

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – JULY 28, 2010 - 7:30 P.M.

1. PLEDGE OF ALLEGIANCE
2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was sent to the Press Journal and The Record and published in both newspapers on January 7, 2010, posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

3. ROLL CALL
4. PROCLAMATIONS, PRESENTATIONS, MOMENTS OF SILENCE

- a. PRESENTATION TO DONALD FARRELL
(Requested by Mayor 6/8/10)

5. PUBLIC HEARING @8:00 P.M. RE 2010 GREEN ACRES PLANNING INCENTIVE (PI) GRANT APPLICATION (A matching grant program for the acquisition of lands for open space and recreation purposes)
Notice of this Public Hearing was published in The Record issue of July 21, 2010.

- 6a. VOTE ON CONSENT AGENDA ITEMS

INTRODUCTION OF ORDINANCES (WITH PUBLIC HEARING DATE SPECIFIED)

7. INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING AND ADOPTION – 8/25/10 @7:30 OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

- a. BOND ORDINANCE NO. 2010: 1070, “AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE SAFE SIDEWALKS TO TENAKILL MIDDLE SCHOOL INFRASTRUCTURE PROJECT IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$315,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$40,000 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME” (Received from Bond Counsel 7/16/10)

- b. ORDINANCE NO. 2010:1071, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS, SPECIFICALLY FOR THE POLICE DEPARTMENT’S FEES FOR PRIVATE DUTY WORK (Received from Borough Attorney 7/20/10)

- c. ORDINANCE NO. 2010:1072, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS, SPECIFICALLY FOR THE TAX COLLECTOR/TREASURER” (Received from Borough Attorney 7/20/10)

- d. ORDINANCE NO. 2010:1073, “AN ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF RAILROAD AVENUE (Received from Borough Attorney 7/21/10)

- e. BOND ORDINANCE NO. 2010:1074, - TITLE TO BE PROVIDED BY BOND COUNSEL REAPPROPRIATION ORDINANCE (\$32,000.00) (Requested by Administrator 7/23/10 @ 1:15 p.m.) TO BE PREPARED BY BOND COUNSEL

RESOLUTIONS

8. BILL RESOLUTION – JULY 31, 2010
TO BE PREPARED BY DEPUTY TREASURER

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING AGENDA – JULY 28, 2010 – 7:30 P.M.

6a. VOTE ON CONSENT AGENDA ITEMS (Continued)

RESOLUTIONS (Continued)

9. *POSSIBLE* APPOINTMENT(S) OF SALARIED EMPLOYEES (NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/10; RM 1/13/10; 1/27/10; 2/10/10; 2/24/10; 3/10/10; 3/24/10; 4/14/10; 4/28/10; 5/12/10; 5/26/10; 6/9/10; 6/23/10; 7/14/10) -
RESOLUTIONS TO BE PREPARED BY ADMINISTRATOR

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
DEPUTY BOROUGH CLERK	_____	1 Year	12/31/10
CONSTRUCTION OFFICIAL	_____	4 Year	12/31/13
DEPUTY TAX COLLECTOR	_____	1 Year	12/31/10
DESK DISPATCHER			
FULL TIME	_____	1 Year	12/31/10
PERMANENT CLERICAL FLOATER	_____	1 Year	12/31/10
POLICE MATRON	_____	1 Year	12/31/10
**QUALIFIED PURCHASING AGENT	_____	1 Year	12/31/10
SCHOOL CROSSING GUARD			
PART TIME	_____	1 Year	12/31/10

**Permissive (1b. Mail List 12/23/09 – recommended Borough Attorney review)

10. RESOLUTION IN OPPOSITION TO A-2939 AND ITS COMPANION BILL S-TBA COMPELLING DISSOLUTION OF TETERBORO, NEW JERSEY (Received from Borough Attorney 7/22/10)
11. RESOLUTION AUTHORIZING TAX COLLECTOR TO CANCEL 3RD AND 4TH QUARTERS 2010 TAXES AND PRELIMINARY 2011 TAXES ON BLOCK 309, LOT 1, ASSESSED TO BOROUGH OF CLOSTER AS OF 11/24/2008 AS PARCEL WAS CLASSIFIED AS EXEMPT, CLASS 15F PER ASSESSOR (Received from Tax Collector 7/14/10)
12. RESOLUTION INCREASING CONTRACT PRICE FOR WEST STREET IMPROVEMENTS SECTION 5, CHANGE ORDER #1 AND FINAL FOR VINCENT J. CONSTRUCTION, LLC Contract Price: \$137,041.00; Change Order No. 1 and Final: \$18,760.20; Amended Contract Price: \$155,801.20 (Received from Administrator 7/18/10)
13. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH MID-BERGEN REGIONAL HEALTH COMMISSION (not to exceed \$6,000) RELATING TO THE PROVISION OF PROFESSIONAL, PUBLIC HEALTH SERVICES (Original amount: \$43,200) (Received from Administrator 7/20/10)
14. RESOLUTION ACCEPTING PROPOSAL RECEIVED FROM SIGNATURE INFORMATION SOLUTIONS, A TAX SEARCH FIRM, IN RETURN FOR AN ANNUAL PAYMENT OF \$200 TO PROVIDE WEEKLY ELECTRONIC DATA TRANSMISSIONS OF INFORMATION WHICH IS OPEN TO THE PUBLIC AND IS READILY AVAILABLE UPON REQUEST (Received from Tax Collector 7/14/10)
15. RESOLUTION RE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES ENABLING RESOLUTION (\$750,000/MATCH (Received from Administrator 7/22/10)
16. REVISED RESOLUTION ADOPTING 457 DEFERRED COMPENSATION PLAN PROVIDED BY AXA-EQUITABLE ASSIGNED THE PLAN IDENTIFIER (66-PD-EQUITABLE-053107) CLOSTER BY THE DIVISION OF LOCAL GOVERNMENT SERVICES (Received from Administrator 7/22/10)
17. RESOLUTION ENTERING INTO AGREEMENT WITH COUNTY OF BERGEN FOR EMERGENCY SERVICES NOTIFICATION SYSTEM (Received from Administrator 7/22/10) (3. M.L. 6/10/10)

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING AGENDA – JULY 28, 2010 – 7:30 P.M.

6a. VOTE ON CONSENT AGENDA ITEMS (Continued)

MOTIONS

18. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES
 (Distributed 7/22/10) ABSTENTION: AMITAI:

- a. REGULAR MEETING OF JULY 14, 2010
- b. WORK SESSION OF JULY 14, 2010

19. MOTION APPROVING THE FOLLOWING NON-SALARIED APPOINTMENTS (NOT
 MADE AT THE REORGANIZATION MEETING HELD 1/4/10; RM 1/13/10; 1/27/10;
 2/10/10; 2/24/10; 3/10/10; 3/24/10; 4/14/10; 4/28/10; 5/12/10; 5/26/10; 6/9/10; 6/23/10; 7/14/10:

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION			
Member	_____	2 Year	12/31/11
*SHADE TREE COMMISSION			
Member (Ryan) (3. M.L. 3/11/10)	_____	5 Year un- expired to	12/31/11
* <i>Mayoral Appointment</i>			

20. MOTION APPOINTING _____ TO SERVE AS ZONING BOARD OF
 ADJUSTMENT ALTERNATE. NO. 3 FOR A 2-YEAR UNEXPIRED TERM (IAFRATE) TO
 12/31/10 (3. M.L. 5/27/10) (Adjourned from RM 6/9/10; RM 6/23/10; RM 7/14/10)

21. MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO FILL THE FOLLOWING
 APPOINTMENTS MADE AT THE REORGANIZATION MEETING HELD ON 1/4/10
 (Which have not been accepted as of the time of preparation of this Agenda):

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION			
Member	_____	2 Year un- expired to	12/31/10
*SHADE TREE COMMISSION			
Alternate No. 2	_____	4 Year un- expired to	12/31/11
* <i>Mayoral Appointment</i>			

22. MOTION APPOINTING _____ TO SERVE AS MEMBER OF THE
 BOARD OF ETHICS FOR AN UNEXPIRED 5-YEAR TERM (ARCHER) TO 12/31/2013
 (6. M.L. 7/15/10)

REPORTS

23. ACCEPTANCE OF THE FOLLOWING REPORTS:

- a. CHIEF OF POLICE – JUNE 2010 (Received 7/13/10)

6b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

24. OPEN MEETING TO PUBLIC FOR ANY MATTER, PER N.J.S.A. 10:4-12 (a)
 (Subject to 5-minute limit per By-Laws General Rule No. 10)

25. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY

26. ADJOURNMENT

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – JULY 28, 2010 – 7:30 P.M.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – JULY 28, 2010 - 7:30 P.M.

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2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

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3. ROLL CALL
4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS
 - a. MAIL LIST OF JULY 15, 2010
 - b. MAIL LIST OF JULY 22, 2010
5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of July 28, 2010)

6. COMMITTEE REPORTS
 - A. FINANCE AND TECHNOLOGY - DOLSON (GLIDDEN/ KASHWICK)
 - 1) STATUS REPORT RE CLOSTER WEBSITE
 - 2) REPORT
 - B. PUBLIC SAFETY - GLIDDEN (DOLSON/LATNER)
 - 1) REPORT
 - C. PUBLIC WORKS - LATNER (AMITAI/GLIDDEN)
 - 1) REPORT
 - D. ORDINANCES - BARAD (KASHWICK/AMITAI)
 - 1) REPORT RE ORDINANCE COMMITTEE MEETINGS
 - 2) REPORT
 - E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON)
 - 1) REPORT RE PERSONNEL COMMITTEE MEETINGS
 - 2) REPORT
 - F. PRIVATE CONSTRUCTION, LAND USE, ZONING ENFORCEMENT & NEW BUILDINGS – AMITAI (BARAD/DOLSON)
 - 1) REPORT

7. OLD BUSINESS
8. NEW BUSINESS

CLOSTER MAYOR AND COUNCIL
WORK SESSION AGENDA – JULY 28, 2010 - 7:30 P.M.

9. OPEN MEETING TO THE PUBLIC FOR ANY MATTER PER NJSA 10:4-12(A) SUBJECT TO A 5 MINUTE LIMIT PER GENERAL RULE NUMBER 10) EXCEPT FOR ITEMS SCHEDULED FOR PUBLIC HEARING AT THE REGULAR MEETING
10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
11. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
12. ADJOURNMENT

MAIL LIST

JULY 15, 2010

NO.	DATE REC'D	DATE	FROM	SUBJECT	COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	07/08/10	07/08/10	Michelle Damiani, Public Affairs Manager, Rockland Electric, to Borough Clerk	*Public Notice to Rockland Electric Company Customers: Rockland Electric Company, Notice of Proposed Business Office Relocation from 82 E. Allendale Road, Saddle River, to One Lethbridge Plaza, Mahwah		
2.	07/09/10	07/09/10	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerks	*League Alerts Re: a. Federal Bi-Weekly Update for the Period Ending July 9, 2010 I. House Passes Mandatory Collective Bargaining Bill II. US Files Suit Against Arizona Over Immigration Law III. TCs Push to Preempt Local Authority Over Hotel Taxes IV. Introduction of Main Street Fairness Act V. Work Begins on Fiscal Year 2011 Spending Bills, Major Delays Expected VI. Bill Would Require Federal Agencies to Pay Local Stormwater Fees VII. HHS Unveils HealthCare.gov Website b. Beautiful New Jersey c. Media Advisory: Still an Unfinished Agenda d. Assembly Approves 2% Cap e. Affordable Housing & COAH Reform f. Governor Signs S-29 g. SHBP costs to climb 11.7%		
	07/12/10	07/12/10				
	07/13/10	07/13/10				
	07/14/10	07/14/10				
3.	07/13/10	07/05/10	Kenneth C. Hoffman, Councilman, Borough of Emerson	*Letter requesting that a Resolution in Opposition to the Dissolution of Teterboro be placed on the Agenda		
4.	07/13/10	07/01/10	Kevin Kratina, Bureau Chief, Bureau of Underground Storage Tanks, NJDEP, to Joong E. Kim c: Closter Health Dept. Municipal Clerk, <u>14 Garry Road</u>	*Notice of Violation re Joong E. Kim Warehouse, 277 Herbert Avenue, Closter, EA# PEA100001-032793, Identifying # 032793, Case # 08-04-28-0857-06 (Copy to Board of Health, Construction Official, Environmental Commission)		Dolson/Board of Health Kashwick/Environmental
5.	07/12/10	No Date	Joseph Voto, Past Closter Trustee and Pig Roast Chairman, Closter Elks Lodge No. 2304	Requesting permission to cordon off (North) parking lot adjacent to 148 Railroad Avenue for antique car and motorcycle display to be held 8/28/10 (Distributed 7/14/10) Copy to William Dahle, III, Chief Berrian, Glenn Parsells		RM 7/14/10 Administrator/Insurance
6.	07/13/10	07/13/10	Edward Archer, Chairman, Board of Ethics,	*Resignation as member of Board of Ethics for a 5-year term from 1/5/09		RM Agenda

7.	07/14/10	07/08/10	to Mayor Jennifer H. Kleinman, Acting Clerk, Board of Chosen Freeholders, County of Bergen to Municipal Clerk	to 12/31/13, effective immediately *Certified copies of following Ordinances introduced 7/7/10 - Public Hearing - 8/11/10: a. 10-18: Bond Ordinance providing for Various Capital Improvements at Bergen Community College b. 10-19: Bond Ordinance providing for Various Capital Improvements in the Bergen County Special Services School District c. 10-20: Bond Ordinance providing for Various Capital Improvements for the Bergen County Technical Schools d. 10-21: Bond Ordinance providing for Various County Law Enforcement Improvements e. 10-22: Guaranty Ordinance to be issued by the Bergen County Improvement Authority for funding for Park Ridge Board of Education Solar Project f. 10-23: Bond Ordinance providing for Various Capital Improvements for the Bergen County Regional Medical Center	7/28/10
8.	07/15/10	07/13/10	John A. Spizziri, Sr., Esq. to Irene Stella, Chairperson, Historic Preservation Commission c: Sherrell Williams Gilmartin Mayor and Council Planning Board Zoning Board of Adjustment	*119 Hickory Lane, Closter, NJ, Block 2102, Lot 55; Ellen L. Brooks Trust/Sherrell Wilkins Gilmartin, Owners - response to letter of 6/30/10 and documentation received on 7/2/10 (letter only!)	Borough Attorney Kashwick/HPC
9.	07/15/10	07/12/10	Farouk Ahmad, Director, County of Bergen Department of Economic Development	*Notice of availability of 2010 funding round for Bergen County Open Space, Recreation & Historic Preservation Trust Fund and notification that the Trust Fund's Municipal Park Improvement & Land Acquisition Program will be administered by the Division of Open Space starting with the 2010 Trust Fund Round	Administrator Mayor/Grants Amitai/Planning Kashwick/HPC
10.	07/15/10	07/08/10	Jennifer H. Kleinman, Acting Clerk, Board of Chosen Freeholders, County of Bergen to Municipal Clerk	Notice of Adoption of the following Ordinances on 7/7/10 which were introduced 6/2/10 : a. 10-12: Bond Ordinance providing for Various Capital Parks Improvements b. 10-13: Bond Ordinance providing for Various Capital Improvements - Administration and Finance c. 10-14: Bond Ordinance providing for Roadway Improvements for the Department of Planning and Economic Development	

				d. <u>10-15:</u> Bond Ordinance providing for Various Capital Improvements for the Departments of Health and Human Services e. <u>10-16:</u> Bond Ordinance providing for Various Capital Improvements - Overpeck Construction Phase II f. <u>10-17:</u> (Pages 2, 3 & 4 are missing) Bond Ordinance providing for Various Department of Public Works Improvements	
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ALSO DISTRIBUTED:

Bergen County's Open Space Momentum, Vol. 6, No. 1, Summer 2010

6.	07/20/10	06/23/10	Mary Helen Cervantes, Director, Office of Communication & Legislation, to Mayor	*Information re Safe Haven Law passed 10 years ago (New Jersey Safe Haven Infant Protection Act) including pamphlets and posters, encouraging sharing of information to safeguard infant abandonments by parents experiencing crisis who are unable to care for their infants 30 days of age or younger	Mayor Heymann
7.	07/20/10	07/20/10	Borough of Park Ridge Clerk to Closter Municipal Clerk	*Endorsing Resolutions adopted 7/13/10: a. Supporting Proposed Constitutional Cap with Modifications and Clarifications b. Supporting Repeal of Kyleigh's Law	
8.	07/21/10	07/16/10	Dennis McNerney, County Executive, to Mayor Heymann	*Request for Mayor to recommend one candidate from Closter deserving recognition as Volunteer of the Year;; (full name and brief biography needed!) Submission deadline: 8/20/10	Mayor Heymann
9.	07/22/10	07/19/10	Ralph LaRossa, President and Chief Operating Officer, PSE&G, to Mayor	*Update on issues important to PSE&G, customers and communities	
10.	07/22/10	07/22/10	Inga Grossman-Savitsky, 2 Lindemann Avenue	*Request for review by governing body of matter regarding property maintenance, as recommended at the Zoning Board of Adjustment meeting held 7/21/10	Borough Attorney
11.	07/22/10	07/22/10	Paul Demarest, (Land Use) Coordinator/ Zoning Board of Adjustment, to Michael & Debbie Bergman	*Resolution of Approval granted 6/16/10 and memorialized 7/21/10 for Block 1006, Lot 1, 161 Columbus Avenue	Dolson/Zoning

ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held July 14, 2010

Unapproved Notes of Work Session held July 14, 2010