg) TO 12/31/08 - Adjourned from RM 8/22/07 - Adjourned from RM 9/10/07 - Adjourned from RM 9/26/07 - Adjourned from RM 10/10/07
- 21.* APPROVING THE FOLLOWING MINUTES (Distributed 10/18/07):
 - a. REGULAR MEETING OF OCTOBER 10, 2007; ABSTENTIONS: HENNESSEY, TUTOLI
 - b. WORK SESSION NOTES OF OCTOBER 10, 2007; NO ABSTENTIONS
- 22.* MOTION APPOINTING _____ TO SERVE AS MEMBER OF THE LOCAL ASSISTANCE BOARD FOR A 2-YEAR UNEXPIRED TERM (Michielli) to 12/31/08, (EFFECTIVE 11/1/07) (6. M.L. 10/18/07)
- 23.* MOTION GRANTING APPROVAL FOR THE CLOSTER PTO TO PLACE TEMPORARY STREET SIGNS AT FOLLOWING FOUR (4) LOCATIONS FOR FUNDRAISER (HOLIDAY BOUTIQUE) TO BE HELD 11/3/07 AT TENAKILL ELEMENTARY SCHOOL: INTERSECTIONS OF CLOSTER DOCK ROAD/PIERMONT ROAD, HIGH STREET/SCHRAALENBURGH ROAD, HARRINGTON AVENUE/KNICKERBOCKER ROAD AND VER VALEN STREET - ACROSS FROM K-MART PARKING LOT (7. M.L. 10/18/07)

REPORTS

- 24.* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:
 - a. FIRE CHIEF - SEPTEMBER 2007 (Received 10/18/07)

10b. VOTE ON CONSENT AGENDA ITEMS

- 25. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA
- 26. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
- 27. DISCUSSION OF PUBLIC COMMENTS OR ANY OTHER TIMELY MATTER, IF APPROPRIATE
- 28. ADJOURN

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA - OCTOBER 24, 2007 - 7:30 P.M.

1. ROLL CALL
2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT
3. COMMITTEE REPORTS
 - A. FINANCE AND TECHNOLOGY - KASHWICK (GLIDDEN/TUTOLI)
 - 1) STATUS REPORT RE CAPITAL BUDGET/CAPITAL PLAN
 - 2) STATUS REPORT RE TRANSPORTATION
 - 3) STATUS REPORT RE CLOSTER WEBSITE
 - 4) STATUS REPORT RE LIKE-AND-KIND MATCH OF \$25,000 FOR COMMUNITY FORESTRY GRANT (Work to be done by DPW) RM 6/27/07
 - 5) REPORT
 - B. PUBLIC SAFETY - GLIDDEN (HENNESSEY/TUTOLI)
 - 1) REPORT
 - C. PUBLIC WORKS - HENNESSEY (KASHWICK/GLIDDEN)
 - 1) REPORT
 - D. ORDINANCES - BARAD (KASHWICK/AMITAI)
 - 1) STATUS REPORT RE ITEMS DISCUSSED AT ORDINANCE COMMITTEE MEETING HELD 8/21/07
 - 2) STATUS REPORT RE ITEMS DISCUSSED AT ORDINANCE COMMITTEE MEETING HELD 9/17/07
 - 3) REPORT RE ORDINANCE COMMITTEE MEETING HELD 10/15/07
 - a. DISCUSSION RE *POSSIBLE* INTRODUCTION OF ORDINANCE RE PAY-TO-PLAY AT REGULAR MEETING OF 10/24/07 (letter received from Borough Attorney 10/18/07/No Ordinance received)
 - 4) REPORT
 - E. HUMAN RESOURCES - TUTOLI (AMITAI/BARAD)
 - 1) STATUS REPORT RE POSSIBLE PERSONNEL COMMITTEE MEETING HELD *SOMETIME* DURING FIRST WEEK OF OCTOBER (WS 9/26/07)
 - 2) REPORT RE PERSONNEL COMMITTEE MEETING HELD SECOND MONDAY IN OCTOBER
 - 3) REPORT
3. COMMITTEE REPORTS (Continued)
 - F. LAND USE AND CONSTRUCTION - AMITAI (BARAD/HENNESSEY)
 - 1) REPORT
4. OLD BUSINESS
5. NEW BUSINESS
6. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
7. OPEN MEETING TO THE PUBLIC
8. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
9. ADJOURNMENT

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

MAIL LIST
October 11, 2007

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	10/09/07	10/08/07	Louise G. Ungar, Secretary, Shade Tree Commission	*Urging the relocation of the informational sign erected on the front lawn of Borough Hall, currently located very close to a large Blue Spruce Tree	
2.	10/09/07	10/04/07	Valerie Coniglio, Clerk to the Board of Chosen Freeholders, to the Municipal Clerk	*Certified copy of Resolution No. 473 adopted 10/3/07, designating 10/1/07 to 10/5/07 as <i>Bergen County School Crossing Guard Appreciation Week</i> (Copy to Lt. D'Amico)	
3.	10/04/07 10/09/07 10/10/07	10/04/07 10/09/07 10/10/07	William G. Dressel, Jr., Executive Director, NJS League of Municipalities; to Mayor	* <i>Mayors Fax Advisory</i> re: a. Important Conference Sessions SCHOOL FUNDING b. New Information from the Division of Local Government Services c. State ABC Director Rules that Municipalities Lack Power to Enact Keg Registration Ordinances d. FCC Order Concerning Cell Antenna Backup	
4.	10/08/07	10/05/07	Adam E. Falk, Vice President of Government Affairs - NJ, Cablevision; to Celeste Fasone, NJ Board of Public Utilities, Office of Cable Television c: affected municipalities	*Information re channel moves that will be happening	
5.	10/09/07	10/05/07	Louise G. Ungar, Secretary, Shade Tree Commission	*Reference to Ordinance No. 2006:969, Code Chapter 181-9 (Protection of Existing Trees) Section (3); informing of the Commission's opinion that a tree can take up to 3 or 4 years to show signs of decline and/or die (Copy to Property Maintenance Officer, Construction Official, Environmental Commission)	Barad/Ordinance Committee

6.	10/09/07	10/09/07	Matthew Thornhill, Representative - PBA Local 233, Closter Unit; to Loretta Castano c: Loccke, Correia, Schlager, Limsky & Burkosky	*Continuing request that e-mails from Councilman John Glidden re Draft of new Closter Police Dept. Promotion Ordinance be entered into public records immediately (letter only!) 24 PAGES OF ATTACHMENTS ON FILE IN BOROUGH CLERK'S OFFICE	Borough Attorney
7.	10/09/07	09/28/07	Steven M. Goldman, Commissioner, State of New Jersey, Department of Banking and Insurance; to Borough Clerk	*Brochures (in English and Spanish) for distribution to the public entitled "A Homeowner's Guide to Subprime" and list of Community Forums on this topic - REMAINDER ON FILE IN BOROUGH CLERK'S OFFICE	
8.	10/10/07	No Date	Richard Wierer, Director of Solid Waste, Bergen County Utilities Authority, to Township Clerk	*BCUA Plan Amendment Public Hearing Response Document re questions and comments received at the 6/6/07 public hearing re plan amendment application for Sandy Beach Farms Class B and C Exempt Recycling Facility (Copy to James Gabettie)	
9.	10/10/07	10/08/07	Philip Gotthelf, for the Chanukah Ceremony Committee of Closter	*Public Chanukah Celebration 2007	

ON FILE IN BOROUGH CLERK'S OFFICE:

24 pages of email attachments re Mail List Item No. 6

Brochures (in English and Spanish) for distribution to the public entitled "A Homeowner's Guide to Subprime."

MAIL LIST
October 18, 2007

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	10/12/07	10/12/07	William G. Dressel, Jr., Executive Director, NJLM, to Mayor	*Mayor's Fax Advisory re: Meeting with Commissioner Doria, new Department of Community Affairs, Acting Commissioner	
2.	10/15/07	10/09/07	David M. Watkins, Esq., to Borough Clerk	*Notice of Planning Board hearing to be held 10/25/07 @8:00 p.m. re application of Diamond Engineers & Developers, Inc. for soil movement approval at Block 2304, Lot 16, 408 Anderson Avenue	Amitai/Planning
3.	10/15/07 certified mail; return receipt requested	10/11/07	Gary and Tamara Segal, 296 Durie Avenue, Closter, NJ 07624, to Attn: Mr. Leonard Sinowitz, Zoning Officer c: Mayor and Council Keith Sager, Construction Official	*296 Durie Avenue, Block 613, Lot 6 (copy to Edward T. Rogan, Nick DeNicola - 10/16/07)	Borough Attorney
4.	10/15/07	10/09/07	Michelle Damiani, Manager, Community Relations, Rockland Electric Company (RECO)	*Vegetation Management - Transmission Line Clearance Program - Current schedule to begin about 10/29/07 and continue for one week along following streets: Blanch Avenue, Railroad Avenue, Old Closter Dock Road, High Street, Demarest Avenue, along CSXT Railroad and associated streets (affected property owners will be notified by direct mail prior to work commencement)(Copy to Shade Tree Commission, Ray Cywinski)	
5.	10/05/07	10/04/07	David DelVecchio, President, NJS League of Municipalities, Mayor, Lambertville City	*Re: 10 TH ANNUAL ELECTED OFFICIALS HALL OF FAME, attached Nominee form	
6.	10/16/07	10/16/07	Helen Michielli	*Resignation from Local Assistance Board as member for a 2-year term to 12/31/08, effective 10/31/07	RM Agenda 10/24/07

7.	10/16/07	10/16/07	Danielle Borelli, Closter PTO Rep for Holiday Boutique Fundraiser	*Request for permission to place temporary street signs at following four (4) locations for Closter PTO fundraiser to be held 11/3/07: Intersections of Closter Dock Road/Piermont Road; High Street/Schraalenburgh Road; Harrington Avenue/Knickerbocker Road; VerValen Street - across from K-Mart (Copy to Glenn Parsells)	RM Agenda 10/24/07
8.	10/17/07	10/16/07	Dolores Lenander, Chairperson, Local Assistance Board	*Recommendation for appointment to fulfill 2-year unexpired term on Local Assistance Board to 12/31/08; attached resume for Pamela Jones	RM Agenda 10/24/07
9.	10/18/07	10/10/07	David N. Grubb, Executive Director, Municipal Excess Liability Joint Insurance Fund; to Municipal Excess Liability Joint Insurance Fund Members (Municipalities and Utility Authorities)	* Re 2008-2009 Employment Practices Liability (EPL) Program	Fred Pitofsky/Insurance John DiStefano/Insurance
10.	10/18/07	10/15/07	Robert E. Laux, Esq., Bergen County Administrator; to Mayor	* Westwood: Hospital Guide Signs, Closure of Pascack Valley Hospital (Copy to Mayor Heymann, Lisa Vreeland)	
11.	10/18/07	10/15/07	Dennis McNerney, County Executive, to Mayor	*Bergen County Unified Identification Card Program; notification that in order to participate in the Program, the Borough should adopt, by resolution, the Borough's system for first responders (Copy to Captain Vreeland, Chief Pierro, Chief Berrian, James Winters)	Possible Resolution

ALSO DISTRIBUTED:

Minutes of Regular Meeting held October 10, 2007

Minutes of Work Session held October 10, 2007