

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – MARCH 28, 2012 - 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 6, 2012 and to the Star Ledger and published on January 7, 2012, was 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. MAYORAL APPOINTMENTS (NON SALARIED) TO THE FOLLOWING COMMISSIONS (Not made at the Reorganization Meeting held 1/3/12/Adjourned from RM 1/11/12; RM 1/25/12; RM 2/8/12; RM 2/22/12; RM 3/14/12):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ENVIRONMENTAL COMMISSION				
Alt. No. 2	(Adam Nock resigned)	_____	2 Year un- expired to	12/31/12
SHADE TREE COMMISSION				
Alt. No. 2 12/31/15	Kathi Cochran	_____	4 Year	

4a. VOTE ON CONSENT AGENDA ITEMS

ORDINANCES

5. INTRODUCTION OF THE FOLLOWING ORDINANCES - PUBLIC HEARING – 4/25/12 @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

a. ORDINANCE NO. 2012:1119, “AN ORDINANCE DESIGNATING THE CENTENNIAL AME ZION CHURCH A HISTORIC LANDMARK AND AMENDING CHAPTER 200, ZONING, SECTION A-5, DESIGNATION OF HISTORIC LANDMARKS” (RM 3/14/12) – (Requested by Borough Attorney 3/22/12) - TO BE PREPARED BY BOROUGH ATTORNEY

b. BOND ORDINANCE NO. 2012:1120, “AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF A LADDER TRUCK AND A PICKUP TRUCK IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$1,129,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,072,550 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME” (Received from Bond Counsel 3/22/12)

RESOLUTIONS

6. RESOLUTION AUTHORIZING A CROWN CASTLE LEASE AMENDMENT (Requested by Administrator 2/3/12) TO BE PREPARED BY BOROUGH ATTORNEY (Adjourned from RM 2/8/12; RM 2/22/12; RM 3/14/12)

7. RESOLUTION ENDORSING SUBMISSION OF 2011 MUNICIPAL RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF RECYCLING, AND DESIGNATING CAROLE DACEY TO ENSURE APPLICATION IS PROPERLY FILED (Requested by Recycling Coordinator 3/20/12)

8. RESOLUTION AWARDDING A CONTRACT TO JANNEY MONTGOMERY SCOTT LLC, AS UNDERWRITER FOR THE ADVANCED REFUNDING OF 2005 BONDS (Received from

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Administrator 3/22/12)

4a. VOTE ON CONSENT AGENDA ITEMS (Continued)

RESOLUTIONS (Continued)

9. AMENDMENT NO. 3 TO THE TEMPORARY BUDGET FOR 2012  
(Received from Administrator 3/22/12)

10. TRANSFER RESOLUTION NO. 7 (Received from Administrator 3/22/12)

11. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a AS FOLLOWS (Received from Administrator 3/8/12): Commodity/Service: Firefighter Protective Clothing & Equipment; Vendor: AAA Emergency Supply Co. Inc, 635 North Broadway, White Plains, NY 10603; State Contract #: A76364; Max Amt: \$1,148.25; Expiration: March 31, 2012 (Received from Administrator 3/22/12)

MOTIONS

12. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES  
(Distributed via e-mail on 3/23/12) NO ABSTENTIONS:

- a. REGULAR MEETING OF MARCH 14, 2012
- b. WORK SESSION MEETING OF MARCH 14, 2012

13. GRANTING APPROVAL FOR CERTAIN ROADS TO BE CLOSED THE MORNING OF SUNDAY, 5/6/12, FOR TEMPLE EMANU-EL TO CONDUCT THE ANNUAL JERRY FINK Z" L MEMORIAL RUN/WALK PARTIALLY THROUGH THE BOROUGH BEGINNING AND ENDING AT VETERAN'S MEMORIAL PARK; CHECK IN TO BEGIN AT APPROXIMATELY 7:30 A.M.; ALL ACTIVITIES EXPECTED TO CONCLUDE BY 10:30 A.M. (Approval received from Risk Management Consultant 3/15/12)

14. MOTION APPROVING THE FOLLOWING *NON-SALARIED* APPOINTMENTS/BOARDS AND COMMISSIONS (Not made at the Reorganization Meeting held 1/3/12/Adjourned from RM 1/11/12; RM 1/25/12; RM 2/8/12; RM 2/22/12; RM 3/14/12):

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION				
Member	Wilson Reimers	_____	2 Year	
12/31/13	Alt. No. 1	Donna Arbietman	_____	
2 Year	12/31/13			

15. REPORTS

4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

16. 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)

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

18. ADJOURNMENT

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

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION AGENDA – MARCH 28, 2012 - 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 Record and published on January 6, 2012 and to the Star Ledger and published on January 7, 2012, was 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 MARCH 15, 2012
  - b. MAIL LIST OF MARCH 22, 2012
5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of March 28, 2012)
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. LAND USE AND CONSTRUCTION – AMITAI (BARAD/DOLSON)
    - 1) REPORT

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7. OLD BUSINESS
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**  
MARCH 15, 2012

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	03/08/12 03/09/12 03/14/12	03/08/12 03/09/12 03/14/12	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerks	*League Alert(s) Re: a. Appellate Division Decision on COAH Reorganization b. DEP Waiver Rule Adopted c. I. 2012 Scholarship Competition Reminder II. League Professional Development Seminar - Leaves of Absence in New Jersey... , Holmdel, NJ, 3/21/12, 8:30 a.m. to 12:30 p.m. III. League Professional Development Seminar - Conflict Resolution during the Shared Service Process, Holmdel, NJ, 5/8/12, 10:00 a.m. to 1:30 p.m. d. I. Senate Energy Tax Restoration Follow-up Needed II. Senate and Assembly Voting Sessions on Thursday	
2.	03/09/12 hand del'd by Mayor	03/09/12	Rev. Robert W. Holsten, St. Paul's Evangelical Lutheran Church, to Mayor	*Requesting permission to use the Borough's bandstand and surrounding area at Memorial Field to hold an Outdoor Easter Dawn Service @ 7:00 a.m. on Sunday, 4/8/12 to celebrate the 125 <sup>th</sup> anniversary of the congregation (Copy to Glenn Parsells, Jim Oettinger)	Administrator/Insurance Glidden/Recreation
3.	03/12/12	03/06/12	Yacoub Yacoub, Bureau Chief, NJDEP Bureau of Northern Field Operations, to Lawrence Henry Bank, President, Riverhead Construction, Inc. c: Closter Borough Clerk Closter Board of Health	*Notice of Approval of Request to Extend Mandatory Timeframe re Cahanna Cleaners - Immediate Environmental Concern (IEC) Source Control Report, 222 Closter Dock Road, SRP PI# 202967; Case #'s: 07-02-02-1332-57 & 09-06-05-1039-25, BPO File Number: 02-07-055; informing the IEC case will remain with the Department after the 5/7/12 deadline and an IEC Source Control Report is to be submitted by 9/1/12 (Copy to Construction Official, Board of Health, Environmental Commission)	Dolson/Health Kashwick/Environmental
4.	03/12/12 via e-mail	03/05/12	Borough of Rockleigh, to 14 listed municipalities	*Resolution adopted 3/5/12 re Mutual Aid and Assistance Program for Fire Departments and respective fire companies per N.J.A.C. 5:75A-2.2 (Copy to Fire Chief)	Latner/Fire
5.	03/12/12 hand del'd by Administrator	03/07/12	Erika Gerena, Development Office, Family Promise of Bergen County, to Borough Clerk	*Requesting permission to conduct the 19th Annual Bike Bergen partially through the Borough on Sunday, 4/29/12, beginning at 1 p.m.; starting at the Duck Pond in Demarest and following attached bike route;	Administrator/Insurance

				Certificate of Insurance attached (Copy faxed to Glenn Parsells 3/12/12; Copy to Chief Kaine, William Dahle, III)	
6.	03/13/12	03/07/12	Robert E. Laux, Executive Director and Eric Andersen, Chief Engineer/Director of Water Pollution Control Division	*BCUA Rain-Derived Infiltration/Inflow (RDI/I) Reduction and Sanitary Sewer Overflow (SSO) Elimination Plan - 2012 Status; and requesting the municipality adopt an ordinance providing that a condition of the sale of a property is to require a certification from the building department or department of public works stating that no illegal sump pumps or other illegal connections to the sanitary sewer system exist (Copy to Construction Official, DPW Superintendent)	Borough Attorney
7.	03/13/12	03/08/12	Karen Mastriano, Clerk to the Board of Chosen Freeholders, to Municipal Clerk	*a. Certified copies of Ordinances introduced on 3/7/12 and scheduled for public hearing on 3/21/12: 1) <u>12-06</u> : BCIA Guaranty Ordinance for Fair Lawn Community Center, Inc. Project 2) <u>12-07</u> : BCIA Guaranty Ordinance for Bergen County Community Action Program, Inc. Project b. Certified copies of Resolutions adopted 3/7/12: 1) <u>#326-12</u> : Joining in the celebration of march 2012 as Women's History Month 2) <u>#328-12</u> : Designating the month of March 2012 as Developmental Disabilities Awareness Month 3) <u>#329-12</u> : Proclaiming March 2012 as Irish American Heritage Month	
8.	03/13/12	03/09/12	H. Michael Gelfand, Visiting Scholar, University of California, San Diego, Associate Professor of History and Interdisciplinary Liberal Studies, James Madison University	Providing strong encouragement for support of the Centennial AME Zion Church in Closter as an officially recognized Borough historic landmark (Copy to LUC/Planning Board, Historic Preservation Commission) Distributed 3/14/12	Borough Attorney
9.	03/13/12	03/13/12	New Jersey Department of Community Affairs to Municipal Clerk	*HMFA Low Mortgage Rate for Fire and Police Personnel (Copy to Chief Kaine)	
10.	03/14/12 via e-mail	03/13/12	Edward T. Rogan, Esq. to Loretta Castano	Centennial AME Zion Church (Copy to LUC/Planning Board, Historic Preservation Commission ) Distributed to Mayor and Council 3/14/12	Borough Attorney
11.	03/14/12	03/14/12	Petitioners supporting historic designation of the Centennial AME Zion Church	Listing provided to Mayor and Council, Borough Attorney, Administrator, Borough Engineer at Regular Meeting held 3/14/12 (1 to 108) ORIGINALS ON FILE IN BOROUGH CLERK'S OFFICE	Borough Attorney
12.	03/14/12	03/14/12	Gary J. Vinci, Registered Municipal Accountant, to Borough Clerk	13 copies of the 2012 Municipal Budget (Copy to Mayor and Council, Chief Financial Officer, Administrator 3/15/12)	RM Agenda 3/14/12

13.	03/14/12	no date	Amy Heller	List of petitioners (9 pages of signatures/3 pages of comments received) supporting historic designation of the Centennial AME Zion Church (Distributed at Mayor and Council Meeting on 3/14/12)	Borough Attorney
14.	03/15/12	03/13/12	Lisette Aportela-Hernandez, MPA, RMC, Borough Clerk to Closter Borough Clerk	*Resolution adopted 3/13/12 re Mutual Aid and Assistance Program for Fire Departments and respective fire companies per N.J.A.C. 5:75A-2.2 (Copy to Fire Chief)	Latner/Fire
15.	03/15/12	03/12/12	Christine Demiris, Clerk/Administrator, Borough of New Milford, to Municipal Clerk	*Resolution supporting the preservation and restoration of the historic Hackensack Water Works, which borders New Milford, and urging the Bergen County Board of Chosen Freeholders to accept and adopt the 2010 recommendation of the Bergen County Open Space Trustees to allocate \$500,000 for the preservation and repair of the chimneys at the Water Works site.	
16.	03/15/12	03/09/12	Yut'se O. Thomas, Director, Office of School Finance to County Boards of Taxation, Municipal Clerks, Board Secretaries/School Business Administrators, County Superintendent	*2012-2013 Municipal Percentage Shares for Tax Levies for Regional School Districts and Districts Merged Pursuant to P.L. 2009, c.78	Borough Administrator
17.	03/15/12	no date	Mary Vongas, ChemTec, to Municipal Clerk	*Press Release re Pledge to Donate 100 Pest Control Jobs to those in Need - <i>Makes Commitment to Give Back to Community</i>	
18.	03/15/12	03/14/12	Continuation of petitioners supporting historic designation of the Centennial AME Zion Church	*List of petitioners (109 to 168) supporting historic designation of the Centennial AME Zion Church (received after Mayor and Council Meeting) ORIGINALS ON FILE IN THE BOROUGH CLERK'S OFFICE	Borough Attorney

**MAIL LIST**  
MARCH 22, 2012

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/COMMITTEE/ LIAISON
1.	03/15/12  03/16/12  03/17/12  03/22/12	03/15/12  03/16/12  03/17/12  03/22/12	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Municipal Clerks	*League Alert(s) Re: a. I. Two New Rule Comments by the League II. Updated - REVISED Version of upcoming seminar: NJSLOM in association with the NJ State Chamber of Commerce and the NJ Business & Industry Association present: "Partnering for Economic Development" b. I. Permit Extension Bill Held II. Results of the Senate and Assembly Voting Sessions c. League President Tells Assembly Budget Committee to Restore Lost Property Tax Relief d. I. Energy Tax Funding Gaps, Funding Cuts and the State Skim II. Last Chance! Register Now! Executive Leadership Training for Mayor's and Council Presidents	
2.	03/16/12	03/12/12	Marc Votto, 551 Closter Dock Road, to Mayor (with individually addressed envelopes to Council members)	Requesting additional help re traffic on Closter Dock Road (Copy to Chief Kaine)	
3.	03/15/12 forwarded to Mayor	03/16/12 rec'd from Mayor @ 11:45 a.m.	Jinah Ju, 62 High Street, to Mayor Heymann	*Requesting permission to appeal decision of the Borough's Tree Inspector regarding tree removal at 62 High Street (copy to Jim Whitney 3/16/12)	
4.	03/16/12	03/15/12	Continuation of petitioners supporting historic designation of the Centennial AME Zion Church	*List of petitioners (169 to 263) supporting historic designation of the Centennial AME Zion Church (received after Mayor and Council Meeting) ORIGINALS ON FILE IN THE BOROUGH CLERK'S OFFICE	Borough Attorney
5.	03/19/12	03/14/12	Lorraine McMackin, Borough Clerk/ Administrator, to Loretta Castano	*Resolution Denouncing Anti-Semitism and Other Forms of Bias	
6.	03/20/12	03/20/12	Continuation of petitioners supporting historic designation of the Centennial AME Zion Church	Petitions (10) Supporting historic designation of the Centennial AME Zion Church ORIGINALS ON FILE IN THE BOROUGH CLERK'S OFFICE	Borough Attorney
7.	03/21/12	03/21/12	Sally T. Bleeker, Municipal Clerk, Franklin Lakes	*Resolution No. 82-12 opposing Bergen County Resolution 27-2012, which states that Bergen County's culvert bridge maintenance responsibilities are limited to bridge culverts on Bergen County roads	

				regardless of any past practice of providing assistance; and urging the Freeholders to rescind said resolution or relieve the Borough of Franklin Lakes from its responsibility under N.J.S.A. 39:5-41 to pay Bergen County one half of all fines, penalties and forfeitures imposed by the Franklin Lakes Municipal Court for violations of Title 39.	
8.	03/21/12	03/21/12	Continuation of petitioners supporting historic designation of the Centennial AME Zion Church	Petitions (157) Supporting historic designation of the Centennial AME Zion Church ORIGINALS ON FILE IN THE BOROUGH CLERK'S OFFICE	Borough Attorney
9.	03/22/12 hand del'd by Administrator no envelope	03/16/12	State of New Jersey, Department of Environmental Protection, to Sherrell Gilmartin, 206 Howard Street, Ashland, VA 23005-1921	*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 2102, Lot 55; The Estate of Eleanor Brooks - 117 Hickory Lane, Closter Borough, Bergen County; Program Interest # 571686, Activity Number: CSP120001; Communications Center Number: 12-01-13-1545-30 (Copy to Construction Official, Board of Health, Environmental Commission)	Dolson/Health Kashwick/Environmental
10.	03/22/12	03/22/12	Paul Demarest, Coordinator, Zoning Board of Adjustment, to Michael Goodman, Esq., c/o Goodman & Leopold, LLP c: Zoning Officer Municipal Clerk Deputy Treasurer	*Certified copy of Resolution dated 1/18/12 granting, in whole or in part, the application for Berler, 3-5 Harvey Street, Block 801, Lot 18	Dolson/ZBA
11.	03/22/12	03/22/12	Continuation of petitioners supporting historic designation of the Centennial AME Zion Church	Petitions (42) Supporting historic designation of the Centennial AME Zion Church ORIGINALS ON FILE IN THE BOROUGH CLERK'S OFFICE (Total Amount received to date: 664)	Borough Attorney

**ALSO DISTRIBUTED:**

Unapproved Minutes of the Work Session held March 14, 2012

Unapproved Minutes of the Regular Meeting held March 14, 2012