

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – WEDNESDAY, SEPTEMBER 8, 2021 – 7:30 P.M immediately following the Work Session

Mayor Glidden opened the meeting at 8:15 p.m. with the following announcement: **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. PROVISIONS OF 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.

2. ROLL CALL

Councilwoman Amitai-present	Councilwoman Latner-present
Councilwoman Chung-present	Councilwoman Witko-present
Councilman Devlin-present	Councilman Yammarino-present
Mayor Glidden-present	

PUBLIC HEARING AND ADOPTION OF ORDINANCE NO 2021:1284, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 134 OF THE CODE OF THE BOROUGH OF CLOSTER The Mayor explained the ordinance and opened the meeting to the public. No member wished to be heard. Councilwoman Amitai asked about the snowplowing section and whether it should read during and after the storm. After a discussion and agreement of the Police Chief, Councilwoman Witko moved to add the words "during or" to the section of the ordinance, second Councilman Devlin. All in favor. Carried. A member of the public asked whether the ordinance limits the residents' ability to mow their own yards. The ordinance does specify the hours that residents are allowed to mow and engage in other noisy work. Councilwoman Amitai moved to approve the ordinance as amended, second Councilman Yammarino.

Councilwoman Amitai-yes	Councilwoman Latner-yes
Councilwoman Chung-yes	Councilwoman Witko-yes
Councilman Devlin-yes	Councilman Yammarino-yes

Carried.

4. **INTRODUCTION OF ORDINANCE NO. 2021-1285, AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$118,000 FROM OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND FOR PARK, FARMLAND AND HISTORIC PRESERVATION IMPROVEMENTS.** No Councilmembers had comments. Councilman Yammarino moved to introduce the ordinance, second Councilman Devlin.

Councilwoman Amitai-yes	Councilwoman Latner-yes
Councilwoman Chung-yes	Councilwoman Witko-yes
Councilman Devlin-yes	Councilman Yammarino-yes

Carried.

REVIEW OF CONSENT AGENDA ITEMS:

The Mayor read the following: 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.

- *5. RESOLUTION AUTHORIZING THE REFUND OF REAL ESTATE TAX OVERPAYMENTS"
- *6. BILL RESOLUTION (9/8/2021)

- *7. RESOLUTION HIRING SUBSTITUTE PLUMBING AND MECHANICAL SUBCODE INSPECTOR AND PLUMBING SUBCODE OFFICIAL.
- *8. RESOLUTION AUTHORIZING THE HIRING OF ONE DPW EMPLOYEE.
- *9. RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE HOUSING DEVELOPMENT CORPORATION OF BERGEN COUNTY.
- *10. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT PRICING SYSTEM VENDORS PURSUANT TO NJSA 40A:11-11 CLOSTER POLICE DEPARTMENT 2022 CHEVROLET TAHOE – 4WD.
- *11. RESOLUTION APPROVING AN AGREEMENT WITH OWNERS OF 251 SCHRAALENBURGH RD. FOR A TREE BOND IN THE AMOUNT OF \$650.00 AND FOR OWNERS OF 108 DEMAREST AVENUE FOR A TREE BOND IN THE AMOUNT OF \$1,300.00.

12. MOTIONS (none)

13. REPORTS
(None received as of the preparation of this Agenda)

14. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA Councilwoman Amitai asked the attorney about the grant for the Village School. She stated that it did not say Closter and HDC. The Mayor stated that he had spoken to the attorney as well. The attorney explained that she had used the terminology optionor and optionee. Councilwoman Witko asked about Item 7 and the hourly rate. Councilwoman Amitai responded that it concerned Edward Adams who will be subbing for someone on vacation.

All items remained on the Consent Agenda. Councilwoman Amitai moved to approve the Consent Agenda, second Councilwoman Witko.

Councilwoman Amitai-yes	Councilwoman Latner-yes
Councilwoman Chung-yes	Councilwoman Witko-yes
Councilman Devlin-yes	Councilman Yammarino-yes

Carried.

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

Councilman Devlin asked that the ordinance relating to fining tree companies be placed on the agenda. It will be placed on the next agenda. Discussion of whether to notify contractors, landscapers, etc.

16. 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)

The Fire Chief recommended alerting the residents of the changes to the ordinances and asking tell Their landscapers.

Councilwoman Latner moved to go into Closed Session, second Councilman Yammarino. All in favor. The meeting went into Closed Session at 8:37 p.m. Councilman Yammarino moved to close Closed Session, second Councilwoman Latner. All in favor. Closed Session ended at 9:12 p.m.

17. ADJOURNMENT Councilwoman Amitai moved to adjourn, second Councilman Yammarino. All in favor. Meeting adjourned at 9:13 p.m.

Respectfully Submitted,

Stephanie Evans RMC
Borough Clerk

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

**BOROUGH OF CLOSTER
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2021:1285**

**AN ORDINANCE APPROPRIATING A SUM NOT TO EXCEED \$118,000.00 FROM
OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION
TRUST FUND FOR PARK, FARMLAND, AND HISTORIC PRESERVATION
IMPROVEMENTS**

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

SECTION 1. The Borough of Closter does hereby appropriate the sum of \$118,000.00 from the Open Space, Recreation, Farmland, and Historic Preservation Trust Fund for park, farmland, and historic preservation improvements. A list of the authorized improvements is attached to this Ordinance as Exhibit A. The authorization to pay for the items on Exhibit A shall expire after 24 months from the date of adoption of this Ordinance. Thereafter, the funds for items that are not complete shall be returned to the Open Space, Recreation, Farmland, and Historic Preservation Trust.

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

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

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

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

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

Introduced: Devlin, Amitai

Adopted: Latner, Witko

APPROVED:

ATTEST:

Stephanie Evans
Stephanie Evans, Acting Borough Clerk

John C. Glidden, Jr.
John C. Glidden, Jr., Mayor

I, Stephanie Evans, Acting Borough Clerk of the Borough of Closter hereby certifies that the foregoing is a true copy of an ordinance duly adopted by the Borough of Closter on November 10 2021.

Stephanie Evans
Stephanie Evans, Acting Borough Clerk

ORDINANCE NO. 2021:1285

EXHIBIT A

Recreation Commission:

Construction of dog park and fencing - not to exceed	\$21,000.00
Ruckman Park Playground Replacement due to JIF violations not to exceed	\$30,000.00
MacBain Farm deer fencing and Suez water seasonal connection - not to exceed	\$15,000.00

Trails

Repair and maintenance of trails - not to exceed	\$2,000.00
Closter Nature Center replacement of foot bridge – not to exceed	\$50,000.00

**BOROUGH OF CLOSTER RESOLUTION
REFUND OF REAL ESTATE TAX OVERPAYMENTS**

WHEREAS, there exists a tax overpayment in Third Quarter 2021 tax account due to an erroneous error from our bank for which the homeowner has requested a refund,

WHEREAS, the Tax Collector is desirous to clear the overpayment of record,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, New Jersey, that the Finance Clerk is herewith authorized to issue a refund check to for the following accounts:

BLOCK	LOT	PROPERTY OWNER	AMOUNT
2208	16	CHIN, PETER & LILY	\$ 7,130.57
			50.00
	Interest		37.78
			<u>\$ 7,218.35</u>

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

Adopted: September 8, 2021

ATTEST:

Stephanie Evans
Stephanie Evans, Acting Borough Clerk

APPROVED:

John C. Glidden, Jr.
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 September 8, 2021.

Stephanie Evans
Stephanie Evans, Acting Borough Clerk

THE BOROUGH OF CLOSTER, NJ
BERGEN COUNTY, NJ

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

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

Budgeted

Amount

Closter Board of Education August '21	\$1,753,478.33
2020 Budget Appropriations	\$ 8,806.86
2021 Budget Appropriations – Operating Expenses	\$ 175,514.76
Payroll 8/13/21	\$ 279,452.44
Payroll 8/30/21	\$ 291,064.06
Current Treasury Account August 26, 2021 – September 8, 2021	\$2,508,316.45

Capital and Trust

Amount

Capital	\$ 6,494.01
Escrow Trust	\$ 140.00
Recreation	\$16,686.66
Food Locker	\$ 1,000.00

The foregoing resolution was adopted at a meeting of the Mayor and Council held on September 8, 2021

Attest:


Susan Crosman, Acting Borough Clerk

Approved:


John Glidden, Mayor

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BOROUGH OF CLOSTER
COUNTY OF BERGEN

RESOLUTION HIRING SUBSTITUTE
PLUMBING & MECHANICAL SUBCODE INSPECTOR
and
PLUMBING SUBCODE OFFICIAL

BUILDING DEPARTMENT

WHEREAS, there exists a need on a substitute basis for a New Jersey licensed Plumbing & Mechanical Inspector and New Jersey licensed Plumbing Sub Code Official within the Closter Building Department on an as needed basis only; and,

WHEREAS, the following individual meets the requirements to fill the position of Substitute NJ licensed Plumbing & Mechanical Inspector/NJ licensed Plumbing Sub Code Official in the Closter Building Department; and

Edward Adams NJ licensed Plumbing & Mechanical Inspector &
NJ licensed Plumbing Sub Code Official \$37.02 per hour

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Edward Adams is hereby appointed to the position of Substitute NJ licensed Plumbing & Mechanical Inspector and NJ licensed Plumbing Sub Code Official in the Building Department beginning September 1, 2021 through December 31, 2021 at a rate of \$37.02 per hour as needed; *not to exceed 6.0 hours per week.*

NOW BE IT FURTHER RESOLVED the Clerk shall provide a certified copy of this Resolution to the Finance Office.

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

Adopted: September 8, 2021

ATTEST:

By Stephanie Crane
For Arlene Gray, Borough Clerk

APPROVED:

John C. Glidden, Jr.
John C. Glidden, Jr., Mayor

Certified to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held September 8, 2021.

By Stephanie Crane
For Arlene Gray, Borough Clerk

**BOROUGH OF CLOSTER
COUNTY OF BERGEN**

RESOLUTION AUTHORIZING THE HIRING OF ONE DPW EMPLOYEE

WHEREAS, the governing body of the Borough of Closter is aware of certain personnel needs due to the vacancy created by a resignation in the Borough's Department of Public Works; and

WHEREAS, Borough of Closter's DPW Superintendent has reviewed the qualifications with the DPW Committee of the governing body and has recommended the hiring of an individual to the following position effective October 1, 2021:

John Amicucci—Driver/Collector
CDL salary of \$54,149.00 per annum; and

WHEREAS, the above salary was established pursuant to the Collective Bargaining Agreement between the Borough and Local 125 Teamsters; and

NOW THEREFORE BE IT RESOLVED, the Mayor and Council are hereby authorizing the hiring of *John Amicucci* –Driver/ Collector, CDL. The hire will be effective on **October 1, 2021** at the contractual starting salary rate of **\$54,149.00** per annum.

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

Adopted: September 8, 2021

APPROVED BY:

John C. Glidden, Jr.
John C. Glidden, Jr., Mayor

ATTEST:

Stephanie Evans
Stephanie Evans, Acting Borough Clerk

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on September 8, 2021.

Stephanie Evans
Stephanie Evans, Acting Borough Clerk

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**BOROUGH OF CLOSTER
BERGEN COUNTY, NEW JERSEY**

**RESOLUTION OF THE BOROUGH OF CLOSTER, COUNTY OF
BERGEN, AUTHORIZING THE EXECUTION OF A GRANT
AGREEMENT WITH THE HOUSING DEVELOPMENT CORPORATION
OF BERGEN COUNTY IN THE AMOUNT OF \$2,000,000 IN
CONNECTION WITH THE FINANCE, CONSTRUCTION AND
DEVELOPMENT OF CLOSTER FAMILY HOUSING LOCATED AT 511
DURIE AVENUE, CLOSTER, NEW JERSEY**

WHEREAS, the Housing Development Corporation of Bergen County a Title 15A New Jersey Nonprofit Corporation and instrumentality of the Housing Authority of Bergen County ("**HDC**"), wishes to construct and develop thirty-five (35) rental units and related facilities for a project commonly known as Closter Family Housing located at 511 Durie Avenue, in the Borough of Closter, New Jersey (the "**Project**"); and

WHEREAS, the Borough desires to execute a grant agreement in an amount not to exceed \$2,000,000.00 (the "**Grant Agreement**"), substantially in the form attached hereto as Exhibit A, to assist HDC in meeting its financial obligations to complete the Project, and

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough is authorized to execute the Grant Agreement with HDC in an amount not to exceed \$2,000,000.00.
3. The Mayor of the Borough, the Borough Administrator and other reasonably necessary personnel are hereby authorized and directed to complete and execute the Grant Agreement on file with the Office of Borough Clerk on behalf of the Borough.
4. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
5. A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.
6. This Resolution shall take effect as provided by applicable law.

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

Adopted: September 8, 2021

ATTEST:

APPROVED:

Stephanie Evans
Acting Borough Clerk

John C. Glidden, Jr.
John C. Glidden, Jr., Mayor

Certified to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held on September 8, 2021

Stephanie Evans
Acting Borough Clerk

EXHIBIT A



BOROUGH OF CLOSTER
295 Old Closter Dock Road
Closter, New Jersey 07624

GRANT AGREEMENT

September __, 2021

Lynn Bartlett, Director
Housing Development Corporation of Bergen County
One Bergen County, 2nd Floor
Hackensack, New Jersey 07601

RE: Two Million Dollars (\$2,000,000.00) Grant (the "Grant") to Housing Development Corporation of Bergen County for the development of 35 affordable housing units for families and homeless persons

Dear Ms. Bartlett:

We are pleased to inform you that the Borough of Closter (the "Borough") has approved the Housing Development Corporation of Bergen County ("Grantee") for the Grant. Subject to the terms and conditions herein, the Borough hereby agrees to provide this Grant Agreement, and you the Grantee agrees to accept, the Grant as hereinafter described for the following purpose:

1. **PROPERTY DESCRIPTION:** Certain real property commonly known as 511 Durie Avenue, Closter, New Jersey and more particularly described as Block 1316, Lot 9 on the Official Tax Maps of the Borough of Closter, New Jersey (the "Real Property") and the building and other improvements (the "Building"), personal property and fixtures now or hereafter located on or connected with the Real Property (all of the foregoing Real Property, Building, and fixtures being collectively, the "Property"). Grantee will provide Borough with surveys and metes and bounds descriptions for the parcel comprising the Real Property satisfactory to Grantee.
2. **PURPOSE:** The proceeds of the Grant will be applied to the redevelopment of the vacant Village school and construction of 35 affordable housing units (the "Units"). Seventeen (17) of the Units will be reserved for households with incomes that do not exceed 60% AMI; 13 of the Units will be reserved for households with incomes that do not exceed 50% AMI, and 5 of the Units will be reserved for persons with special needs with incomes that do not exceed 30% AMI. The Housing Authority of Bergen County has committed Section 8 Project-based Rental Vouchers for all of the Units. The foregoing shall hereinafter collectively be referred to as the "Project".
3. **GRANTEE:** Housing Development Corporation of Bergen County or its affiliated entity.

4. GRANT AMOUNT: \$2,000,000.00, such proceeds to be available at closing for the development and construction of the Building. The Borough and the Grantee agree to communicate without delay in order to ensure that the Borough has timely notice of pending closing in order that it may make its best efforts to ensure that the Grant is available at closing of the Project.
5. TERM: This Grant Agreement shall remain in full force and effect until all grant funds are expended and all terms and conditions of funding are fully satisfied.
6. ADDITIONAL FUNDING: The Grantee has made certain representations as to the funding of the Project. This Commitment is subject to Grantee obtaining and providing funding including, but not limited to, conventional construction lending, NJHMFA permanent lending, Federal Home Loan Bank of New York Affordable Housing Program funds, and County of Bergen HOME funds.
7. NOTIFICATION OF WORK: During the construction of the Project, upon request the Borough shall be provided updates regarding construction progress.
8. BENEFIT OF GRANT/OCCUPANCY REQUIREMENT: This Grant shall be to the benefit of the Grantee. In consideration for this Grant, Grantee agrees that the Building or Project shall be operated as a family affordable rental housing project in accordance with COAH guidelines and the Low-Income Housing Tax Credit program.
9. MODIFICATION: The terms of this Grant may not be modified or waived in any way, except as agreed in writing and signed by the Borough and Grantee.
10. APPROVALS: Grantee shall covenant to the Borough that it has obtained all approvals and has the authority to enter into the Agreement and to undertake the transaction contemplated herein and shall provide to the Borough copies of all such approvals and authorizations required to undertake the transactions contemplated by this Agreement not later than the date of the closing.
11. BINDING COMMITMENT: This Agreement shall not be binding unless properly signed and accepted by the Grantee in the form submitted to the Grantee and returned to the Borough.

12. NOTICES:

Edward Hynes, Borough Administrator
Borough of Closter
295 Old Closter Dock Road
Closter, New Jersey 07624

Lynn Bartlett, Executive Director
Housing Development Corporation of Bergen County
One Bergen County, 2nd Floor
Hackensack, New Jersey 07601

Very truly yours,

Edward Hynes
Borough Administrator

The terms and conditions as presented have been accepted by:

HOUSING DEVELOPMENT CORPORATION OF BERGEN COUNTY

Accepted by: Lynn Bartlett, Executive Director

Date

FIRST AMENDMENT TO GROUND LEASE OPTION AGREEMENT

This First Amendment to Ground Lease Option Agreement (this "Amendment") is made and executed this ___ day of September 2021, by and between the BOROUGH OF CLOSTER (the "Optionor"), having an address at 295 Closter Dock Road, Closter, New Jersey 07624 and HDC DURIE DEVELOPMENT LLC (the "Optionee"), having its principal office at One Bergen County Plaza, 2nd Floor, Hackensack, New Jersey 07601.

WITNESSETH

WHEREAS, on June 12, 2019, Optionor and the Housing Development Corporation of Bergen County (the "Corporation") entered into that certain Ground Lease Option Agreement (the "Option Agreement"), whereby the Optionor granted the Corporation the option to lease the portion of the Premises (as defined in the Option Agreement) set forth on Exhibit B attached thereto; and

WHEREAS, on July 18, 2019, the Corporation and Optionee entered into that certain Assignment of Ground Lease Option Agreement (the "Assignment"), whereby the Corporation assigned its right, title and interest in and to the Option Agreement to Optionee; and

WHEREAS, the Optionor and Optionee desire to amend the Option Agreement to extend the timeframe in which the Optionee is permitted to exercise the option granted therein; and

NOW, THEREFORE, in consideration of the foregoing, and for other good and valuable consideration, and intending to be legally bound hereby, the parties hereto agree as follows:

1. The recitals are incorporated by reference as if set forth at length herein.
2. Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Option Agreement.
3. Section 3 of the Option Agreement is hereby amended and replaced in its entirety with the following:

"This option may be exercised by Optionee at any time from the date hereof through December 31, 2022. Optionee may extend the option period for an additional twelve (12) months upon payment of One Dollar (\$1.00) as consideration for such extension."
4. Except as modified by this Amendment, the terms, covenants and conditions of the Option Agreement shall continue in full force and effect, and the same is hereby ratified in its entirety.
5. This Amendment may be executed in counterparts. All such counterparts shall be deemed to be originals and together shall constitute by one and the same instrument.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date set forth above.

WITNESS:

OPTIONOR:

BOROUGH OF CLOSTER

By:

Name: John C. Glidden, Jr.

Title: Mayor

WITNESS:

OPTIONEE:

HDC DURIE DEVELOPMENT LLC

By: Housing Development Corporation of
Bergen County

By:

Name: Lynn Bartlett

Title: Executive Director

BOROUGH OF CLOSTER
COUNTY OF BERGEN, NEW JERSEY

RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE
CONTRACT PRICING SYSTEM VENDORS PURSUANT TO N.J.S.A. 40A:11-11
CLOSTER POLICE DEPARTMENT 2022 Chevrolet Tahoe - 4WD

BOROUGH ORDINANCE 2021-1282; NJ State Co-Op # ESCNJ 20/21-09

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

WHEREAS, the Borough of Closter, pursuant to N.J.S.A. 40A:11-11(5) and N.J.A.C. 5:34-7.11(c), may by resolution and without advertising for bids, purchase any goods or services for any contracts under the CPS and entered into by the Lead Agency; and

WHEREAS, the Borough of Closter has the need on a timely basis to purchase goods or services utilizing such contracts; and

WHEREAS, the Borough of Closter is a member of the Educational Services Commission of New Jersey, ESCNJ, a State of New Jersey approved cooperative, Member Number 65MCESCCPS, and

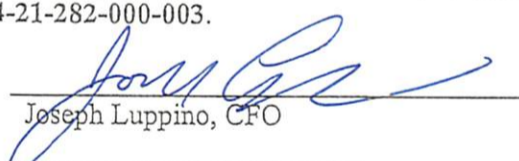
NOW, THEREFORE, BE IT RESOLVED, that the Borough of Closter authorizes the purchase of certain goods or services from **Mall Chevrolet, 75 Haddenfield Rd., Cherry Hill, NJ 07002**, an approved ESCNJ vendor, pursuant to all conditions of the individual contracts and provided that sufficient funds are available for the goods or services rendered after August 23, 2021; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Closter, pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer.

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Joseph Luppino, Chief Financial Officer of the Borough of Closter, hereby certify, pursuant to NJSA 40A:9-140.1, et seq. and NJAC 5:30.4, that the funds of \$78,314.50 are available to the Borough of Closter for calendar year 2021 in Capital Account C-04-21-282-000-003.


Dated: September 8, 2021


Joseph Luppino, CFO


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

Adopted: September 8, 2021

ATTEST:

By 
Arlene Gray, Borough Clerk

APPROVED


John C. Glidden, Jr., Mayor

Certified to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held September 8, 2021.


By 
Arlene Gray, Borough Clerk

EXHIBIT A

**REFERENCED COOPERATIVE PRICING
SYSTEM CONTRACT VENDOR**

<u>Quantity</u>	<u>Commodity/Service</u>	<u>Vendor</u>	<u>Period</u>	<u>Amt.</u>
1	2022 Chevrolet Tahoe SSV 4WD	Mall Chevrolet 75 Haddenfield Rd. Cherry Hill, NJ 08002	9/14/22	\$ 39,157.25
1	2022 Chevrolet Tahoe SSV 4WD	Mall Chevrolet 75 Haddenfield Rd. Cherry Hill, NJ 08002	9/14/22	\$ 39,157.25

NJ State Co-op # ESCNJ 20/21-09

TOTAL: \$78,314.50

Vehicles	
Bid Title	Cars, Crossovers, Pickup Trucks, SUV's and Vans
Bid Number	ESCNJ 20/21-09
Bid Term	9/15/20 - 9/14/22
Awarded to	Beyer Bros. Corp., Beyer Ford, Beyer of Morristown, Mall Chevrolet and United Ford, LLC

BOROUGH OF CLOSTER
BERGEN COUNTY
RESOLUTION

WHEREAS, the Agreement with Palladino, Pegeen was required to post a Tree Bond in the amount of \$650.00 for planting of trees at Block 302, Lot 5.01, said bond posted on October 2, 2020; and

WHEREAS, the Agreement with Fjermstad, Jerry and Virginia, was required to post a Tree Bond in the amount of \$1,300.00 for planting of trees at Block 517, Lot 2, said bond posted on May 26, 2020; and

WHEREAS, the Building Department in E-Mails dated July 8, 2021 and and July 16, 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>
302	5.01	251 Schraalenburgh Road	Palladino, Pegeen	\$650.00
517	2	108 Demarest Avenue	Fjermstad, Jerry and Virginia	\$1,300.00

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 \$1,950.00 tree bond escrow monies to the applicants mentioned above

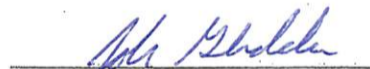
Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Devlin			✓			
Councilwoman Latner			✓			
Councilwoman Witko		✓	✓			
Councilman Yammarino			✓			
Councilwoman Chung			✓			
Councilwoman Amitai	✓		✓			

Adopted: ~~August 25, 2021~~ Sept 8, 2021


ATTEST:

APPROVED:


Susan Crosman, 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 August 25, 2021

^{Sept 8}

Susan Crosman, Acting Borough Clerk