

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – APRIL 10, 2013 - 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 published in The Record and the Star Ledger issues of January 8, 2013, 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. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCE @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2013:1141, "BOROUGH OF CLOSTER CALENDAR YEAR 2013 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)"

This Ordinance was introduced at the Regular Meeting held 3/13/13 and was published in The Record on 3/19/13 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.

4. PUBLIC HEARING AND ADOPTION OF THE 2013 MUNICIPAL BUDGET AND RELATED RESOLUTIONS @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD

The Municipal Budget was introduced at the Regular Meeting held 3/13/13; and the Municipal Budget Summary was published in The Record issue of 3/19/13, as stated in the printer's affidavit of publication. Reprint of the Summary was posted on the Municipal Bulletin Board in accordance with statutory requirements, was posted on the Municipal Web Site pursuant to N.J.S.A. 40A:4-10; and copies have been made available to the general public. On 3/18/13, the Borough Clerk hand delivered a copy of the Municipal Budget to the Library Director, in accordance with N.J.S.A. 40A:4-8, for public inspection.

5a. VOTE ON CONSENT AGENDA ITEMS

ORDINANCES

6. INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING AND ADOPTION 5/8/13 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

- a. RDINANCE NO. 2013:1140 - "AN ORDINANCE TO DETERMINE THE BASE RATE, AMOUNT, SALARIES, WAGES, COMPENSATION, AND THE METHOD OF PAYMENT THEREOF TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF CLOSTER" (Received from Administrator 4/4/13)
- b. OND ORDINANCE NO. 2013:1142 - "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$1,363,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,294,850 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME" (Received from Bond Counsel 4/4/13)
- c. RDINANCE NO. 2013:1143 - "AN ORDINANCE APPROPRIATING \$276,500 FROM THE CLOSTER OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS" (Received from Administrator 4/13/13)
- d. RDINANCE NO. 2013:1144 - "ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL EQUIPMENT BY THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW

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JERSEY, AND APPROPRIATING \$18,000 THEREFOR FROM CAPITAL
SURPLUS OF THE BOROUGH” (Received from Administrator 4/3/13)

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5a. VOTE ON CONSENT AGENDA ITEMS (Continued)

ORDINANCES (Continued)

6. INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING AND ADOPTION 5/8/13 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Continued):

e.

ORDINANCE NO. 2013:1145 – “ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL EQUIPMENT BY THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, AND APPROPRIATING \$8,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH” (Received from Administrator 4/3/13)

RESOLUTIONS

7. BILL RESOLUTION – APRIL 15, 2013 (Received from Deputy Treasurer 4/5/13)

8. RESOLUTION APPOINTING _____ TO SERVE AS ALTERNATE PROSECUTOR FOR A ONE YEAR TERM TO 12/31/13 (Opening held 4/4/13 @ 11:30 a.m.)

9. RESOLUTION SUPPORTING ASSEMBLY BILL A-2753 AND SENATE BILL S-1923 REQUIRING DIRECT PAYMENT OF ENERGY TAXES TO MUNICIPAL GOVERNMENT (Received from Mayor 4/5/13)

10. RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT WITH THE NORTHERN VALLEY REGION SCHOOL DISTRICT AND MUNICIPALITIES FOR AN EARLY – WARNING LIGHTNING DETECTION SYSTEM (Requested by Mayor 4/4/13)
TO BE PREPARED BY BOROUGH ATTORNEY

MOTIONS

11. MOTION APPROVING THE FOLLOWING MINUTES – ABSTENTION: AMITAI (Distributed 4/04/13):

a.

REGULAR MEETING HELD 3/27/13

b. WORK SESSION HELD 3/27/13

12. MOTION APPROVING REQUEST OF INTERNATIONAL ACADEMY OF ARTS AND SCIENCES TO USE CLOSTER MEMORIAL FIELD LOCATED AT 150 HARRINGTON AVENUE ON SATURDAY, 5/19/13, FROM 8:30 A.M. TO 12:00 NOON TO CONDUCT THE IAAS FIELD DAY EVENT (9. M.L. 3/21/13/Approval received from Risk Management Consultant 4/2/13)

13. MOTION GRANTING APPROVAL FOR ELKS AND AMERICAN LEGION TO CONDUCT THE ANNUAL MEMORIAL DAY PARADE ON 5/27/13 @10:00 A.M. – PARADE ROUTE AS FOLLOWS: STAGING AREA AT ST. MARY’S PARKING LOT, START ON LEGION PLACE/PROCEED EAST ON HIGH STREET; LEFT ONTO CLOSTER DOCK ROAD; CONTINUE WEST TOWARD HARRINGTON AVENUE; PARADE TO TERMINATE AT THE GATES TO MEMORIAL PARK; MEMORIAL SERVICE TO BE CONDUCTED AT THE PARK. (8. M.L. 4/4/13)

14. REPORTS

a.

CONSTRUCTION OFFICIAL – MARCH 2013 (Received 3/31/13)

b.

FIRE CHIEF – MARCH 2013 (Received 4/5/13)

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

15. 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)

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

17. ADJOURNMENT

CLOSTER MAYOR AND COUNCIL
REGULAR MEETING AGENDA – APRIL 10, 2013 - 7:30 P.M.

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

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – APRIL 10, 2013 - 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 Early Meetings which was sent to The Record and The Star Ledger and was published in both newspapers on December 18, 2012, was posted on the Municipal Clerk's bulletin board and has remained 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 28, 2013
 - b. MAIL LIST OF APRIL 4, 2013
5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of April 10, 2013)

6. PROFESSIONAL REPORTS

- A. BOROUGH ATTORNEY
 - 1) REPORT

- B. BOROUGH ENGINEER
 - 1) STATUS REPORT RE HERBERT AVENUE SECTION 5 & BLANCH AVENUE IMPROVEMENTS, 2012 ROAD IMPROVEMENTS, & SCHAUBLE FIELD WALKING PATH - Awarded to AJM Contractors, Inc./\$445,911 RM 6/27/12
 - 2) REPORT

7. REPORTS

- A. BOROUGH ADMINISTRATOR

- 1) STATUS REPORT RE MEETING HELD WITH SWIM CLUB REPRESENTATIVES RE *POSSIBLE* ACQUISITION (W.S. 6/27/12) Committee members: Borough Attorney/Administrator/Dr. Barad
- 2) STATUS REPORT RE APPRAISAL OF LADDER TRUCK (Discussed at WS 8/22/12)
- 3) REPORT

- B. BOROUGH CLERK

- 1) STATUS REPORT RE 2013 APPOINTMENTS
- 2) STATUS REPORT RE 2013 OATHS OF OFFICE
- 3) STATUS REPORT RE 2013 LICENSES
- 4) STATUS REPORT RE 2013 MEETING DATES
- 5) STATUS REPORT RE FINANCIAL DISCLOSURE STATEMENTS
- 6) STATUS REPORT RE CODIFICATION OF ORDINANCES
- 7) STATUS REPORT RE FOLLOW UP FOR PROFESSIONAL CONTRACT POSITION/ALTERNATE PROSECUTOR
- 8) REPORT

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WORK SESSION AGENDA – APRIL 10, 2013 - 7:30 P.M.

7. REPORTS (Continued)

C. CHIEF OF POLICE

1) REPORT

D. MAYOR

1) STATUS REPORT RE FOLLOWING GRANTS:

a. FILED

1. NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM SUPPORTING THE DESIRE OF THE ENVIRONMENTAL COMMISSION TO OBTAIN A GRANT IN A MAXIMUM AMOUNT OF \$25,000 TO FUND THE EXTENSION OF THE CROSS CLOSTER TRAIL PROJECT; SAID GRANT PROGRAM REQUIRES A CASH MATCH OF 20% OF THE AMOUNT AWARDED OR A MAXIMUM AMOUNT OF \$6,250.00 (Authorized RM 2/8/12)
2. 2013 ROID GRANT (REC OPPS FOR INDIVIDUALS WITH DISABILITIES DIFFERENTLY ABLED CHALLENGER RECREATION PROGRAM - \$10,000) Authorization for application RM 6/13/12
3. 2013 CDBG GRANT APPLICATION IN THE AMOUNT OF \$326,300 TOWARDS POTENTIAL \$435,000 RENOVATION/REHABILITATION PROJECT FOR THE EXTERIOR OF BOROUGH HALL (Authorized RM 9/24/12)

b. AWARDED

1. 2011 BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND GRANT – LAND ACQUISITION IN THE AMOUNT OF \$283,000 FOR THE PURCHASE OF BLOCK 1805, LOT 1, COMMONLY KNOWN AS THE CLOSTER SWIM CLUB AT BLANCH AVENUE (RM 8/10/11)/Awarded \$283,000 (7. M.L. 6/14/12)
2. 2011 BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND GRANT – MUNICIPAL PARK IMPROVEMENTS – MATCHING GRANT IN THE AMOUNT OF \$40,000 FOR SCHAUBLE AND MEMORIAL PARK IMPROVEMENTS (RM 8/10/11)/ Awarded \$12,500 for Memorial Park Batting Cage/Bleachers and \$27,500 for Schauble Park Walking Path (7. M.L. 6/14/12) Memorial Park Contract No. 12-00280/Schauble Park Contract No. 12-00281
3. DEPARTMENT OF ENVIRONMENTAL PROTECTION IN AN AMOUNT NOT TO EXCEED \$3,000.00 TO FUND THE FOLLOWING PROJECT: COMMUNITY FORESTRY MANAGEMENT PLAN, GREEN COMMUNITIES GRANT (50% match of total project amount) (Authorized RM 2/22/12) Award reported by Mr. Kashwick/WS 11/19/12

c. TO BE FILED - To be announced by Mayor

2) REPORT

8. OLD BUSINESS

9. NEW BUSINESS

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 11) 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
March 28, 2013

NO.	DATE REC=D	DATE	FROM	SUBJECT ✓ COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	3/22/13 3/26/13 3/27/13	3/22/13 3/26/13 3/27/13	William G. Dressel, Jr., Executive Director, NJS League of Municipalities to closterboroughclerk	*Mayors Advisory re: a. Appellate Division upholds DEP Waiver Rule, Strikes Some Guidance Documents b. Early voting bills now on Governor's Desk c. Use League Resource to Calculate State Skim Impact on Your Property Taxpayers d. League Federal Updates and National Links Page Changed; FEMA Hazard Mitigation Grant Program; Reminder – Survey on the Impact of Hurricane Sandy e. New Jersey formally adopts federal advisory flood elevation maps for rebuilding after Sandy f. National Donate Life Month – April	Administrator/CFO Borough Engineer
2.	3/25/13	3/20/13	Alex Edward Young, Closter	*Letter of appreciation for William Dahle's help, support and assistance in getting his Eagle Scout Project completed. (For his project, Alex built two large bench arbors and a picnic table on the Senior Citizen property in town.) (Copy to William Dahle, III)	Administrator
3.	3/25/13	3/20/13	Margaret B. Beiran, Senior Project Manager, Balanced Environmental Systems (BEM)	*Re: Public Notification Letter Former Hotel Research Laboratories, Inc., PI # 85774, 48 and 58 Perry Street, Block 1318 Lots 4 and 5 (Copies to Board of Health, Construction Official, Environmental Commission)	Dolson/Health Kashwick/Environ-mental
4.	3/25/13	3/20/13	Yut'se O. Thomas, Director, Office of School Finance to County Boards of Taxation, Municipal Clerks, Board Secretaries/School Business Administrators, County Superintendent	*2013-2014 Municipal Percentage Shares for Tax Levies for Regional School Districts and Districts Merged Pursuant to P.L. 2009, c.78	Administrator/CFO
5.	3/26/13	3/22/13	Robert A. Abbatomarco, Executive Director, Open Space Trust Fund	*Notice of Public Hearing on Proposed 2012 Open Space Trust Fund Allocations to be held 4/29/13 @ 6 p.m. in The Learning Center, Room 460, 4 th Floor, County Administration Building, One Bergen County Plaza, Hackensack (Posted on Municipal Clerk's Bulletin Board 3/26/13)	

6.	3/26/13	3/22/13	Dr. Christopher J. Nagy, Superintendent of Schools, Northern Valley Regional High School District to Mayor	*Requesting presence of Mayor at the Inaugural Safety, Security and Wellbeing Forum hosted at Demarest High School at 7:00 p.m. on Tuesday, 4/30/13, regarding safety in our public schools (Original to Mayor 3/26/13)	
7.	3/26/13	3/26/13	Jean M. Pelligra, Borough Clerk, Borough of Maywood to boroclerk@closterboro.com	*Resolution # 54-13 adopted 3/12/13 supporting the Bergen County Mutual Aid Plan and Rapid Deployment Plan (Copy to Chief Kaine)	Glidden/Public Safety
8.	3/26/13	3/26/13	David B. Hollenbeck, Regional Public Affairs Manager, Bergen County	*Phillip K. Beachem, President of the New Jersey Alliance for Action argues in favor of PSE&G's \$4 billion grid upgrade in wake of Hurricane Sandy	
9.	3/26/13	3/26/13	Cindy W. Randazzo, Director, Office of Local Government Services, NJDEP, to Borough Clerk	*a. Deadline for public entities to submit project inventories for approval under Superstorm Sandy Administrative Order (AO) #2012-13 is May 1, 2013 b. Important FEMA eligibility Notice Deadline Pending April 1 st	
10.	3/27/13	3/25/13	Alfred Butti, Commander, American Legion, Leroy S. Mead Post 111 to Mayor and Council	*The American Legion is unable to host a Memorial Day Parade due to lack of funds and lack of communication with the Elks. They will conduct a ceremony in Veterans Monument Park and request Herbert Avenue be closed to vehicle traffic between Homans Avenue and Closter Dock Road on 5/27/13 (Copies to Chief Kaine and Exalted Ruler Brian Pierro)	Glidden/Public Safety
11.	3/27/13	3/27/13	Joe Rogers, Program Coordinator, Local Government Assistance, to Borough Clerk	*Press Release from New Jersey Department of Environmental Protection - Christie Administration Files Rule Package Establishing New Elevation Standard for New Jersey	
12.	3/27/13	3/27/13	Judith Hines, NJS Department of Environmental Protection to Borough Clerk	*FEMA eligibility Letter of Intent for Hazard Mitigation Grant funding deadline is April 1 st	
13.	3/28/13	3/28/13	Paul Demarest, Board Coordinator, Borough of Closter, Zoning Board of Adjustment, to:	*Approvals memorialized 3/27/13 re: a. Marc Votto, Case # Z-2013-01, 551 Closter Dock Road (Block 1709/Lot12) b. Joseph Colella, Esq., Case # Z-2012-07 de la Bastida c/o Donahue, 441 High Street (Block 1314/Lot 5) c. Elliot Urdang, Esq., Case # Z-2012-12 Erbeli, 388 Anderson Avenue (Block 2304/Lot 29)	Dolson/Zoning Board of Adjustment

ALSO DISTRIBUTED:

NJLM Legislative Bulletin No. 1 - 2012-2013 Legislative Session – March 2013 (Received 3/28/13)

MAIL LIST

April 4, 2013

NO.	DATE REC=D	DATE	FROM	SUBJECT ✓ COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	03/28/13	03/28/13	Sue Connelly, Dumont Municipal Clerk, to Borough Clerk	*Resolution adopted 3/26/13 opposing Senate Bill S2364 and Assembly Bill A3553 –Early Voting	
2.	04/01/13	03/15/13	Michael Renzulli, Licensed Site Remediation Professional #584467, Sovereign Consulting, Inc., to Robin Austermann, Senior Project Manager, Motiva Enterprises LLC, Shell Oil Products US – Environmental Services c: Mayor, Borough of Closter Council, Borough of Closter Clerk, Borough of Closter Health Department, Borough of Closter	*Re: Response Action Outcome regarding 3 underground storage tanks for unleaded gasoline removed 11/93: former gasoline UST field containing 2 unleaded USTs and all associated appurtenant production piping & dispensing equipment removed from property 6/90; Shell Service Station, 530 Piermont Road and Homans Avenue, Block 1604/Lots 4, 5, 6 (Copy to Board of Health, Construction Official, Environmental Commission) CD ON FILE IN BOROUGH CLERK’S OFFICE!	Dolson/Board of Health Kashwick/ Environmental Commission
3.	04/01/13	03/28/13	Barbara Boyarsky, VP and General Manager, American Water Resources, Voorhees, NJ	*Information re upcoming mailing and educational efforts to Closter homeowners that they are responsible for water line maintenance of the water line running through their property (Copy to William Dahle, III)	Latner/DPW
4.	04/02/13 04/03/13 04/04/13	04/02/13 04/03/13 04/04/13	William G. Dressel, Jr., Executive Director, NJS League of Municipalities to closterboroughclerk	*Re: a.FEMA extends Disaster Assistance Deadline For New Jersey Hurricane Survivors to May 1 b. Mayors Advisory Re: Urgent Action Needed to Advance Restoration of Energy Receipts Bills c. Municipal Public Access Planning Grant	Possible Resolution
5.	04/02/13	04/02/13	Heather A. Mailander, Village of Ridgewood Clerk to Borough Clerk	*Resolution No. 13-67 adopted 3/13/13 “A Resolution to Prevent Gun Violence” (Copy to Chief Kaine)	Glidden/Public Safety
6.	04/03/13	04/03/13	Tim Adriance, Chair, Closter Historic Preservation Commission	*Letters and Resolution re Reports on Designation Hearing and Nomination for: a. The Railroad Depot Building, One Station Court, Block 1317 Lot 6 b. Hess Lustron House, 421 Durie Avenue, Block 1003/ Lot	Kashwick/Historic Preservation

7.	04/04/13	04/02/13	Lauren Turiello, Director of Development, Spectrum for Living	*Announcement of 30 th Anniversary; with request for recognition in the form of a Proclamation or Letter of Recognition in honor of Spectrum for Living's achievements	
8.	04/04/13	04/04/13	Brian W. Pierro Sr., Exalted Ruler, Closter Elks #2304 American Legion Leroy S. Mead Post 111	*Request for permission to conduct the annual Memorial Day Parade on 5/27/13 @10:00 a.m. – Parade route as follows: Staging area at St. Mary's parking lot, start on Legion Place/proceed east on High Street; left onto Closter Dock Road; continue west toward Harrington Avenue; parade to terminate at the gates to Memorial Park; Memorial Service to be conducted at the Park.	RM Agenda 4/10/13
9.	03/28/13	03/25/13	Nick DeNicola, P.E., Project Manager, to Mr. Michael Grant, Orange and Rockland Utilities c: Administrator Borough Clerk Bill Dahle, Closter DPW Edward T. Rogan, Esq. Tom Brizzolara, O&R	*237-241 Closter Dock Road, Lot 1, Block 1303 – Notification of requirement of Borough permit for replacement pole installation (Pole No. 60267,35478)	Borough Attorney Borough Engineer

ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held 3/27/13

Unapproved Notes of Work Session held 3/27/13

April 2013 e-Newsletter from Food and Assistance Board (Received 4/4/13)