



**MAYOR AND COUNCIL
BOROUGH OF CLOSTER**

REGULAR MEETING MINUTES: WEDNESDAY - FEBRUARY 12, 2025

THIS REGULARLY SCHEDULED MEETING OF THE CLOSTER MAYOR AND COUNCIL WILL BE HELD IN-PERSON, TELEPHONICALLY, and VIA ZOOM VIDEO. You may join the 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: +1 301-715-8592; MEETING ID: 864 2063 3673; PASSWORD: 8675309**

If Closed 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

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 2025 Mayor and Council Meetings which was published in The Record on December 29, 2024 and The Star-Ledger on December 30, 2024, 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	✓	
Council President Cho	✓	
Councilwoman Chung	✓	
Councilwoman Latner	✓	
Councilwoman Maroules	✓	
Councilman Yammarino	✓	

3. ORDINANCES:

INTRODUCTION:

A. ORDINANCE NO. 2025:1355 TABLED

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 93, CONSTRUCTION AND REPAIR OF SIDEWALKS AND CURBS; CHAPTER 171, ARTICLE IV, SIDEWALK CONSTRUCTION, CHAPTER 171, ARTICLE V, SIDEWALK REPAIR; AND CHAPTER A301, FEES AND DEPOSITS

WHEREAS, the Governing Body has determined there is a need to update certain sections of Chapter 93, Chapter 171 and A301 of the Code of the Borough of Closter, County of Bergen, State of New Jersey; and

WHEREAS, the proposed changes were reviewed by the Ordinance Committee which recommends adoption and by the Borough Attorney who deems it to be in order; and

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

SECTION 1.

Replace §93-1 paragraph D with the following text:

In the case that the proposed construction is on a street or a property where concrete curbs and sidewalks do not exist, all work shall be done under the supervision of the Borough Engineer. It shall be the responsibility of the applicant to submit a plan depicting line and grade of the new curb and/or sidewalk for review. The applicant may choose to have the Borough Engineer establish line and grade, in which event the applicant shall post an appropriate escrow in accordance with the Borough Engineer's determination.

Replace §93-3 paragraph B with the following text:

B. 1. The Planning Board or Board of Adjustment, in connection with its review of an application for development, or the Borough Engineer in a matter which does not require site plan review, may grant exceptions to the requirements of this section in the event that compliance therewith is not possible or if such compliance would be excessively costly or burdensome and if the noncompliance will have no adverse effect on the condition of the sidewalk involved or the adjacent street and will not be inconsistent with the overall intent and purpose of this section.

B2. All work shall be done under the supervision of the Borough Engineer in that case of:

- (1) new construction; or
- (2) an addition to existing structures resulting in the increase in the floor area and/or roof area by more than 1/3 (33.33%); or
- (3) where 50% or more of the original structure is demolished, then the owner shall be required to construct sidewalks and curbs in accordance with the standards of §173-48E. Moreover, the waiver procedures detailed §171-29A(2)(b) supersede this provision.

SECTION 2.

Replace §171-18 paragraph B with the following text:

- B. For purposes of this article, maintenance shall include but not be limited to the prompt clearance of all snow, ice, weeds, vegetation and debris from said sidewalks and curbs. It shall also include the maintenance and repair of all cracks and crevices, the maintaining of a level surface and the taking of all necessary steps to ensure as far as practicable the safety of the users of said sidewalk. For all repairs and/or replacements of more than 25% of curbing and/or sidewalk, a building permit shall be obtained by the owner for review and inspections by the Borough Engineer of all new sidewalk and curbing.

Add paragraph C to §171-18 as follows:

B. All work shall be done under the supervision of the Borough Engineer in the case of:

- 1) new construction; or
- 2) an addition to existing structures resulting in the increase in the floor area and/or roof area by more than 1/3 (33.33%); or
- 3) where 50% or more of the original structure is demolished, then the owner shall be required to construct sidewalks and curbs in accordance with the standards of §173-48E. The waiver procedures detailed §171-29A(2)(b) supersede this provision.

SECTION 3.

Replace §171-29 paragraph A (2) with the following text:

(2)(a) All owners of property abutting upon streets, avenues or highways of the borough who apply for a building permit for:

- (1) new construction; or
- (2) an addition to existing structures resulting in the increase in the floor area and/or roof area by more than 1/3 (33.33%); or

(3) where 50% or more of the original structure is demolished, then the owner shall be required to construct sidewalks and curbs under the supervision of the Borough Engineer and in accordance with the standards of §173-48E. The waiver procedures detailed §171-29A(2)(b) supersede this provision.

(2)(b) The term "vacant land" shall include a parcel of land where more than 50% of the above-grade portions of an existing structure will be removed and replaced with construction of a new improvement. No certificate of occupancy shall be granted until this provision is met. The Building Department/Zoning Officer shall notify the owner and the Borough Engineer of the requirement to install a sidewalk and curbs. The owner may request a waiver of this requirement from the Mayor and Council. The request shall be made within 20 days of notification and shall be in writing, setting forth the reasons for the waiver. The Mayor and Council shall schedule a hearing to consider the waiver request. Upon construction and acceptance, the owner shall have the duty to maintain the sidewalk and curb in accordance with Subsection A(1) above.

SECTION 4.

Replace Chapter A301-1 C. Construction Office, paragraph (1) (w) [2] with the following text:

[2] Sidewalk/curb inspection fee: \$300 if done by construction code official or his designee.

Sidewalk/curb inspection fee: \$300 per site visit if done by the Borough Engineer or his designee.

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 February 26, 2025 or as soon thereafter.

ADOPTION:

C. ORDINANCE NO. 2025:1352

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,000,000 FOR THE MAKING OF A GRANT TO THE DEVELOPER OF THE CLOSTER VILLAGE SCHOOL PROJECT FOR 35 AFFORDABLE HOUSING UNITS FOR AND BY THE BOROUGH OF CLOSTER IN THE COUNTY OF BERGEN, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Closter, New Jersey (the "Borough") as general improvements. For the said Improvement there is hereby appropriated the amount of \$2,000,000, such sum includes the sum of \$1,600,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is hereby appropriated from the Borough's Affordable Housing Trust Fund and is currently held by the Borough and has previously been contributed for the improvement or purpose described in Section 3 hereof other than by the Borough.

SECTION 2:

In order to finance the cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$400,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$400,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized pursuant to N.J.S.A. 52:27D-311, part of a Court approved housing plan, and the purpose for the financing of which said obligations are to be issued is for the making of a grant to the developer of the Closter Village School project for the development, construction and improvements of 35-units of affordable housing units on property located at 511 Durie Avenue (Block 1316, Lot 9) in the Borough, and including all work including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$400,000.

(c) The estimated cost of the Improvements is \$2,000,000 which amount represents the initial appropriation made by the Borough.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by

the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

- (a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 20 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$400,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.
- (d) An aggregate amount not exceeding \$0.00 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time as contributions in aid of financing the purposes described in Section 3 of this Ordinance (including \$300,000 from the Borough's Affordable Housing Trust Fund) shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$400,000.

SECTION 11:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law

At this time, Mayor Glidden opened the meeting to the public for any questions, comments, or concerns regarding Ordinance No. 2025:1352.

No members of the public addressed the Mayor and Council.

Mayor Glidden closed the meeting to the public regarding Ordinance No. 2025:1352.

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

D. ORDINANCE NO. 2025:1354
AN ORDINANCE AMENDING CHAPTER 170A OF THE CODE ENTITLED
“STORMWATER CONTROL” PURSUANT TO RECOMMENDATIONS MADE BY THE
BERGEN COUNTY DEPARTMENT OF PLANNING AND ENGINEERING

WHEREAS, the New Jersey Department of Environmental Protection recently amended its Stormwater Management Rules, N.J.A.C. 7:8, and to comport with the new rules the Borough of Closter adopted on July 24, 2024, Ordinance 2024:1343, An Ordinance Amending Chapter 170A of the Code Entitled "Stormwater Control"; and

WHEREAS, thereafter the Ordinance was forwarded to the Bergen County Department of Planning and Engineering (hereinafter “Department”) for review and comment; and

WHEREAS, by letter dated November 17, 2024, the Department conditionally approved Ordinance 2024:1343 subject to the Borough’s adoption of two recommended changes to the Ordinance; and

WHEREAS, specifically, the Department recommended a change to §170A-2, Definitions, “County Review Agency” and a change to §170A-5, Safety Standards for Stormwater Management Basins.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Closter, pursuant to the recommendations of the Bergen County Department of Planning and Engineering, the following changes shall be made to Code Chapter 170A, “Stormwater Control”.

SECTION 1.

§170A-2, Definitions, “County Review Agency” shall be changed to read:

"County review agency" means an agency designated by the County Board of County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or
2. A county water resource association created under N.J.S.A 58: 16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

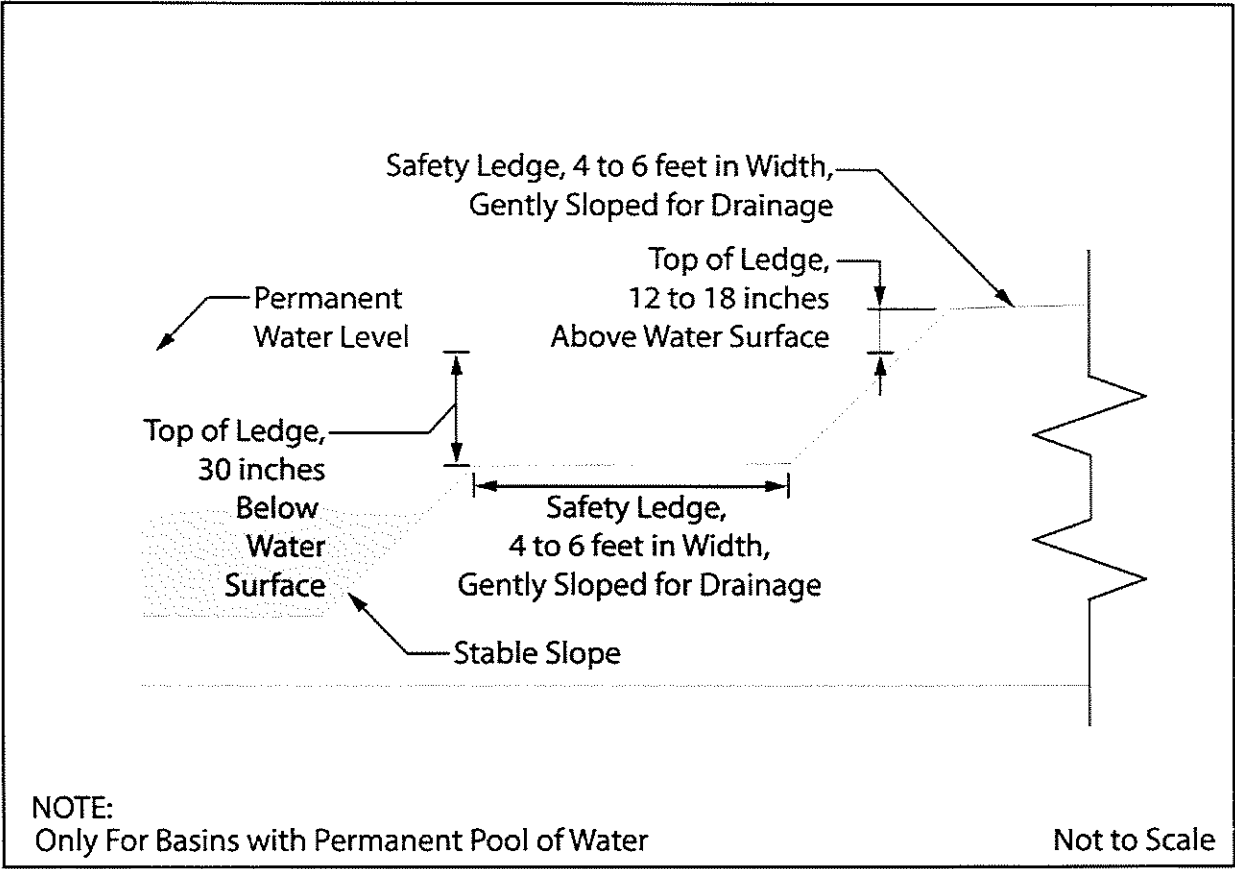
SECTION 2.

§170A-5, Safety Standards for Stormwater Management Basins, shall be revised as follows:

- A. This section sets forth requirements to protect public safety through the proper design and operation of storm water management basins. This section applies to any new stormwater management basin. Safety standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-6, incorporated herein by reference.

Safety Ledge Illustration

Elevation View -Basin Safety Ledge Configuration



SECTION 3.

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

SECTION 4.

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 5.

This Ordinance shall take effect immediately upon final publication as provided by law.
The meeting was opened to the public for comment; hearing none, the meeting was closed to the public.

At this time, Mayor Glidden opened the meeting to the public for any questions, comments, or concerns regarding Ordinance No. 2025:1354.

No members of the public addressed the Mayor and Council.

Mayor Glidden closed the meeting to the public regarding Ordinance No. 2025:1354.

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

3. ROLL CALL

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 (The Mayor read all into record)

*25-067 SUPPORT PUBLISHING LEGAL NOTICES ON OFFICIAL GOVERNMENT WEBSITES

WHEREAS, the sunset provision of March 1, 2025 imposed under P.L. 2024 c.106 is fast approaching in what was a temporary solution that allowed local governments to comply with the public notice requirements under the law in time for annual reorganization meetings in January; and,

WHEREAS, local government officials serve as the stewards of property taxpayer dollars and should no longer be required to subsidize the newspaper industry with revenues collected from publishing legal notices in the press; and,

WHEREAS, long before NJ Advanced Media’s announcement that it was terminating daily print publications in January of 2025, local government officials found it increasingly difficult to comply with the public notice requirements under the law as the media has become almost exclusively digitized and struggled to retain staff, resources, and publications; and,

WHEREAS, legislation that will authorize local governments to publish legal notices on a local government’s official website will streamline an antiquated and overly burdensome process and save valuable time, resources, and property taxpayer dollars; and,

NOW, THEREFORE, BE IT RESOLVED that the Borough of Closter does in fact, hereby urge state leaders to pass legislation that will authorize municipalities, counties, school districts, and all local governments to publish legal notices in a clear, transparent, and timely manner on a local government’s official website.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to Governor Phil Murphy, Senate President Nicholas Scutari, Speaker of the General Assembly Craig Coughlin, Senator Holly T. Schepisi, Assemblyman Robert Auth and Assemblyman John V. Azzariti, Jr., and the New Jersey State League of Municipalities.

*25-068 AUTHORIZE THE EXECUTION OF THE MEMORANDUM OF UNDERSTANDING
BETWEEN CLOSTER MARKETPLACE (EBA), LLC AND CLOSTER POLICE

DEPARTMENT

WHEREAS, the Closter Chief of Police has informed the Governing Body that Closter Marketplace (EBA), LLC (herein after “Property Owner”) will permit the Closter Police Department to view live stream feeds from certain installed base building(s) camera system operated at Closter Plaza; and

WHEREAS, the Chief has further informed the Governing Body that this access to live stream feeds will enhance public safety in that area;

WHEREAS, the Property Owner has prepared a Memorandum of Understanding (MOU) with regard to this matter which is attached hereto as Exhibit A;

WHEREAS, this MOU has been reviewed and approved by the Borough Attorney’s office; and

WHEREAS, the Governing Body has determined that it is in the best interest of the residents to execute said MOU.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that the Closter Police Chief is hereby authorized to execute the MOU attached hereto as Exhibit A

***25-069 APPROVAL RELEASE OF ENGINEERING ESCROWS – 174 DURIE AVENUE**

WHEREAS, all applicable Borough professionals have finalized inspections on improvements made and approve the release of bond and/or escrow funds to the depositor of monies as indicated in the attached Project Detail Inquiry.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that the Finance Clerk is and hereby authorized to release the bond and escrow monies to the depositor as indicated in the attached Project Detail Inquiry in the amount of \$25,000.00.

Account #: 2010057489 Amount: \$25,000.00

***25-070 AWARDING A CONTRACT FOR THE CONSTRUCTION OF THE POLE BARN BUILDINGS
AT THE DEPARTMENT OF PUBLIC WORKS 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 rebidding of the Pole Barn Project at the Closter DPW pursuant to the provisions of Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, sealed bids were requested on January 17, 2025, through advertisement as required by New Jersey law; and

WHEREAS, three bids were received from the bidders listed on the Rebid Results letter from DMR Consultants, attached hereto as EXHIBIT A;

WHEREAS, DMR found all bids to be complete and in compliance with the Bid Requirements; and

WHEREAS, DMR has recommended that the contract for this project be awarded to the lowest responsible bidder: Dutchman Contracting LLC, 278 N. Ridge Road, Reinholds, PA 17569 for the total amount of \$1,285,168 (with Alternate 1).

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

1. The contract for the Pole Barn Project at the DPW is hereby awarded to Dutchman Contracting LLC in the total amount of \$1,285,168 (with Alternate 1).
2. The Borough Attorney is hereby authorized to prepare the contract and/or any other documents necessary pursuant to this award.
3. The Mayor and Clerk are hereby authorized to execute the contract and/or any other documents necessary pursuant to this award.

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 calendar year 2025 in accounts: C-04-19-256-002-003 \$484,500.00 (Ord. 2019:1256); C-04-22-300-000-007 \$400,000.00 (Ord. 2022:1300); C-04-24-341-001-001 \$400,668.00 (Ord. 2024-1341).

***25-071 AUTHORIZING BIDS FOR COMPOSTING AND RELATED SERVICES**

WHEREAS, the Borough's Contract for Composting and Related Services is expiring on April 24, 2025; and

WHEREAS, the Governing Body desires to publicly bid this contract pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

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 Composting and Related Services and further authorizes the Borough Clerk to advertise for same.

*25-072 **APPROVAL OF DWL MONMOUTH INC. V CLOSTER BOROUGH TAX APPEAL SETTLEMENT**

WHEREAS, the taxpayers, DWL Monmouth Inc., appealed the assessments levied on Block 1607, L 3.32 and Block 1607, Lot 3.33 for the tax years 2021, 2022, 2023 and 2024; and

WHEREAS, the subject property is located at 570 Piermont Road, Units D1 & D2; and

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

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

Block 1607, L3.32

Withdraw tax years 2021 & 2024

2022 Assessed Value will be reduced from \$4,936,200 to \$4,100,000 2023 Assessed Value will be reduced from \$5,164,000 to \$4,100,000

Block 1607, L3.33

Withdraw all years under appeal

WHEREAS, Plaintiff has agreed to accept all refunds as a credit to his tax account; 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 **DWL Monmouth Inc. 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.

*25-073 **AMENDING CHANGE ORDER NO. 1 (FINAL) THE RUCKMAN PARK PICKLEBALL IMPROVEMENTS & 2024 BOROUGH ROAD PROGRAM – GREEN VALLEY GROUP INC**

WHEREAS, the Borough of Closter, by Resolution dated October 23, 2024, Agenda No. 24-247, awarded to Green Valley Group Inc. an amended contract in the amount of \$492,137.00 (the "Amended Contract Price") for a project known as The Ruckman Park Pickleball Improvements & 2024 Borough Road Program; and

WHEREAS, in a letter dated January 3, 2025 to James Winters, Borough Administrator, Boswell Engineering proposed an amendment to Change Order No. 1 to the contract with Green Valley Group Inc., (Exhibit A attached) which is a **decrease** in the amount of **\$39,053.77**, decreasing the contract amount from **\$487,237.00** to **\$448,183.23**, and

WHEREAS, in a letter dated January 3, 2025 to James Winters, Borough Administrator, Boswell Engineering proposed Change Order No. 1-Final dated December 18, 2024 to the contract with Green Valley Group Inc., (Exhibit A attached) and takes no exception to the **final payment** of **\$96,312.52** as outlined in Estimate No. 3Rev01-Final (attached); and

THEREFORE BE IT RESOLVED that the Mayor and Council do hereby authorize the execution by the Chief Financial Officer of the amendment to Change Order No. 1(Final) pursuant to which the Contract Price will be decreased by **\$39,053.77** from **\$487,237.00** to **\$448,183.23** (the "Amended Contract Price").

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Frank Elenio, Certified Financial Officer of the Borough of Closter, hereby certify, pursuant to N.J.S.A. 40A:9-140.1, et seq. and N.J.A.C. 5:30-5.4, the funds are available to the Borough of Closter for calendar year 2025 in account. C-04-24-330-000-001.

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

Budgeted	Amount
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Capital and Trust	Amount
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*25-075 APPROVAL OF 2025 TOWING LICENSE FOR DEMAURO TOWING, INC.

WHEREAS, a review by the Closter Police Department into the qualifications and merits of the applicant and its drivers was conducted and has uncovered no reason to disqualify the applicant.

*25-076 APPROVAL OF 2025 TOWING LICENSE FOR D.T.R. TOWING

WHEREAS, a review by the Closter Police Department into the qualifications and merits of the applicant and its drivers was conducted and has uncovered no reason to disqualify the applicant.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that the Chief of Police and the Borough Clerk be and is hereby authorized to issue a license to D.T.R. Towing of Closter, New Jersey, to tow within the Borough of Closter for the year 2025.

*25-077 APPROVAL OF 2025 TOWING LICENSE FOR D.T.R. AUTOMOTIVE

WHEREAS, D.T.R Automotive has applied to the Closter Police Department for a license to tow within the Borough of Closter; and

WHEREAS, a review by the Closter Police Department into the qualifications and merits of the applicant and its drivers was conducted and has uncovered no reason to disqualify the applicant.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that the Chief of Police and the Borough Clerk be and is hereby authorized to issue a license to D.T.R. Automotive of Closter, New Jersey, to tow within the Borough of Closter for the year 2025.

*25-078 APPROVAL OF 563 PIERMONT ROAD V BOROUGH OF CLOSTER TAX APPEAL SETTLEMENT

WHEREAS, the taxpayers, 563 Piermont Road, LLC, appealed the assessments levied on Block 1608, L 3 and Block 1608, Lot 4 for the tax years 2023 and 2024; and

WHEREAS, the subject property is located at 563 Piermont Road; and

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

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

Block 1608, L3
Withdraw tax year 23
2024 Assessed Value will be reduced from \$1,459,300 to \$1,150,000

Block 1608, L4
Withdraw all years under appeal

WHEREAS, Plaintiff has agreed to accept all refunds as a credit to his tax account; 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 appeal encaptioned 563 Piermont Road, LLC 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.

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

Councilwoman Amitai moved to approve these four proposed resolutions, second Councilwoman Maroules:

- SIDEWALK WAIVER FOR 115 OAK (\$4,000)
- LIONS CLUB CLOTHES BOX AT MEMORIAL FIELD
- RAMADAN CEREMONY AT THE SENIOR CENTER
- AUTHORIZE THE TAX ASSESSOR TO MOVE FORWARD WITH THE PROPERTY ON VENUS

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

4. OPEN MEETING TO PUBLIC FOR ANY MATTER (5-Minute Limit)

Steve Isaacson (97 Columbus Avenue) asked how much the pole barns will actually cost.

5. ADJOURNMENT

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

Meeting adjourned at 8:34 P.M.

Respectfully submitted,



Mari J. Margiotta, RMC, CMR
Borough Clerk