

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – AUGUST 26, 2009 - 7:30 P.M.

1. PLEDGE OF ALLEGIANCE
2. OPEN PUBLIC MEETINGS ACT STATEMENT
3. ROLL CALL
4. 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)
5. COMMUNICATIONS
 - a. MAIL LIST – AUGUST 13, 2009
 - b. MAIL LIST – AUGUST 20, 2009
6. OPEN MEETING TO PUBLIC FOR COMMUNICATION ITEMS ONLY
(Subject to 5-minute limit per By-Laws General Rule No. 10)
- 7a. REVIEW OF CONSENT AGENDA ITEMS
(PROCEDURE TO BE EXPLAINED BY MAYOR HEYMANN)

ORDINANCES AND RESOLUTIONS

- 8.* INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING – 9/23/09 @ 7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:
 - a. NO. 2009:1050, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 50, POLICE DEPARTMENT, SPECIFICALLY SECTION 50-26, TO ADD APPEAL PROCEDURES”
 - b. NO. 2009:1051, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 48 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING PERSONNEL POLICIES”
 - c. NO. 2009:1052, “AN ORDINANCE ADOPTING THE SEPTEMBER 2009 CLOSTER PERSONNEL MANUAL”
- 9.* BILL RESOLUTION – AUGUST 31, 2009
TO BE PREPARED BY DEPUTY TREASURER
- 10.* POSSIBLE APPOINTMENT(S) OF SALARIED EMPLOYEES (NOT MADE AT THE REORGANIZATION MEETING HELD 1/5/09) RESOLUTIONS TO BE PREPARED BY ACTING ADMINISTRATOR/TREASURER (Adjourned from RM 1/14/09; 1/28/09; 2/11/09; 2/25/09; 3/11/09; 3/25/09; 4/6/09; 4/22/09; 5/13/09; 5/27/09; 6/10/09; 6/24/09; 7/8/09; 7/22/09; 8/12/09):

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
DEPUTY TAX COLLECTOR	_____	1 Year	12/31/09
DESK DISPATCHER			
FULL TIME	_____	1 Year	12/31/09
POLICE MATRON	_____	1 Year	12/31/09
SCHOOL CROSSING GUARD	_____	1 Year	12/31/09
TREASURER	_____	1 Year	12/31/09

- 11.* RESOLUTION AUTHORIZING THE CONVEYANCE OF LAND TO VAN SCIVER CORPORATION (A.K.A. VANTAGE HEALTH SYSTEMS) FOR USE CONSISTENT WITH THE BOROUGH’S PHASE III COAH OBLIGATIONS (Received from Borough Attorney 8/20/09)
- 12.* RESOLUTION AUTHORIZING THE TEMPORARY INCREASE IN HOURS AND COMPENSATION FOR CERTAIN EMPLOYEES OF THE BUILDING DEPARTMENT (Requested by Borough Attorney 8/20/09) TO BE PREPARED BY BOROUGH ATTORNEY

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING AGENDA – AUGUST 26, 2009 – 7:30 P.M.

7a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

ORDINANCES AND RESOLUTIONS (Continued)

- 13.* RESOLUTION APPOINTING BRYAN MONE AS DISPATCHER TRAINEE, A PER DIEM POSITION, FOR A PERIOD NOT TO EXCEED 180 DAYS, AT AN HOURLY RATE OF \$12.17, EFFECTIVE 9/1/09 (Received from Chief of Police 8/18/09)
- 14.* RESOLUTION EVIDENCING COMPLIANCE BY THE GOVERNING BODY WITH N.J.S.A. 40A:5-4 AND N.J.S.A. 40A:5-6 RE 2008 AUDIT (Audit Report rec'd. 7/21/09/distributed 7/21/09) GROUP AFFIDAVIT FORM CERTIFICATION OF GOVERNING BODY RE 2008 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) - to be completed at this meeting.
- 15.* RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK TO WELLS FARGO HOME MORTGAGE IN THE AMOUNT OF \$5,081.20 FOR BLOCK 506 LOT 1 DUE TO 2009 REAL ESTATE TAX OVERPAYMENT (Received from Tax Collector 8/12/09)
- 16.* RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK TO MERCANDETTI, ALEX J & ROBERT IN THE AMOUNT OF \$2,328.62 FOR BLOCK 515 LOT 2 DUE TO 2009 REAL ESTATE TAX OVERPAYMENT (Received from Tax Collector 8/19/09)
- 17.* RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 (\$25,000 FROM THE STATE OF NEW JERSEY STATE FORESTRY SERVICES CSIP GRANT AND LIKE SUM OF \$25,000 BE APPROPRIATED UNDER THE CAPTION OF "STATE FORESTRY SERVICE 2006 CSIP GRANT PF08-276") (Received from Administrator 8/19/09)
- 18.* RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 (\$6,000 FROM THE STATE OF NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND TOTAL SUM OF \$6,000 APPROPRIATED UNDER THE CAPTION OF "STATE OF NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY HAZARDOUS DISCHARGE GRANT") (Received from Administrator 8/19/09)
- 19.* RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO RETURN THE REMAINING ESCROW IN THE AMOUNT OF \$78.84 TO MCA CREATIVE SERVICE, 20 WEST 22ND STREET, SUITE 1605, NEW YORK, NY 10011 FOR POLICE TRAFFIC DIRECTOR SERVICES IN COMPLIANCE WITH LOCAL FINANCE NOTICE 2000-14 (Received from Chief of Police 8/20/09)

MOTIONS

- 20.* MOTION APPROVING THE FOLLOWING NON-SALARIED APPOINTMENTS (NOT MADE AT THE REORGANIZATION MEETING HELD 1/5/09) Adjourned from RM 1/14/09; 1/28/09; 2/11/09; 2/25/09; 3/11/09; 3/25/09; 4/6/09; 4/22/09; 5/13/09; 5/27/09; 6/10/09; 6/24/09; 7/8/09; 7/22/09; 8/12/09:

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
BOARD OF HEALTH ALT. NO. 2	_____	2 Year un- expired to	12/31/09
HISTORIC PRESERVATION COMMISSION/MEMBER	_____	4 Year	12/31/12
IMPROVEMENT COMMISSION MEMBER	_____	2 Year	12/31/10
ALT. NO. 2	_____	2 Year	12/31/10
RECREATION COMMISSION ASSOCIATE MEMBER	_____	1 Year	12/31/09
**SHADE TREE COMMISSION ALT. NO. 2	_____	2 Year	12/31/10

** Mayoral Appointment

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – AUGUST 26, 2009 – 7:30 P.M.

7a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

MOTIONS (Continued)

- 21.* APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed 8/20/09):
- a. REGULAR MEETING OF AUGUST 12, 2009 - ABSENTION: HENNESSEY
 - b. WORK SESSION OF AUGUST 12, 2009 – ABSTENTION: HENNESSEY
 - c. SPECIAL MEETING OF AUGUST 19, 2009 – ABSTENTIONS: TUTOLI, AMITAI
- 22.* *POSSIBLE* MOTION APPOINTING _____ TO SERVE AS MEMBER OF THE ZONING BOARD OF ADJUSTMENT FOR AN UNEXPIRED 4-YEAR TERM (MATTES) TO 12/31/09 (14. M.L. 6/25/09) Adjourned from RM 7/8/09; 7/22/09; 8/12/09
- 23.* MOTION APPROVING/DENYING APPLICATION FOR HAWKER & PEDDLER PERMIT NO. 2009-003 FOR VERIZON EMPLOYEES: EDWIN KINGALAHUA, DEEPAK SHARMA AND LUIS VALDES TO GO DOOR TO DOOR IN RESIDENTIAL NEIGHBORHOODS ADVERTISING VERIZON FIOS (Received from Chief of Police 8/18/09)
- 24.* *POSSIBLE* MOTION GRANTING APPROVAL FOR USE OF MEMORIAL FIELD BY BPO ELKS LODGE #2304 TO PLACE BEER TRUCK TO DISPENSE MALT ALCOHOLIC BEVERAGES AT THE LABOR DAY ACTIVITIES ON 9/6/09; RAIN DATE: 9/13/09, SUBJECT TO RECEIPT OF APPROVAL FROM THE RISK MANAGEMENT CONSULTANT OF CERTIFICATE OF INSURANCE AND HOLD HARMLESS AGREEMENT (WS 8/12/09)
- 25.* *POSSIBLE* MOTION GRANTING APPROVAL FOR SADHU VASWANI CENTER TO POST SIGN OPPOSITE PNC BANK ANNOUNCING ANNUAL CARNIVAL TO BE HELD SUNDAY, 9/13/09 (6a. M.L. 7/30/09), SUBJECT TO RECEIPT OF APPROVAL FROM RISK MANAGEMENT CONSULTANT OF CERTIFICATE OF INSURANCE AND HOLD HARMLESS AGREEMENT (WS 8/12/09)
- 26.* MOTION GRANTING APPROVAL FOR BLOCK PARTY TO BE HELD ON ROBINHOOD ROAD ON 9/5/09, FROM 12 P.M. UNTIL 10 P.M.; RAIN DATE: 9/6/09; ALTERNATE RAIN DATE: 9/7/09, IF NEEDED (7. M.L. 8/13/09)
- 27.* GRANTING APPROVAL FOR CLOSTER VOLUNTEER AMBULANCE & RESCUE CORPS, INC. TO ERECT STAND AT MEMORIAL FIELD ON MONDAY, 9/7/09, TO SELL FOOD AND BEVERAGES DURING THE LABOR DAY ACTIVITIES, SUBJECT TO RECEIPT OF APPROVALS FROM THE BOARD OF HEALTH AND FIRE INSPECTOR (10. M.L. 8/13/09)
- 28.* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:
- a. None received at time of preparation of this Agenda!
- 7b. VOTE ON CONSENT AGENDA ITEMS
29. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA
30. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
31. DISCUSSION OF PUBLIC COMMENTS OR ANY OTHER TIMELY MATTER, IF APPROPRIATE
32. ADJOURN

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

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – AUGUST 26, 2009 - 7:30 P.M.

1. ROLL CALL
2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT
3. COMMITTEE REPORTS
 - A. FINANCE AND TECHNOLOGY - KASHWICK (GLIDDEN/HENNESSEY)
 - 1) STATUS REPORT RE CAPITAL BUDGET/CAPITAL PLAN (RM 7/9/08)
 - 2) STATUS REPORT RE CLOSTER WEBSITE
 - 3) REPORT
 - B. PUBLIC SAFETY - GLIDDEN (TUTOLI/HENNESSEY)
 - 1) REPORT
 - C. PUBLIC WORKS - HENNESSEY (AMITAI/GLIDDEN)
 - 1) REPORT
 - D. ORDINANCE - BARAD (KASHWICK/AMITAI)
 - 1) STATUS REPORT RE ORDINANCE COMMITTEE MEETINGS
 - 2) REPORT
 - E. HUMAN RESOURCES - TUTOLI (KASHWICK/BARAD)
 - 1) STATUS REPORT RE PERSONNEL COMMITTEE MEETINGS
 - 2) REPORT
 - 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

MAIL LIST

August 13, 2009

NO.	DATE REC'D	DATE	FROM	SUBJECT	COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	08/06/09 08/07/09 08/10/09 08/13/09	08/06/09 08/07/09 08/10/09 08/12/09	William G. Dressel, Jr., NJS League of Municipalities, to Mayor Chuck Chiarello, Mayor, Buena Vista, Chair, NJLM Emergency Management Committee	*Mayor's Fax Advisory Re: a. Temporary Layoff Guidelines for Local Appointing Authorities b. Notice Re ANJEC Information Session Webinar on NJ Local Government Greenhouse Gas Reduction Grant Program c. Special Charity Event for League Members d. Hurricane Season		Mayor/Grants
2.	08/06/09	08/03/09	Michael R. Dressler, Bergen County Surrogate, Bergen County Surrogate's Court to Borough of Closter (rec'd in mail from Mayor's office - No envelope!)	*Willingness to schedule speaking engagement to discuss serious issues i.e. wills, probate procedures, administration of estates, etc. (Copy to Bill Brewster)		
3.	08/10/09	No Date	Elliot W. Urdang, Attorney for Applicant DR Schmidt Realty, LLC to Borough Clerk	*Closter Board of Adjustment Notice of Public Hearing re Appeal of DR Schmidt Realty, LLC re 170 and 176 Closter Dock Road, Block 1301, Lots 10 and 11 owned by Desan Enterprises, LLC to be held 8/19/09 @ 8:00 p.m.		Hennessey/Zoning Board
4.	08/10/09	08/07/09	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Mayor	*League of Municipalities' Annual Audit Statement covering fiscal year 7/1/08-6/30/09		
5.	08/10/09	08/04/09	Tricia Kaminski, Assistant to Government Affairs, Cablevision; to Ms. Kristi Izzo, Office of Cable Television, Board of Public Utilities	*Copy of Cablevision tariff with Bergen County reflecting the launch of Jus Punjabi, effective 8/6/09		Barad/TV Advisory Committee
6.	08/10/09 08/11/09	08/06/09 08/11/09	Dennis McNerney, Bergen County Executive; to Mayor Heymann	*a. Invitation to attend the 8 th Annual Bergen County World Trade Center Memorial at Overpeck County Park in Leonia on Sun., 9/11/09 at 4:30 p.m., in order to honor those lost and support family members *b. Correction to date: Fri., 9/11/09 @ 4:30 p.m.		
7.	08/10/09	08/06/09	Pam Scaglione, 82 Robinhood Road, Barbra Shanahan, 81 Robinhood Road, Block Party Committee to Mayor and	* Request for permission to hold Block Party between 75 and 85 Robinhood Road on 9/5/09, from 12 p.m. to 10 p.m.; Rain dates: 9/6/09, if necessary 9/7/09; request for 4 barricades to close off street and section		R.M. Agenda 8/26/09

8.	08/11/09	07/07/09	Town Council Kristin Hahn, Bureau Chief, Bureau of Case Assignment and Initial Notice, State of NJ Department of Environmental Protection to Ron Intile, Vantage Health Group, c: Municipal Clerk, Closter at 14 Garry Road	off party (Copy to Chief Berrian, Glenn Parsells, William Dahle) *Area of concern: Contaminated Soil Pile Area, Unrestricted use - No Further Action Letter and covenant Not to Sue: Block: 1104, Lot 18, 1 Railroad Avenue, Closter, Bergen county, Program Interest #: 499610; Activity Number: BFO090001; Communications Center Number: 08-01-11-1450-14 (Copy to Construction Official, Board of Health)	Barad/Board of Health
9.	08/11/09	08/12/09	Stephen J. Hyland, Customer Operations Supervisor, PSE&G, to Borough Clerk	*Notice that upon written request, PSE&G will provide municipality/agency enforcing the Uniform Fire Code within the municipality when PSE&G disconnects residential customers for reasons other than at the customer's request. (Copy to Construction Official, Fire Official)	
10.	08/12/09	08/09/09	Don Albelli, Closter Volunteer Ambulance and Rescue Corps, Inc.	*Request for permission to erect a stand at Memorial Field on 9/7/09 to sell food and beverages during Labor Day activities (Copy to Board of Health, Fire Inspector, Glenn Parsells, Jim Oettinger)	RM Agenda 8/26/09

ALSO DISTRIBUTED

The Recycling Bin - Vol. XXI, Issue No. 1 – Summer 2009 - Rec'd 08/11/09

MAIL LIST

August 20, 2009

NO.	DATE REC'D	DATE	FROM	SUBJECT	COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	08/13/09	08/13/09	Colonel Rick Fuentes, Superintendent, New Jersey State Police, State Director of Emergency Management, (NJLM) to Mayor	*NJ Citizen Corps Receives National Honor		
2.	08/13/09	08/13/09	Barry Chalofsky, P.P., Chief, Bureau of Nonpoint Pollution Control, State of NJ Department of Environmental Protection, Division of Water Quality, to Interested Party	*Notice of Draft Permit Actions: Scrap Metal Industrial Stormwater General Permit (SM2), NJPDES Permit No. NJ0163261 Vehicle Recycling Industrial Stormwater General Permit (RVR), NJPDES Permit No. NJ0163279 (Copy to Board of Health)		
3.	08/14/09 08/17/09 08/19/09	08/14/09 08/17/09 08/19/09	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Mayor	*Mayor's Fax Advisory re: a. Sustainability and the Obama Stimulus Agenda: Engaging and Connecting with Government b. 2009 League Conference Resolutions c. Open Space, Water Supply, Farmland and Historic Preservation Question on November Ballot d. Affordable Housing: I. Update on Commercial Development Fee (2.5%) Moratorium and Refunds II. COAH Grants Extension to Highlands Municipalities III. Regional Development Planning and Coordination Program Guidelines IV. COAH Litigation Update		
4.	08/14/09 08/17/09	08/14/09 08/17/09	Adam E. Falk, Vice President, Government & Regulatory Affairs, Cablevision, to Celeste Fasone, Director, NJ Board of Public Utilities, Office of Cable Television, to Mayor	*Notice re: a. Channel Moves in New Jersey b. Launch of Wedding Central		Barad/TV Advisory Committee
5.	08/14/09	08/14/09	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Borough Clerk	*a. 2009 League Conference Resolutions		

6.	08/17/09	08/17/09	Timothy C. McDonough, League President, Mayor, Hope Township to Borough Clerk	*b. Make Plans to Attend the Annual Business Meeting Friday, November 20, 2009 at the Sheraton Convention Center Hotel	
7.	08/17/09	08/04/09	Michael Donovan, Media Relations, Orange & Rockland Utilities, Inc.	*Press Release - Rockland Electric Company Files Rate Request with NJBPU	
8.	08/17/09	08/04/09	Carol Donovan, Deputy Borough Clerk, Borough of Norwood, to Borough Clerk	*Resolution No. 09:118 adopted 8/4/09 to Deny Parole for Christopher Righetti for the murder of Kim Montelaro	
9.	08/18/09	08/14/09	Adam Strobel, Bergen County Department of Planning & Economic Development, to Municipal Clerk	*Public Notice re hearings re proposed sale of real property owned by the County of Bergen; 26 Parker Lane, Teaneck, New Jersey, Block 3104, Lot 17.	
9.	08/18/09	No Date	Rutgers, Center for Government Services, Continuing Studies to Borough Clerk	*The 48 th Annual Municipal Public Information Contest information and entry form	
10.	08/19/09	08/18/09	Marilyn B. Bojanowski, RMC, Assistant Municipal Clerk, Borough of Fair Lawn to Borough Clerk	*Resolution adopted 8/18/09 to Deny Parole for Christopher Righetti for the murder of Kim Montelaro	
11.	08/20/09	08/19/09	Christine Procida to Mayor and Council, Members of the Planning Board	*Letter of resignation as Alternate No. 1 to the Planning Board for a 2-year term to 12/31/2010 (Copy to Planning Board)	
12.	08/20/09	No Date	Edward J. Buzak, Chairman, Nominating Committee, New Jersey Institute of Local Government Attorneys, to Municipal Clerk	*a. Seeking nominations for The Fred G. Stickel Memorial Award; Deadline: 10/23/09 *b. Seeking nominations for The William F. Cox Award; Deadline: 10/23/09	
13.	08/17/09	08/14/09	Lester A. Farthing, Regional Director, U.S. Department of Commerce, U.S. Census Bureau, to Borough Clerk	*2010 Census New Construction Program - Form to be completed no later than 10/8/09 (Copy to Mayor Heymann)	Mayor Heymann
14.	08/19/09	08/12/09	Deborah L. Fehre, Borough Clerk, Borough of Englewood Cliffs	*Resolution adopted 8/12/09 to Deny Parole for Christopher Righetti for the murder of Kim Montelaro	
15.	08/20/09	08/19/09	Adam E. Falk, Vice President, Regulatory & Government Affairs, Cablevision, to Celeste Fasone, Director, NJ Board of Public Utilities, Office of Cable Television c: All affected municipalities	*Data Carrier Shut Down and Nickelodeon Rebranding	Barad/TV Advisory Committee

ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held August 12, 2009

Unapproved Minutes of Work Session held August 12, 2009

Unapproved Minutes of Special Meeting held August 19, 2009