

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

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

Mayor Glidden opened the meeting at 8:49 p.m., immediately following the work session, 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](http://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

Councilwoman Amitai-present  
Councilwoman Chung-present  
Councilman Devlin-present

Councilwoman Latner-present  
Councilwoman Witko-present  
Councilman Yammarino-present

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 GEOGRAPHICAL BOUNDARIES AND AMENDING CHAPTER 200 OF THE CODE OF THE BOROUGH OF CLOSTER TO INCLUDE A PROHIBITION ON ALL MEDICAL CANNABIS ESTABLISHMENTS Councilwoman Latner asked whether this was more comprehensive than the last one. The attorney stated that this one removed any possible ambiguity. The Mayor opened the meeting to the public; there were no comments. Councilwoman Latner moved to adopt the ordinance, second Councilwoman Chung.

Councilwoman Amitai-yes  
Councilwoman Chung-yes  
Councilman Devlin-yes  
Carried.

Councilwoman Latner-yes  
Councilwoman Witko-yes  
Councilman Yammarino-yes

- 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. Councilwoman Witko thanked the Mayor and Council for this ordinance. The meeting was opened to the public with no comments. Councilwoman Witko moved to adopt the ordinance, second Councilwoman Latner.

Councilwoman Amitai-yes  
Councilwoman Chung-yes  
Councilman Devlin-yes  
Carried.

Councilwoman Latner-yes  
Councilwoman Witko-yes  
Councilman Yammarino-yes

4. VOTE ON CONSENT AGENDA ITEMS

The Mayor read the following 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** No items were removed. Councilwoman Latner moved to approve the Consent Agenda items, second Councilwoman Chung.

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

Councilwoman Amitai moved to approve waiving the outdoor café fee for the 2022 season, second Councilwoman Latner.

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

Councilwoman Amitai asked if anyone had objections to Art in the Park. The Mayor stated that he could support it as long as there are controls.

Councilwoman Amitai asked whether the Council wanted her to explore an additional sales tax for an art district. Discussion. It probably would be a property tax instead. This will be explored.

Councilman Devlin recalled that there was a second part to the café resolution requiring the building permits to be expedited

- 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** for litigation, contract negotiations and matters pertaining to public employees and Officers.

#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** Councilwoman Latner moved to adjourn the Regular meeting, second Councilwoman Chung. All in favor. Meeting adjourned at 9:00 p.m.

**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

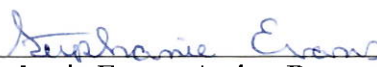
**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Closter that the Finance Clerk is and hereby authorized to release the \$14,950.00 tree bond escrow monies to the applicant mentioned above

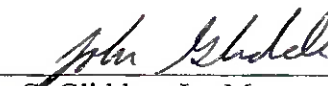
<b>Councilperson</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstain</b>
Councilwoman Amitai			X			
Councilwoman Chung		X	X			
Councilman Devlin			X			
Councilwoman Latner	X		X			
Councilwoman Witko			X			
Councilman Yammarino			X			

Adopted: January 26, 2022

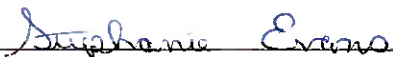
**ATTEST:**

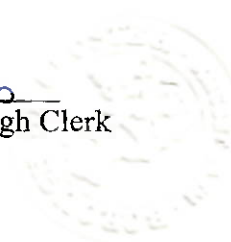
**APPROVED:**

  
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

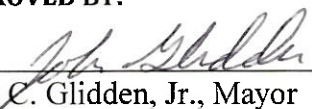
  
\_\_\_\_\_  
Francis Elenio, Chief Finance Officer

J


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

**Adopted:** January 26, 2022

**ATTEST:**  
  
\_\_\_\_\_  
Stephanie Evans, Acting Borough Clerk

**APPROVED BY:**  
  
\_\_\_\_\_  
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

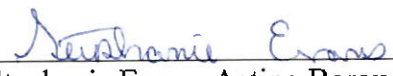
  
Francis Elenio, Chief Finance Officer

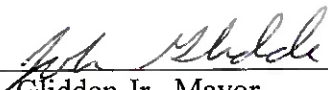
COUNCILPERSON	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilwoman Amitai			X			
Councilwoman Chung		X	X			
Councilman Devlin			X			
Councilwoman Latner	X		X			
Councilwoman Witko			X			
Councilman Yammarino			X			

**Adopted:** January 26, 2022

**ATTEST:**

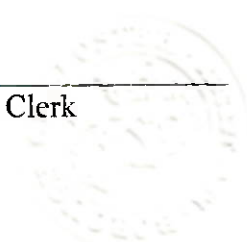
**APPROVED BY:**

  
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.

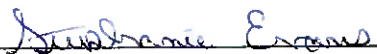
**Cardholders:** William Dahle, Marek Skowron and Daniel Hargrave


**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			X			
Councilwoman Chung		X	X			
Councilman Devlin			X			
Councilwoman Latner	X		X			
Councilwoman Witko			X			
Councilman Yammarino			X			

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.


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

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

EXHIBIT A

(Joint Insurance Fund Quasi Entity General Application)

JOINT INSURANCE FUND  
QUASI ENTITY  
GENERAL APPLICATION

(Please Type or Print Legibly)

I. APPLICANT INFORMATION

Additional Named Insured: CUOSTER HISTORICAL SOCIETY INC Class: \_\_\_\_\_

Address: 421 DURIE AVENUE City: CUOSTER

Country: BERGEN State: NS Zip Code: 07624

Federal Tax ID No.: AA-3475696 Year Established: 1996

Current Insurer: TRAVELERS Expiration Date: 11/3/25 Policy #: 6806K85831-

Contact Person: LORIE BERGER Title: REP. EFFERT FRANCH 71-42

Phone No.: 914-738-4011 Fax No.: \_\_\_\_\_

Contact Person for Loss Control Inspection: MIKE PISANO Phone No.: 201-724-9811

Name of Sponsor Member entity: BOROUGH OF CUOSTER

Name of Joint Insurance Fund: BERGEN

Name of Risk Management Consultant: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

Country: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Describe the Municipal Service Provided: PROMOTE HISTORIC FABRIC  
EDUCATE, AND PRESERVE BOROUGH OWNED  
LUSTON HOUSE

Additional Named Insured Is:  Corporation  Charitable  Not for Profit  Other  
(Explain) \_\_\_\_\_

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Are Financial Statements available for this entity: Yes  No

Resolution Provided by Governing Body of Sponsor Member entity:  
Yes  No  If Yes, Please Attach a Copy

Total Number of Employees: N/A Volunteers: 20 Participants: 50



**JOINT INSURANCE FUND  
QUASI ENTITY  
GENERAL APPLICATION**

**II. LOSS INFORMATION**

**GENERAL LIABILITY/NON-OWNED AUTO LIABILITY  
DESCRIBE CLAIMS/RESERVES FOR LAST THREE (3) YEARS**

YEAR	TYPE OF LOSS	CLAIM AMOUNT	VALUED AS OF	DESCRIPTION
2020	NONE			
2019	NONE			
2018	NONE			

**III. ADDITIONAL INFORMATION**

What percentage of your activity takes place off municipal premises? 10%

Does the entity enter into any hold harmless agreements with third parties: Yes  No

If Yes, Explain: CARSTAKER SERVICES AT LUSTRON HOUSE

Does entity engage in other activities other than described above? \_\_\_\_\_

For each of the following, please indicate if there is a procedure in effect for obtaining certificates of insurance, the limits required for each, and whether the certificates list the Additional Named Insured, as will appear on the policy, as an Additional Insured.

	Certificates?	Limits?	Additional Insured?
Food Concessionaires	_____	_____	_____
Vendors	_____	_____	_____
Exhibitors	_____	_____	_____
Independent Contractors	_____	_____	_____
Service Organizations	_____	_____	_____
Fireworks	_____	_____	_____

**I UNDERSTAND THIS/(THESE) APPLICATION(S) IS/(ARE) A REQUIREMENT FOR COVERAGE. IT IS UNDERSTOOD AND AGREED THAT THE COMPLETION OF THIS APPLICATION SHALL NOT BE BINDING EITHER TO THE PROPOSED ADDITIONAL NAMED INSURED OR TO THE JOINT INSURANCE FUND UNTIL ACCEPTED BY THE JIF OR IN WRITING.**

\_\_\_\_\_      *[Signature]*      *[Signature]*  
 Date                                  Signature                                  Title

**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) XX Pending or anticipated litigation or contract negotiations.
- N.J.S.A. 10:4-12 (b) (7) XX A matter falling within the attorney-client privilege.
- N.J.S.A. 10:4-12 (b) (8) XX 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			X			
Councilwoman Chung		X	X			
Councilman Devlin			X			
Councilwoman Latner	X		X			
Councilwoman Witko			X			
Councilman Yammarino			X			

Adopted: January 26, 2022

ATTEST:

APPROVED BY:

Stephanie Evans  
Stephanie Evans, Acting Borough Clerk

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 on January 26, 2022.

Stephanie Evans  
Stephanie Evans, Acting Borough Clerk

