

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – WEDNESDAY, JANUARY 26, 2022 - 7:30 P.M

DUE TO PUBLIC HEALTH CONSIDERATIONS, THIS REGULARLY SCHEDULED MEETING OF THE CLOSTER MAYOR AND COUNCIL WILL BE HELD BOTH 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

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 2022 Mayor and Council Meetings which was published in The Record on December 23, 2021 and The Star Ledger on December 25, 2021, 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

3. SWEARING IN OF POLICE OFFICERS

- a. JUSTIN KRAPELS
- b. MICHAEL FEHSAL

ORDINANCES:

3. ADOPTION OF THE FOLLOWING ORDINANCES –@8P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

The following Ordinances were introduced at the Regular Meeting held 1-12-22, and were published in The Record issue of 1-15-22, as stated in the printer's affidavit of publication. Reprint of this Ordinance was posted on the Municipal Bulletin Board in accordance with statutory requirements, and copies have been made available to the general public.

- a. **ORDINANCE NO. 2022-1289:** AN ORDINANCE BY THE BOROUGH OF CLOSTER, COUNTY OF BERGEN, NEW JERSEY AMENDING ORDINANCE NO. 2021-1279 PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICALS BOUNDARIES AND AMENDING CHAPTER 200 OF THE CODE OF THE BOROUGH OF CLOSTER TO INCLUDE A PROHIBITION ON ALL MEDICAL CANNABIS ESTABLISHMENTS
- b. **ORDINANCE NO. 2022-1290:** AN ORDINANCE BY THE BOROUGH OF CLOSTER, COUNTY OF BERGEN, NEW JERSEY AUTHORIZING A STIPEND PROGRAM FOR THE FIRE DEPARTMENT

4. 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.

RESOLUTIONS

*22-49 RESOLUTION AUTHORIZING REFUND OF TREE BOND ESCROW

*22-50 RESOLUTION AUTHORIZING THE PAYMENT OF ACCRUED SICK DAYS AND UNUSED VACATION DAYS TO CAPTAIN THOMAS BRUECK UPON RETIREMENT

*22-51 RESOLUTION AUTHORIZING THE PAYMENT OF ACCRUED SICK DAYS AND UNUSED VACATION DAYS TO PATROLMAN LUIS RUIZ UPON RETIREMENT

*22-52 RESOLUTION INSTITUTING A CREDIT CARD POLICY FOR INTERNAL CONTROL

*22-53 RESOLUTION TO SUBMIT COVERAGE APPLICATION TO BERGEN JOINT INSURANCE FUND (JIF) FOR QUASI III COVERAGE FOR CLOSTER HISTORICAL SOCIETY, INC

REVIEW OF CONSENT AGENDA ITEMS

5. **MOTION GRANTING APPROVAL FOR ISSUANCE BY POLICE DEPARTMENT OF THE FOLLOWING HAWKERS AND PEDDLERS LICENSE FOR THE CALENDAR YEAR 2022, PER BOROUGH CODE CHAPTER 127:**

*a. PERMIT NO. 22-01: CATERING/FOOD TRUCK SERVICES ON BEHALF OF AMA CATERING, 638 WILDWOOD RD., W., NORTHVALE, NJ 07647-Permit # 22-01

6. **REPORTS**

*a. POLICE CHIEF – MONTHLY REPORTS FOR DECEMBER 2021

MOTIONS

- 4b. **VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA**

7. **ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY**

8. **OPEN MEETING TO PUBLIC FOR ANY MATTER, PER N.J.S.A. 10:4-12 (a)**
(Subject to 5-minute limit per By-Laws General Rule No. 11)

9. **CLOSED SESSION**
#22-54 RESOLUTION TO GO INTO CLOSED SESSION

<u>Docket #</u>	<u>Item Title or Description</u>	<u>Statutory Reference</u>
22-1-26-1	Potential Litigation & Contract Negotiations Matters Within Attorney-Client Privilege	N.J.S.A. 10:4-12(b) (7)
22-1-26-2	Matter Involving Public Employees and Officers	N.J.S.A. 10:4-12(b) (8)

10. **ADJOURNMENT**

ALL BUSINESS WILL TERMINATE AT 11:00 P.M.

BOROUGH OF CLOSTER
ORDINANCE NO.2022-1289

**AN ORDINANCE BY THE BOROUGH OF CLOSTER, COUNTY OF BERGEN, NEW JERSEY
AMENDING ORDINANCE NO. 2021-1279 PROHIBITING THE OPERATION OF ANY CLASS
OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND
AMENDING CHAPTER 200 OF THE CODE OF THE BOROUGH OF CLOSTER TO INCLUDE
A PROHIBITION ON ALL MEDICAL CANNABIS ESTABLISHMENTS**

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the governing body of the Borough of Closter has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Borough of Closter in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the

Borough of Closter’s residents and members of the public who visit, travel, or conduct business in the Borough of Closter, to amend the Borough of Closter’s zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of the Borough of Closter; and

WHEREAS, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act’s 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts; and

WHEREAS, the Borough of Closter previously enacted Ordinance 2021-1279 to prohibit all classes of recreational cannabis establishments as established, which is now supplemented to specifically include a prohibition on all classes of medical cannabis establishments as authorized under N.J.S.A. 24:61-1 et seq;

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

1. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Borough of Closter, except for the delivery of cannabis items and related supplies by a delivery service.

2. Chapter 200 of the Code of the Borough of Closter is hereby amended to create § 200-74 which shall state:

§ 200-74. All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in section 3 of P.L. 2021, c. 16 are hereby prohibited in all zones. Additionally, all medical cannabis establishments as established in N.J.S.A. 24:61-1 et. seq. or any amended or supplemented statutory guidelines authorized by the Cannabis Regulatory Commission, are hereby prohibited in all zones. However, the delivery of cannabis items and related supplies by a delivery service is not prohibited.

3. Any article, section, paragraph, subsection, clause, or other provision of the Borough of Closter Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

5. This ordinance shall take effect upon its passage and publication and filing with the Bergen County Planning Board, and as otherwise provided for by law.

Councilperson	Motion	Second	Aye	Nay	Absent
Councilwoman Amitai					
Councilwoman Chung					
Councilman Devlin					
Councilwoman Latner					
Councilwoman Witko					
Councilman Yammarino					

Introduced:

Adopted:

ATTEST:

APPROVED:

Stephanie Evans, Acting Borough Clerk

John C. Glidden, Jr., Mayor

Certified to be a true copy of an Ordinance adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held May 12, 2021.

Stephanie Evans, Acting, Borough Clerk

BOROUGH OF CLOSTER
ORDINANCE NO. 2022-1290

**AN ORDINANCE BY THE BOROUGH OF CLOSTER, COUNTY OF BERGEN,
NEW JERSEY AUTHORIZING A STIPEND PROGRAM FOR THE FIRE
DEPARTMENT**

WHEREAS, the Borough of Closter desires to amend Chapter 21 of the Code of the Borough of Closter, to provide stipends for Active Members of the Closter Fire Department for services rendered beginning January 1, 2021; and

WHEREAS, the Finance Committee has recommended the change to encourage recruitment, retention, and participation of firefighters for the Borough of Closter; and

WHEREAS, the Borough Auditor has reviewed the proposed change and found the change to be in order;

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

Chapter 21 of the Borough of Closter, Fire Department, shall be amended to read as follow:

§ 21.8 STIPEND PROGRAM

a. A stipend program shall be established to encourage active recruitment, retention, and participation by members of the Closter Fire Department

b. The terms, conditions and governing rules applicable to the stipend program shall be established by a resolution adopted by the Mayor and Council of the Borough of Closter and may be amended, in their sole discretion, by subsequent resolutions of the Mayor and Council

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai						
Councilwoman Chung						
Councilman Devlin						
Councilwoman Latner						
Councilwoman Witko						
Councilman Yammarino						

Introduced:

Adopted:

ATTEST:

APPROVED BY:

Stephanie Evans, Acting Borough Clerk

John C. Glidden, Mayor

Certified to be a true copy of Ordinance adopted by the Mayor and Council of Borough of Closter at the Regular Meeting held on _____, 2022.

Stephanie Evans, Acting Borough Clerk

BOROUGH OF CLOSTER
RESOLUTION NO. #22-49

RESOLUTION AUTHORIZING REFUND OF TREE BOND ESCROW

WHEREAS, the Agreement with John H. Lee, was required to post a Tree Bond in the amount of \$14,950.00, for planting of trees at Block 2306, Lot 37, and

WHEREAS, the Building Department in an E-Mail dated November 17, 2021, stating that Bill Fuchs Code Enforcement Official Trees being satisfied that the applicant has fulfilled the requirements of the Agreement which consist primarily of planting trees

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Applicant</u>	<u>Amount</u>
2306	37	5 Jason Woods Road	John H. Lee	\$14,950.00

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 \$14,950.00 tree bond escrow monies to the applicant mentioned above

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai						
Councilwoman Chung						
Councilman Devlin						
Councilwoman Latner						
Councilwoman Witko						
Councilman Yammarino						

Adopted: January 26, 2022

ATTEST:

APPROVED:

 Stephanie Evans, Acting Borough Clerk

 John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held January 26, 2022.

 Stephanie Evans, Acting Borough Clerk

BOROUGH OF CLOSTER
RESOLUTION NO. #22-50

**RESOLUTION AUTHORIZING THE PAYMENT OF ACCRUED SICK DAYS AND
UNUSED VACATION DAYS TO CAPTAIN THOMAS BRUECK UPON RETIREMENT**

WHEREAS, Thomas Brueck, will retire from his position as Captain with the Borough of Closter Police Department effective February 1, 2022 after 25 years.

WHEREAS, pursuant to Borough ordinance and the PBA contract upon retirement, Capt. Thomas Brueck is entitled to payment for a portion of his unused sick days, vacation days and accrued time; and

WHEREAS, the total payment has been calculated to equal **\$121,004.24** and the Finance Office has confirmed the gross amount due with Capt. Brueck and,

WHEREAS, it has been agreed between the parties that the amount owed shall be paid in **two** annual installments; first installment on *February 15, 2022* in the amount of **\$60,502.12** and the second and final payment *January 15, 2023* in the amount of **\$60,502.12**.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, and State of New Jersey that the aforementioned payment is hereby authorized.

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Francis Elenio, Chief Financial Officer of the Borough of Closter, hereby certify, pursuant to N.J.S.A.40A:-9140.1, et seq. and N.J.A.C 5:30-5.4, that the funds, which are required for said retirement, are available to the Borough in account T-13-56-000-094-000.

Dated: January 26, 2022

Francis Elenio, Chief Finance Officer

J

COUNCILPERSON	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilwoman Amitai						
Councilwoman Chung						
Councilman Devlin						
Councilwoman Latner						
Councilwoman Witko						
Councilman Yammarino						

Adopted: January 26, 2022

ATTEST:

APPROVED BY:

Stephanie Evans, Acting Borough Clerk

John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Regular meeting of the Borough of Closter on January 26, 2022.

Stephanie Evans, Acting Borough Clerk

BOROUGH OF CLOSTER
RESOLUTION #22-51

**RESOLUTION AUTHORIZING THE PAYMENT OF ACCRUED SICK DAYS AND
UNUSED VACATION DAYS TO PATROLMAN LUIS RUIZ UPON RETIREMENT**

WHEREAS, Luis Ruiz, will retire from his position as Patrolman with the Borough of Closter Police Department effective February 1, 2022 after 28 years.

WHEREAS, pursuant to Borough ordinance and the PBA contract upon retirement, Ptl. Luis Ruiz is entitled to payment for a portion of his unused sick days, vacation days and accrued time; and

WHEREAS, the total payment has been calculated to equal **\$86,153.42** and the Finance Office has confirmed the gross amount due with Ptl. Ruiz and,

WHEREAS, it has been agreed between the parties that the amount owed shall be paid in **two** annual installments; first installment on *February 15, 2022* in the amount of **\$43,076.71** and the second and final payment *January 15, 2023* in the amount of **\$43,076.71**.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, and State of New Jersey that the aforementioned payment is hereby authorized.

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Joseph Luppino, Chief Financial Officer of the Borough of Closter, hereby certify, pursuant to N.J.S.A.40A:-9140.1, et seq. and N.J.A.C 5:30-5.4, that the funds, which are required for said retirement, are available to the Borough in account T-13-56-000-094-000.

Dated: January 26, 2022

Francis Elenio, Chief Finance Officer

COUNCILPERSON	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilwoman Amitai						
Councilwoman Chung						
Councilman Devlin						
Councilwoman Latner						
Councilwoman Witko						
Councilman Yammarino						

Adopted: January 26, 2022

ATTEST:

APPROVED BY:

Stephanie Evans, Acting Borough Clerk

John C. Glidden Jr., Mayor

Certified to be a true copy of Resolution adopted by the Regular meeting of the Borough of Closter on January 26, 2022.

Stephanie Evans, Acting Borough Clerk

BOROUGH OF CLOSTER
RESOLUTION #22-52

Resolution Instituting a Credit Card Policy for Internal Control

WHEREAS, there is *one* credit card company, Lowe’s, issued for use with the Borough of Closter to acquire inexpensive items that are approved and necessary expenditures of the Borough. The credit card is a privilege and that the following employees agree to comply with the following policy in order to avail herself/himself of that privilege.

1. You are prohibited from using the card for any personal expenses.
2. Each card holder is responsible for signing out their card with the Finance department and return within the same day.
3. On each purchase, you shall document the purpose of which the card was used.
4. Upon return from the store, an itemized receipt is to be shown to the Finance office and then may be entered into the encumbrance system for payment of the goods by the requested department.
5. If the purchase was incurred for anyone other than yourself, in addition to number 3, you shall document the names of the individuals for whom the expenditures were incurred.
6. You shall take all action necessary to insure that the purchases are tax exempt.
7. You are authorized to acquire goods which are genuine and necessary expenses that have been budgeted by the Borough of Closter.
8. Stolen or lost cards are to be reported immediately to the Finance office.
9. The Borough reserves the right to cancellation of the card at any time. Card(s) will be destroyed upon termination of employment with the Borough.

Cardholders: William Dahle, Marek Skowron and Daniel Hargrave

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Closter authorizes employees; William Dahle, Marek Skowron and Daniel Hargrave for usage of Lowe’s credit card. Please provide a certified copy to the Assistant CFO.

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai						
Councilwoman Chung						
Councilman Devlin						
Councilwoman Latner						
Councilwoman Witko						
Councilman Yammarino						

ATTEST:

APPROVED:

 Stephanie Evans, Acting Borough Clerk

 John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held January 26, 2022.

 Stephanie Evans, Acting Borough Clerk

BOROUGH OF CLOSTER
RESOLUTION #22-53

RESOLUTION TO SUBMIT COVERAGE APPLICATION TO BERGEN JOINT INSURANCE FUND (JIF) FOR QUASI III COVERAGE FOR CLOSTER HISTORICAL SOCIETY, INC.

WHEREAS, the Borough of Closter is a member of the Bergen Joint Insurance Fund (JIF) that provides property and liability coverage to thirty-seven government entities, and

WHEREAS, the bylaws of the Bergen JIF provide for a procedure for certain organizations/entities to receive similar insurance coverage upon submission of an application and an endorsing Resolution by the governing body of the affected governmental unit to be considered for approval; and

WHEREAS, the Closter Historical Society, Inc. meets the definition of a Quasi entity, having been established in 1999 and maintained an active presence making the citizenry aware of Closter’s historic past; and

WHEREAS, support of this JIF application is in the best interest of the Borough of Closter; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that the governing body approves submitting the application of the Closter Historical Society, Inc. to the Bergen Joint Insurance Fund for Class III Quasi insurance coverage as an “additional insured” to its program;

BE IT FURTHER RESOLVED that a copy of this resolution be provided to the Borough’s Risk Manager, JIF Executive Director, Insurance Commission and Borough Administrator along with this supplication, attached as Exhibit A.

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai						
Councilwoman Chung						
Councilman Devlin						
Councilwoman Latner						
Councilwoman Witko						
Councilman Yammarino						

Adopted: January 26, 2022

ATTEST::

APPROVED BY:

Stephanie Evans, Acting Borough Clerk

John C. Glidden, Jr. Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on January 26, 2022.

Stephanie Evans, Acting Borough Clerk

EL:LW

**BOROUGH OF CLOSTER
RESOLUTION #22-54**

OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION

BE IT RESOLVED by the Mayor and Council of the Borough of Closter as follows:

1. That the governing body, pursuant to N.J.S.A. 10:4-12, shall exclude the public from the next portion of this meeting in order to permit the governing body to discuss: (CHECK ONE OR MORE)

N.J.S.A 10:4-12 (b) (7) _____ Pending or anticipated litigation or contract negotiations.

N.J.S.A. 10:4-12 (b) (7) _____ A matter falling within the attorney-client privilege.

N.J.S.A. 10:4-12 (b) (8) _____ A matter involving public employees and public officers

2. (a) That the item(s) under discussion in the closed meeting will be disclosed to the public at the conclusion of:

- _____ the contract negotiations;
- _____ the investigation;
- _____ the litigation;
- _____ the matter

(b) That the items under discussion in the closed meeting will not be disclosed to the public.

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai						
Councilwoman Chung						
Councilman Devlin						
Councilwoman Latner						
Councilwoman Witko						
Councilman Yammarino						

Adopted: January 26, 2022

ATTEST:

APPROVED BY:

Stephanie Evans, Acting Borough Clerk

John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on January 26, 2022.

Stephanie Evans, Acting Borough Clerk

**MAYOR AND COUNCIL
BOROUGH OF CLOSTER**

WORK SESSION AGENDA – WEDNESDAY, JANUARY 26, 2022 - 7:30 P.M

DUE TO PUBLIC HEALTH CONSIDERATIONS, THIS REGULARLY SCHEDULED MEETING OF THE CLOSTER MAYOR AND COUNCIL WILL BE HELD BOTH 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

1. PLEDGE OF ALLEGIANCE

2. 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 2021 Mayor and Council Meetings which was published in The Record on January 15, 2021 and The Star Ledger on January 18, 2021, 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.

3. ROLL CALL

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

- a. MAIL LIST OF JANUARY 14, 2022
- b. MAIL LIST OF JANUARY 21, 2022

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of January 26, 2022)

6. **MOTION GRANTING APPROVAL FOR ISSUANCE BY POLICE DEPARTMENT OF THE FOLLOWING HAWKERS AND PEDDLERS LICENSE FOR THE CALENDAR YEAR 2022, PER BOROUGH CODE CHAPTER 127-CANVASSING AND SOLICITATION PERMIT #22-01**

7. REPORTS

- *a. POLICE CHIEF – MONTHLY REPORTS FOR DECEMBER 2021

8. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY – YAMMARINO (DEVLIN/WITKO)

- 1) REPORT RE FINANCE COMMITTEE MEETINGS
- 2) REPORT RE TECHNOLOGY COMMITTEE MEETINGS
- 3) LIAISON REPORTS
 - a. Historic Preservation Commission
 - b. Recreation Commission

B. PUBLIC SAFETY - LATNER (CHUNG/YAMMARINO)

- 1) REPORT RE PUBLIC SAFETY COMMITTEE MEETINGS
- 2) LIAISON REPORTS
 - a. Board of Education – NVRHS
 - b. Library Board of Trustees

CLOSTER MAYOR AND COUNCIL
WORK SESSION AGENDA – WEDNESDAY, JANUARY 26, 2022 – 7:30 P.M.

8. COMMITTEE REPORTS (Continued)
 - C. PUBLIC WORKS - CHUNG (AMITAI/WITKO)
 - 1) REPORT RE PUBLIC WORKS COMMITTEE MEETINGS
 - 2) LIAISON REPORTS
 - a. Board of Health
 - b. Zoning Board of Adjustment
 - c. Northern Valley Greenway
 - D. ORDINANCES - DEVLIN (AMITAI/LATNER)
 - 1) REPORT RE ORDINANCE & LEGISLATIVE COMMITTEE MEETINGS
 - 2) LIAISON REPORTS
 - a. Environmental Commission (Voting member)
 - b. Shade Tree Commission (Voting member)
 - E. HUMAN RESOURCES – WITKO (LATNER/YAMMARINO)
 - 1) REPORT RE PERSONNEL COMMITTEE MEETING(S)
 - 2) LIAISON REPORTS
 - a. Board of Education – Closter Public Schools
 - b. Fire Department
 - F. LAND USE AND CONSTRUCTION - AMITAI (CHUNG/DEVLIN)
 - 1) REPORT RE CONSTRUCTION DEPARTMENT MEETING(S)
 - 2) LIAISON REPORTS
 - a. Planning Board (Voting member)
 - b. Improvement Commission (Voting member)
 - c. Senior Citizens
 - G. MAYOR’S LIAISON REPORT
 - a. Ambulance Corps
 - b. Borough Engineer
 - c. Northern Valley Mayor’s Association
9. OLD BUSINESS
10. NEW BUSINESS
11. OPEN MEETING TO THE PUBLIC FOR ANY MATTER PER NJSA 10:4-12(A) (SUBJECT TO A 5-MINUTE LIMIT PER GENERAL RULE NUMBER 11) EXCEPT FOR ITEMS SCHEDULED FOR PUBLIC HEARING AT THE REGULAR MEETING
12. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
13. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
14. ADJOURNMENT

MAIL LIST
January 14, 2022

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	01-07-22	01-07-22	Kerry Pflugh Director, LGA NJDEP	*a. New Funding Opportunity-Water Quality Restoration Grant, Brownfields Impact Fund, Volunteer Fire Assistance Grants, EPA Enhanced Air Quality Monitoring for Communities b. No Cost Virtual Training-Costal Hazards Awareness c. NJDPE Compliance Advisory-2021 Hazardous Waste Biennial Report d. Christmas Tree Burning Advisory & Fire Safety Reminder e. Help Guide the Future of Preservation f. Open Enrollment & Financial Aid Opportunities Get Covered NJ (Copy to Borough Administrator, Borough Attorney, Borough Engineer, DWP Superintendent)	Administration/Grants
2.	01-07-22	01-07-22	EGG Department of Community Affairs	* Revised FY 2022 LEAP Grant Application Deadline Information (Copy Borough Administrator)	Administration/Grants
3.	01-9-22	01-09-22	James Oettinger Recreation Commission	* Event Requests from the Recreation Commission for 2022 (Copy Borough Administrator)	Yammarino/Recreation
4.	01-11-22	01-11-22	Michael Cerra Gov News	* Governor Murphy Reinstates Public Health Emergency to Omicron (Copy to Borough Administrator, Board Health)	Chung/Board of Health
5.	01-11-22	01-11-22	Laura Farcas Bergen County Dept. Of Human Services	* Register/Donate Spread The Awareness For Project Homeless (Copy Borough Administrator)	
6.	01-12-22	01-06-22	Brian Chan 674 Closter Dock Rd	* Public Meeting Notice For Soil Movement Approval (Copy Borough Administrator, Borough Attorney, Borough Engineer)	Amitai/Land Use/Zoning
7.	01-13-22	01-13-22	Melissa Caminiti Executive Assistant County Executive	* NJDEP Policy for Local Waterway Clearance/Maintenance (Copy Borough Administrator, Borough Attorney, Borough Engineer, and DPW Superintendent)	Chung/Public Works
8.	01-14-22	01-13-22	Andrew Baron Boy Scout Troops #63 and # 163	* Request to use Bizzoni Farm On January 29, 2022 To Prepare For Klondike Sled Race (Copy to Borough Administrator, and Borough Attorney)	Chung/ Public Grounds
9.	1-13-22	01-05-22	Bergen County Board of Taxation	* Resolution 22-02 Establishing Tax Appeal Hearings Procedures (Copy Borough Administrator, Borough Attorney, Tax Attorney, and Tax Officer)	

10.	1-13-22	01-06-22	Closter Zoning Board Of Adjustment	* Matter Of Appointment and Retention of Jeffrey Morris, of Boswell Engineering, as Engineer (Copy Borough Administrator, Borough Attorney)	
11.	1-13-22	01-13-22	Eugene Kohn Colage Street	* Repair of Dwars Kill Stream Damage (Copy Borough Administrator, Borough Attorney, DPW Superintendent)	Chung Public Works
12.	1-14-22	01-14-22	Dong Kim 8 Ranch Land	* Public Meeting Notice for Soil Movement Approval (Copy Borough Administrator, Borough Attorney, Borough Engineer)	Amitai/Land Use/ Zoning

MAIL LIST
January 21, 2022

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	01-14-22	01-14-22	Kerry Pflugh Director, LGA NJDEP	*a. NJDEP Weekly Update Dave the Date-Water Infrastructure Investment Plan Engagement Sessions on Intended Use Plans b. Save the date-Upcoming Climate Change Lunch & Listen Session on Stormwater Management c. Inter edition of Floodplain Communicator d. Free Tree Seedlings-NJ Tree Recovery Campaign e. New Funding Opportunity-Community Energy Plan Grants, Volunteer Fire Assistance Grants, Water Quality Restoration Grants, b. No Cost Virtual Training-Costal Hazards Awareness c. Christmas Tree Burning Advisory & Fire Safety Reminder e. Help Guide the Future of Preservation f. Open Enrollment & Financial Aid Opportunities Get Covered NJ (Copy to Borough Administrator, Borough Attorney, Borough Engineer, DWP Superintendent)	Administration/Grants
2.	01-17-22	01-17-22	Nick DeNicola Boswell Engineering	* 2022 Paving Program Closter-Ltr to Orange & Rockland Utilities (Copy Borough Administrator, Borough Attorney, Borough Engineer, DPW Superintendent)	Chung/Public Works
3.	01-18-22	01-18-22	Melissa Caminiti Executive Assistant County Executive	* NJDEP Policy for Local Waterway Clearance/Maintenance (Copy Borough Administrator, Borough Attorney, Borough Engineer, DPW Superintendent, Construction Dept.)	Amitai/Land Use/Zoning Chung/Public Works
4.	01-18-22	01-18-22	Nancy Witkowski Open Space Trust Fund	* 2021 Bergen County Open Space Trust Fund Contract Period-December 15, 2021 to December 15, 2023 High Street Dog Park: With New Equipment (Copy to Borough Administrator, Borough Attorney, Borough Attorney)	Administration/Grants
5.	01-18-22	01-18-22	Jason Lonardo Bureau of Ground Water, Residuals, and Permit Application	* NJDEP Notice of FY 2022 Annual Fee Report and Assessment of Fees (Copy Borough Administrator, Borough Attorney, Borough Engineer, Construction Dept.)	Amitai/Land Use/Zoning
6.	01-18-22	01-18-22	Matthew Capizzi, Esq. Attorney for Applicant 56 Taylor Drive	* Notice of Public Planning Board Meeting on January 27, 2022 Regarding Soil Movement For 56 Taylor Drive, Block 2204, Lot 6 (Copy Borough Administrator, Borough Attorney, Borough Engineer)	Amitai/Land Use/Planning
7.	01-18-22	01-18-22	EGG/DCA	* Local Finance Notice 2202-01 Municipal Levy Cap Referendum (Copy Borough Administrator, Borough Attorney, Finance Dept.)	Yammarino/Finance
8.	01-18-22	01-18-22	NJDEP	* Water Infrastructure Investment Plan Engagement Sessions (Copy Borough Administrator)	

9.	01-19-22	01-12-22	Robert Lux Executive Director BCUA	* Bergen County Utilities Authority Sewer Connection Fee Municipal Incentive Program Rebate \$86.85 (Copy Borough Administrator)	
10.	01-20-22	01-20-22	EGG/DCA	* Local Finance Notice 2022-02 LOSAP CY 2021 Annual CPI Adjustment(Use in CY 2022) (Copy Borough Administrator, Finance Dept.)	Yammarino/Finance
11.	01-20-22	01-20-22	Michael F. Cerra Executive Director NJSLM	* DEP Housing Water Infrastructure Planning Session Monday, January 24 th , @ 9a.m. (Copy Borough Administrator)	