



**MAYOR AND COUNCIL
BOROUGH OF CLOSTER**

REGULAR MEETING MINUTES: WEDNESDAY – OCTOBER 23, 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

Mayor Glidden opened the meeting at **8:17 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. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

- a. MAIL LIST of October 11, 2024
- b. MAIL LIST of October 18, 2024

4. ORDINANCES

INTRODUCTION:

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

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.

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

5. CONSENT AGENDA

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:

***24-242 REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER
N.J.S.A. 40A: 4-87 FOR “2021 RECYCLING TONNAGE GRANT”**

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Closter hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2024 in the sum of \$16,565.04 which item is now available as revenue from the 2021 Recycling Tonnage Grant.

BE IT FURTHER RESOLVED that the total sum thereof of \$16,565.04 is and the same is hereby appropriated under the caption of:

2021 Recycling Tonnage Grant

BE IT FURTHER RESOLVED, that the Assistant Chief Financial Officer will submit this certified resolution along with the form to the Division of Local Government Services through the NJ F.A.S.T.

***24-243 CHANGE IN CUSTODIAN OF PETTY CASH FUND MARI MARGIOTTA**

WHEREAS, Stephanie Evans was custodian of the Borough Clerk's Petty Cash Fund, and has left the employ of the Borough of Closter effective June 16, 2024, and

WHEREAS, Mari Margiotta was hired as Borough Clerk effective September 16, 2024, and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Borough of Closter is *changing custodians* to Mari Margiotta, Borough Clerk, who is bonded in the amount of \$1,000,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Closter, County of Bergen hereby authorizes such action and **two (2) copies of this resolution** be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval as well as one copy to the Assistant CFO.

***24-244 ESTABLISH A CURFEW WITHIN THE BOROUGH OF CLOSTER FOR OCTOBER 30TH AND OCTOBER 31ST ("CABBAGE NIGHT" AND HALLOWEEN)**

WHEREAS, ensuring the safety and security of Borough residents is a critical concern for the Closter Police Department, Chief of Police, and Governing Body of Closter; and

WHEREAS, October 30th, commonly known as "Cabbage Night" or "Mischief Night" is the night when kids go out and engage in pranks or inappropriate behavior; and

WHEREAS, the Mayor and Council of the Borough of Closter believes it to be in the best interest of the health, safety, and welfare of the Borough's residents to establish a curfew on this night and on Halloween; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, there is hereby established a curfew of 9:00 p.m. on Cabbage Night, October 30th and Halloween, October 31st. The curfew shall apply to each minor unaccompanied by his or her parent or guardian.

***24-245 AUTHORIZING APPOINTMENT OF PROBATIONARY CROSSING GUARD DENNIS O'BRIEN**

WHEREAS, the Borough of Closter employs crossing guards to assist pedestrians in safely crossing the street on their way to and from school or events held with the Borough; and

WHEREAS, the Chief of Police of the Closter Police Department appoints crossing guards as he may deem necessary and within the limits of the funds that are available in the budgetary appropriation for the Police Department; and

WHEREAS, the Chief of Police has expressed that there exists a need within the Police Department to appoint a probationary crossing guard to fill a vacancy in manpower; and

WHEREAS, the Closter Police Department has completed a background check and interviewed the applicant, Dennis O'Brien; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, that Dennis O'Brien is hereby appointed to the position of Probationary Crossing Guard, effective November 1, 2024 and shall be paid a hourly rate as established by the current salary ordinance.

***24-246 AUTHORIZING THE APPOINTMENT OF PROBATIONARY CROSSING GUARD ANGELA CASERTA**

WHEREAS, the Borough of Closter employs crossing guards to assist pedestrians in safely crossing the street on their way to and from school or events held with the Borough; and

WHEREAS, the Chief of Police of the Closter Police Department appoints crossing guards as he may deem necessary and within the limits of the funds that are available in the budgetary appropriation for the Police Department; and

WHEREAS, the Chief of Police has expressed that there exists a need within the Police Department to appoint a probationary crossing guard to fill a vacancy in manpower; and

WHEREAS, the Closter Police Department has completed a background check and interviewed the applicant, Angela Caserta; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, that Angela Caserta is hereby appointed to the position of Probationary Crossing Guard, effective November 1st, 2024 and shall be paid a hourly rate as established by the current salary ordinance.

***24-247 APPROVING CHANGE ORDER NO. 1: THE RUCKMAN PARK PICKLEBALL
IMPROVEMENTS & 2024 BOROUGH ROAD PROGRAM – GREEN VALLEY GROUP
INC.**

WHEREAS, the Borough of Closter, by Resolution dated June 24, 2024, Agenda No. 24-180, awarded to Green Valley Group Inc. a contract in the amount of \$487,237.00 (the “Contract Price”) for a project known as The Ruckman Park Pickleball Improvements & 2024 Borough Road Program; and

WHEREAS, in an email dated October 4, 2024 to James Winters, Borough Administrator, Boswell Engineering proposed Change Order No. 1 to the contract with Green Valley Group Inc., (Exhibit A attached) which is an **increase** in the amount of **\$4,900.00 (+1.01%)**, increasing the contract amount from **\$487,237.00** to **\$492,137.00**; and

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council do hereby authorize the execution by the Chief Financial Officer of Change Order No. 1 pursuant to which the Contract Price will be increased by **\$4,900.00** from **\$487,237.00** to **\$492,137.00** (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 2024 in account. C-04-24-330-000-001.

***24-248 APPOINT MUNICIPAL HOUSING LIASION – JAMES WINTERS**

WHEREAS, pursuant to P.L. 2024, c.2, the Borough of Closter is required to appoint a Municipal Housing Liaison for the oversight of administration of the Borough of Closter’s Affordable Housing Program to enforce the requirements of the law and N.J.C.A. 5:80-26.1 et. seq.; and

WHEREAS, the Borough of Closter has amended Chapter 200 entitled “Zoning” to provide for the appointment of a Municipal Housing Liaison to administer the Borough of Closter’s Affordable Housing Program.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Closter in the County of Bergen, and the State of New Jersey that James Winters, is hereby appointed by the Governing Body of the Borough of Closter as the Municipal Housing Liaison for the administration of the Affordable Housing Program, pursuant to and in accordance with Section §200-54.29 Municipal Housing Liaison of the Borough of Closter’s General Code.

***24-249 AUTHORIZING DEED OF CONSERVATION EASEMENT ON PROPERTY KNOWN AS
MACBAIN FARM**

WHEREAS, the Borough of Closter, County of Bergen, State of New Jersey is the owner in fee simple of a tract of land located in the Borough, commonly called MacBain Farm (hereinafter the “Property”), designated on the tax map of the Borough as Block 2102, Lot 37.07; and

WHEREAS, the property possesses farmland, recreation, open space and historical values of great importance to the residents of the Borough of Closter; and

WHEREAS, the Mayor and Council have determined that these values should be preserved in perpetuity; and

WHEREAS, the Mayor and Council have further determined that a Deed of conservation easement should be prepared, executed and filed as a method to preserve the values possessed by 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:

1. The Borough Attorney is hereby authorized to prepare a Deed of Conservation Easement for this property as well as any other documents necessary for this purpose.
2. The Mayor and Clerk are hereby authorized to execute the Deed of Conservation Easement and any other documents necessary for this purpose.
3. The Clerk is hereby authorized to file the fully executed Deed of Conservation Easement and any other required documents with the Bergen County Clerk.

***24-250 AUTHORIZING THE BOROUGH OF CLOSTER TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH MONMOUTH-OCEAN EDUCATIONAL SERVICES COMMISSION**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Monmouth-Ocean Educational Services Commission (MOESC), hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on October 23, 2024 the governing body of the Borough of Closter, County of Bergen, State of New Jersey, pursuant to N.J.A.C. 5:34-7.6(a), duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services; and

NOW, THEREFORE, BE IT RESOLVED this resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Monmouth-Ocean Educational Services Commission (MOESC); and

BE IT FURTHER RESOLVED by the Mayor and Council, Borough of Closter, in the County of Bergen, State of New Jersey that pursuant to the provisions of N.J.S.A. 40A:11-11(5) and N.J.A.C. 5:34-7.6 (a), the Borough Administrator/Treasurer is authorized to join the Monmouth-Ocean Educational Services Commission (MOESC); and

BE IT FURTHER RESOLVED that the Lead Agency shall comply with the Public School Contracts Law (N.J.S.A. 18A:18A-1 et seq.) and with all the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage and that the Borough Clerk shall provide the Finance Office and Administrative Office with an original resolution.

***24-251 AUTHORIZING APPROVAL OF SUBMISSION OF NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION – GREEN COMMUNITIES 2024 GRANT APPLICATION – COMMUNITY FORESTRY MANAGEMENT PLAN 2024**

WHEREAS, the Closter Shade Tree Commission has identified the need to renew the Community Forestry Management Plan, a five year comprehensive plan required for the accreditation of the Borough’s Shade Tree Commission status with the New Jersey Forestry Service Urban & Community Program; and

WHEREAS, the New Jersey Forestry Service Urban & Community Stewardship Grant Program offers a category for the continued development and renewal of the Community Forestry Management Plan (CMFP) with an award up to five thousand dollars (\$5,000.00); and

WHEREAS, the Closter Shade Tree Commission has identified the NJUCF Green Communities 2024 Grant as an opportunity to receive the funds necessary for developing an updated CMFP required for the continuation of the Borough of Closter’s Accreditation status; and

WHEREAS, the NJUCF 2024 Stewardship Grant has a twenty-five (25%) cash and/or in-kind match of the total grant amount; and

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Borough of Closter formally approves the submission of the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Borough Administrator are hereby authorized to approve the submittal of an electronic grant application identified as the NJUCF Green Communities 2024 Grant to the New Jersey Urban & Community Forestry Program on behalf of the Borough of Closter; and

BE IT FURTHER RESOLVED that the Mayor and Administrator are hereby authorized to sign the grant agreement on behalf of the Borough of Closter and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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)

The meeting was open to the public. No member of the public wished to speak.

7. CLOSED SESSION

***24-252 RESOLUTION TO GO INTO CLOSED SESSION AND EXCLUDE THE PUBLIC –
CONTRACT NEGOTIATIONS: VILLAGE SCHOOL – DOCKET 24 – 10/23-1**

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 Docket#	Item Title of Description	Statutory Reference
24-11/13-1	Tactics and Techniques	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		✓	✓			

8. RETURN TO REGULAR MEETING

The Closed Session ended and the Regular Meeting resumed.

9. RESOLUTION:

***24-253 AUTHORIZING THE EXECUTION OF A 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”), it has requested that the Borough enter into a Lease Option Agreement regarding said premises.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Closter that the Mayor or Administrator is hereby authorized to execute an option to lease the Village School for the purpose of Mastermind’s application to the NJHMFA in a form subject to the review and approval of the Borough Administrator and

Borough Attorney; and be it

BE IT FURTHER RESOLVED that the Mayor or Borough Administrator is hereby authorized to execute any related ancillary documents with respect to financing through the NJHMFA.

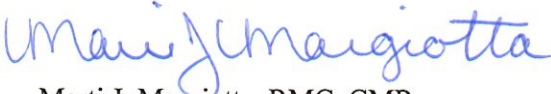
COUNCILMEMBER	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilwoman Amitai			✓			
Councilman Cho			✓			
Council President Chung		✓	✓			
Councilwoman Latner	✓		✓			
Councilwoman Maroules			✓			
Councilman Yammarino				✓		

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,



Marti J. Margiotta, RMC, CMR
Borough Clerk

Date of Minutes approval: April 9, 2025