

MAYOR AND COUNCIL  
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – WEDNESDAY, JANUARY 12, 2022 - 7:30 P.M

Mayor Glidden opened the meeting at 8:50 pm, 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 Latner-present
Councilwoman Chung-present	Councilwoman Witko-present
Councilman Devlin-present	Councilman Yammarino-present

ORDINANCES:

3. INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING AND ADOPTION TO BE HELD WEDNESDAY, JANUARY 26, 2022 @8P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

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. The Mayor read the ordinance by title. Councilwoman Amitai moved to introduce the ordinance, second Councilwoman Latner.

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

**ORDINANCE NO. 2022-1290:** AN ORDINANCE BY THE BOROUGH OF CLOSTER, COUNTY OF BERGEN, NEW JERSEY AUTHORIZING A STIPEND PROGRAM. The Mayor read the ordinance by title. Councilwoman Amitai moved to approve the ordinance, with the addition of "for the Fire Department" to the title, second Councilwoman Latner.

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.

RESOLUTIONS

\*22-40 REFUND OF REAL ESTATE TAX OVERPAYMENT

\*22-41 RESOLUTION APPOINTING AN INTERIM BOROUGH LABOR ATTORNEY FOR THE BOROUGH OF CLOSTER – RAYMOND R. WISS, ESQ.

- \*22-42 RESOLUTION APPOINTING AN ASSIST TO THE BOROUGH CLERK FOR THE BOROUGH OF CLOSTER – MARTHA FRANCIS
- \*22-43 RESOLUTION PROMOTING JUSTIN KRAPELS FROM THE RANK OF PATROLMAN TO SERGEANT
- \*22-44 RESOLUTION PROMOTING MICHAEL FEHSAL FROM THE RANK OF SERGEANT TO LIEUTENANT
- \*22-45 FIRE DEPARTMENT INTERBORO MUTUAL AID GROUP AGREEMENT
- \*22-46 BERGEN COUNTY LAW ENFORCEMENT MUTUAL AID RESOLUTION
- \*22-47 RESOLUTION REFUND OF ESCROW FUNDS
- \*22-48 RESOLUTION REFUND OF TREE BOND MONIES

- 4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA Councilwoman Amitai asked whether Martha Francis' appointment was hourly or permanent. The Administrator responded that she would be typing minutes, which were required. He stated that the minutes were 9 months behind and thus she would work a lot in the beginning and less as work is more up to date. Councilwoman Latner moved to Approve the Consent Agenda, second Councilwoman Amitai.
- |                         |                          |
|-------------------------|--------------------------|
| Councilwoman Amitai-yes | Councilwoman Latner-yes  |
| Councilwoman Chung-yes  | Councilwoman Witko-yes   |
| Councilman Devlin-yes   | Councilman Yammarino-yes |
| Carried                 |                          |

4. REPORTS

- a. PAUL DEMAREST – FEE COLLECTION REPORT FOR DECEMBER 2021. No one had questions or comments.

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

6. OPEN MEETING TO PUBLIC FOR ANY MATTER, PER N.J.S.A. 10:4-12 (a)

7. (Subject to 5-minute limit per By-Laws General Rule No. 11)

8. CLOSED SESSION: The Borough attorney stated that Closed Session items were pursuant to sections 7 and 8. Councilwoman Latner moved to go into Closed Session, second Councilman Devlin. All in favor. The meeting went into Closed Session at 8:38 pm.

9. Exit Closed Session and Returned to Regular Meeting @ 9:16 P.M.

10. ADJOURNMENT

Motion to Adjourn @ 9:16 P.M. by Councilwoman Latner, second by Councilwoman Chung

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

**BOROUGH OF CLOSTER**

**Resolution # 22-40**

**REFUND OF REAL ESTATE TAX OVERPAYMENT**

**WHEREAS**, there exists tax overpayment(s) resulted by duplicate payments in for the parcels listed below in the total amount of \$6,021.04 for Fourth Quarter 2021.

**WHEREAS**, the Tax Collector is desirous to clear the overpayments of record and requests a certified copy of this resolution;

**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 in the total amount of **\$6,021.04** for the following tax account(s) to CoreLogic for the following account(s):

<b><u>BLOCK</u></b>	<b><u>LOT</u></b>	<b><u>OWNER</u></b>	<b><u>AMOUNT</u></b>
2402	7	Manor - 17 Henmar Drive	\$ 6,021.04

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

Adopted: January 12, 2022

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 a Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting on January 12, 2022.

Stephanie Evans  
Stephanie Evans, Deputy Borough Clerk

**BOROUGH OF CLOSTER**  
**RESOLUTION #22-41**

**RESOLUTION APPOINTING AN INTERIM BOROUGH LABOR ATTORNEY  
FOR THE BOROUGH OF CLOSTER**

WHEREAS, there is a need in the Borough of Closter for the services of a Borough Labor Attorney due to unforeseen circumstances and a vacancy in the position; and

WHEREAS, the Governing Body of the Borough of Closter seeks to appoint an interim Borough Labor Attorney to provide labor legal services to the Borough of Closter; and

WHEREAS, Raymond R. Wiss, Esq., possesses the necessary qualifications and experience in Labor matters for this position.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that Raymond R. Wiss of the Law Firm Wiss & Bouregy, P.C., 345 Kinderkamack Road, Westwood, New Jersey 07675 is hereby appointed interim Borough Labor Attorney for the Borough of Closter to serve at the will of the Mayor and Council. The compensation for such services shall be billed at a rate of \$150.00 per hour.

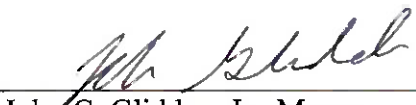
Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai		X	X			
Councilwoman Chung			X			
Councilman Devlin			X			
Councilwoman Latner	X		X			
Councilwoman Witko			X			
Councilman Yammarino			X			

Adopted: January 12, 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 12, 2022.

  
Stephanie Evans, Acting Borough Clerk

**BOROUGH OF CLOSTER**  
**RESOLUTION # 22-42**

**RESOLUTION APPOINTING AN ASSISTANT TO THE BOROUGH CLERK  
FOR THE BOROUGH OF CLOSTER**

**WHEREAS**, there is a need in the Borough of Closter for the services of an Assistant to the Borough Clerk for the primary purpose of transcribing and producing minutes for the Mayor and Council meetings; and

**WHEREAS**, the Governing Body of the Borough of Closter seeks to appoint an Assistant to the Borough Clerk to provide transcribing and producing minutes to the Borough of Closter; and

**WHEREAS**, Martha Francis, possesses the necessary qualifications and experience in minute transcribing services for this position and has been interviewed by the Acting Borough Clerk and Borough Administrator.

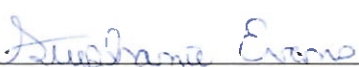
**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Closter that Martha Francis is hereby appointed Assistant to the Borough Clerk for the Borough of Closter for a one year term to December 31, 2022. The compensation for such services shall be at a rate of \$25.00 per hour.

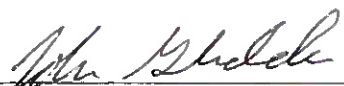
Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai		X	X			
Councilwoman Chung			X			
Councilman Devlin			X			
Councilwoman Latner	X		X			
Councilwoman Witko			X			
Councilman Yammarino			X			

Adopted: January 12, 2022

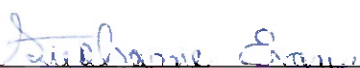
ATTEST:

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 12, 2022.

  
Stephanie Evans, Acting Borough Clerk

**BOROUGH OF CLOSTER**  
**RESOLUTION #22-43**

**RESOLUTION PROMOTING JUSTIN KRAPELS  
 FROM THE RANK OF PATROLMAN TO SERGEANT**

WHEREAS, the Closter Chief of Police has recommended that Ptl. Justin Krapels be promoted to the rank of Sergeant to, among other reasons, strengthen the chain of command and increase supervisory oversight in the department with an annual salary of \$149,524.00; and

WHEREAS, the Public Safety Committee recommends the promotion be approved by the Governing Body and

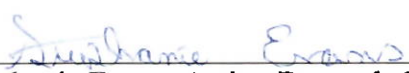
WHEREAS, the Mayor and Council have determined that the promotion is in the best interest of the Borough; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter that Ptl. Justin Krapels be promoted to the rank of Sergeant effective February 1, 2022, with a swearing in on January 26<sup>th</sup> 2022.

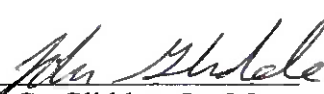
COUNCILPERSON	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilwoman Amitai		X	X			
Councilwoman Chung			X			
Councilman Devlin			X			
Councilwoman Latner	X		X			
Councilwoman Witko			X			
Councilman Yammarino			X			

Adopted: January 12, 2022


ATTEST:

  
 Stephanie Evans, Acting Borough Clerk

APPROVED:

  
 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 12, 2022

  
 Stephanie Evans, Acting Borough Clerk

**BOROUGH OF CLOSTER**  
**RESOLUTION #22-44**

**RESOLUTION PROMOTING MICHAEL FEHSAL FROM THE RANK OF SERGEANT  
TO LIEUTENANT**

**WHEREAS**, the Closter Chief of Police has recommended that Sgt. Michael Fehsal be promoted to the rank of Lieutenant to, among other reasons, strengthen the chain of command and increase supervisory oversight in the department with an annual salary of \$157,821.00; and

**WHEREAS**, the Public Safety Committee recommends the promotion be approved by the Governing Body and

**WHEREAS**, the Mayor and Council have determined that the promotion is in the best interest of the Borough; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Closter that Sgt. Michael Fehsal be promoted to the rank of Lieutenant effective February 1, 2022, with a swearing in on January 26<sup>th</sup> 2022.

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

Adopted: January 12, 2022

ATTEST:

APPROVED:

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 at the Regular Meeting held January 12, 2022

Stephanie Evans  
Stephanie Evans, Acting Borough Clerk



**BOROUGH OF CLOSTER**  
**RESOLUTION #22-45**

**FIRE DEPARTMENT INTERBORO MUTUAL AID GROUP AGREEMENT**

**WHEREAS**, it is the intent of the undersigned municipalities, its fire departments and respective fire companies to enter into a mutual aid and assistance program pursuant to and required by law as set forth in N.J.A.C. 5:75A-2.2, and

**WHEREAS**, this agreement is intended to supersede any earlier agreements which may have been signed between the parties hereto, and

**WHEREAS**, this agreement shall be by and between the following boroughs, towns, municipalities, fire departments and fire companies and the parties agree to be bound thereby,

Alpine	Dumont	Norwood
Bergenfield	Harrington Park	Old Tappan
Closter	Haworth	Rockleigh
Cresskill	New Milford	Tenafly
Demarest	Northvale	

**WHEREAS**, it is necessary to have an agreement to define the obligations and duties of the parties of the Interboro Mutual Aid Group;

**NOW THEREFORE**, in consideration of the mutual promises and covenants contained herein, the parties covenant and agree as follows:

1. Call for assistance: all calls for assistance among the Mutual Aid members shall be made through the dispatch facility of the department or municipality requiring assistance to the dispatch facility for the town from which assistance is requested. The request for assistance shall come from the Fire Chief or other ranking officer in charge of the fire or emergency incident. The town(s) requesting the assistance shall give the following information: location of the fire or emergency incident, route to be taken, and type of equipment requested. Towns requesting assistance shall have a police radio car on the town boundary line to meet the apparatus and escort them to the location of the fire or emergency incident if needed.
2. The Fire Chief, Deputy Fire Chief, Assistant Fire Chief or ranking officer in charge of the fire department that called for assistance shall be in charge of the fire or emergency incident in accordance with NJAC 5:75 et. seq. Apparatus reporting in from other towns shall report to the Staging Officer or other appropriate Commander at the scene prior to placing apparatus and personnel to work.
3. There shall be no charge imposed against any member municipality or department receiving personnel, apparatus or equipment.
4. Cost recovery may only be imposed where permitted by the New Jersey Uniform Fire Code; federal, state and local laws allowing for cost recoverable under law from responsible parties.
5. Each of the undersigned municipalities agrees to assume the cost of loss or damage to its own equipment.
6. It is understood that the Agreement will take effect and be operative by all municipalities and departments that sign same until such time as any municipality or department provides notice of their intent to withdraw from the mutual aid group. A (30) day written notice shall be given by any party to this Agreement of their intention to withdraw from this Agreement. The Agreement shall remain in full force thereafter as regards the remaining signatories.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Mayor and Council of the aforementioned municipalities.


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

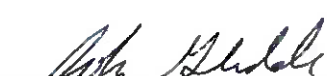


ADOPTED: January 12, 2022

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 12, 2022.

  
Stephanie Evans, Acting Borough Clerk

ML:el:lw

**BOROUGH OF CLOSTER**  
**RESOLUTION #22-46**

**Bergen County Law Enforcement Mutual Aid Resolution**

**WHEREAS**, the police departments in Bergen County have a day to day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order, and

**WHEREAS**, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil unrest, and civil disobedience such as riot, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies, and

**WHEREAS**, the Bergen County Police Chief's Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies, and

**WHEREAS**, this Plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. App. A:9-40.6, and

**WHEREAS**, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property, and

**WHEREAS**, it is also recognized that the Closter Chief of Police, in accordance with the provisions of N.J.S.A. 40A:14-118 and under the authority of the Bergen County Prosecutor, has the authority to assign officers to the Task Force, Rapid Deployment Team (RDF,RDT), or Regional SWAT team operated in conjunction with the Bergen County Prosecutor's office, and

**WHEREAS**, it is the desire of the Mayor and Council of the Borough of Closter to participate in a Mutual Aid Plan / Protocol and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chief's Association and Prosecutors Office 2020-14.


**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Closter that the police Department of the Borough of Closter, under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan / Protocol and Rapid Deployment Force, and

**BE IT FURTHER RESOLVED** that a copy of the Resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, and all municipalities in the County of Bergen.


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

Adopted: January 12, 2022

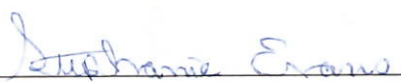
ATTEST:

  
Stephanie Evans, Acting 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 Reorganization Meeting held January 12, 2022.

  
Stephanie Evans, Acting Borough Clerk

**BOROUGH OF CLOSTER**  
**RESOLUTION #22-47**

**RESOLUTION REFUND OF ESCROW FUNDS**

**WHEREAS**, the Planning/Zoning Board professionals have inspected the improvements required under the granted approvals: and

**WHEREAS**, Planning/Zoning Board professionals have determined that all required improvements have been satisfactorily completed and all fees due for services rendered have been paid;

**WHEREAS**, please see attached spreadsheet listing of accounts;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Closter hereby authorize the Finance Clerk to release and return the remaining escrow funds of \$3,772.08 to the applicants as specified on said spreadsheet.


(Accounts verified by PB & ZBOA Coordinators)

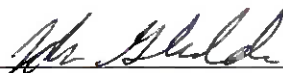
Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai		X	X			
Councilwoman Latner	X		X			
Councilman Devlin			X			
Councilwoman Latner			X			
Councilwoman Witko			X			
Councilman Yammarino			X			

Adopted: January 12, 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 12, 2022.

  
Stephanie Evans, Acting Borough Clerk

**BOROUGH OF CLOSTER**  
**RESOLUTION #22-48**

**RESOLUTION REFUND OF TREE BOND MONIES**

**WHEREAS**, the Agreement with Diamond Engineers and Developers Inc., was required to post a Tree Bond in the amount of \$5,200.00, for planting of trees at Block 2202, Lot 5, and

**WHEREAS**, the Building Department in an E-Mail dated September 24, 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>
2202	5	26 Church Court	Diamond Engineers & Developers	\$5,200.00


**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 \$5,200.00 tree bond escrow monies to the applicant mentioned above

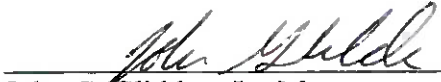
Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai		X	X			
Councilwoman Chung			X			
Councilman Devlin			X			
Councilwoman Latner	X		X			
Councilwoman Witko			X			
Councilman Yammarino			X			

Adopted: January 12, 2022

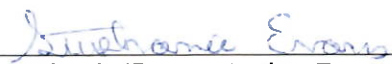
**ATTEST:**

**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 12, 2022

  
 Stephanie Evans, Acting Borough Clerk