

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – MAY 28, 2014 - 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 Annual Notice of Meetings which published in The Record and the Star Ledger on January 6, 2014, 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. POSSIBLE MAYORAL APPOINTMENTS TO PLANNING BOARD:

- a. \_\_\_\_\_ AS CLASS IV MEMBER FOR A 4 YEAR  
UNEXPIRED TERM (LIGNOS) TO 12/31/17 (5. M.L. 2/27/14)
- b. \_\_\_\_\_ AS ALTERNATE NO. 2 FOR A 2 YEAR  
UNEXPIRED TERM (PEREIRA) TO 12/31/15 (9.M.L. 5/8/14)

4a. VOTE ON CONSENT AGENDA ITEMS

ORDINANCES

5. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING AND ADOPTION  
6/25/14 @ 8 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2014:1168, “AN ORDINANCE ADOPTING THE ZONING MAP DATED  
DECEMBER 2013” (Received from Borough Attorney 5/1/14/Adjourned from RM 5/14/14)

RESOLUTIONS

- 6. RESOLUTION WAIVING THE SIDEWALK REQUIREMENT OF CLOSTER CODE FOR PROPERTY AT 12 FOURTH STREET, CLOSTER, NEW JERSEY (received from Borough Attorney 5/22/14)
- 7. *POSSIBLE* RESOLUTION RE YARD AND GARDEN DEBRIS PICK-UP SERVICE BY THE CLOSTER DPW (Discussed at WS/RM of 4/23/14/WS 5/14/14/Carried from RM 5/14/14)
- 8. RESOLUTION AWARDED CONTRACT FOR EXTERIOR RENOVATION AND ROOF REPLACEMENT AT CLOSTER BOROUGH HALL TO 3 SONS RESTORATION, LLC, UNION, NJ, IN THE AMOUNT OF \$499,000.00 (received from Administrator 5/14/14)
- 9. RESOLUTION AUTHORIZING PURCHASE OF VIDEO CAMERA SYSTEM FOR BOROUGH PARKS IN THE AMOUNT OF \$20,745.00 FROM J & B LOCK AND ALARM (Received from Administrator 5/14/14)
- 10. *POSSIBLE* RESOLUTION AUTHORIZING MAYOR AND CLERK TO EXECUTE 2014-2016 SNOW PLOWING PROGRAM AGREEMENT WITH THE COUNTY OF BERGEN (5. M.L. 5/22/14)
- 11. RESOLUTION APPROVING THE SETTLEMENT OF A TAX APPEAL FOR THE YEARS 2013 & 2014: YITZAK & RINAT EVAR V. CLOSTER (Received from Borough Attorney 5/22/14)
- 12. RESOLUTION AUTHORIZING THE HIRING OF TWO DPW EMPLOYEES (Received from Borough Attorney 5/22/14)
- 13. RESOLUTION MEMORIALIZING APPROVAL FOR CLOSTER RECREATION COMMISSION TO HOLD ANNUAL BARBECUES AND SOFTBALL GAMES AND SERVE BEER TO COACHES AT ALL EVENTS AT MEMORIAL FIELD BEGINNING AT 7 P.M. ON THE FOLLOWING DATES: FRIDAY, 5/23/14, FRIDAY, 6/27/14, FRIDAY, 8/28/14 (LABOR DAY WEEKEND); RAIN DATES: SUNDAY, 5/25/14, SATURDAY, 6/28/14, SATURDAY 8/30/14 (7. M.L. 5/22/14)
- 14. *POSSIBLE* RESOLUTION AUTHORIZING INCLUSION IN THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM FOR PROGRAM YEARS 2015, 2016 AND 2017 (7/1/15 TO 6/30/18) (3. M.L. 5/15/14)

CLOSTER MAYOR AND COUNCIL  
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4a. VOTE ON CONSENT AGENDA ITEMS (Continued)

MOTIONS

15. *POSSIBLE MOTION APPROVING THE FOLLOWING APPOINTMENT(S) OF SALARIED EMPLOYEES FOR A 1 YEAR TERM TO 12/31/14 (NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/14):*

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>
DEPUTY COURT ADMINISTRATOR	<u>Vacant</u>	_____

16. *POSSIBLE MOTION APPROVING THE FOLLOWING NON-SALARIED APPOINTMENTS:*

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
<b>BOARD OF HEALTH</b>			2 Years Unexp. (Pierro)	
Alternate No. 1	<u>Janice Pierro</u>	_____	to	12/31/14
	<i>(Janice Pierro reappointed to Member at RM 1/22/14)</i>			

**IMPROVEMENT  
 COMMISSION**

<i>Not made at ReOrg 1/2/14:</i>			2 Years Unexp. (Vacant)	
Member	<u>Vacant</u>	_____	to	12/31/14

17. *POSSIBLE MOTION APPOINTING THE FOLLOWING INDIVIDUALS TO FILL THE FOLLOWING NON-SALARIED APPOINTMENTS MADE AT THE REORGANIZATION MEETING HELD ON 1/2/14 (Which have not been accepted as of the time of preparation of this Agenda):*

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
<b>RECREATION            COMMISSION</b>			1 Year	
Associate Member	<u>Wendy Nigro</u>	_____	to	12/31/14

18. MOTION APPROVING THE FOLLOWING MINUTES (NO ABSTENTIONS):

- a. REGULAR MEETING HELD 5/14/14 (Distributed 5/22/14)
- b. WORK SESSION HELD 5/14/14 (Distributed 5/22/14)

19. MOTION GRANTING WAIVER FOR TEMPLE EMANUEL TO HOLD TASHLICH SERVICE AT THE CLOSTER NATURE CENTER ON THURSDAY, 9/25/14, AT 5:00 P.M. (10. M.L. 5/8/14) (Approval received from Risk Management Consultant 5/14/14)

20. MOTION GRANTING APPROVAL FOR JEWISH FAMILY SERVICE OF BERGEN AND NORTH HUDSON TO CONDUCT THE WHEELS FOR MEALS: A RIDE TO FIGHT HUNGER IN BERGEN COUNTY, PARTIALLY THROUGH THE BOROUGH ON SUNDAY, 6/15/14, FROM 7:00 A.M. TO 12:30 P.M. (Approval received from Risk Management Consultant 5/16/14)

21. REPORTS

- a. CHIEF OF POLICE – APRIL 2014 (Received 5/14/14)

4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

22. 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)

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

24. ADJOURNMENT

ALL BUSINESS WILL TERMINATE AT 11:00 P.M

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

WORK SESSION AGENDA – MAY 28, 2014 - 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 Annual Notice of Meetings which was published in The Record and the Star Ledger on January 6, 2014, 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 15, 2014
  - b. MAIL LIST OF MAY 22, 2014
5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING  
(Refer to Regular Meeting Agenda of May 28, 2014)
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
  - 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 15, 2014

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	05/08/14 05/09/14  05/12/14   05/13/14   05/15/14	05/08/14 05/09/14  05/12/14   05/13/14   05/15/14	William G. Dressel, Jr. Executive Director, NJS League of Municipalities, to <a href="mailto:boroclerk@closterboro.com">boroclerk@closterboro.com</a>	*League Advisories re: a. Update on Interest Arbitration Cap b. Support State Effort to Preserve and Strengthen New Jersey's Military and Coast Guard Facilities c. Federal Update (Seven Issues) I. Marketplace Equity II. Transportation Funding III. CDBG Funding IV. Greenhouse Gas Rules V. Clean Water Act Rules VI. FCC E-Rate Rules VII. National Infrastructure Week Resources d. A-2280/S-1305, Mandates video recorders on police vehicles (Copy to Chief Kaine) e. Senate Resolution 74 (calls for immediate action to locate and safely return the young women abducted in Nigeria by the terrorist group Boko Haram) f. I. Interest Arbitration Update II. Recent Appellate Division Decision OPRA and Redactions III. Michael A. Pane Award 12 <sup>th</sup> Annual Award: Nominations Requested by 9/30/14 - \$500.00 to be awarded at the 99 <sup>th</sup> Annual Conference of NJ League of Municipalities on 11/20/14	Borough Attorney      Glidden/Public Safety   Borough Attorney Borough Attorney
2.	05/09/14	05/07/14	Governor Chris Christie, to Mayor Sophie Heymann c: Municipal Clerk Municipal Engineer	*Informing the Borough of Closter will be receiving \$149,000 for the improvement of Hickory Lane from FY2014 Municipal Aid Grant from the New Jersey Department of Transportation (Copy to Mayor Heymann 5/14/14)	Borough Engineer Mayor/Grants
3.	05/12/14	05/08/14	Noreen Best, Director, Bergen County Division of Community Development, to Mayor	*Informing Bergen County is scheduled to re-qualify as an Urban County entitlement group under the Community Development Block Grant Program for the three-year period from 7/1/15 through 6/30/18; Reminding the current agreement contains an automatic renewal clause and requesting passage of a Resolution stating intent to continue as a participant in the Urban County entitlement program due <b>6/20/14</b> ; sample resolution enclosed	<i>Possible</i> Resolution Mayor/Grants

4.	05/12/14	No Date	Matthew G. Capizzi, Esq., Attorney for Applicant, to Borough Clerk	*Notice of Zoning Board of Adjustment Hearing scheduled for 5/21/14 @ 8:00 p.m. re the application of Anthony Germinario for Block 1007, Lot 4 & 5, 478 High Street	Dolson/Zoning
5.	05/12/14	05/07/14	Eugene J. Chebra, P.E., Assistant Director, NJDEP Municipal Finance and Construction Element, Division of Water Quality, to Mayor	*Notification that the Bergen County Utilities Authority (BCUA) Little Ferry Water Pollution Control Facility (WPCF) is pursuing financial assistance from the New Jersey Infrastructure Financing Program for Biopower/Combined Heat and Power Cogeneration Engine Project, Little Ferry, Bergen County, Project Number S340386-17 in the amount of \$7,986,687; Pro and Con Comments to be addressed to Gautam Patel, Bureau Chief, Bureau of Environmental and Engineering Reviews, Municipal Finance & Construction Element, 3 <sup>rd</sup> floor, 401 E. State Street, Mail Code 401-03D, P.O. Box 420, Trenton, NJ 08625-0420	
6.	05/12/14 Via certified mail	05/07/14	Michael J. Hubschman, PE, Hubschman Engineering, PA, to Borough Clerk	Request for Presence/Absence Letter of Interpretation re Application Submitted by Arlene Gold for property located at 165 Herbert Avenue, Block 1501, Lots 17 & 18 – letter only! COMPLETE FRESHWATER WETLANDS LETTER OF INTERPRETATION APPLICATION ON FILE IN BOROUGH CLERK'S OFFICE (SEE ALSO 16. M.L. 5/8/14)	Borough Engineer
7.	05/12/14	05/09/14	Richard E. Constable III, Commissioner, NJ Dept. of Community Affairs and William G. Dressel, Jr. Executive Director, NJS League of Municipalities, to Mayor	*Call for Submissions – NOTE REVISED PROGRAM – Thirteenth Annual Innovation in Governance Awards; Nomination deadline: 10/1/14	
8.	05/12/14	05/12/14	Cindy Randazzo, Director, Office of Local Government Assistance, NJDEP to Municipal Clerk	*Forwarded letter from NJDEP Commissioner Bob Martin concerning availability of Green Acres funding (Copy to Environmental Commission)	Mayor/Grants Kashwick/ Environmental

9.				<p>*a. Certified copy of Ordinance introduced 5/7/14; Public Hearing and Adoption scheduled to be held 5/21/14:  <b>14-15</b> “An Ordinance Establishing a Speed Limit Along Forest Avenue Extension – Lafayette Avenue in the Borough of Westwood”</p> <p>b. Certified copies of Ordinances adopted 5/7/14 (introduced 4/16/14) See also 4a, 4b, 4d M.L. 4/24/14:  1. <b>14-11</b> “Bond Ordinance Amending and Supplementing Bond Ordinance Number 12-10 (which provides for various Public Works Capital Improvements) Heretofore Finally Adopted by the Board of Chosen Freeholders of the County of Bergen, State of New Jersey, on April 4, 2012, as Amended and Supplemented, to Reallocate Appropriations, Authorizations and Down Payments Authorized Therein and to Amend the Useful Life”  2. <b>14-12</b> “Bond Ordinance Providing for Various Improvements to the Bergen Regional Medical Center, By and In the County of Bergen, State of New Jersey and Amending Bond Ordinance Numbers 07-35, 08-39, 09-16 and 10-23 to Reappropriate \$3,249,371 in Aggregate Appropriations, to Reappropriate \$3,094,637 in Aggregate Bond and Note Authorizations (Including \$335,280 in excess Bond Proceeds) and to Reappropriate \$154,734 in Aggregate Down Payments from the Aforesaid Bond”  3. <b>14-14</b> “An Ordinance Establishing a Speed Limit Along Campgaw Road in the Township of Mahwah and Borough of Franklin Lakes”</p>	
10.	05/14/14	No Date	Bergen County Community Development, to Mayor	*Flyer re Home Ownership Fair scheduled to be held Saturday, 6/7/14, at the Holiday Inn in Hasbrouck Heights (posted on Municipal Clerk’s bulletin board on 5/15/14)	
11.	05/14/14	05/14/14	Jennie Pinho, Environmental Scientist, Brennan Environmental, Inc. (BEI), to Borough Clerk	*Notification pursuant to NJDEP Technical Requirements for Site Remediation N.J.A.C. 7:26E that remedial activities will be initiated at the property located at 222 Closter Dock Road on June 2, 2014 (Copy to Construction Official, Board of Health, Environmental Commission)	Dolson/Health Kashwick/ Environmental
12.	05/15/14	05/15/14	Mayor Sophie Heymann to Borough Clerk	Letter from Swatek Family, 75 Hickory Lane, expressing total support of paving the “now dangerous” Hickory Lane	Borough Engineer

**ON FILE IN BOROUGH CLERK’S OFFICE:**

COMPLETE FRESHWATER WETLANDS LETTER OF INTERPRETATION APPLICATION filed by Michael J. Hubschman, PE, Hubschman Engineering, PA, re Application Submitted by Arlene Gold for property located at 165 Herbert Avenue, Block 1501, Lots 17 & 18 (Item No. 6)



4.	05/19/14	05/12/14	David M. Watkins Esq., Attorney for Applicant, to Borough of Closter	*Notice of Planning Board Public Hearing scheduled to be held 5/29/14 @8 pm re the application of Changiz Asfarjani and Afsaneh Kiarash for a four (4) Lot subdivision and amendment to application to include requesting the Board grant any additional approvals, variances or waivers necessary in the processing and review of the application for property located at Block 1003, Lot 18-21, 421 Durie Avenue and 437-439 Durie Avenue7	Amitai/Planning
5.	05/19/14	05/14/14	Tom Connolly, County Road Supervisor, Bergen County Department of Public Works	*2014-2016 Snow Plowing Program - two (2) copies of Municipal Snow Plowing Agreement with prices for 2014-2016 snow plowing season and request to sign and return enclosed agreements asap (Executed copy for file to be returned in October) Copy to William Dahle, III, Glenn Parsells	Possible Resolution Latner/DPW Contracts/Borough Administrator
6.	05/19/14	04/17/14	Amita Patel, 12 Fourth Street, to Borough Clerk	*Notice of Planning Board Public Hearing scheduled to be held 5/29/14 @8 pm re the application of Amita Patel for a soil movement permit to construct a new single family home for property located at Block 1718, Lot 3, 12 Fourth Street	Amitai/Planning
7.	05/19/14	05/19/14	Jim Oettinger, Director, Recreation Commission, to Mayor Heymann c: John Glidden Loretta Castano Chief Dennis Kaine	Request for permission to serve beer at Recreation Commission/Coaches Association Barbecue and Softball Games to be held on the following Fridays in 2014: 5/23; 6/27; 8/29 (Labor Day weekend); at Memorial Field; Rain Dates: Sun. 5/25/14 @ 4 p.m.; Sat. 6/28/14 @ 7 p.m.; Sat. 8/30/14 @ 4 p.m.	RM Agenda 5/28/14 Glidden/Recreation
8.	5/20/14	5/20/14	Barbara Heskins Davis, PP, AICP, Vice President, Programs, The Land Conservancy of New Jersey, to Borough Clerk	*Upcoming Green Acres Funding Deadline and Application Requirements – deadline <b>July 31, 2014</b> (Copy to Environmental Commission, Recreation Commission)	Glidden/Recreation Kashwick/ Environmental
9.	05/21/14	05/21/14	Cindy Randazzo, Director, Office of Local Government Assistance, NJDEP to Municipal Clerk	*NJDEP PRESS RELEASE re: Christie Administration Welcomes the Weuve Clicquot Polo Classic Back to Liberty State Park for a Third Consecutive Year	
10.	05/21/14	05/21/14	Cindy Randazzo, Director, Office of Local Government Assistance, NJDEP to Municipal Clerk	*NJDEP PRESS RELEASE re: Christie Administration Announces More Than \$17 Million in Clean Communities Grants for Municipalities and Counties (Bergen \$119,061) Copy to Carole Dacey, William Dahle III)	Latner/Public Works
11.	05/21/14	05/20/14	Frank J. Rossi, Project Manager, Boswell McClave Engineering to Borough of Closter	*Public Notification, NJDEP Flood Hazard Area Individual Permit for Hickory Lane Improvements re property located at Block 2102, Lot 37.07 (189 Hickory Lane)	Borough Engineer

12.	05/22/14 Hand del'd	05/22/14	Vasantha L. Murthy, 140 Herbert Avenue, to Mayor Sophie Heymann c: Borough of Closter, Council Members	*Requesting issuance of a Certificate of Occupancy deeming the dwelling at 140 Herbert Avenue, Block 1, Lot 5A suitable for two-family use (Copy to Zoning Officer)	
13.	05/21/14	05/21/14	Donna L. Gambutti, RMC, CMR, Municipal Clerk, Township of South Hackensack, to Loretta Castano	*Certified copy of Resolution adopted 5/12/14 Authorizing Participation in Bergen County Mutual Aid and Rapid Deployment Force (Copy to Chief Kaine)	Glidden/Public Safety
14.	05/22/14	05/22/14	Lorraine Flannery, Administrative Secretary, Borough of Westwood, to Loretta Castano	*Certified copy of Resolution supporting A900 Loosening Restrictions on Stream Cleaning (Copy to Environmental Commission)	Kashwick/ Environmental Borough Engineer
15.	05/22/14	05/19/14	Ralph LaRossa, President and COO, PSE&G, to Mayor	*Thanking the Borough for supporting the PSE&G Energy Strong proposal and informing the Board of Public Utilities (BPU) have agreed to allow starting the project	
16.	05/22/14	05/21/14	Robert C. Metzdorf, Attorney for Philip and Vicki Venturini	*Notification of retainer by Philip and Vicki Venturini to appeal the "Notice of Fines, Values and Permit Fees" detailed in the Borough's letter dated 5/15/14 for the alleged violation of B.O. 181-3 "Permit Required" for property located at 86 Wainwright Avenue, Block 2211, Lot 17 to dispute the number of trees Bill Fuchs alleges were cut down (Copy to Bill Fuchs)	Borough Attorney
17.	05/22/14	05/22/14	Paul Demarest, Board Coordinator, Zoning Board of Adjustment, to Elliott Urdang, Esq. c: Zoning Officer Borough Clerk	*Certified copy of Resolution approving, in whole or in part, the application for Sahdu Vaswani Center, 494 Durie Avenue (Block 1317/Lot 20)	Dolson/Zoning

**ALSO DISTRIBUTED:**

Unapproved Minutes of Regular Meeting held 5/14/14

Unapproved Notes of Work Session held 5/14/14