

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – OCTOBER 28, 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. 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)
6. COMMUNICATIONS
 - a. MAIL LIST – OCTOBER 15, 2009
 - b. MAIL LIST – OCTOBER 22, 2009
7. OPEN MEETING TO PUBLIC FOR COMMUNICATION 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)
- 9.* INTRODUCTION OF ORDINANCE NO. 2009:1061, “AN ORDINANCE AMENDING
AND SUPPLEMENTING CHAPTER 147, PROPERTY MAINTENANCE,
SPECIFICALLY SECTIONS 147-6 AND 147-13” (Received from Borough Attorney
10/15/09) - PUBLIC HEARING – MONDAY, 11/23/09 @ 7:30 P.M. OR AS SOON
THEREAFTER AS THE MATTER MAY BE HEARD
- 10.* BILL RESOLUTION - OCTOBER 31, 2009
TO BE PREPARED BY DEPUTY TREASURER
- 11.* *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):

<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
- 12.* 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
- 13.* RESOLUTION AUTHORIZING RELEASE OF CLOSED SESSION NOTES OF
JUNE 24, 2009
- 14.* RESOLUTION AUTHORIZING TAX COLLECTOR TO CANCEL TAXES
RECEIVABLE FOR 2ND QUARTERS 2009 PRELIMINARY TAXES IN THE AMOUNT
OF \$3,212.89 and final tax totaling \$1,866.38 ON BLOCK 1302; LOT 13, ASSESSED TO
FONRAEL REALTY, C/O E. FONDER (Received from Tax Collector 10/19/09)

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING AGENDA – OCTOBER 28, 2009 – 7:30 P.M.

8a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

ORDINANCES AND RESOLUTIONS (Continued)

- 15.* RESOLUTION AUTHORIZING TAX COLLECTOR TO CREDIT THE FOLLOWING ACCOUNT FOR TAX YEAR 2009: CAEA, LLC (Charles & Elaine Amorosso), BLOCK 21, LOT 21, IN THE AMOUNT OF \$1,075.81 (Received from Tax Collector 10/19/09)
- 16.* RESOLUTION AUTHORIZING MAYOR AND COUNCIL TO ENTER INTO A GRANT AGREEMENT WITH THE COUNTY OF BERGEN FOR THE PURPOSE OF USING \$7,000.00 IN 2010 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR IMPROVEMENTS TO THE CLOSTER SENIOR CENTER BUILDING (alarm repairs, window replacement, roof support columns and sidewalk improvements) (Received from Administrator 10/21/09)
- 17.* RESOLUTION APPROVING THE SETTLEMENT OF BER-L-02917-07 (Received from Borough Attorney 10/22/09)
- 18.* RESOLUTION AWARDED CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES WITHOUT COMPETITIVE BIDDING PER N.J.S.A. 40A:11-2(6) TO LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES, IN CONJUNCTION WITH THE REMEDIATION OF CONTAMINATION LOCATED AT THE DPW FACILITY, PER PROPOSAL LETTER DATED 10/6/09, IN AN AMOUNT NOT TO EXCEED \$19,500.00 FOR 2009 (Received from Administrator 10/21/09)
- 19.* RESOLUTION AUTHORIZING DEPUTY TREASURER TO RETURN REMAINING ESCROWS TO MARTY UMANS PHOTOGRAPHY IN THE AMOUNT OF \$587.20 FOR POLICE TRAFFIC DIRECTOR SERVICES IN COMPLIANCE WITH LOCAL FINANCE NOTICE 2000-14 (Received from Chief of Police 10/15/09)

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; 8/26/09; 9/9/09; 9/23/09; 10/14/09:

<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

- 21.* APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed 10/22/09) NO ABSTENTIONS:

- a. REGULAR MEETING OF OCTOBER 14, 2009
- b. WORK SESSION OF OCTOBER 14, 2009

- 22.* 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

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – OCTOBER 28, 2009 – 7:30 P.M.

8a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

MOTIONS (Continued)

- 23.* GRANTING APPROVAL FOR CORE THE CENTER OF FITNESS TO CONDUCT THE RUCKMAN ROAD 5K RACE ON SATURDAY, 11/7/09, AT 10 A.M. TO START IN FRONT OF THEIR FACILITY AT 91 RUCKMAN ROAD, GO UP TO THE TOP OF RUCKMAN ROAD, MAKE A LEFT AT ANDERSON AVENUE, A LEFT DOWN BOWERS LANE, ACROSS BUZZONI CROSSING OVER RUCKMAN ROAD TO VENUS DRIVE BACK UP THE HILL TO RUCKMAN AND RETURN TO THE FACILITY (4. M.L. 10/8/09/Approval received from Risk Management Consultant 10/16/09)
- 24.* MOTION RATIFYING APPROVAL FOR THE RECREATION COMMISSION TO CONDUCT THE ANNUAL HALLOWEEN PARADE ON SUNDAY, 10/25/09, AT 1 P.M (7. M.L. 10/22/09)
- 25.* ACCEPTANCE OF THE FOLLOWING MONTHLY REPORTS:
- a. CHIEF OF POLICE - SEPTEMBER 2009 (Received 10/14/09)
- 8b. VOTE ON CONSENT AGENDA ITEMS
26. REVIEW AND VOTE ON ITEMS REMOVED FROM CONSENT AGENDA
27. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
28. DISCUSSION OF PUBLIC COMMENTS OR ANY OTHER TIMELY MATTER, IF APPROPRIATE
29. ADJOURN

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

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – OCTOBER 28, 2009 – 7:30 P.M.

8a. REVIEW OF CONSENT AGENDA ITEMS (Continued)

ORDINANCES AND RESOLUTIONS (Continued)

19a.* 2009 SALARY RESOLUTION (Requested by Administrator 10/22/09 @ 2:26 p.m.)
TO BE PREPARED BY ADMINISTRATOR

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – OCTOBER 28, 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

October 15, 2009 (distributed 10/19/09)

NO.	DATE REC'D	DATE	FROM	SUBJECT	COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	10/08/09	10/08/09	Rose M. Mitchell, Planning Board Clerk, to David M. Watkins, Esq. c: Borough Clerk, Borough Engineer, Dee Woods	*Certified copy of Resolution Denying Subdivision approval for Chu, Block 1718, Lot 6 & 7, 28 Fourth Street		Amitai/Planning
2.	10/08/09	10/08/09	Simone A. Benn, Franchise Services Coordinator, Verizon to Municipal Clerk	*a. Notice re programming change to the Korean package and a programming and rate change to the Chinese Package on Verizon's FiOS TV and copy of notice that will be mailed to subscribers. *b. Notice re programming changes for the TV Guide Channel and copy of sample postcards		Barad/Cable TV Advisory
3.	10/14/09	10/14/09	Steven Dilts, Commissioner, State of NJ Department of Transportation, to Mayor	*Notification of award from NJ Department of Transportation's (NJDOT) Fiscal Year 2010 Municipal Aid Program for West Street, Section 5, in the amount of \$195,000.00		Borough Engineer
4.	10/14/09	10/13/09	Margaret B. Bieran, Project Manager, BEM Systems, Inc. to Mr. Hrushikesh Oza, NJDEP, Bureau of Northern Case Management c: Closter Borough Clerk Mayor Heymann	*Public Notification and Outreach Program for Former Hotel Research Laboratories, Inc., 48 & 58 Perry Street, ISRA Case No. 85774 including Public Notification Letter, Fact Sheet, Sensitive Population & Resource checklist, Sensitive Population Map, 200 foot resident list and copy of affidavit of publication from <i>The Bergen Record</i> and cd w/electronic copies of same (letter only!) (Copy to Board of Health, Construction Official, Environmental Commission - letter only) CD ON FILE IN BOROUGH CLERK'S OFFICE		Barad/Board of Health Kashwick/Environmental
5.	10/15/09	10/01/09	David N. Grubb, Executive Director, Municipal Excess Liability Joint Insurance Fund	*2010-2011 Employment Practices Liability (EPL) Program		
6.	10/15/09	10/08/09	Bryan Moore, Supervisor, Bureau of Industrial Site Remediation, NJDEP to Mr. Vance Merolla, Colgate Palmolive Co, c: Closter Borough Clerk, Closter Health Department	*Notice of compliance with Technical Requirements for Site Remediation for Former Hotel Research Laboratories, Inc., 48 & 58 Perry Street, ISRA Case No. E85774, PI# G000007260 and approving Results of Baseline GW Sampling & Proposed Delineation Sampling dated: 11/11/08 and Addendum to Results of Baseline GW Sampling & Proposed Delineation Sampling dated: 4/8/09 (Copy to Board of Health, Construction Official, Environmental Commission)		Barad/Board of Health Kashwick/Environmental

ALSO DISTRIBUTED:

The New Jersey Planner, September/October 2009; VOL. 70, NO. 4 (Received 10/9/09)

The Bergen Momentum, Fall 2009, Vol II, No. 2 (Received 10/13/09)

MAIL LIST
October 22, 2009

NO.	DATE REC'D	DATE	FROM	SUBJECT	COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	10/16/09	10/14/09	Gerald Cardinale, Senator, 39 th District	*Information that Closter will be receiving \$195,000 for the improvement of West Street, Section 5, from Fiscal Year 2010 Transportation Trust Fund		Borough Engineer
2.	10/19/09	10/8/09	Dennis Mc Nerney, County Executive Department of Human Services, to Mayor	*Notice of opening of the Bergen County Housing, Health and Human Services Center on 10/1/09 (Copy to Local Assistance Board)		
3.	10/19/09	No Date	Gregory Eistenstark, Esq., Assistant General Corporate Rate Counsel, PSE&G, to Municipal Clerk	*Notice of Filing and Notice of Public Hearings to be held re increase in rates		
4.	10/19/09	10/17/09	Adrienne Isacoff, Closter Environmental Commission, to Mayor	*Notice of resignation from the Closter Environmental Commission as a Member for a 3-year term to 12/31/2009 (Copy to Dave Scholz)		RM Agenda 10/28/09
5.	10/19/09	10/15/09	Adam E. Falk, Vice President, Government and Regulatory Affairs, to Ms. Celeste Fasone, Director, NJ Board of Public Utilities, Office of Cable Television c: Affected Municipalities	*Notice of changes in iO Sports Pak programming effective Tuesday, 11/17/09 and copy of updated tariffs.		Barad/Cable TV Advisory
6.	10/20/09	10/07/09	State of New Jersey, Board of Public Utilities, to Loretta Castano, Borough Clerk, James Eric Andrews, Schenck, Price, Smith & King, LLP	*Re: In the Matter of the Application of Cablevision of New Jersey, L.L.C. for Renewal of a Certificate of Approval to Continue to Operate and Maintain a Cable Television System in the Borough of Closter, County of Bergen, State of New Jersey; Cable Television Renewal Certificate of Approval, Docket No. CE09070534		Borough Attorney
7.	10/20/09	10/20/09	Jim Oettinger, Recreation Director, to Mayor	*Request for pro forma approval for the Annual Halloween Parade to be held on 10/25/09		RM Agenda 10/28/09
8.	10/21/09	10/19/09	Mary Ann Tarantula, Chair, Legislative Awareness and Advocacy Committee, Zonta Club of Northern Valley	*Notification of "16 Days of Activism Against Gender Violence" to begin on 11/25/09, ending on 12/10/09 and requesting support from Municipal and County leaders with a Proclamation, per sample enclosed		RM Agenda 11/9/09
9.	10/21/09	10/20/09	Nick DeNicola, P.E., Boswell McClave Engineering c: Loretta Castano, Borough Clerk	*Letter of proposal for preparation of construction plans and specifications and providing construction inspection for project: 2009 NJDOT Local Aid Project, West Street Improvements, Section 5, Borough of Closter, Bergen County, New Jersey, File No. PR-9-2694		Borough Engineer Administrator

10.	10/20/09	10/20/09	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerk	(CL-1023) *Re Bills Signed by Governor: S-451/A-2457, S-520/A-1718, S-532/A-1731, A-2784/S-1426	
11.	10/22/09	10/21/09	Richard Wierer, Acting Executive Director, The Bergen County Utilities Authority, to Loretta Castano	*Notice of Public Hearing re Computation of User Charges for Combined Sewer System Municipalities and Other Revisions and Amendments to the Rules and Regulations to Implement Those Changes to be held 12/10/09 @ 10:00 a.m. (Copy to William Dahle, III)	Administrator
12.	10/22/09	No Date	Nancy and James Dillon, 79 Chestnut Avenue, to Borough Clerk	*Notice of Meeting to Property Owners re Application for variance for Block 1703, Lot 19, 79 Chestnut Avenue, to be held 11/16/09 @ 8:00 p.m.	Hennessey/Zoning Bd. Of Adjustment

ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held October 14, 2009

Unapproved Minutes of Work Session held October 14, 2009