

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – TUESDAY, SEPTEMBER 7, 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. PROCLAMATION

MAYORAL PROCLAMATION DECLARING THE MONTH OF OCTOBER AS
"DOMESTIC VIOLENCE AWARENESS MONTH" (2. M. L. 8/12/10)

5. 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 8/11/10 and was published in the Press Journal on 8/19/10 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. BOND ORDINANCE NO. 2010: 1075, "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 \$600,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$570,000 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME"

6a. VOTE ON CONSENT AGENDA ITEMS

7. INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING – 10/13/10 @ 7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

a. ORDINANCE NO. 2010: 1079, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 167 OF THE CODE OF THE BOROUGH OF CLOSTER" (Received from Borough Attorney 8/30/10)

b. ORDINANCE NO. 2010:1080, "AN ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF VAN SCIVER STREET, BLOCK 1205, LOT 17.02" (Received from Borough Attorney 8/31/10)

c. ORDINANCE NO. 2010:1081, "AN ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF VAN SCIVER STREET, BLOCK 1205, LOT 17.03" (Received from Borough Attorney 8/31/10)

RESOLUTIONS

8. BILL RESOLUTION – SEPTEMBER 15, 2010 TO BE PREPARED BY DEPUTY TREASURER

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING AGENDA – TUESDAY, SEPTEMBER 7, 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; 7/28/10; 8/11/10; 8/25/10) 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
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 NO. 5 RE AD INTERIM PERMIT
11. RESOLUTION AUTHORIZING RENEWAL OF MEMBERSHIP IN THE BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND FOR A 3-YEAR PERIOD FROM 1/1/2011 TO 1/1/2014 @ 12:01 A.M. (8. M.L. 8/5/10)
12. RESOLUTION AUTHORIZING TAX COLLECTOR TO CREDIT THE FOLLOWING ACCOUNT IN THE AMOUNT OF \$1,098.74 FOR TAX YEAR 2010 AS THE BOROUGH HAS ENTERED INTO A RECIPROCAL EASEMENT AGREEMENT STIPULATING PROPORTIONAL (22%) TAX ABATEMENT ON THE LAND VALUE FOR PROPERTY USED BY THE BOROUGH: CAEA, LLC (Charles & Elaine Amorosso), BLOCK 1302 LOT 21 (Received from Tax Collector 8/30/10)
13. RESOLUTION AUTHORIZING ADMINISTRATOR TO ISSUE A PURCHASE ORDER FOR THE PURCHASE OF FINANCIAL MANAGEMENT SOFTWARE, WITHOUT COMPETITIVE BIDDING PURSUANT TO N.J.S.A. 40A:11-5(1)(dd), TO EDMUNDS AND ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED \$24,685 (Received from Administrator 8/30/10)
14. RESOLUTION ADOPTING A REVISED DEFERRED COMPENSATION PLAN FROM LINCOLN FINANCIAL (Received from Administrator 9/1/10)
15. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING RELATING TO THE PROVISION OF ENGINEERING SERVICES FOR INSTALLATION OF PREFABRICATED BATHROOM FACILITIES AT MOLLICONE AND SCHAUBLE FIELDS (Received from Administrator 9/1/10)
16. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH HAKIM ASSOCIATES RELATING TO THE PROVISION OF PLANNING SERVICES (Received from Administrator 9/1/10)
17. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO ISSUE CHECK IN THE AMOUNT OF \$19.08 TO KAGAN, SUSAN ROSE, FOR THIRD QUARTER 2010 TAX OVERPAYMENT, RE BLOCK 1906, LOT 05 (Received from Tax Collector 9/1/10)

MOTIONS

18. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed 9/2/10) NO ABSTENTIONS
- REGULAR MEETING OF AUGUST 25, 2010
 - WORK SESSION OF AUGUST 25, 2010

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING AGENDA – TUESDAY, SEPTEMBER 7, 2010 - 7:30 P.M.

6a. VOTE ON CONSENT AGENDA ITEMS (Continued)

MOTIONS (Continued)

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; 7/28/10; 8/11/10; 8/25/10:

<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; RM 7/28/10; RM 8/11/10; RM 8/25/10)

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) (Adjourned from RM 7/28/10; 8/11/10; 8/25/10)

23. MOTION GRANTING APPROVAL FOR BLOCK PARTY TO BE HELD ON WHITNEY STREET ON SUNDAY, 9/19/10 FROM 1 P.M. TO 7 P.M.; RAIN DATE: SUNDAY, 9/26/10 (6. M.L. 9/2/10)

24. ACCEPTANCE OF THE FOLLOWING REPORTS:
 (No reports were received at time of preparation of this Agenda)

6b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

25. 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)

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

27. ADJOURNMENT

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

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – TUESDAY, SEPTEMBER 7, 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. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

- a. MAIL LIST OF AUGUST 26, 2010
- b. MAIL LIST OF SEPTEMBER 2, 2010

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING

(Refer to Regular Meeting Agenda of September 7, 2010)

6. PROFESSIONAL REPORTS

A. BOROUGH ATTORNEY

- 1) STATUS REPORT RE CONTRACTS:
 - a. BOROUGH ADMINISTRATOR (RM 5/13/09)
 - b. MAC BAIN FARM AGREEMENT
- 2) STATUS REPORT RE POSSIBLE STREET VACATION – VAN SCIVER STREET CUL-DE-SAC (Requested 8/5/10)
- 3) REPORT

B. BOROUGH ENGINEER

- 1) STATUS REPORT RE 2009 SAFE STREETS TO SCHOOL SIDEWALK PROJECT – NJDOT \$275,000 (not to exceed \$52,100) RM 6/24/09
- 2) STATUS REPORT RE IMPROVEMENTS TO WEST STREET, SECTION 5 - Awarded RM 3/10/10 to Vincent J. Construction, LLC (\$137,041)
- 3) REPORT

7. REPORTS

A. BOROUGH ADMINISTRATOR

- 1) STATUS REPORT RE NEW BOROUGH WEB SITE
- 2) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S):
 - a. REPORT RE FOLLOW UP OF INSURANCE REQUIREMENTS REGARDING RECREATION COMMISSION 'S LABOR DAY ACTIVITIES (RMA 8/25/10)

7. REPORTS (Continued)

A. BOROUGH ADMINISTRATOR (Continued)

- 2) STATUS REPORT RE FOLLOWING INSURANCE MATTER(S) continued:
 - b. INSURANCE RE FALLEN ANGELS CONTRACT (WS 7/28/10)

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

- 3) DISCUSSION WITH RECREATION COMMISSION RE PLAQUE IN MEMORY OF GEORGE POTTERTON (COACH) (Discussed at RM 7/28/10)
 - 4) REPORT
- B. BOROUGH CLERK
- 1) STATUS REPORT RE 2010 APPOINTMENTS
 - 2) STATUS REPORT RE 2010 OATHS OF OFFICE
 - 3) STATUS REPORT RE 2010 LICENSES
 - 4) STATUS REPORT RE 2010 MEETING DATES
 - 5) STATUS REPORT RE IMPLEMENTATION OF CITIZEN SERVICE ACT (LOCAL FINANCE NOTICE -LFN 2009-24, 11/12/09)
 - 6) STATUS REPORT RE PREPARATIONS FOR 2010 GENERAL ELECTION TO BE HELD TUESDAY, 11/2/10 FROM 6 A.M. TO 8 P.M.
 - 7) STATUS REPORT RE FINANCIAL DISCLOSURE STATEMENTS
 - 8) REPORT
- C. CHIEF OF POLICE
- 1) REPORT
- D. MAYOR
- 1) STATUS REPORT RE FOLLOWING GRANTS:
 - a. FILED
 1. Reported by Mayor at Work Session held 12/9/09 as follows:
 - A) Shade Tree Grant (\$11,200) for business stimulus
 - B) DEP Greenhouse Grant Reduction (pre-application)
 2. Reported by Mayor at Work Session held 6/9/10 as follows:
 - C) COPS More Grant (Reported at WS 6/9/10)
 - D) 2011 NJDOT LOCAL AID FOR HERBERT AVENUE (WS 6/9/10/RMA 7/14/10) (5. M.L. 6/24/10) (Requested to be moved from B.E. Agenda 8/11/10)
 - b. AWARDED
 1. 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)
 2. CERTIFIED LOCAL GOVERNMENT GRANT OF \$20,000 FOR HISTORIC PRESERVATION PLAN ELEMENT (7. M.L. 7/30/09)
 3. Reported by Mayor Heymann at WS 1/13/10 as follows:
 - A) (GDL 2009 ENFORCEMENT AND EDUCATION CAMPAIGN, NATIONAL HIGHWAY TRAFFIC SAFETY (NHTSA) SECTION 402, STATE AND COMMUNITY HIGHWAY SAFETY GRANT (\$2,000) filed 4/9/09/awarded 5/2009
 4. 2010 ROID Grant (\$10,000) for Recreation Commission Challenge Routine (W.S. 12/9/09) (REC OPPS FOR INDIVIDUALS WITH DISABILITIES 2010 DIFFERENTLY ABLED CHALLENGER RECREATION PROGRAM) Mayor reported on award at WS 3/10/10
 5. 2010 COMMUNITY DEVELOPMENT BLOCK GRANT FOR BARRIER FREE CURB CUTS - \$50,000 (2. M.L. 6/17/10)
- D. MAYOR (Continued)
- 1) STATUS REPORT RE FOLLOWING GRANTS:
 - b. AWARDED
 6. BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL IMPROVEMENT

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

PROGRAM 2009) Grant (\$37,000) for basketball courts at Memorial Field filed 7/27/09)
Award of \$36,500 reported WS 6/9/10)

- c. TO BE FILED
To be announced by Mayor

- 8. OLD BUSINESS

- 9. NEW BUSINESS
 - a. STATUS REPORT RE SIDEWALK REPAIR PROCEDURE (Requested by Mayor
7/2/10/Discussed WS 7/14/10; WS 8/25/10)

- 10. 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

- 11. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE

- 12. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY

- 13. ADJOURNMENT

MAIL LIST

August 26, 2010

NO.	DATE REC'D	DATE	FROM	SUBJECT <input type="checkbox"/> COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	08/19/10	08/19/10	Paul Demarest, Land Use Coordinator, Zoning Board of Adjustment to Wells, Jaworski & Liebman, LLP c: Zoning Officer Borough Clerk Deputy Treasurer	*Certified copy of Resolution memorialized 8/18/10 granting in whole or part, approval of application , Crimmins, 49 John Street (Block 1203/Lot 5)	Dolson/Zoning
2.	08/20/10 hand del'd by Mayor/no envelope	08/18/10	Eric Andersen, P.E. Chief Engineer/Director of Water Pollution Control Division/Bergen County Utilities Authority, to Mayor	*Bergen County/Bergen County Utilities Authority Wastewater Management Plan Advisory from New Jersey State League of Municipalities - informing that the NJDEP has adopted the Plan submitted by the BCUA, effective through 6/19/14 (Copy to Environmental Commission, Borough Attorney, Planning Board)	
3.	08/20/10 hand del'd by Mayor/no envelope	08/09/10	Charlotte Vandervalk, Assemblywoman, 39 th District	*Homestead Credit Program	
4.	08/20/10 hand del'd by Mayor/no envelope	08/17/10	Elizabeth Randall, Commissioner, State of New Jersey Board of Public Utilities	*Response to Closter's Resolution opposing United Water New Jersey, Inc.'s Petition for a 21.3% rate increase filed with the BPU on 12/9/09	
5.	08/20/10 hand del'd by Mayor/no envelope	08/17/10	Charlotte Vandervalk, Assemblywoman, 39 th District	*Response to Closter's Resolution in support of Governor Christie's package of "toolkit" bills	
6.	08/20/10 hand del'd by Mayor/no envelope	08/10/10	Charlotte Vandervalk, Assemblywoman, 39 th District	*Urging governing body to make use of the Office of Permit Coordination and Environmental Review within the DEP, established by Governor Christie	
7.	08/23/10	08/23/10	Adam E. Falk, Vice President, Government and Regulatory Affairs, Cablevision, to Ms. Celeste Fasone, Director, NJ Board of Public Utilities, Office of Cable Television	*Launch of MSG Varsity HD, Telecare and WPPX HD, effective 8/25/10	Barad/Cable TV Advisory

8.	08/24/10	08/24/10	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerks	*League Alert Re: a. I. Senate Action on Bills No Help for Budgets II. Two FREE CEU's	
	08/25/10	08/25/10		b. Recent Changes on DLGS Website	

MAIL LIST

September 2, 2010

NO.	DATE REC'D	DATE	FROM	SUBJECT	☐ COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	08/26/10	08/25/10	egg@dca.state.nj.us for Lori Grifa, Commissioner, Department of Community Affairs, to Municipal Clerk	*a. Letter outlining the standards and descriptions of the Best Practices toolkit initiative and Best Practices checklist for conformity to determine level of participation and amount of aid received in final state aid payment		
	08/27/10	08/25/10		b. CORRECTED letter with corrected number for DLGS Director's Office and complete Best Practices Checklist		
2.	08/26/10	08/26/10	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerks	*League Alert Re:		
	08/27/10	08/27/10		a. I. Reminder - Governor's Environmental Excellence Award Applications are due September 16 th !		
	08/30/10	08/30/10		II. Save the Date!		
				III. Water Conservation Workshop		
	08/27/10	08/27/10		b. Assembly Committee Hearing on Unfunded Mandates		
	08/30/10	08/30/10		c. "Best Practices" Checklist		
	08/30/10	08/30/10		d. I. A-2095 - Revises requirements for emergency medical services		
				II. League's Mayors Committee update on Unfunded Mandates & Best Practices		
	09/01/10	09/01/10		e. I. Fiscal Year 2011 US EPA Brownfield Grant RFQ Announced!		Mayor/Grants
				II. September Grant Page Posted		Mayor/Grants
				III. Michael A. Pane Memorial Award		
				f. FEMA Congressional Advisory #3 - As Hurricane Earl Approaches, FEMA Urges East Coast Residents to Be Prepared (Copy to James Winters)		
				g. I. D.A.R.E. New Jersey Inc.		
				II. NJOEM Kicks-Off National Preparedness Month		
3.	08/30/10	08/27/10	Rose Tubito, Esq. to Borough Clerk	*Notice of Zoning Board of Adjustment Public Hearing re application for Woo Kum Kang, Block 2401, Lot 1, 85 Chestnut Avenue to be held 9/15/10 @ 8:00 p.m.		Dolson/Zoning
4.	08/31/10 via e-mail	08/31/10	Geraldine Skrajewski, NJDEP Clean Water Council to Borough Clerk	*2010 Clean Water Council Public Hearing Notice for "Water Infrastructure Management and Financing: Draft Recommendations of the Clean Water Council" to be held 10/12/10 @ 9:00 a.m. in the DEP Public Hearing Room - White Paper detailing Recommendations attached		Administrator

5.	09/02/10	09/01/10	James Anzaldi, President, NJS League of Municipalities, Mayor, Clifton	(Copy to William Dahle, III) *September 2010 Mayor's Newslite	
6.	Hand del'd 09/02/10	09/02/10	Suzanne Sarier, 19 Whitney Street	*Request for permission to conduct annual block party on Sunday, 9/19/10 from 1 PM to 7 PM, Rain Date: Sunday, 9/26/10; and for blockades to be placed at both ends of Whitney Street (between High Street and Demarest Avenue) (Copy to Glenn Parsells, Chief Berrian)	RMA 9/07/10

ALSO DISTRIBUTED:

Unapproved Regular Meeting Minutes of August 25, 2010

Unapproved Work Session Notes of August 25, 2010