

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – MAY 22, 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

3a. VOTE ON CONSENT AGENDA ITEMS

ORDINANCES

4. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING AND ADOPTION 6/26/13 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD (Received from Borough Attorney 5/9/13):

ORDINANCE NO. 2013:1146, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A301 OF THE CODE OF THE BOROUGH OF CLOSTER REGARDING FEES AND DEPOSITS, SPECIFICALLY FOR THE BOROUGH CLERK’S FEES REGARDING LIMOUSINES”

RESOLUTIONS

5. RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LICENSE AGREEMENT WITH THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS (ASCAP) (Received from Borough Attorney 5/10/13)

6. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE 2ND QUARTER 2013 TAX ACCOUNT REFUNDS TO MORTGAGE COMPANY CORE LOGIC FOR THE FOLLOWING PROPERTIES: BLOCK 801 LOT 18, 3-5 HARVEY STREET – \$25.53; BLOCK 1712 LOT 12, 37 COUNTY ROAD - \$250.00 (Received from Collector 5/10/13)

7. A RESOLUTION TO REAFFIRM THE BOROUGH OF CLOSTER’S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS (Annual renewal)

8. RESOLUTION FIXING BASE SALARIES FOR 2013 (Received from Administrator 5/16/13)

9. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A: 4-87 FOR THE 2013 CLEAN COMMUNITIES GRANT IN THE AMOUNT OF \$15,220.69 (Received from Administrator 5/16/13)

10. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RETURN AND RELEASE REMAINING ESCROW FUNDS IN THE AMOUNT OF \$600.00 TO APPLICANT: CLOSTER MARKET PLACE OPERATING FOR PROPERTY LOCATED AT BLOCK 1607, LOT 1, 19 VER VALEN STREET FOR SATISFACTORY COMPLETION OF REQUIRED IMPROVEMENTS IN ACCORDANCE WITH CLOSTER CODE CHAPTER 167, SOIL MOVEMENT (Received from Deputy Treasurer 5/16/13)

11. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RETURN AND RELEASE REMAINING PLANNING BOARD LEGAL/ENGINEERING ESCROW FEES IN THE AMOUNT OF \$8,103.85 TO APPLICANT: CLOSTER MARKET PLACE OPERATING FOR PROPERTY LOCATED AT BLOCK 1607, LOT 1, 19 VER VALEN STREET FOR SUCCESSFUL COMPLETION OF SERVICES RENDERED PURSUANT TO E-MAIL DATED 4/30/13 (Received from Deputy Treasurer 5/16/13)

12. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RETURN AND RELEASE REMAINING ZONING BOARD OF ADJUSTMENT LEGAL ESCROW FEES IN THE AMOUNT OF \$526.00 TO APPLICANT: MARC & NORA VOTTO FOR PROPERTY LOCATED AT BLOCK 1709, LOT 12, 551 CLOSTER DOCK ROAD FOR SUCCESSFUL COMPLETION OF SERVICES RENDERED (Received from Deputy Treasurer 5/16/13)

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3a. VOTE ON CONSENT AGENDA ITEMS (Continued)

RESOLUTIONS (Continued)

13. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE TO MRS. KUBITIS REALTY, LLC, \$33,762.50 PERFORMANCE BOND (Western Surety Company, Bond 61299640) POSTED WITH THE BOROUGH PURSUANT TO THE ZONING BOARD OF ADJUSTMENT DEVELOPER'S AGREEMENT, UPON SATISFACTORY COMPLETION PER E-MAIL LETTER DATED 4/18/13 FROM ZONING BOARD ENGINEER, AND RECEIPT OF CASH MAINTENANCE BOND IN THE AMOUNT OF \$4,051.50 POSTED ON 4/29/13 (Received from Deputy Treasurer 5/16/13)
14. RESOLUTION AMENDING THE HOURS OF CLERICAL POSITION IN THE CLOSTER POLICE DEPARTMENT (MARIA DEEGAN) EFFECTIVE JUNE 1, 2013 (Received from Administrator 5/16/13)
15. RESOLUTION TRANSFERRING LESLIE WEATHERLY TO THE ADMINISTRATION OFFICES ON A FULL-TIME BASIS EFFECTIVE JUNE 1, 2013 (Received from Administrator 5/16/13)
16. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 AS FOLLOWS: (Received from Administrator 5/16/13): Commodity/Service: (2) Ford Police Interceptor SUV; Vendor: Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07936; Contract #: 47-CPCPS Item #2; Max Amt: \$28,475.00; Period: 9/27/12 to 8/31/13 (Received from Administrator 5/16/13)
17. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 AS FOLLOWS (Received from Administrator 5/16/13): Commodity/Service: Ford F350 Pickup Truck; Vendor: DFFLM, LLC t/a Ditschman/Flemington Ford, 215 Routes 202 & 31, Flemington, NJ 08822; Contract #: A83557 T2101; Max Amt: \$38,714.00; Period: 2/9/13 to 2/18/14 (Received from Administrator 5/16/13)
18. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED COOPERATIVE PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11 AS FOLLOWS (Received from Administrator 5/16/13): Commodity/Service: Ford F450 Cab, Chassis & Mason Dump Body; Vendor: DFFLM, LLC t/a Ditschman/Flemington Ford, 215 Routes 202 & 31, Flemington, NJ 08822; Contract #: A83561 T2102; Max Amt: \$47,776.00; Period: 2/9/13 to 2/18/14 (Received from Administrator 5/16/13)
19. RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A: 4-87 FOR THE "DRUNK DRIVING ENFORCEMENT FUND" (Received from Administrator 5/16/13)
20. AT APPROXIMATELY 9:00 P.M. - OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION EXCLUDING THE PUBLIC IN ORDER TO PERMIT THE GOVERNING BODY TO DISCUSS IN EXECUTIVE SESSION PER N.J.S.A. 10:4-12 (b) (8), A DPW PERSONNEL MATTER (Rice Notice mailed/via regular and certified mail on 5/9/13)

MOTIONS

21. MOTION APPROVING THE FOLLOWING MINUTES – ABSTENTION: AMITAI (Distributed via e-mail 5/17/13):
 - a. REGULAR MEETING HELD 5/08/13
 - b. WORK SESSION HELD 5/08/13

22. REPORTS

- a. FIRE CHIEF – APRIL 2013 (Received 5/8/13)
- b. CHIEF OF POLICE – APRIL 2013 (Received 5/10/13)

3b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

23. 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)

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

25. ADJOURNMENT

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

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – MAY 22, 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 Meetings which was published in The Record and the Star Ledger on 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.

3. ROLL CALL
4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS
 - a. MAIL LIST OF MAY 9, 2013
 - b. MAIL LIST OF MAY 16, 2013
5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of May 22, 2013)
6. COMMITTEE REPORTS
 - A. FINANCE AND TECHNOLOGY - DOLSON (GLIDDEN/ KASHWICK)
 - 1) STATUS REPORT RE CLOSTER WEBSITE
 - 2) REPORT
 - B. PUBLIC SAFETY - GLIDDEN (LATNER/BARAD)
 - 1) REPORT
 - C. PUBLIC WORKS - LATNER (DOLSON/GLIDDEN)
 - 1) REPORT
 - D. ORDINANCES - BARAD (KASHWICK/AMITAI)
 - 1) REPORT RE ORDINANCE COMMITTEE MEETINGS
 - 2) REPORT
 - E. HUMAN RESOURCES - KASHWICK (DOLSON/LATNER)
 - 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
MAY 9, 2013

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	5/03/13	5/03/13	boroadmin@closterboro.com to boroclerk@closterboro.com	*Forwarded message from Assemblywoman Holly Schepisi re FY2013 DEP Clean Communities Grants and congratulating recipient municipalities (Closter Borough – \$15,220.69) Copy to William Dahle, III, Carole Dacey	Latner/Public Works Administrator
2.	5/06/13	5/01/13	Chris Christie, Governor, State of New Jersey, to Mayor Sophie Heymann	*Informing of Municipal Aid Grants and Transportation Enhancement (TE) Awards for FY2013 and congratulating recipient municipalities (Closter Borough – Ruckman Road and Oakland Avenue Roadway Preservation - \$150,000)	Borough Engineer
3.	5/06/13	5/01/13	Ilene S. Anesini, Executive Director, Temple Emanu-El, to Mayor	*Informing (of their understanding) that in accordance with the waiver granted by the town, this year's Tashlich Service will be held at the Closter Nature Center on Thursday, 9/5/13, @ 5:00 p.m. (Copy to Glenn Parsells, Nature Center Association c/o Marc Gussen)	Administrator/ Insurance (Possible approval upon receipt of approval from Risk Management Consultant re required insurance)
4.	5/06/13 5/8/13	5/06/13 5/8/13	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Borough Clerk	*a. Mayor's Advisory re Affordable Housing, COAH, Trust Fund Dollars b. Mayor's Advisory re Pending Court Case Impact on Dune Construction	Administrator Borough Attorney
5.	5/07/13	No Date	Robert E. Laux, Executive Director, Bergen County Utilities Authority, to Municipal Clerk	*Public Hearing Notice re proposed amendment to the Bergen County District Solid Waste Management Plan (draft attached) scheduled to be held 5/29/13 @ 10 a.m. in the Public Meeting Room; a draft copy is available for inspection at the BCUA Administration Building; the BCUA web site www.bcua.org ; Office of the Clerk to the Bergen County Board of Chosen Freeholders; and the Borough Clerk of each municipality in the County of Bergen (Copy to William Dahle III)	Latner/DPW
6.	5/07/13	No Date	Selaudin Erbeli, 15 Cross Street, Applicant, to Borough Clerk	*Notice of Planning Board Hearing scheduled to be held 5/30/13 @ 8:00 p.m. re the application of Selaudin Erbeli to build a new single family residence on Block 2304, Lot 9, 388 Anderson Avenue	Amitai/Planning Board

7.	5/07/13	5/07/13	Cindy W. Randazzo, Director, Office of Local Government Assistance, NJDEP, to Municipal Official	*a. Signed copy of Administrative Order No. 2013-06 which extends previous AO 2012-13 extending the waiver period to 10/29/13 (See also 9a. M.L. 3/28/13: Deadline for public entities to submit project inventories for approval under Superstorm Sandy Administrative Order (AO) #2012-13 is 5/1/13) Copy to Board of Health, Supt. DPW b. NJDEP Press Release : Christie Administration Encourages Residents to Remove Standing Water on Property to Reduce Mosquito Population (Copy to Board of Health, William Dahle, III)	Dolson/Board of Health Latner/DPW
8.	5/07/13	5/07/13	New Jersey League of Municipalities, to closterboroughclerk	*Letter from Janice S. Mironov, President, New Jersey League of Municipalities, Mayor, East Windsor Township; and Brian Wahler, Mayor, Piscataway, Member, NJLM Executive Board, Chair, NJLM Telecommunications Study Committee re Washington Watch Fax Advisory: Marketplace Fairness Act Passes Senate: Thanks to Mayors Who Voiced Support for Main Street Retailers	
9.	5/08/13	5/06/13	Senator Gerald Cardinale, 39th Legislative District	*Informing the Borough of Closter will be receiving \$15,220.69 from the Fiscal Year 2013 Clean Communities Grant (copy to William Dahle, III, Carole Dacey)	
10.	5/09/13	5/07/13	Eileen K. DeBari, Chairwoman/Commissioner, Bergen County Board of Elections, to Attention: Loretta Castano, RMC	*Response to Borough Clerk's written request of 4/29/13 re moving of Districts 1-6 which are held in Hillside School and Tenakill School respectively (Copy to Joanne Newberry, Supt. of Closter Schools, Bill Brewster, Ruth Rando, Chief Kaine)	Borough Clerk Glidden/Public Safety
11.	5/09/13	No date	Robert Laux, Executive Director, Bergen County Utilities Authority, to Municipal Clerk	*Notice of Public Hearing to be held 6/5/13 @ 10 a.m. at the Authority Administration Building, Foot of Mehrhof Road, Little Ferry, NJ, re the recalculation of the connection fee for new direct or indirect connections to the Authority's sanitary wastewater collection and treatment system for the term from approximately 6/27/13 through 3/31/14 (Copy to William Dahle, III)	Latner/DPW Administrator

MAIL LIST
MAY 16, 2013

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	5/08/13 5/09/13 5/13/13 5/15/13 5/14/13 5/16/13	5/08/13 5/09/13 5/13/13 5/15/13 5/14/13 5/16/13	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Borough Clerk	*Mayor's Advisory re: a. DEP Announces Clean Community Grant Awards - Closter - \$15,220.69 (Copy to William Dahle, III; Carole Dacey) b. Governor Veto Early Voting Bill c. I. Affordable Housing, COAH, Municipal Affordable Housing Trust Funds II. S-1778 Public Safety Workers' Compensation d. FEMA Community Disaster Loans Awards Announced; Loans Will Help Sandy-Devastated Local Governments Application; Deadline 5/15/13 e. CDC releases final West Nile virus national surveillance data for 2012 Jersey Mosquito Season Looms f. Membership Advisory – LAST NOTICE! A. Notice Regarding NJLM FAX Advisories B. Governor Christie Takes Action on Several Bills I. S-195 Cancellation of Charges and Fees Signed into Law II. S-1358 Dissolution of Free Public Libraries Signed into Law III. S-1536 Appointment of Municipal Emergency Managers Signed into Law IV. S-1650 Revisions to EMS Requirements Vetoed C. NEW CREDITS ADDED!! League Professional Development Program “A Review of the Open Public Records Act (OPRA)” g. Assembly Environment Committee approved 3 Sandy related bills	Latner/DPW Administrator
2.	5/10/12	5/03/12	Michele DiIorgi, Clerk to the Board of Chosen Freeholders, to Borough Clerk	*Certified copies of ordinances adopted 5/1/13 (Introduced 4/17/13 – 6b1 & 6b2 M.L. 4/25/13) a. <u>No. 13-05</u> “An Ordinance to Vacate and Abandon a Portion of Franklin Turnpike Adjacent to 977 Franklin Turnpike in Allendale as a Public Highway” (Copy of Introduction not received) b. <u>No. 13-06</u> “Regulating, Limiting and Discouraging Pay-To-Play Practices A Preemptive County Ordinance” c. <u>No. 13-07</u> “An Ordinance Amending The Administrative Code To Revise Transparency Publication Requirements”	
3.	5/10/13	April 2013	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Borough Clerk	*Legislative Bulletin, 2012-2013 Legislative Session, April 2013, No. 2	

4.	5/13/13	5/09/13	George King, Chief, Unregulated Heating Oil Tank Program, NJDEP, to Mr. Heidrun Schietinger, 80 MacArthur Avenue c: Borough Clerk	*Area of Concern: One 550-gallon #2 Heating Oil Underground Storage Tank System, Unrestricted use – No Further Action Letter and Covenant Not to Sue; 80 MacArthur Avenue, Closter Borough, Bergen County, Program Interest #:606212, Activity Number: CSP130001, Communications Center Number: 12-09-25-1128-53 (Copy to Construction Official, Board of Health, Environmental Commission)	Dolson/Health Kashwick/ Environmental
5.	5/13/13	5/07/13	R. Thurman Barnes, Area Director Government & Public Affairs, Cablevision, to Kristi Izzo, Board Secretary, NJ Board of Public Utilities c: All affected municipalities	*Notification beginning the first week of June and on a rolling basis, Cablevision will be eliminating legacy (grandfather) video packages for some customers in all New Jersey systems; Revised tariff sheets attached	Barad/Cable TV Advisory
6.	5/13/13	5/13/13	Cindy W. Randazzo, Director, Office of Local Government Assistance, NJDEP, to Mayor and Municipal Clerk	*NJDEP PRESS RELEASE dated 5/8/13 re: Christie Administration Announces More Than \$18 Million in Clean Communities Grants for Municipalities and Counties; Funds Will Help in Continuing Post-Sandy Cleanups	
7.	5/13/13	5/13/13	Joe Rogers, Program Coordinator, Office of Local Government Assistance, NJDEP, to Municipal Clerk	*NJDEP PRESS RELEASE dated 5/9/13 re: Christie Administration Launches New Online Services to Expedite Permit Applications and Public Notifications	
8.	5/15/13	5/15/13	Kathleen A. Donovan, Bergen County Executive, to Municipal Clerk	*a. Vehicle Public Auction Notice: Pursuant to Freeholder's Resolution 398-12 dated 4/3/13 an auction to dispose of surplus equipment from the County of Bergen will be held Saturday, 6/15/13, at 11 am at 133 River Street, Hackensack, NJ with a preview (inspection) to be held only from 9 am to 11 am b. CORRECTION to Vehicle Public Auction Notice (no revised flyer attached)	
9.	5/15/13	5/15/13	Lauren St. Helaire, Executive Assistant, Bergen County Executive to boroclerk@closterboro.com	*Invitation to the "Access for All" Summit on Saturday, 6/1/13, from 12:30 pm - 2:30 pm at the Fair Lawn Community Center, 10-10 20th Street, Fair Lawn; requesting RSVP by 5/25/13; Informational flyer attached	
10.	5/15/13	5/09/13	Assemblywoman Holly Schepisi, 39 th Legislative District	*Acknowledging receipt of Resolution in support of S-1896/A-1503 which would require fire districts, school districts, and county governments to share in the burden of property assessment appeal refunds	
11.	5/16/13	5/16/13	Judith.Hines@dep.state.nj.us to closterboroughclerk@yahoo.com	*Letter from Michele N. Siekerka, Esq., Assistant Commissioner, Water Resource Management, NJDEP re Superstorm Sandy Relief Funding – Call for Projects	

12.	5/16/13	No Date	New Jersey Transit Corporation (NJ Transit) to Municipal Clerk	*Public Meeting Notice to present Disadvantaged Business Enterprise goals for professional services, construction and other procurement contracts for *Fiscal Years 2014, 2015 and 2016 to be held Friday, 5/31/13, from 12 pm – 2 pm at NJ Transit Headquarters, 9 th Floor Board Room, One Penn Plaza East, Newark, NJ (*NJ Transit's Fiscal Year begins July 1 st and ends June 30 th)	
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ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held May 8, 2013

Unapproved Minutes of Work Session held May 8, 2013