

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – DECEMBER 9, 2009 - 7:30 P.M.

1. PLEDGE OF ALLEGIANCE
2. OPEN PUBLIC MEETINGS ACT STATEMENT
3. ROLL CALL
4. MAYORAL APPOINTMENT OF _____ AS MEMBER OF THE ENVIRONMENTAL COMMISSION FOR AN UNEXPIRED 3-YEAR TERM (ISACOFF) TO 12/31/09 (4. M.L. 10/22/09)
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. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCE @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

The following Ordinance was introduced at the Regular Meeting held 11/09/09 and was published in the Press Journal on 11/19/09 as stated in the printer's affidavit of publication. Reprint of this Ordinance was posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public:

- a. NO. 2009:1062, "AN ORDINANCE OF THE BOROUGH OF CLOSTER AMENDING CHAPTER 200 ZONING ORDINANCE TO DESIGNATE HISTORIC LANDMARKS"

7. COMMUNICATIONS

- a. MAIL LIST – DECEMBER 3, 2009

8. OPEN MEETING TO PUBLIC FOR COMMUNICATION ITEMS ONLY

(Subject to 5-minute limit per By-Laws General Rule No. 10)

9a. REVIEW OF CONSENT AGENDA ITEMS

(PROCEDURE TO BE EXPLAINED BY MAYOR HEYMANN)

10.* BILL RESOLUTION – DECEMBER 15, 2009
TO BE PREPARED BY DEPUTY TREASURER

11.* POSSIBLE TRANSFER RESOLUTION NO. 1 (Requested by Administrator and CFO 12/3/09)
TO BE PREPARED BY CHIEF FINANCIAL OFFICER

12.* POSSIBLE APPOINTMENT(S) OF SALARIED EMPLOYEES (NOT MADE AT THE REORGANIZATION MEETING HELD 1/5/09) RESOLUTIONS TO BE PREPARED BY ADMINISTRATOR 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; 8/26/09; 9/9/09; 9/23/09; 10/14/09; 10/28/09; 11/9/09; 11/23/09):

<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

13.* RESOLUTION AUTHORIZING THOSE LICENSEES WHO HAVE NOT RECEIVED THEIR TAX CLEARANCE CERTIFICATES FROM THE DIVISION OF TAXATION, WHO HAVE COMPLIED WITH ALL OTHER REQUIREMENTS FOR RENEWAL OF THEIR 2009-2010 ANNUAL LIQUOR LICENSE RENEWALS, TO APPLY FOR AN AD INTERIM PERMIT UNTIL SUCH TIME AS THEIR TAX CLEARANCE CERTIFICATE IS OBTAINED FROM THE DIVISION OF TAXATION

9a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING AGENDA – DECEMBER 9, 2009 – 7:30 P.M.

ORDINANCES AND RESOLUTIONS (Continued)

- 14.* RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$2,177.96 TO MANDELBLATT, L & M, FOR BLOCK 2102 LOT 37.02 DUE TO 2009 TAX OVERPAYMENT RE COUNTY BOARD JUDGMENT IN THE 4TH QUARTER (Received from Tax Collector 11/30/09)
- 15.* RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A CHECK IN THE AMOUNT OF \$71,119.74 PAYABLE TO R. ROTHMAN, 411 GRAND AVENUE, ENGLEWOOD, NJ 07632, FOR REDEMPTION OF TAX SALE CERTIFICATE #07-2 AND A RETURN OF ESCROW FOR PREMIUMS PAID AT TAX SALE IN THE AMOUNT OF \$11,100.00 RE BLOCK 2102, LOT 8, 132 ANDERSON AVENUE (Received from Tax Collector 11/30/09)
- 16.* RESOLUTION TO PURSUE A “FAIR AND OPEN” PROCESS IN AWARDED CONTRACTS FOR CERTAIN PUBLIC HEALTH SERVICES AWARDED IN THE BOROUGH OF CLOSTER (Received from Borough Attorney 12/1/09)
- 17.* RESOLUTION SUPPORTING THE COST PER PUPIL METHODOLOGY PROPOSED BY THE JOINT LEGISLATIVE COMMITTEE ON SCHOOL FUNDING AS A MEANS TO MORE ACCURATELY QUANTIFY THE COST OF EDUCATION IN NEW JERSEY AND SUPPORT ITS USE AS A MECHANISM TO ACHIEVE SOUND EDUCATIONAL FUNDING (Received from Mayor’s office 12/2/09)
- 18.* RESOLUTION AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION WITH THE BERGEN COUNTY IMPROVEMENT AUTHORITY’S BERGEN MUNICIPAL BANC PROGRAM (Received from Administrator 12/2/09)
- 19.* RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a (Duration of contract period 12/9/09 to 12/8/2010); REFERENCED STATE CONTRACT VENDORS: POLICE VEHICLES, CHAS S. WINNER INC., CHERRY HILL, NJ – MAXIMUM AMOUNT \$50,656.00; MAILROOM EQUIPMENT – NEOPOST USA INC., MILFORD, CT – MAXIMUM AMOUNT: \$3,222.00 (Received from Administrator 12/3/09)
- 20.* RESOLUTION APPOINTING DANIEL HARGRAVE TO SERVE AS DISPATCHER TRAINEE, A PER DIEM POSITION, FOR A PERIOD NOT TO EXCEED 180 DAYS, AT AN HOURLY RATE OF \$12.60, EFFECTIVE 12/15/09 (Received from Chief of Police 11/30/09)

MOTIONS

- 21.* 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; 8/26/09; 9/9/09; 9/23/09; 10/14/09; 10/28/09; 11/9/09; 11/23/09:

<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			

- 9a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – DECEMBER 9, 2009 – 7:30 P.M.

MOTIONS (Continued)

- 22.* APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES:
(Distributed 12/03/09) NO ABSTENTIONS
- a. REGULAR MEETING OF NOVEMBER 23, 2009
 - b. WORK SESSION OF NOVEMBER 23, 2009
- 23.* 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; 8/26/09; 9/9/09; 9/23/09; 10/14/09; 10/28/09; 11/9/09; 11/23/09)
- 24* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:
- a. CONSTRUCTION OFFICIAL – NOVEMBER 2009 (Received 12/1/09)
- 9b. 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

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

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – DECEMBER 9, 2009 - 7:30 P.M.

1. ROLL CALL
2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT
3. PROFESSIONAL REPORTS
 - A. BOROUGH ATTORNEY
 - 1) REPORT
 - B. BOROUGH ENGINEER
 - 1) STATUS REPORT RE ROAD IMPROVEMENT PROGRAM
(Bid Awarded to Rockborn Trucking & Excavation, Inc.
RM 5/13/09/\$1,494,692.50)
 - 2) STATUS REPORT RE 2009 SAFE STREETS TO SCHOOL SIDEWALK
PROJECT – NJDOT \$275,000 (not to exceed \$52,100) RM 6/24/09
 - 3) REPORT
4. REPORTS
 - A. BOROUGH ADMINISTRATOR
 - 1) STATUS REPORT RE 2009 MUNICIPAL BUDGET/
REPORT RE PREPARATIONS FOR 2010 MUNICIPAL BUDGET
 - 2) STATUS REPORT RE BOROUGH WEB SITE
 - 3) STATUS REPORT RE BID OPENING HELD 11/13/09 @ 11:00 A.M.
FOR THE LEASE OF A PORTION OF WELLINGTON AVENUE
 - 4) REPORT RE INSURANCE REQUIREMENTS FOR AMERICAN CANCER
SOCIETY TO CONDUCT 23RD ANNUAL GEORGE WASHINGTON BRIDGE
CHALLENGE ON 6/13/2010 (17 M.L. 12/3/09)
 - 5) REPORT
 - B. BOROUGH CLERK
 - 1) STATUS REPORT RE 2009 APPOINTMENTS/
REPORT RE PREPARATIONS FOR 2010 APPOINTMENTS
 - 2) STATUS REPORT RE 2009 OATHS OF OFFICE
 - 3) STATUS REPORT RE 2009 LICENSES/
REPORT RE 2010 LICENSES
 - 4) STATUS REPORT RE 2009 MEETING DATES
REPORT RE 2010 MEETING DATES
 - 5) STATUS REPORT RE CODIFICATION OF SUPPLEMENT NO. 16
 - 6) STATUS REPORT RE QUALIFICATIONS FOR PROFESSIONAL
CONTRACT POSITIONS IN THE BOROUGH OF CLOSTER, COUNTY OF
BERGEN – to be received 12/15/09 @ 10:30 A.M. (Authorized RM 11/23/09)
 - 7) REPORT
4. REPORTS (Continued)
 - C. CHIEF OF POLICE
 - 1) REPORT

CLOSTER MAYOR AND COUNCIL
WORK SESSION AGENDA – DECEMBER 9, 2009 - 7:30 P.M.

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANT APPLICATIONS:

a. GRANTS FILED

(None at this time)

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 7/11/07 FOR BLOCK 1308, LOTS 3 AND 4, 37 HOMANS AVENUE (8.M.L.7/26/07)
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~~ \$120,000.00 for Recreational Trails Program/RM10/27/04 - \$120,000 Recommended Award - County Public Hearing 5/26/05)
3. NATIONAL TRAILS RECREATION PROGRAM - \$25,000 (local match of \$10,000 required) filed 12/15/05 - \$6,500/Match \$2,800
4. SUPER VALUE, INC./PUBLIC ENTITY GRANT - \$6,600.00 awarded for Hazardous Discharge Site Remediation – 121 Schraalenburgh Road, Block 502 Lot 3 (14. M.L. 7/3/08)
5. CERTIFIED LOCAL GOVERNMENT GRANT OF \$20,000 FOR HISTORIC PRESERVATION PLAN ELEMENT (7. M.L. 7/30/09)
6. COMMUNITY DEVELOPMENT BLOCK GRANT - \$7,000.00 Grant for Senior Center Security System (7. M.L. 6/4/09) RM 10/28/09 - alarm repairs, window replacement, roof support columns and sidewalk improvements

c. GRANTS TO BE FILED

(None at this time)

2) 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

December 3, 2009

NO.	DATE REC'D	DATE	FROM	SUBJECT <input type="checkbox"/> COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	11/20/09	11/17/09	Adam E. Falk, Vice President, Government and Regulatory Affairs, Cablevision, to Ms. Celeste Fasone, Director, NJ Board of Public Utilities, Office of Cable Television, to Mayor	*Launch of Fax Business News and Fox Business News HD	Barad/Cable TV Advisory
2.	11/23/09	10/30/09	Michael Mariniello, Jr. to Mayor	Letter of resignation as full-time Borough Treasurer effective November 1, 2009. (Distributed 11/23/09)	
3.	11/23/09	11/16/09	Bozena Lacina, RMC, Municipal Clerk, Borough of Metuchen to Municipal Clerk	*Resolution No. 2009-196 Urging Legislature to Amend Open Public Records Act to exclude from public records e-mail addresses of individuals provided to the governmental entity for the purpose of receiving emergency notification from being subject to disclosure	
4.	11/23/09	November 2009	Donald J. Wieder, 6 Willow Road, as representative for the attached petitioners to Mayor	*Letter with enclosed petition requesting investigation of an area on and around Piermont Road where residents experience excessive road noise and shaking and vibration within homes and requesting the County set up a routine "check point" to determine if trucks traveling the route are abusing the posted weight restrictions. (Copy to Chief Berrian, Construction Official)	Borough Engineer
5.	Hand del'd by Mayor 11/23/09 No envelope	11/7/09	John C. Leon, Senior Director, Office of Government & Community Affairs, NJ Transit to Mayor	*Notification that NJ Transit will no longer automatically send schedules to municipal, county and state offices; and that printed schedules will continue to be available at major rail stations, bus terminals, light rail stations, and on board buses; and suggesting constituent inquiries be directed to www.njtransit.com .	Newsletter
6.	Hand del'd by Mayor 11/23/09 No envelope	11/6/09	Kenneth J. Kloo, Administrator, Office of Brownfield Reuse, NJDEP, Unregulated Heating Oil Tank Program to Anne D'Angelo	*Letter re: Area of Concern: One 550-gallon #2 Heating Oil Underground Storage Tank System, Unrestricted Use - No Further Action Letter and Covenant Not to Sue, Block 1006/Lot 13, 422 Durie Avenue, Closter Borough, Bergen County, Program Interest # 438054, Activity	Barad/Board of Health Kashwick/Environmental

			c: Municipal Clerk Closter Health Dept.	Number: CSP090001, Communications Center Number: 07-03-27-1452-23 (Copy to Board of Health, Construction Official, Environmental Commission)	
7.	11/24/09	No Date	Frances I. Sundheim, Vice President and Corporate Rate Counsel, PSE&G to Borough Clerk	*Re Notice to PSE&G customers re hearings in the matter of Petition of PSE&G for Approval of an Increase in Electric and Gas Rates and for Changes in the Tariffs for Electric and Gas Service, B.P.U.N.J. No. 14 Electric and B.P.U.N.J. No. 14 Gas Pursuant to <i>N.J.S.A. 48:2-21</i> and <i>N.J.S.A. 48:2-21.1</i> and for Approval of a Gas Weather Normalization Clause; a Pension Expense Tracker and for other Appropriate Relief and Notice to PSE&G Customers for Proposed Increases in Electric and Gas Charges	
8.	11/30/09	11/23/09	Tricia Kaminski, Assistant to Government Affairs, Cablevision; to Ms. Kristi Izzo, Office of Cable Television, Board of Public Utilities c: Celeste Fasone, OCTV, All affected municipalities	*Copy of Cablevision tariff with Bergen County reflecting update to Late Fee, effective 1/1/2010	Barad/Cable TV Advisory
9.	11/30/09	No Date	Susan Crosman, Planning Board Secretary, Borough of Demarest to Borough of Closter	*Public Notice: Borough of Demarest Planning Board meeting to be held on Wed., 12/9/09 @ 7:30 p.m. at the Borough Municipal Building located at 118 Serpentine Road to amend the Housing Element and Fair Share Plan of the Borough's Master Plan	Amitai/Planning
10.	11/30/09	11/25/09	PERMA (Municipal Joint Insurance Fund), to Bergen JIF Members c: Fund Commissioners Risk Management Consultants Fund Professionals	*Approved FY2010 Budgets approved at a public meeting held 11/23/09 for Bergen County Municipal Joint Insurance Fund. Also included are budgets for Municipal Excess Liability Joint Insurance Fund (MEL), New Jersey Environmental Risk Management Fund (E-JIF) which were approved 11/18/09, as well as the Municipal Excess Liability Residual Claims Fund (RCF) which was approved 10/21/09 POSTED ON CLERK'S BULLETIN BOARD 12/3/09!	Borough Administrator
11.	11/25/09	No Date	Andrew Dembia, Esq., Assistant Corporate Rate Counsel, PSE&G to Borough Clerk	*Notices re hearing dates: a. In the Matter of the Petition of Public Service Electric and Gas Company of Changes in its Capital Economic Stimulus Infrastructure Investment Charges and Associated Capital Adjustment Mechanisms and for Changes in its Tariff for Electric Service, B.P.U.N.J. No. 14 Electric; and Changes in its Tariff for Gas Service B.P.U.N.J. No. 14 Gas Pursuant	

			Frances I. Sundheim, Vice President and Corporate Rate Counsel, PSE&G	to <i>N.J.S.A.</i> 48:2-21 b. In the Matter of the Petition of Public Service Electric and Gas Company for Approval of: Changes in its Electric and Gas Regional Greenhouse Gas Recovery Charges (RGGI) for the Carbon Abatement Program; For a Modification to the Carbon Abatement Program; and for Changes in the Tariff for Electric Service, B.P.U.N.J. No. 14 Electric; and Changes in its Tariff for Gas Service B.P.U.N.J. No. 14 Gas Pursuant to <i>N.J.S.A.</i> 48:3-98.1	
12.	11/25/09 via e-mail	11/25/09	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerk	*League Alert Re: a. I. Lame Duck Legislative Session Begins II. The League's Legal Consultation Service III. New Laws b. I. Mayors Task Force for School Funding Reform Seeks Your Support II. December Grant Page Posted c. I. Property Tax Relief Funding Deferred Permanent Cut Considered II. Updated CEU's - New Jersey's Economic Stimulus Act and the Recovery Zone Bond Programs III. League Conference Resolutions IV. State Report Confirms Need for Pension and Benefit Reforms d. I. Urgent Legislative Alert - A-4280 & S-3045, Time of Decision II. FCC Adopts Wireless Tower Siting Petition III. League Joins Challenge to Verizon's Claimed Exemption from Business Personal Property Tax	Page 3 of 4
	11/30/09 via e-mail	11/30/09			
	12/01/09	12/01/09			
	12/02/09	12/02/09			
13.	12/02/09	11/24/09	Kelley R. O'Donnell, RMC, Borough Clerk, Borough of Park Ridge to Borough Clerk	*A Resolution of the Borough of Park Ridge in the County of Bergen, New Jersey Opposing the Adoption of P.L. 2009, C. 118 and Its Application Statewide - objection to and opposition of the enactment of P.L. 2009, c. 118 and opposing any plan to expand the pilot program to include Bergen County (Copy to Angela Mattiace)	
14.	12/01/09	December 2009	James Anzaldi, Mayor, Clifton, President, NJS League of Municipalities, to Municipal Clerk	*Mayor's Newslite	
15.	12/02/09	12/01/09	PERMA (Municipal Joint Insurance Fund), to Bergen JIF Members c: Fund Commissioners, Risk Management Consultants	*Notice of JIF Reorganization meeting to be held @ 6:00 p.m. on 1/21/2010, Seasons Restaurant, Washington Township; Excess Liability JIF, Residual Claims Fund and Environmental JIF Reorganization meetings to be held @ 10:30, 10:50 a.m. and 11:15 a.m. at Forsgate	Quentin Wiest/Insurance

			Fund Professionals	Country Club, Jamesburg - Also enclosed sample Risk Management Consultant's Agreement POSTED ON BOROUGH CLERK'S BULLETIN BOARD 12/3/09	
16.	12/03/09	12/02/09	Jeffrey G. Entin, Senior Manager, Environ Corporation to Ellen Hutchinson, Case Manager, NJDEP Bureau of Field Operations - Northern Section c: Board of Health, Borough Clerk	*Notice of Immediate Environmental Concern (IEC) at JADCO, Inc. property: 84 Herbert Avenue, Closter, MOA Case #01-02-15-0305-10; PI# G000061745; Notice of Immediate Environmental Concern (IEC) - Vapor Pathway, letter only! (Copy to Board of Health Construction Official, Environmental Commission - letter only!)	Barad/Board of Health Kashwick/Environmental
17.	12/03/09	December 2009	Carly Jude Hood, Coordinator, Special Events, American Cancer Society to Borough Clerk	*Informing of 23rd Annual George Washington Bridge Challenge to be held 6/13/2010 (copy to Glenn Parsells, Leslie Weatherly)	Borough Administrator WSA 12/9/09

ALSO DISTRIBUTED

Unapproved Minutes of Regular Meeting held November 23, 2009 (Monday)

Unapproved Minutes of Work Session held November 23, 2009 (Monday)

Municipal Excess Liability Joint Insurance Fund Annual Report 2008-09