



MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES: WEDNESDAY – NOVEMBER 13, 2024

THIS REGULAR SCHEDULED MEETING OF THE CLOSTER MAYOR AND COUNCIL WILL BE HELD IN-PERSON, TELEPHONICALLY and VIA ZOOM VIDEO. You may join Zoom meeting including video by accessing the information posted in the Borough Calendar on the Borough website by visiting www.closterboro.com and clicking the link on the left sidebar for Calendars and Notice of Meetings and click on the corresponding date. To join via Telephone Audio Only: TOLL FREE: +1 646-558-8656; MEETING ID: 864 2063 3673; PASSWORD: 8675309. If Executive session is required, the Council will retire to a closed session at the conclusion of the Regular Meeting pursuant to N.J.S.A. 10:4-6 and follow the procedures provided in this statute.

1. OPEN PUBLIC MEETINGS ACT STATEMENT

Mayor Glidden opened the meeting at **8:02 P.M.** with the following announcement: 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 2024 Mayor and Council Meetings which was published in The Record and The Star Ledger on December 29, 2023, was posted on the Municipal Clerk’s bulletin board and on the Borough website, 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.

2. ROLL CALL

Governing Body	Present	Absent
Mayor Glidden	✓	
Councilwoman Amitai		✓
Councilman Cho	✓	
Council President Chung	✓	
Councilwoman Latner	✓	
Councilwoman Maroules	✓	
Councilman Yammarino	✓	

3. ORDINANCES

ADOPTION:

- a. **ORDINANCE NO. 2024:1346**
AN ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF WILSON PLACE – **TABLED**

WHEREAS, there exists in the Borough of Closter, County of Bergen, State of New Jersey an area known as Wilson Place as shown on the Official Tax Map of the Borough of Closter; and

WHEREAS, there has been a request to have the Borough vacate the southerly portion of Wilson Place as delineated more specifically on the map and metes and bounds description prepared by Boswell Engineering, attached hereto as Exhibit A; and

WHEREAS, Wilson Place was formerly a cul-de-sac up to approximately 1973 when it was extended as part of a redevelopment and, thereafter, the Borough’s tax map was revised; and

WHEREAS, the portion of Wilson Place described in Exhibit A was formerly a Right of Way, however, as a result of the aforementioned redevelopment, the Borough’s tax map was revised to incorporate that portion of Wilson Place into Block 1905, Lot 7; and

WHEREAS, despite the tax map designation, a Title Search (the relevant page of which is attached hereto as Exhibit B) performed at the request of the current owner of Block 1905 Lot 7 states that although “this area was to be vacated upon the extension of Wilson Place...we find no Road vacation for the southerly portion of the cul-de-sac of Wilson Place filed in the Bergen County Clerk’s Office”; and

WHEREAS, Borough officials have also investigated this matter and have found that due to an oversight, that portion of Wilson Place was not officially vacated at the time of the cul-de-sac extension and tax map revision; and

WHEREAS, Borough officials have further determined that the aforementioned portion of Wilson Place is not needed by the Borough for public purposes; and

WHEREAS, the matter has been referred to the Governing Body and its appropriate officials, who have recommended that the Borough proceed with the vacation to correct this oversight.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Closter as follows:

SECTION 1.

- A. The rights of the public and the Borough of Closter in and to that portion of Wilson Place as described in Exhibit A are hereby extinguished and vacated, with the exception of the retention of a maintenance and utility easement.
- B. All rights and privileges now possessed by any public utility or cable television company, to maintain, repair and/or replace their existing facilities in, adjacent, over or under the vacated portion of Wilson Place as described in Exhibit A are hereby expressly reserved and excepted from this vacation.
- C. The Borough Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy hereof, certified by the Clerk, under seal of the Borough, to be a true and exact copy of the Ordinance, together with a copy of the proof of publication thereof, in the Office of the Bergen County Clerk for recordation in the County's Book of "Vacations," pursuant to N.J.S.A. 40:67-21.

SECTION 2.

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 3.

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION 4.

This Ordinance shall take effect immediately upon final publication as provided by law.

This Ordinance was introduced at the Regular Meeting held October 23, 2024, and was published in The Record issue of October 29, 2024, as stated in the Municipal Clerk's affidavit of publication. This Ordinance was posted on the Municipal Bulletin Board in accordance with statutory requirements, and copies have been made available to the general public.

At this time, Mayor Glidden opened the meeting to the public for any questions, comments, or concerns regarding Ordinance No. 2024:1346.

No members of the public addressed the Mayor and Council.

Mayor Glidden closed the meeting to the public regarding Ordinance No. 2024:1346.

Final Adoption and Open Public Hearing will be held on December 11, 2024 or as soon thereafter.

INTRODUCTION:

- a. **ORDINANCE NO. 2024:1347**
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200, "ZONING", ARTICLE III, DEFINITIONS AND WORD USAGE AND ARTICLE VI, DISTRICT NO. 3, BUSINESS AREA

WHEREAS, the Governing Body has determined there is a need to update certain sections of Chapter 200 of the Code of the Borough of Closter, County of Bergen, State of New Jersey; and

WHEREAS, the Borough of Closter's Master Plan, which was adopted in 1981 identified areas of planning concern that included, among other things, providing a variety and choice of housing options and highlighted that "the housing needs for the young, the elderly, families whose children who have grown, the handicapped, single individuals etc. are not always accommodated through conventional single-family residential uses"; and

WHEREAS, Cooperative Sober Living Residences are not permitted in any district in the Borough of Closter but the Governing Body has determined that it is in the best interests of the Borough to permit Cooperative Sober Living Residences in certain locations within the Borough because doing so is consistent with and designed to effectuate the land use plan element of the Borough's Master Plan; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Closter as follows:

SECTION 1.

Add the following text to Article III, Definitions and Word Usage, § 200-5, Definitions:

COOPERATIVE SOBER LIVING RESIDENCES

A residential setting that serves solely as a home for individuals who are recovering from drug or alcohol addiction and is intended to provide an environment where the residents can support each other's sobriety and recovery. In addition, such residences shall satisfy the criteria outlined in N.J.A.C. 5:27-2.1 as well as all applicable State and Federal laws.

SECTION 2.

The title of Chapter 200. Zoning, Article VI shall be changed to read: Article VI. District No. 3, Business and Residential Area

SECTION 3.

The legend on Zoning Map of the Borough of Closter shall be conformed to reflect the new title of District No. 3 – Business and Residential Area.

SECTION 4.

Add the following text to Article VI. District No. 3, Business and Residential Area, § 200-11. Uses:

G. Cooperative Sober Living Residences.

SECTION 5.

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 6.

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION 7.

This Ordinance shall take effect immediately upon final publication as provided by law.

Final Adoption and Open Public Hearing will be held on December 11, 2024 or as soon thereafter.

COUNCILMEMBER	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilwoman Amitai					✓	
Councilman Cho			✓			
Council President Chung			✓			
Councilwoman Latner	✓		✓			
Councilwoman Maroules		✓	✓			
Councilman Yammarino			✓			

b. ORDINANCE NO. 2024:1348
AN ORDINANCE PROVIDING FUNDING FOR ENGINEERING DESIGN AND CONSTRUCTION INSPECTION SERVICES FOR THE 2025 ROAD PROGRAM FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$120,000.00 FOR SUCH PURPOSE.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Borough of Closter, in the County of Bergen, New Jersey, authorizes engineering design and construction inspection services for the 2025 road program including all work including all work and materials necessary therefor and incidental thereto, to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$120,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Capital Improvement Fund.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Closter may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

Final Adoption and Open Public Hearing will be held on November 25, 2024 or as soon thereafter.

COUNCILMEMBER	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilwoman Amitai					✓	
Councilman Cho			✓			
Council President Chung			✓			
Councilwoman Latner		✓	✓			
Councilwoman Maroules	✓		✓			
Councilman Yammarino			✓			

c. **ORDINANCE NO. 2024:1349**
AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$536,500.00 FROM OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION IMPROVEMENTS

BE IT ORDAINED, by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey, as follows:

SECTION 1. The Borough of Closter does hereby appropriate the sum of \$536,500.00 from the Open Space, Recreation, Farmland, and Historic Preservation Trust Fund for park, farmland, and historic preservation improvements. A list of the authorized improvements is attached to this Ordinance as Exhibit A. The authorization to pay for the items on Exhibit A shall expire after 24 months from the date of adoption of this Ordinance. Thereafter, the funds for items that are not complete shall be returned to the Open Space, Recreation, Farmland, and Historic Preservation Trust.

SECTION 2. The Capital Budget is amended to conform with the provisions of this Ordinance to the extent of any inconsistency therewith and resolutions promulgated by the Local Finance Board showing full detail of the amended budget and capital programs as approved by the Director, Division of Local Government Services on file with the Borough Clerk and is available for public inspection.

SECTION 3. The following matters are hereby determined, declared, recite and stated:

- A. The same purpose described in Section 1 is not a current expense, but is an improvement which the Borough may lawfully make;
- B. The average period of usefulness for the purposes described in Section 1 is hereby determined to be a period of more than five years;
- C. All expenses related to the purchases described in Section 1 are charged as part of the cost of the purpose to be financed.

SECTION 4. This Ordinance shall take effect upon final passage and publication in accordance with law.

Final Adoption and Open Public Hearing will be held on November 25, 2024 or as soon thereafter.

COUNCILMEMBER	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilwoman Amitai					✓	
Councilman Cho			✓			
Council President Chung			✓			
Councilwoman Latner	✓		✓			
Councilwoman Maroules			✓			
Councilman Yammarino		✓	✓			

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

- a. MAIL LIST of October 25, 2024
- b. MAIL LIST of November 2, 2024
- c. MAIL LIST of November 8, 2024

5. VOTE ON CONSENT AGENDA ITEMS

Mayor Glidden read all items into the record. All items with an asterisk (*) are considered to be non-controversial

by the Council and will be approved by one MOTION. There may be further discussion prior to the vote upon request of a Council Member. Also, any item may be removed for further discussion or for Roll Call vote, in which case the item will be removed and considered in its normal sequence as part of the General Order of Business.

RESOLUTIONS:

***24-256 AUTHORIZING TAX REFUND AND CANCELLATION OF TAXES FOR FIRST AND SECOND QUARTERS OF 2025 FOR DISABLED VETERAN**

WHEREAS, Mr. Paul Kwon is the property owner of 38 O'Shaughnessy Lane, Closter, NJ, who has filed a claim for a property tax exemption for the 2024 tax year pursuant to N.J.S.A. 54:4-3.30, Disabled Veteran's Exemption; and

WHEREAS, Mr. Kwon provided documentation to the Borough's Assessor verifying that he is a Veteran of the US Marine Corp. who sustained a service connected disability and is considered to be a total 100% Disabled Veteran as a result of said injury as so classified by the Department of Veterans Affairs; and

WHEREAS, Mr. Kwon's claim for property tax exemption for tax year 2024 was reviewed and approved by the Tax Assessor of the Borough of Closter and he was deemed eligible for this exemption effective November 1, 2024; and

WHEREAS, as a result of this exempt status and pursuant to N.J.S.A. 54:4-3.32, Mr. Kwon is due a refund for the taxes collected on the subject property for a portion of the fourth quarter taxes in the amount of \$ 3,472.40 and cancellation of taxes for First and Second quarters of 2025.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Closter hereby authorize the Tax Collector to issue a refund to Mr. Kwon for the taxes collected on the 38 O'Shaughnessy Lane for a portion of the fourth quarter taxes in the amount of \$ 3,472.40 and cancellation of taxes for First and Second quarters of 2025.

***24-257 APPROVAL OF MAHBOBI V CLOSTER BOROUGH TAX APPEAL SETTLEMENT**

WHEREAS, the taxpayers, Kamran & Noushin N.G. Mahbobi, appealed the assessment levied on Block 2211, Lot 10 for the tax years 2019, 2020, 2021, 2022, 2023 and 2024; and

WHEREAS, the subject property is located at 163 Alpine Drive; and

WHEREAS, the Plaintiffs were represented by an Attorney in this matter; and

WHEREAS, the Borough's Tax Assessor and Borough's Residential Real Estate Tax Appraiser have approved and recommend that the appeal be settled as follows:

Withdraw tax years 2019, 2020, 2021, 2022 & 2023
2024 Assessed Value will be reduced from \$1,458,400 to \$1,400,000

WHEREAS, there are sufficient funds available in the reserve for tax appeals account to satisfy the 2024 tax refund, if any; and

WHEREAS, the assessor is of the opinion that the valuation of the subject property is consistent with the true value of the property.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that:

The proposed settlement for the tax appeals encaptioned Mahbobi v. Closter Borough as hereinbefore set forth is approved and the Borough Attorney or a member of his firm is authorized to execute all documents necessary to effectuate its terms.

***24-258 APPROVAL OF KOLEFAS V CLOSTER BOROUGH TAX APPEAL SETTLEMENT**

WHEREAS, the taxpayers, Athanasios & Helen Kolefas, appealed the assessment levied on Block 2405, Lot 4 for the tax years 2020 and 2023; and

WHEREAS, the subject property is located at 56 Irene Court; and

WHEREAS, the Plaintiffs were represented by an Attorney in this matter; and

WHEREAS, the Borough's Tax Assessor and Borough's Residential Real Estate Tax Appraiser have approved and recommend that the appeal be settled as follows:

Withdraw tax year 2020
2023 Assessed Value will be reduced from \$1,646,500 to \$1,600,000

WHEREAS, there are sufficient funds available in the reserve for tax appeals account to satisfy the 2023 tax refund, if any; and

WHEREAS, the assessor is of the opinion that the valuation of the subject property is consistent with the true value of the property.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that:

The proposed settlement for the tax appeals encaptioned Kolefas v. Closter Borough as hereinbefore set forth is approved and the Borough Attorney or a member of his firm is authorized to execute all documents necessary to effectuate its terms.

***24-259 APPROVAL OF HONG V CLOSTER BOROUGH TAX APPEAL SETTLEMENT**

WHEREAS, the taxpayers, Genewood & Jennifer Hong, appealed the assessment levied on Block 2302, Lot 54 for the tax years 2021 and 2022; and

WHEREAS, the subject property is located at 34 Laurence Court; and

WHEREAS, the Plaintiffs were represented by an Attorney in this matter; and

WHEREAS, the Borough's Tax Assessor and Borough's Residential Real Estate Tax Appraiser have approved and recommend that the appeal be settled as follows:

Withdraw tax year 2021
2022 Assessed Value will be reduced from \$1,608,800 to \$1,550,000

WHEREAS, there are sufficient funds available in the reserve for tax appeals account to satisfy the 2022 tax refund, if any; and

WHEREAS, the assessor is of the opinion that the valuation of the subject property is consistent with the true value of the property.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that:

The proposed settlement for the tax appeals encaptioned Hong v. Closter Borough as hereinbefore set forth is approved and the Borough Attorney or a member of his firm is authorized to execute all documents necessary to effectuate its terms.

***24-260 APPROVAL OF FRIES V CLOSTER BOROUGH TAX APPEAL SETTLEMENT**

WHEREAS, the taxpayers, Gavin & Lindsay Fries, appealed the assessment levied on Block 2402, Lot 2 for the tax years 2020, 2022, 2023 and 2024; and

WHEREAS, the subject property is located at 9 Ranch Lane; and

WHEREAS, the Plaintiffs were represented by an Attorney in this matter; and

WHEREAS, the Borough's Tax Assessor and Borough's Residential Real Estate Tax Appraiser have approved and recommend that the appeal be settled as follows:

Withdraw tax years 2020, 2022 & 2023
2024 Assessed Value will be reduced from \$1,682,600 to \$1,600,000

WHEREAS, there are sufficient funds available in the reserve for tax appeals account to satisfy the 2024 tax refund, if any; and

WHEREAS, the assessor is of the opinion that the valuation of the subject property is consistent with the true value of the property.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that:

The proposed settlement for the tax appeals encaptioned Gavin & Lindsay Fries v. Closter Borough as hereinbefore set forth is approved and the Borough Attorney or a member of his firm is authorized to execute all

documents necessary to effectuate its terms.

***24-261 APPROVAL OF LEE V CLOSTER BOROUGH TAX APPEAL SETTLEMENT**

WHEREAS, the taxpayers, Charles & Roseann Lee appealed the assessment levied on Block 901, Lot 20 for the tax year 2023; and

WHEREAS, the subject property is located at 17 Morrison Street; and

WHEREAS, the Plaintiffs were represented by an Attorney in this matter; and

WHEREAS, the Borough's Tax Assessor and Borough's Residential Real Estate Tax Appraiser have approved and recommend that the appeal be settled as follows:

2023 Assessed Value will be reduced from \$547,300 to \$495,000

WHEREAS, there are sufficient funds available in the reserve for tax appeals account to satisfy the 2023 tax refund, if any; and

WHEREAS, the assessor is of the opinion that the valuation of the subject property is consistent with the true value of the property.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that:

The proposed settlement for the tax appeals encaptioned Lee v. Closter Borough as hereinbefore set forth is approved and the Borough Attorney or a member of his firm is authorized to execute all documents necessary to effectuate its terms.

***24-262 CANCEL BALANCE FOR BOND ORDINANCE**

WHEREAS, the Borough of Closter, in the County of Bergen, State of New Jersey, previously adopted Capital Ordinance 2014:1166 entitled, "A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$55,000 FOR THE ACQUISITION OF VARIOUS EQUIPMENT BY THE BOROUGH OF CLOSTER AND TO APPROPRIATE \$55,000 FROM THE CAPITAL IMPROVEMENT FUND" (the "Original Ordinance"); and

WHEREAS, upon completion of the project authorized by the Original Ordinance, certain unexpended project funds and unexpended grant funds remain in the project account for which the Original Ordinance appropriated funds Section 3(a); and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be canceled against grant receivable balances, other receivable balances or credited to Fund Balance and unused debt authorizations may be cancelled in the General Capital Fund.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that \$109.98 be cancelled from the original.

***24-263 CANCEL BALANCE FOR BOND ORDINANCE**

WHEREAS, the Borough of Closter, in the County of Bergen, State of New Jersey, previously adopted Capital Ordinance 2018:1241 entitled, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$4,345,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$4,138,087 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME" (the "Original Ordinance"); and

WHEREAS, upon completion of the project authorized by the Original Ordinance, certain unexpended project funds and unexpended grant funds remain in the project account for which the Original Ordinance appropriated funds Section 3(c)(d); and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be canceled against grant receivable balances, other receivable balances or credited to Fund Balance and unused debt authorizations may be cancelled in the General Capital Fund.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that \$1937.11, be cancelled from the original.

***24-264 CANCEL BALANCE FOR BOND ORDINANCE**

WHEREAS, the Borough of Closter, in the County of Bergen, State of New Jersey, previously adopted Capital Ordinance 2020-1271 entitled, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$1,225,000 THEREFORE, AND PROVIDING FOR THE ISSUANCE OF \$1,163,750 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME" (the "Original Ordinance"); and

WHEREAS, upon completion of the project authorized by the Original Ordinance, certain unexpended project funds and unexpended grant funds remain in the project account for which the Original Ordinance appropriated funds Section 3(b)(d)(e)(f); and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be canceled against grant receivable balances, other receivable balances or credited to Fund Balance and unused debt authorizations may be cancelled in the General Capital Fund.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that \$118,369.85, be cancelled from the original.

***24-265 CANCEL BALANCE FOR BOND ORDINANCE**

WHEREAS, the Borough of Closter, in the County of Bergen, State of New Jersey, previously adopted Capital Ordinance 2016:1244 entitled, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$1,446,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,373,700 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME" (the "Original Ordinance"); and

WHEREAS, upon completion of the project authorized by the Original Ordinance, certain unexpended project funds and unexpended grant funds remain in the project account for which the Original Ordinance appropriated funds Section 3(a); and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be canceled against grant receivable balances, other receivable balances or credited to Fund Balance and unused debt authorizations may be cancelled in the General Capital Fund.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that \$1,538.70, be cancelled from the original

***24-266 CANCEL BALANCE FOR BOND ORDINANCE**

WHEREAS, the Borough of Closter, in the County of Bergen, State of New Jersey, previously adopted Capital Ordinance 2017:1226 entitled, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$525,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$498,750 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME" (the "Original Ordinance"); and

WHEREAS, upon completion of the project authorized by the Original Ordinance, certain unexpended project funds and unexpended grant funds remain in the project account for which the Original Ordinance appropriated funds Section 3(a)(c); and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be canceled against grant receivable balances, other receivable balances or credited to Fund Balance and unused debt authorizations may be cancelled in the General Capital Fund.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that \$1134.71, be cancelled from the original

***24-267 CANCEL BALANCE FOR BOND ORDINANCE**

WHEREAS, the Borough of Closter, in the County of Bergen, State of New Jersey, previously adopted Capital Ordinance 2018:1241 entitled, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$2,228,920 THEREFORE, AND PROVIDING FOR THE ISSUANCE OF \$2,117,474 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME" (the "Original Ordinance"); and

WHEREAS, upon completion of the project authorized by the Original Ordinance, certain unexpended project funds and unexpended grant funds remain in the project account for which the Original Ordinance appropriated funds Section 3(a)(c)(g); and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be canceled against grant receivable balances, other receivable balances or credited to Fund Balance and unused debt authorizations may be cancelled in the General Capital Fund.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that \$1937.11, be cancelled from the original

***24-268 CANCEL BALANCE FOR BOND ORDINANCE**

WHEREAS, the Borough of Closter, in the County of Bergen, State of New Jersey, previously adopted Capital Ordinance 2014:1164 entitled, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY PROVIDING FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$1,505,600 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,430,570 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME" (the "Original Ordinance"); and

WHEREAS, upon completion of the project authorized by the Original Ordinance, certain unexpended project funds and unexpended grant funds remain in the project account for which the Original Ordinance appropriated funds Section 3(g); and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be canceled against grant receivable balances, other receivable balances or credited to Fund Balance and unused debt authorizations may be cancelled in the General Capital Fund.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that \$16.13, be cancelled from the original

***24-269 CANCEL BALANCE FOR BOND ORDINANCE**

WHEREAS, the Borough of Closter, in the County of Bergen, State of New Jersey, previously adopted Capital Ordinance 2010:1075 entitled, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY PROVIDING FOR VARIOUS IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$600,000 THEREFORE, AND PROVIDING FOR THE ISSUANCE OF \$570,000 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME" (the "Original Ordinance"); and

WHEREAS, upon completion of the project authorized by the Original Ordinance, certain unexpended project funds and unexpended grant funds remain in the project account for which the Original Ordinance appropriated funds Section 3(d); and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be canceled against grant receivable balances, other receivable balances or credited to Fund Balance and unused debt authorizations may be cancelled in the General Capital Fund.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield, County of Bergen, State of New Jersey that \$0.59, be cancelled from the original

***24-270 CANCEL BALANCE FOR BOND ORDINANCE**

WHEREAS, the Borough of Closter, in the County of Bergen, State of New Jersey, previously adopted Capital Ordinance 2014:1162 entitled, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY PROVIDING FOR THE REPAIR OF EXTERIOR WALLS AND REPLACEMENT OF ROOF AT BOROUGH HALL OF THE BOROUGH OF CLOSTER AND APPROPRIATING \$650,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$446,500 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME" (the "Original Ordinance"); and

WHEREAS, upon completion of the project authorized by the Original Ordinance, certain unexpended project funds and unexpended grant funds remain in the project account for which the Original Ordinance appropriated funds Section 3(a); and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be canceled against grant receivable balances, other receivable balances or credited to Fund Balance and unused debt authorizations may be cancelled in the General Capital Fund.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield, County of Bergen, State of New Jersey that \$11,794.45 be cancelled from the original

***24-271 CANCEL BALANCE FOR BOND ORDINANCE**

WHEREAS, the Borough of Closter, in the County of Bergen, State of New Jersey, previously adopted Capital Ordinance 2015:1188 entitled, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY PROVIDING FOR VARIOUS GENERAL IMPROVEMENTS IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$1,817,500 THEREFORE, AND PROVIDING FOR THE ISSUANCE OF \$1,584,125 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME" (the "Original Ordinance"); and

WHEREAS, upon completion of the project authorized by the Original Ordinance, certain unexpended project funds and unexpended grant funds remain in the project account for which the Original Ordinance appropriated funds Section 3(e)(f)(g)(l)(m)(o); and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be canceled against grant receivable balances, other receivable balances or credited to Fund Balance and unused debt authorizations may be cancelled in the General Capital Fund.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that \$12,415.11, be cancelled from the original

***24-272 CANCEL BALANCE FOR BOND ORDINANCE**

WHEREAS, the Borough of Closter, in the County of Bergen, State of New Jersey, previously adopted Capital Ordinance 2013:1147 entitled, "A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$55,600 FOR THE MAKING OF VARIOUS IMPROVEMENTS AND THE ACQUISITION OF VARIOUS EQUIPMENT BY THE BOROUGH OF CLOSTER AND TO APPROPRIATE \$55,600 FROM THE CAPITAL IMPROVEMENT FUND" (the "Original Ordinance"); and

WHEREAS, upon completion of the project authorized by the Original Ordinance, certain unexpended project funds and unexpended grant funds remain in the project account for which the Original Ordinance appropriated funds Section 3(a); and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be canceled against grant receivable balances, other receivable balances or credited to Fund Balance and unused debt authorizations may be cancelled in the General Capital Fund.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that \$3531.50, be cancelled from the original

***24-273 RETURN EQUIPMENT NO LONGER NEEDED BY BOROUGH**

WHEREAS, in 2004 the Knickerbocker Hook and Ladder Company of Closter was gifted a 2004 Wells enclosed trailer (VIN # 1WC200J2948004691) for the purpose of response to Confined Space Rescue incidents. This was donated by the Edwin Van Pelt Foundation; and

WHEREAS, the 2004 Wells trailer was registered and titled with the NJ MVC under the name of Borough of Closter; and

WHEREAS, Knickerbocker Hook & Ladder Company of Closter has no longer the need of this equipment for public purpose and recommends returning the 2004 Wells trailer to the Edwin Van Pelt Foundation, subject to the re-registration of the vehicle into the name of the aforementioned Foundation; and

WHEREAS, the Mayor and Council have been informed of the details of this matter and agree with the recommendation of the Knickerbocker Hook and Ladder Company of Closter.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Closter that the governing body hereby authorizes the return the 2004 Wells trailer registered to the Borough of Closter to the Edwin Van Pelt Foundation, subject to re-registration of the vehicle into the name of the Foundation

***24-274 APPROVING CONTRACT WITH CHIEF OF POLICE**

WHEREAS, James Buccola (the "Chief") is employed by the Borough of Closter (the "Borough") as the Chief of Police; and

WHEREAS, the Borough and the Chief have engaged in negotiations to agree upon the terms of his employment; and

WHEREAS, the Borough and the Chief wish to memorialize their agreement; and

NOW THEREFORE BE IT RESOLVED that the Borough authorizes and approves the agreement with the terms recited therein, which terms are incorporated herein by reference; and

BE IT FURTHER RESOLVED that the Mayor, Borough Administrator, Borough Clerk, Chief Financial Officer, Borough Attorney, and Borough Labor Attorney are authorized to take all necessary steps to implement the terms of the Agreement.

BE IT FURTHER RESOLVED that a copy of this Resolution be provided to the Finance Office and Administrator

***24-275 ESCHEAT FUNDS**

WHEREAS, the following individuals or companies have escrow funds deposited with the Borough for development of the attached listed properties; and

WHEREAS, the applicants have not responded after multiple attempts of notifications; and

WHEREAS, the Finance Office wishes to clear these accounts from their record.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that the Finance Clerk is hereby authorized to close out the accounts and escheat the funds (\$137.69) in the Current Treasury Account.

2010047757	\$ 1.00
2010057062	\$ 1.55
2010057055	\$ 69.47
2010057054	\$ 14.26
2010057035	\$ 51.41

***24-276 BILLS LIST**

WHEREAS, the claims listed below have been authorized and approved by the Chairman of the Committee, examined by the Finance Committee, and found correct.

THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby authorize the payment of these claims, and that warrants be drawn therefore when funds are available.

Budgeted	Amount
Bergen County Tax	\$ 0.00
County Open Space Tax	\$ 0.00
Northern Valley High School	\$ 1,427,516.60
Closter Board of Education	\$ 1,913,989.00
2023 Budget Appropriations	\$ 1,559.11
2024 Budget Appropriations – Operating Expenses	\$ 1,032,338.98
Payroll 10/15/2024	\$ 328,021.56
Payroll 10/30/2024	\$ 327,150.75
Current Treasury Account October 10, 2024 to November 13, 2024	\$ 5,030,576.00

Capital and Trust	Amount
Capital	\$ 460,052.48
Escrow Trust	\$ 18,068.34
Recreation	\$ 43,471.25
Animal	\$ 30.80
Housing Trust	\$ 4,865.50
Food Locker	\$ 6,175.00
Open Space	\$ 0.00
HRA Insurance Plan	\$ 5,440.26

***24-277 AWARDING A “FAIR AND OPEN” CONTRACT FOR LANDSCAPING SERVICES IN EXCHANGE FOR LEAF COMPOST MATERIALS**

WHEREAS, at the Public Meeting held on October 9, 2024, the Governing Body of the Borough of Closter, County of Bergen, State of New Jersey authorized the use of a Fair and Open Process pursuant to the provisions of N.J.S.A. 19:44A-20, et. seq., commonly called the “Pay to Play” law in awarding a contract for Landscaping Services in Exchange for Leaf Composting Materials; and

WHEREAS, no funds will be expended by the Borough for this contract; and

WHEREAS, the Request for Proposals was advertised; and

WHEREAS, one response was received from Victoria’s Nursery, 578 Paramus Rd., Paramus, NJ 07652; and

WHEREAS, the aforementioned response to the Request for Proposals was found to be acceptable by the Borough Administrator who recommends that the contract be awarded to Victoria’s Nursery for a period of one year following the adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Closter that the governing body desires to award the contract for a period of one year following the adoption of this resolution for Landscaping Services in Exchange for Leaf Compost Materials to Victoria’s Nursery.

***24-278 AWARDING A LEASE FOR PORTION OF WELLINGTON AVENUE IN THE BOROUGH OF CLOSTER**

WHEREAS, at the Public Meeting held on October 9, 2024, the Governing Body of the Borough of Closter, County of Bergen, State of New Jersey authorized a public bidding process for a lease of public lands pursuant to the provisions of N.J.S.A. 40A:12-14; and

WHEREAS, thereafter, bid specifications were prepared by the Borough Attorney for “The Lease of a Portion of Wellington Avenue”; and

WHEREAS, sealed bids were requested on October 22, 2024, through an advertisement as required by New Jersey law; and

WHEREAS, on October 31, 2024, one bid was received from IWS Transfer Systems of NJ, Inc., 300 Frank W. Burr Blvd., Suite 39, Teaneck, NJ 07666, in the amount of \$1,500 per month, CPI adjusted as outlined in the bid specifications; and

WHEREAS, the Borough Attorney has reviewed the bid documents and found them to be in order.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter:

1. The Lease of a Portion of Wellington Avenue is hereby awarded to IWS Transfer Systems in exchange for lease payments to the Borough of \$1,500 per month, CPI Adjusted as outlined in the bid specifications.
2. The Borough Attorney is hereby authorized to prepare the lease and/or any other documents necessary pursuant to the award of this lease.
3. The Mayor and Clerk are hereby authorized to execute the lease and/or any other documents necessary pursuant to the award of this lease.

***24-279 AUTHORIZING AN AMENDMENT TO THE LEASE OPTION AGREEMENT REGARDING THE VILLAGE SCHOOL**

WHEREAS, the Borough of Closter pursuant to a Request for Proposal process received a Proposal from Mastermind, Inc., to develop and lease the Village School for the purpose of constructing (35) thirty-five affordable apartments; and

WHEREAS, in an effort to assist Mastermind, Inc., in obtaining financing and tax credits from the New Jersey Housing Mortgage and Finance Agency (“NJHMFA”), Mastermind requested that the Borough enter into a Lease Option Agreement regarding said premises; and

WHEREAS, at the public meeting held on October 23, 2024, the Governing Body of the Borough of Closter authorized the execution of this Lease Option Agreement, for the purpose of Mastermind’s application to the NJHMFA; and

WHEREAS, the attorney for Mastermind has informed the Borough Attorney that the Lease Option Agreement requires an amendment to its Renewal Term; specifically, in order to obtain the aforementioned tax credits, the Renewal Term in the Lease Option Agreement must be revised from a 30- year renewal term to a 50-year renewal term; and

WHEREAS, the attorney for Mastermind has informed the Borough Attorney that this change is required by

NJHMFA.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Closter:

- 1. An amendment to the Renewal Term from a 30-year term to a 50-year term in the Lease Option Agreement with Mastermind is hereby authorized; and
- 2. The Mayor or Administrator is hereby authorized to execute any documents necessary to effectuate this amendment in a form subject to the review and approval of the Borough Administrator and Borough Attorney; and
- 3. The Mayor or Borough Administrator is hereby authorized to execute any related ancillary documents with respect to financing through the NJHMFA.

COUNCILMEMBER	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilwoman Amitai					✓	
Councilman Cho			✓			
Council President Chung		✓	✓			
Councilwoman Latner	✓		✓			
Councilwoman Maroules			✓			
Councilman Yammarino			✓			

6. OPEN MEETING TO PUBLIC FOR ANY MATTER (5-MINUTE LIMIT)

Steve Isaacson suggested that the Borough find people to do sports-related projects and build bridges but not for repairing the farmhouse.

Libby (49 Arnold Avenue) congratulated the winners of the election. She asked whether a vote would happen tonight concerning the menorah lighting. She was told there would be a discussion and a decision made soon.

7. CLOSED SESSION

*24-280 RESOLUTION TO GO INTO CLOSED SESSION AND EXCLUDE THE PUBLIC

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances will or presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closed, County of Bergen, State of New Jersey, as follow:

- 1. That the public shall be excluded from the November 13, 2024 Closed Session and discussion of the hereinafter specified subject matter:

Closed Session		Statutory
Docket#	Item Title of Description	Reference
24-11/13-1	Tactics and Techniques Fire Department & Ambulance Corps	N.J.S.A. 10:4-12 (b) (6)
24-11-13-2	Contract Negotiations Village School	N.J.S.A. 10:4-12 (b) (7)

- 2. Formal action may/may not be taken.
- 3. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

COUNCILMEMBER	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilwoman Amitai					✓	
Councilman Cho			✓			
Council President Chung		✓	✓			
Councilwoman Latner	✓		✓			
Councilwoman Maroules			✓			
Councilman Yammarino			✓			

The meeting went into Closed Session.

8. RETURN TO REGULAR MEETING

The Regular Meeting resumed at 8:26 P.M.

9. RESOLUTION

***24-281 CONFIRMING THE NEED FOR THE REHABILITATION OF THE CLOSTER SCHOOL AND NEW CONSTRUCTION OF 3 ADDITIONAL STRUCTURES TO CREATE A 35 UNIT AFFORDABLE DEVELOPMENT, AND AUTHORIZING AN AGREEMENT FOR PAYMENTS IN LIEU OF TAXES WITH THE BOROUGH OF CLOSTER**

WHEREAS, Village School Development, LLC (hereinafter referred to as the "Sponsor") proposes to rehabilitate a school building and construction of 3 additional structures to create a 35 unit affordable housing project (hereinafter referred to as the "Project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.) and the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq. (the foregoing hereinafter referred to as the "HMFA Law") within the Borough of **Closter** (hereinafter referred to as the "Municipality") on an approximately **1.58** acre site described as Lots and Blocks in Exhibit "A" as shown on the Official Assessment Map of the Borough of **Closter, Bergen** County and known as **511 Durie Avenue, Closter, NJ**; and

WHEREAS, the Project will be subject to the HMFA Law and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, pursuant to the provisions of the HMFA Law, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality; and

WHEREAS, the Sponsor has presented to the Municipality a revenue projection for the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Project as estimated by the Sponsor and the Agency.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of **Closter** ("Council"), County of **Bergen**, State of New Jersey as follows:

1. The Council finds and determines that the proposed Project currently meets or will meet in the future an existing housing need in the Borough;
2. The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Law with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Project.
3. The Council does hereby adopt the within Resolution with the further intent and purpose that from the date of execution of the Agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Law, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the Municipality in such amounts and manner set forth in the Agreement for Payments in Lieu of Taxes attached hereto as Exhibit "B"
4. The Council hereby authorizes and directs the Mayor of the Borough of **Closter** to execute, on behalf of the Municipality, the Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit "A".
5. The Council understands and agrees that the revenue projections set forth are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the Municipality shall be determined pursuant to the Agreement for Payments in Lieu of Taxes executed between the Sponsor and Municipality.

10. ADJOURNMENT

COUNCILMEMBER	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilwoman Amitai					✓	
Councilman Cho			✓			
Council President Chung			✓			
Councilwoman Latner	✓		✓			
Councilwoman Maroules			✓			
Councilman Yammarino		✓	✓			

The Regular Meeting adjourned.

Respectfully submitted,



Mari J. Margiotta, RMC, CMR
Borough Clerk

Date of Minutes approval: April 9, 2025