

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – JUNE 22, 2011 - 7:30 P.M.

1. 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 Record and published on January 9, 2011 and to the Press Journal and published on January 13, 2011, 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.

2. ROLL CALL

3. SWEARING IN CEREMONY - DENNIS KAINÉ AS DEPUTY CHIEF OF POLICE
(Requested by Councilman Glidden RM 6/8/11)

4. PUBLIC HEARING OF THE FOLLOWING AMENDMENT TO ORDINANCE NO. 2011:1094 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

The following Amendment to Ordinance No. 2011:1094 was introduced at the Regular Meeting held 6/8/11 and was published in The Record on 6/13/11 as stated in the Borough Clerk's affidavit of publication. Reprint of this Amendment was posted on the Municipal Bulletin Board in accordance with Statutory requirements and copies have been made available to the general public:

AMENDMENT TO ORDINANCE NO. 2011:1094, "AMENDMENT TO ORDINANCE 2011:1094 TO MAKE ADDITIONAL CHANGE TO CHAPTER 181, TREE PRESERVATION AND REMOVAL, MITIGATION SECTION"

5. ADOPTION OF ORDINANCE NO. 2011:1094, AS AMENDED, "AN ORDINANCE REVISING CHAPTER 181, TREE PRESERVATION AND REMOVAL AND CHAPTER 59, SHADE TREE COMMISSION"

The above noted Ordinance was introduced at the Regular Meeting held 4/26/11 and was published in The Record on 4/30/11 as stated in the Borough Clerk'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.

The Public Hearing on this Ordinance was held at the Regular Meeting of 5/25/11. At that time, it was determined that an amendment was required to correct a certain portion of the ordinance. Therefore, the adoption of this ordinance is being carried on the Agenda pending introduction of the Amendment to the Ordinance, public hearing and adoption

After the public hearing and adoption of the Amendment this evening, this Ordinance will be adopted, As Amended.

6. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCE @8:00 P.M OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

The following Ordinance was introduced at the Regular Meeting 5/25/11 and was published in The Record on 5/30/11 as stated in the Borough Clerk'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:

ORDINANCE NO. 2011:1097, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING HISTORIC PRESERVATION"

7a. VOTE ON CONSENT AGENDA ITEMS

CLOSTER MAYOR AND COUNCIL
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ORDINANCES

8. INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING – 7/13/11 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:
- a. ORDINANCE NO. 2011:1098, “AN ORDINANCE REVISING CHAPTER 50 OF THE BOROUGH’S CODE” (Duties of Deputy Chief of Police)
- b. ORDINANCE NO. 2011:1099, “AN ORDINANCE REVISING CHAPTER 106, FIRE PREVENTION” (Unsupervised Public Fires Prohibited)
- c. ORDINANCE NO. 2011:1100, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS, SPECIFICALLY CREATING A LATE FEE FOR APPLICATIONS FOR USE OF TOWN GROUNDS”

RESOLUTIONS

9. BILL RESOLUTION – JUNE 30, 2011
TO BE PREPARED BY DEPUTY TREASURER
10. *POSSIBLE* RESOLUTION AWARDING CONTRACT TO _____ FOR PROFESSIONAL PLANNER – MASTER PLAN, RECEIVED AT OPENING HELD 3/30/11 @ 1:30 P.M. - TO BE PREPARED BY BOROUGH ATTORNEY (Adjourned from RM 4/26/11; RM 5/11/11; RM 5/25/11 – Borough Attorney advised at this meeting the need for the Planning Board to put in writing a request that further information be provided regarding the RFP’s submitted for consideration since the deadline for award is past 30 days; Adjourned from RM 6/8/11)
11. RESOLUTION AUTHORIZING THE MAYOR TO SIGN CROWN CASTLE LEASE AMENDMENT (allowing placement of pad and cabinet within existing lease area of cell tower site) (Received from Administrator 2/2/11/Adjourned from RM 2/9/11; RM 2/23/11; RM 3/9/11; 3/23/11; 4/13/11; 4/26/11; 5/11/11; 5/25/11; 6/8/11)
12. RESOLUTION APPOINTING _____ TO SERVE AS MUNICIPAL COURT JUDGE FOR AN UNEXPIRED 3-YEAR TERM (BOTTINELLI) TO 12/31/13 (7. M.L. 6/2/11) Adjourned from RM 6/8/11 - TO BE PREPARED BY ADMINISTRATOR
13. RESOLUTION APPOINTING KEVIN WHITNEY TO SERVE AS FIRE OFFICIAL FOR A 2-YEAR TERM FROM 8/1/11 TO 7/31/13
14. RESOLUTION NO. 2 APPROVING 2011 – 2012 LIQUOR LICENSE RENEWALS
15. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE REFUND CHECKS TO CORE LOGIC DUE TO TAX OVERPAYMENTS CREATED BY A DUPLICATE PAYMENT IN THE 3RD QUARTER 2009 IN WHICH THE MORTGAGE COMPANY REQUESTED A REFUND: \$7,286.68 FOR BLOCK 2102 LOT 37.05, 51 McCAIN COURT; \$3,819.45 FOR BLOCK 2211, LOT 34, 103 ALPINE DRIVE (Received from Tax Collector’s office 6/15/11)
16. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR THE 2011 NEW JERSEY “ROID” GRANT IN THE AMOUNT OF \$10,000.00 (Received from Administrator 6/13/11)
17. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR THE 2011 ALCOHOL EDUCATION AND REHABILITATION GRANT IN THE AMOUNT OF \$862.96 (Received from Administrator 6/13/11)
18. RESOLUTION REQUESTING APPROVAL IF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR THE BUFFER ZONE PROTECTION PROGRAM GRANT IN THE AMOUNT OF \$24,608 (Received from Administrator 6/13/11)
- 7a. VOTE ON CONSENT AGENDA ITEMS (Continued)

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – JUNE 22, 2011 - 7:30 P.M.

RESOLUTIONS (Continued)

19. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR CLEAN COMMUNITIES GRANT IN THE AMOUNT OF \$13,191.51 (Received from Administrator 6/13/11)
20. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING RELATING TO THE PROVISION OF ENGINEERING INSPECTION SERVICES IN CONJUNCTION WITH THE REPLACEMENT OF SIDEWALK SLABS BY ARNOLD ROADS FOR AN AMOUNT NOT TO EXCEED \$4,500 (Received from Administrator 6/13/11)
21. RESOLUTION AUTHORIZING INCLUSION IN THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM (URBAN COUNTY ENTITLEMENT PROGRAMS – CD BLOCK GRANT PROGRAM AND HOME INVESTMENT PARTNERSHIP ACT PROGRAM) FOR PROGRAM YEARS 2012, 2013, 2014 (7/1/12-6/30/15) (Received from Administrator 6/13/11)
22. 2011 SALARY RESOLUTION (Requested by Administrator 6/14/11)
TO BE PREPARED BY ADMINISTRATOR
23. RESOLUTION IN SUPPORT OF FAIR SCHOOL FUNDING LEGISLATION THAT WILL COMPLY WITH THE NEW JERSEY STATE CONSTITUTION (Requested by Councilwoman Latner WS 6/8/11)
24. RESOLUTION NO. 1 RE AD INTERIM PERMITS

MOTIONS

25. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES (Distributed via e-mail on 6/17/11) ABSTENTION: AMITAI
 - a. REGULAR MEETING OF JUNE 8, 2011
 - b. WORK SESSION OF JUNE 8, 2011
26. MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO FILL THE FOLLOWING *NON-SALARIED* APPOINTMENTS MADE AT THE FOLLOWING MEETINGS (Which have not been accepted as of the time of preparation of this Agenda)

<u>OFFICE</u>	<u>MEETING</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION				
Member			2 Years	12/31/12
Member	RM 2/23/11	<u>Tina Stratton</u>	2 Years	12/31/12

27. REPORTS
 - a. CONSTRUCTION OFFICIAL – MAY 2011 (Received 6/8/11)
 - b. CHIEF OF POLICE – MAY 2011 (Received 6/15/11)
- 7b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA
28. 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.11)
29. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY
30. ADJOURNMENT

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

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – JUNE 22, 2011 - 7:30 P.M.

1. PLEDGE OF ALLEGIANCE
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 JUNE 9, 2011
 - b. MAIL LIST OF JUNE 16, 2011
5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of June 22, 2011)
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
6. COMMITTEE REPORTS (Continued)

CLOSTER MAYOR AND COUNCIL
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F. LAND USE AND CONSTRUCTION – AMITAI (BARAD/DOLSON)
1) REPORT

7. OLD BUSINESS

- a. STATUS REPORT RE REQUEST FOR NAME CHANGE AT VETERAN'S MEMORIAL PARK AND A NEW SIGN (3. M.L. 2/17/11; referred to O&L Committee for W.S. 3/23/11; Placed on WSA 5/11/11 per request of Dr. Barad 4/26/11)

8. NEW BUSINESS

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 11) 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
JUNE 9, 2011

NO.	DATE REC=D	DATE	FROM	SUBJECT ~COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	06/06/11	06/03/11	Rose Mitchell, Planning Board Coordinator, to Jason Tuvel, Gibbons, P.C. c: Borough Clerk	*Certified copy of Planning Board Resolution dated 6/1/11 granting amended preliminary and final major site plan and conditional use approval for applicant Temple Emanu-El for minor renovations to Temple Emanu-El located at 180 Piermont Road, Closter, New Jersey, Block 1810, Lots 1-5; Block 1806, Lots 35, 38-44; Block 1808, Lot 1; Block 1809, Lot 1	Amitai/Planning
2.	06/06/11	05/31/11	David M. Watkins, Esq., Attorney for Applicant, to Borough Clerk	*Public Notice re Zoning Board of Adjustment Special Hearing to be held 6/15/11 @ 8 P.M. to review and take action on the Application of Mrs. Kubitis Realty, LLC for an addition (2 nd floor extension)/conversion of an existing medical/office space to 3 residential apartments and the reconstruction of a portion of the 1st floor of said building for retail use for property located at 237-241 Closter Dock Road, Block 1303, Lot 1	Dolson/Zoning
3.	06/06/11	05/31/11	Karen Hughes, Borough Clerk, Borough of Westwood, to Municipal Clerk	*Resolution Opposing BCUA Increase	
4.	06/06/11	06/03/11	John A. Spizziri, Sr., Esq.	*Historic Preservation Commission, Ellen L. Brooks Estate/Trust, 119 Hickory Lane, Closter, New Jersey, acknowledging receipt of letter dated 5/13/11 re Ordinance Amending Section 35-55 Paragraph A(1)(c) and thanking the Mayor and Council, Chairman Lignos & Members of the Board, Mr. Chagaris, Attorney for the Planning Board, and Mr. Rogan, Borough Attorney, regarding adoption of same (Copy to Land Use Coordinator/Planning Board - Rose Mitchell, Jennifer Rothschild)	
5.	06/06/11	No Date	Constantine Stamos, Esq., Ferraro & Stamos LLP, Attorneys for Applicant, T-Mobile Northeast, LLC, to Borough Clerk	*Public Notice that a Harrington Park Zoning Board of Adjustment hearing is scheduled to be held on 6/15/11 @ 8 P.M. in the Council Chambers at Borough Hall, 85 Harriot Avenue, Harrington Park, re the applicant, T-Mobile Northeast LLC, the contract lessee of a portion of the property located at 200 Old Hook Road, also known as Block 1601, Lot 1 for an extension of the time period for the variance approval, obtained by the applicant in 2004	Dolson/Zoning

6.	06/06/11 06/08/11	06/06/11 06/08/11	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerks	*League Alerts Re: a. I. Annual Business Meeting - Thursday, 11/17/11 II. Month 25 of Economic Recovery: Where are we now and where are we going? III. Community Development Block Grant Appropriations IV. Funding Now Available b. I. Changes to the DLGS website II. League Asks Policy Makers Deciding NJN=s Future to Keep Focus on State and Local Programming c. S-2794, Shared Services Bill That Threatens Local Discretion Up in Committee on Monday	
7.	06/07/11	06/02/11	Karen Mastriano, Clerk to the Board of Chosen Freeholders, to Gov. Chris Christie c: Bergen County Municipalities	*Certified copies of Resolutions adopted 6/1/11 declaring the following: a. #644-11 - June 2011 as AScleroderma Awareness Month@ b. #645-11 - 6/15/11 as AWorld Elder Abuse Awareness Day@ c. #656-11 - Week of 6/12/11 - 6/18/11 as ANational Little League Baseball Week@ d. #657-11 - June 2011 as ANational Aphasia Awareness Month@ e. #659-11 - 6/14/11 as AFlag Day@	
8.	06/07/11	06/06/11	Joyce C. Santimauro, Municipal Clerk, Township of Wyckoff, to Loretta Castano	*Resolutions passed by the Township Committee on 6/6/11: a. Supporting A-3431 to Amend Title 59 by Granting Immunity to Public Entities for Sidewalk Injuries Where the Homeowner is Responsible for Sidewalk Maintenance by Ordinance b. Supporting S-2333 and A-3432 to Amend Title 59 to Provide Immunities for Beaches, Boardwalks and Similar Property c. Urge Legislature and Governor to Vote No on Cost Generative A-3285	
9.	06/08/11	No Date	Robert F. Layton, County Tax Administrator, Bergen County Board of Taxation, to Municipal Clerk	*2011 Bergen County District Summaries - CLOSTER Summary only! COMPLETE COUNTY DISTRICT SUMMARIES ON FILE IN BOROUGH CLERK=S OFFICE	
10.	06/08/11	06/07/11	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Mayor	a. Taxpayer=s Dollar: ADon=t Pass the Buck to NJ=s Property Taxpayers!@ b. Receive the Recognition Your Town Deserves! Article Submission Guidelines for <i>New Jersey Municipalities</i> attached	
11.	06/09/11	06/09/11	egg@dca.state.nj.us for Howard Black, Director, Public Safety & Occupational Safety & Health, State of New Jersey, Department of Labor and Workforce Development, to Municipal Clerk	*Enforcement of New Jersey Fireworks Laws N.J.S.A. 21:2-1 et seq. and N.J.S.A. 21:3-1 et. seq. and requesting assistance in enforcement (Copy to Chief Berrian, Kevin Whitney)	Glidden/Public Safety

MAIL LIST
JUNE 16, 2011

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	06/10/11 06/13/11 06/14/11	06/10/11 06/13/11 06/14/11	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerks	*League Alerts Re: a. Applications for the 2011 Governor's Environmental Excellence Awards Now Available - Application deadline 9/13/11 b. S-2937, Pension and Health Benefits Reform c. S-2794, Shared Services/Consolidation Bill That Removes Impediments, But Threatens Local Discretion Advances d. I. S-2973, Pension and Benefit Reform Update II. S-2839, Extends "Whistleblower" Protections	
2.	06/13/11	06/06/11	John Driscoll, Jr., Freeholder Chairman, County of Bergen, Board of Chosen Freeholders	*Request for recommendations and resumes for potential members to their Flood Advisory Council for Bergen County to address extreme flooding issues	
3.	06/13/11	06/01/11	Frank Seney, PR, President, New Jersey Society of Municipal Engineers	*Invitation to participate in the 2011 Municipal Engineering Project of the Year Awards Program to give recognition to outstanding municipal projects involving the many talented Municipal Engineers in the State; Applications have been sent to the Municipal Engineer and are due no later than 9/16/11	Borough Engineer
4.	06/13/11	06/09/11	David Grubb, Executive Director, Perma Risk Management Services, Bergen County Municipal Joint Insurance Fund	*Informing PERMA has distributed a copy of the 2011 Public Officials/Employment Practices Policy issued by XL Insurance for your town electronically as follows: Date: 5/31/11; From: jthorpe@permainc.com ; To: boroadmin@closterboro.com ; (Copy to Glenn Parsells)	
5.	06/15/11 via e-mail	06/14/11	Virginia A. Alcuri, RMC, Municipal Clerk, Borough of Teterboro, to Loretta Castano	*Resolution Protesting the 5% Fee Increase for 2011 from the Bergen County Utilities Authority	
6.	06/16/11	06/16/11	Paul Demarest, Land Use Coordinator, Zoning Board of Adjustment, to Thomas Izzard, Esq.	*Certified copy of Resolution granting, in whole or in part, approval for the application of Grossman-Savitsky, 3 Lindemann Avenue, Block 608, Lot 7 to eliminate the deed restriction originally placed on the applicant under Condition F. of the Zoning Board of Adjustment's 10/16/91 Resolution	
7.	06/16/11	06/16/11	Paul Demarest, Land Use Coordinator, Zoning Board of Adjustment, to David M.	*Certified copy of Resolution granting, in whole or in part, approval for the application of Locale Restaurant/Bar, 208 Piermont Road, Block	

			Watkins, Esq.	1901, Lot 47 for a D(2) Variance, Bulk Variances and Site Plan Approval for an outdoor cafe/dining area	
8.	06/17/11	06/15/11	Robert Laux, Executive Director, Bergen County Utilities Authority c: Loretta Castano	*BCUA Sewer Connection Fee - Municipal Incentive Program Rebate, enclosed 2010 rebate check number WC027202 in the amount of \$2,475.97 (Copy of letter and ORIGINAL CHECK to Administrator on 6/16/11 for processing)	Administrator
9.	06/13/11	06/09/11	Noreen Best, Acting Director, County of Bergen Community Development	* Informing Bergen County is scheduled to re-qualify as an Urban County entitlement group under the Community Development Block Grant Program for 3- year period beginning 7/1/12 to 6/30/15 and requesting adoption of Resolution authorizing automatic renewal for same (Sample resolution included) Deadline for submission of adopted resolution: 7/8/11	RM Agenda 6/22/11

ALSO DISTRIBUTED: Via E-Mail

Unapproved Minutes of Regular Meeting held 6/8/11

Unapproved Minutes of Work Session held 6/8/11