



**MAYOR AND COUNCIL
BOROUGH OF CLOSTER**

REGULAR MEETING MINUTES: WEDNESDAY - SEPTEMBER 25, 2024

THIS REGULARLY 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

Councilwoman Chung opened the meeting at **8:24 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. PRESENTATION

- a. CIC PRESENTATION ABOUT OUR DOWNTOWN-handled in Work Session

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

- a. Mail List 09-13-2024
b. Mail List 09-20-2024

5. VOTE ON CONSENT AGENDA ITEMS

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.

6. RESOLUTIONS

*24-220 RESOLUTION AUTHORIZING BIDS FOR SOLID WASTE TRANSFER

WHEREAS, the Borough's Contract for Solid Waste Transfer is expiring on December 31, 2024; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. requires that such contracts be publicly bid; and

WHEREAS, Local Public Contracts Law requires that such requests for bids be advertised for at least 60 days.

NOW, THEREFORE BE IT ORDAINED that the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey, hereby authorizes the Borough Attorney with the assistance of the Borough Administrator to prepare a Request for Bids for Solid Waste Transfer and further authorizes the Borough Clerk to advertise for same.

*24-221 RESOLUTION APPROVAL OF MOSS V CLOSTER BOROUGH TAX APPEAL SETTLEMENT

WHEREAS, the taxpayers, Andrew L & Shari S Moss, appealed the assessment levied on Block 2302, Lot 44 for the tax year 2023; and

WHEREAS, the subject property is located at 16 Laurence Court; and

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

WHEREAS, the Borough Tax Assessor and Borough Tax Expert have approved and recommend that the appeal be settled as follows:

2023 Assessed Value will be reduced from \$1,473,100 to \$1,350,000

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 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 Moss, Andrew L & Shari S v. Closter Borough as hereinbefore set forth is approved and the Borough Tax Attorney or a member of his firm is authorized to execute all documents necessary to effectuate its terms.

*24-222 RESOLUTION APPROVING NETFLIX PRODUCTIONS, LLC REQUEST TO FILM BEYOND BOROUGH OF CLOSTER'S 7PM LIMIT AS PER CHAPTER 178-3

WHEREAS, on July 22, 2024, Netflix Productions, LLC contacted the Borough Administrator for consideration in filming a movie on public land, specifically, the Leo Liddy Baseball Field located in Memorial Park as well as on private property, specifically, the Closter Golf Center, 153 Homans Avenue, Closter; and

WHEREAS, on September 17, 2024, Netflix Productions, LLC provided a Letter of Intent to apply for a film permit for use of the Leo Liddy Baseball Field, Memorial Park, with a scheduled production date of **Friday, October 11, 2024** and rain dates of either Thursday, October 10th or Monday, October 14th; and

WHEREAS, by Letter of Intent, Netflix Productions, LLC is requesting the Borough's time of filming be extended to midnight, which is beyond the 8:00am-7:00pm time permitted in Borough Code 178-3 Television and Movie Filming: Rules and Regulations; and

NOW, THEREFORE BE IT RESOLVED, the governing body of the Borough of Closter has reviewed the Netflix Productions, LLC Letter of Intent, (Exhibit A, attached) and formally approves the Netflix Productions, LLC request to work at the Leo Liddy Baseball Field at Memorial Park up to midnight, which is beyond the permitted time of 7:00pm, pending the receipt, review and approval of all documents and fees required for the issuance of the Television and Movie Film Permit by the Borough Clerk; and

BE IT FURTHER RESOLVED the Borough Clerk will provide two (2) original, signed and sealed copies of this resolution to Borough Administrator.

*24-223 RESOLUTION AUTHORIZING USING A COOPERATIVE PURCHASING PROGRAM NEW JERSEY COOPERATIVE PURCHASING ALLIANCE

WHEREAS, under certain circumstances, the award of contract without public bidding is permitted pursuant to N.J.S.A 52:34-6,2; and

WHEREAS, the Borough of Closter is a member of the **New Jersey Cooperative Purchasing Alliance** and

WHEREAS, New Jersey Cooperative Purchasing Alliance has awarded Contract CO-OP #CK04 Bid #BC BID 24-43 to Paramus Ford Inc.; and

WHEREAS, the Borough of Closter wishes to purchase a **2025 Ford Police Interceptor Utility AWD**; and

WHEREAS, prior to the award of this contract a Notice of Intention to Award a Contract must be published in the official newspaper; and

WHEREAS, the maximum amount of the purchase is \$49,998.60 and funding for this purchase is available through Administrative Fees Trust account number T-13-56-000-096-999; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Closter that they approve the following:

- 1) Borough Clerk is hereby authorized to publish a Notice of Intention to Award a Contract to **Paramus Ford Inc.** pursuant to the **New Jersey Cooperative Purchasing Alliance** for the purchase of **2025 Ford Police Interceptor Utility AWD** at a cost of **\$49,998.60**
- 2) Any objections to this award of the contract should be directed to the Borough Clerk, 295 Closter Dock Road, Closter New Jersey 07624 within ten (10) days of the publication of the Notice of Intention.
- 3) The awarded contract to **Paramus Ford Inc** is contingent upon no objections being received.
- 4) Instruct the Deputy Treasurer to create an encumbrance from the Administrative Fess Trust account to purchase said vehicle.

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Francis Elenio, Chief Financial Officer of the Borough of Closter, hereby certify, pursuant to N.J.S.A. 40A:9-140.1 et seq. and NJAC 5:30.4, that the funds are available to the Borough of Closter for the calendar year 2024 in account **T-13-56-000-096-999**

***24-224 RESOLUTION TO WAIVE RETURNED CHECK FEE**

WHEREAS, the Borough of Closter charges a returned check fee as per Ordinance in the amount of fifty dollars (\$50.00),

WHEREAS, due to a technical error, the property owner at Block 907, Lot 26 located at **285 Demarest Avenue** in Closter, New Jersey, had an online payment rejected due to “unable to locate account”,

WHEREAS, the Borough Administrator spoke on behalf of the property owner to the Governing Body and they wish to waive the returned check fee for this instance.

NOW, THEREFORE BE IT ORDAINED that the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey, hereby instructs the Tax Collector to waive the \$50.00 returned check fee for Block **907/Lot 26**.

***24-225 RESOLUTION APPROVING THE CLOSURE AND UTILIZATION OF DURIE AVENUE FOR SADHU VASWANI CENTER’S FALL FESTIVAL**

WHEREAS, the Sadhu Vaswani Center (494 Durie Avenue) desires to hold a fall festival for the benefit of its congregation; and

WHEREAS, the Sadhu Vaswani Center Board is requesting permission to close and utilize Durie Avenue between High Street and Demarest Avenue on Sunday, October 6, 2024 between the hours of 10:00 A.M. and 4:00 P.M. and

WHEREAS, the Chief of Police has reviewed the appropriate traffic plans and approved this road closure; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey, that approval has been given to the Sadhu Vaswani Center to hold a fall festival on Sunday, October 6, 2024, at 494 Durie Avenue; and

BE IT FURTHER RESOLVED, the Sadhu Vaswani Center Fall Festival is hereby approved and a copy of the resolution shall be provided to, the Chief of Police, Superintendent of Public Works, and Administrator’s Office.

***24-226 RESOLUTION URGING CONGRESS TO ALLOW EXPIRATION OF THE DEDUCTIBILITY CAP OF STATE AND LOCAL TAXES (SALT)**

WHEREAS, our tax obligation is an issue that concerns all residents in every municipality in the state of New Jersey; and

WHEREAS, the federal Tax Cuts and Jobs Acts of 2017 imposed a \$10,000 cap on state and local tax (SALT) deductions; and

WHEREAS, this cap is set to expire after the 2025 tax year; and

WHEREAS, the deduction for SALT has been a fundamental feature of the tax code for more than 100 years, with

the first federal income tax form in 1913 allowing taxpayers to deduct state and local taxes, one of only six deductions allowed at the time, and even the federal Civil War tax in 1862 included a deduction for SALT; and

WHEREAS, this important provision ensures against double taxation and reflects mandatory tax payments, which support public services that benefit all citizens, such as K-12 schools, law enforcement and public safety, transportation and infrastructure, and vital community and public health services; and

WHEREAS, the SALT deduction is one of the few provisions in the federal tax code that recognizes the burden placed on states like New Jersey, which provide significantly more in federal tax revenue than they receive back in federal services and grants; and

WHEREAS, many New Jersey families relied upon the full federal SALT deduction to ensure tax fairness, and capping the SALT deduction has placed an unfair burden on New Jersey homeowners; and

WHEREAS, the SALT deduction cap presents a barrier to affordable homeownership in New Jersey, impacting the ability of new, young families to prosper in the future and seniors to remain in their homes.

NOW, THEREFORE, BE IT RESOLVED, that Congress should allow the expiration of the SALT deduction cap and provide more equitable taxation once again to residents of New Jersey; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to U.S. Senator Cory Booker, U.S. Senator George Helmy, Congressman Josh Gottheimer, Governor Phil Murphy, Senate President Nicholas Scutari, Assembly Speaker Craig Coughlin, Senator Holly Schepisi, Assemblyman Robert Auth, and Assemblyman John Azzariti, and the New Jersey State League of Municipalities.

*24-227 RESOLUTION AUTHORIZING THE BOROUGH OF CLOSTER TO PARTICIPATE IN
LEGAL ACTION PROPOSED TO ENSURE THAT AFFORDABLE HOUSING OBLIGATIONS
ARE SHARED FAIRLY AND PROPORTIONATELY BETWEEN ALL NEW JERSEY
MUNICIPALITIES

WHEREAS, the Borough of Closter fully supports affordable housing, but has grave concerns about high-density market-rate development that would change the existing small-town, historical character of the Borough; and

WHEREAS, affordable housing legislation signed into law on March 20, 2024 as P.L.2024, c.2 includes certain inequities that could unfairly and negatively impact the Borough and its residents; and

WHEREAS, the Borough of Closter is coordinating potential legal action between New Jersey towns to challenge these inequitable mandates; and

WHEREAS, The Borough has an opportunity to support and join this legal action, which would allow participants to share in any relief ordered by the court, while benefiting from economies of scale; and

WHEREAS, the Borough of Closter has been provided a preliminary cost estimate of \$10,000.00 per year to participate for 2024 and 2025; and

WHEREAS, the CFO has certified that sufficient funds are available for this purpose; and

WHEREAS, the Mayor and Borough Council desire to join the legal action, subject to review and approval of any draft complaint by the Administration and Borough Attorney prior to filing.

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

1. The Borough of Closter is hereby authorized to join as a party to the above referenced legal action and is hereby authorized to contribute \$10,000.00 in 2024 and \$10,000.00 in 2025.
2. Such participation is conditioned upon review and approval of any draft complaint by the Administration and Borough Attorney prior to filing to ensure it is consistent with the goals and objectives of the Borough and addresses inequities contained in P.L.2024, c.2.
3. Appropriate Borough employees and professionals are hereby authorized to take whatever steps are necessary to effectuate the intent of this Resolution.
4. Participation in such legal action shall not be deemed a rejection of any current affordable housing obligation while such litigation is pending.

*24-228 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 September 25, 2024 Closed Session and discussion of the hereinafter specified subject matter:

Closed Session Docket#	Item Title of Description	Statutory Reference
24-09/25-1	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.

Councilwoman Latner moved to approve Items 24-220 to 24-227, second Councilman Yammarino.

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

7. **HAWKERS AND PEDDLERS PERMITS**

- a.
- FOOD TRUCK – INGRID WRIGHT #24-30

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

8. **OPEN MEETING TO THE PUBLIC FOR ANY MATTER (5-Minute Limit)**

Hearing none, the meeting was closed to the public

Councilwoman Latner moved Resolution 24-228 to go into Closed Session regarding the Village School, second Councilman Yammarino. All in favor. The meeting went into Closed Session.

9. **ADJOURNMENT**

Respectfully Submitted,

Mari J. Margiotta

Mari J. Margiotta, RMC, CMR
Borough Clerk

