

REGULAR MEETING MINUTES – WEDNESDAY, JANUARY 24, 2024 - 7:00 P.M immediately following the Work Session

Mayor Glidden opened the Regular Meeting at 8:30 pm with the following announcement: DUE TO PUBLIC HEALTH CONSIDERATIONS, THIS REGULARLY SCHEDULED MEETING OF THE CLOSTER MAYOR AND COUNCIL WILL BE HELD IN-PERSON TELEPHONICALLY and VIA ZOOM VIDEO.

You may join Zoom meeting including video by accessing the information posted in the **Borough Calendar** on the Borough website by visiting www.closterboro.com and clicking the link on the left sidebar for **Calendars and Notice of Meetings** and click on the corresponding date. **To join via Telephone Audio Only:**

TOLL FREE: +1 646-558-8656; **MEETING ID:** 864 2063 3673; **PASSWORD:** 8675309

If Executive session is required, the Council will retire to a closed session at the conclusion of the Regular Meeting pursuant to N.J.S.A. 10:4-6 and follow the procedures provided in this statute.

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 2024 Mayor and Council Meetings which was published in The Record and The Star Ledger on December 29, 2023, was posted on the Municipal Clerk's bulletin board and on the Borough website, and has remained posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

ROLL CALL

Councilwoman Amitai-not present
Councilman Cho-present
Councilwoman Chung present
Councilwoman Chung present
Councilman Yammarino-present

AMENDING TEMPORARY BUDGET APPROPRIATIONS FOR 2024

24-49 RESOLUTION AMENDING TEMPORARY BUDGET APPROPRIATIONS FOR 2024

Councilwoman Latner moved to adopt the amendment, second Councilman Yammarino.

Councilman Cho-yes Councilwoman Chung-yes Councilman Yammarino-yes

Councilwoman Latner-yes

Carried

ORDINANCES

ADOPTION OF ORDINANCES

Ordinance No. 2024-1330 BOND ORDINANCE PROVIDING AN APPROPRIATION OF

\$540,000 FOR VARIOUS ROAD IMPROVEMENTS FOR AND BY THE BOROUGH OF CLOSTER IN THE COUNTY OF BERGEN, NEW JERSEY AND, AUTHORIZING THE ISSURANCE OF \$486,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION

The Mayor asked whether anyone had comments on the Bond Ordinance. There were none. Councilman Yammarino moved to adopt Ordinance 2024-1330, second Councilwoman Latner.

Councilman Cho-yes Councilwoman Maroules-yes
Councilwoman Chung-yes Councilman Yammarino-yes

Councilwoman Latner-yes

Carried

VOTE ON CONSENT AGENDA ITEMS The Mayor read the 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

- 24-50 RESOLUTION REGARDING PROFESSIONAL SERVICES APPOINTMENT-PUBLIC DEFENDER
- 24-51 RESOLUTION FOR APPROVAL TO SUBMIT SPOTTED LANTERFLY PROGRAM-2024 THROUGH 2026 CHEMICAL CONTROL TREATMENT GRANT APPLICATION STATE OF NEW JERSEY, DEPARTMENT OF AGRICULTURE, DIVISION OF PLANT INDUSTRY
- 24-52 RESOLUTION CHANGE IN CUSTODIAN OF PETTY CASH FUND
- 24-53 RESOLUTION CHANGE IN CUSTODIAN OF PETTY CASH FUND
- 24-54 RESOLUTION TO REFUND TAX OVERPAYMENT
- 24-55 RESOLUTION AUTHORIZING BOSWELL ENGINEERING TO PROVIDE PROFESSIONAL LAND SURVEYING SERVICES FOR THE HICKORY LANE STREAM RESTORATION

24-56 RESOLUTION AUTHORIZING THE APPLICATION TO THE NJ CLEAN ENGERGY PROGRAM COMMUNITY ENERGY PLANNING GRANT PROGRAM

VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

The Borough engineer supplied clarification for 24-55. Councilwoman Latner moved to approve the Consent Agenda, second Councilwoman Chung.

Councilman Cho-yes Councilwoman Chung-yes Councilman Yammarino-yes

Councilwoman Latner-yes

Carried

APPROVING APPLICATION AS NEW MEMBER OF FIRE DEPARTMENT

a. VINCENT GASPARI (NEW REGULAR MEETING)

Councilwoman Latner moved to approve the application, second Councilwoman Chung. All in favor. Carried.

HAWKER-PEDDLERS APPLICATION

a. AMA CATERING – FOOD TRUCK – PERMIT #24-01

Councilwoman Latner moved to approve the application, second Councilman Yammarino. All in favor. Carried.

ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE GOVERNING BODY

OPEN MEETING TO PUBLIC FOR ANY MATTER (5-minute limit)

CLOSED SESSION

24-57 RESOLUTION TO GO INTO CLOSED SESSION AND EXCLUDE THE PUBLIC Councilwoman Latner moved to go into Closed Session for contract negotiation, second Councilwoman Chung. All in favor. The meeting went into Closed Session at 8:35 pm. The meeting exited Closed Session and returned to Open Session at 8:52

ADJOURNMENT

Motion to adjourn by Councilwoman Latner, second by Councilman Yammarino @8:52. All in favor

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

Respectfully submitted,

RESOLUTION AMENDING TEMPORARY BUDGET APPROPRIATIONS FOR 2024

WHEREAS, NJSA 40a:4-19 provides that where contracts, commitments or payments are to be made prior to final adoption of the 2024 Budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided and

WHEREAS, by resolution dated January 3, 2024 the Mayor and Council did adopt temporary appropriations for 2024 and

WHEREAS, the Mayor and Council wish to add to said temporary appropriations and

WHEREAS, this resolution will take effect on January 24, 2024, and

NOW, THERFORE, BE IT RESOLVED, by the Governing Body of the Borough of Closter, that the following additional appropriation be made and that a certified copy of this resolution be remitted to the Chief Financial Officer AND the Assistant Chief Finance Officer for the Borough's records.

Capital Improvement Fund: +\$19,000.00 Totaling: \$54,000.00

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai					Х	
Councilman Cho			Х			
Councilwoman Chung			Х			
Councilwoman Latner	λ		X			
Councilwoman Maroules			Х			
Councilman Yammarino		Х	Х			

ADOPTED: January 24, 2024

ATTEST:

APPROVED:

Stephanie Evans, 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 24, 2024.

RESOLUTION REGARDING PROFESSIONAL SERVICES APPOINTMENT PUBLIC DEFENDER

WHEREAS, there exists a need for professional legal services of a Public Defender for 2024; and

WHEREAS, funds are available for said purpose; and

WHEREAS, <u>Salvador H. Sclafani</u>, <u>Esq.</u> is qualified to provide professional legal services as a Public Defender; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bidding be publicly advertised;

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with:

Salvador H. Sclafani, Esq. Law Offices of Salvador H, Sclafani

- 2. This contract is being awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5, as a professional service.
- 3. This contract is being awarded through a Fair and Open process, pursuant to N.J.S.A. 19:44A-20.4 et seq.
- 4. The Borough Clerk is hereby authorized and directed (in accordance with the publication of notice provisions of N.J.S.A. 40A:11-5(1)(a)(i) to publish a notice of this action once in the official newspaper of the Borough of Closter.

5. That the award of this contract be in accordance with and subject to compliance with the Affirmative Action Regulations of the State of New Jersey and the requirements of Public Law 1975. Chapter 127.

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai			w)		Х	
Councilman Cho			Х			
Councilwoman Chung		х	Х			
Councilwoman Latner	Х		Х			
Councilwoman Maroules			Х			
Councilman Yammarino			Х			

Adopted:

January 24, 2024

ATTEST:

APPROVED:

Stephanie Evans, Borough Clerk

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 RegularMeeting held January 24, 2024.

RESOLUTION FOR APPROVAL TO SUBMIT SPOTTED LANTERNFLY PROGRAM – 2024 through 2026 CHEMICAL CONTROL TREATMENT GRANT APPLICATION STATE OF NEW JERSEY, DEPARTMENT OF AGRICULTURE, DIVISION OF PLANT INDUSTRY

NOW, THEREFORE BE IT RESOLVED, the governing body of the Borough of Closter formally approves the Borough of Closter's submission to the NJDA Spotted Lanternfly Program – 2024 through 2026 Chemical Control Treatment Grant; Exhibit A, attached; and

BE IT FURTHER RESOLVED that the governing body authorizes the Borough Administrator to sign the Spotted Lanternfly Program – 2024 through 2026 Chemical Control Treatment Grant (Exhibit A, attached); and

BE IT FURTHER RESOLVED the Borough Clerk will provide two (2) original, signed and sealed copies of this resolution to Borough Administrator.

COUNCILPERSON	MOTION	SECOND	YES	NO	ABSENT	ABSTAIN
Councilwoman Amitai					х	
Councilman Cho			Х	1		
Councilwoman Chung		Х	Х			
Councilwoman Latner	Х		Х			
Councilwoman Maroules			Х	1		
Councilman Yammarino			Х			1

Adopted:

January 24, 2024

ATTEST:

APPROVED:

Stephanie Evans, Borough Clerk

John C. Glidden Ir 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 24, 2024.

Stephanie Evans, Borough Clerk

JW:lw

EXHIBIT A:

Spotted Lanternfly Program 2024-2026 Reduction/Chemical Control Treatment Grant NUDA Spotted Lanternfly Program for Counties and Municipalities 2024 Grant Application Form

STATE OF NEW JERSEY
DEPARTMENT OF AGRICULTURE
DIVISION OF PLANT INDUSTRY
PO BOX 330
Trenton, NJ 08625
joseph_zoltowski@ag_ni.gov

(609)406-6939

Spotted Lanternfly Program – 2024-2026 Spotted lanternfly Population Reduction/Chemical Control Treatment Grant

Applicant (County or N	funicipality)	Address	
City	State	Zip (Code
The Applicant agrees to in their County/Municipality Municipality during the tim Department of Agriculture allowed treatment expenditure	e period of 2024 through 2 (NJDA) will provide paym	per County or \$20 026, and for which ent on a reimburs	0,000 per n the New Jersey ement basis for
The Applicant agrees to awarded a 2024-2026 Grant	o comply with the terms at by the NJDA under the S		
A total of up to \$50,000 per of	county or \$20,000 per munic	cipality, subject to	the availability o
funds, is accessible on a first-	-come, first-served basis to o	ounty/municipal g	overnments in the
state of New Jersey who are i	nterested in performing popu	lation reduction ac	tivities, including
chemical treatment activities,	against the Spotted Lanterr	ifly. The funding	opportunity wil
be available until Novemb	per 30, 2024, and all enc	umbered funds ap	proved under this
Grant are to be exhausted	by November 30, 2026.		

Organizations that May Apply for Funding from NJDA: All County and Municipal governments in New Jersey may apply for funding to provide population reduction activities, including chemical treatments, against populations of this insect on their private and public lands.

For approved Applicants, grant payments will be paid as a reimbursement for actual costs incurred by the county or municipality in providing the treatment services, without profit, which shall include the costs for (a) spray equipment and supplies, (b) materials, and (c) labor, as expended and submitted by the approved Applicant. Only costs incurred for SLF population reduction/treatment services provided during the 2024-2026 treatment seasons are eligible for reimbursement.

Additional requirements for governmental participants under the grant program:

- Counties / Municipalities shall follow appropriate fiscal procurement procedures when purchasing approved treatment materials, equipment, and services if applicable.
- Counties / Municipalities whose applications have been approved shall submit invoices for the allowed treatment expenditures. Grant funds will only be paid after invoices are submitted, and all invoices must be submitted for payment on or before November 30, 2026, in order to receive payment. Invoices may be submitted for payment at any time after expenditures have been incurred, but in no event will payment be made for an invoice submitted after November 30, 2026.
- Counties / Municipalities shall have their designated pesticide applicators complete a training session provided by the NJDA.
- Counties / Municipalities shall provide pesticide public application notifications compliant
 with NJDEP pesticide regulations appropriate with the areas scheduled for treatments.

NJDA Spotted Lanternfly Program for Counties and Municipalities 2024 Grant Application Form

- Counties / Municipalities shall provide to the NJDA, annually in each year covered by this grant, by November 30 or earlier, the Block and Lot information, as well as number and types of trees, where treatments have been conducted.
- Counties/ Municipalities shall provide NJDA with the name of the agency (ex:
 DPW, Mosquito Control, Parks & Recreation, etc.) assigned to conduct treatments or the
 name of the independent contractors used, in order to comply with New Jersey Pesticide
 regulations.

Applications Must be Completed and Returned: This application must be completed and received at the above address through mail, overnight, or by email on or before November 30, 2024. Only approved Applicants will be eligible for reimbursements. Since applications will be approved on a first-come, first-served basis until all available funds are encumbered, we encourage you to submit your application as soon as possible.

Signature	Print name	Title
County or Municipality	Agency	
Telephone	Email address	
Date		
FOR NJDA OFFICE USE ONLY: NJDA Accepts and Agrees to the For	regoing	
BY:	DATE:	

ADDITIONAL TERMS AND CONDITIONS TO MEET FEDERAL REQUIREMENTS

The undersigned individual represents that he/she is authorized to sign this Agreement on behalf of the named-below County or Municipality (hereinafter "GRANTEE") receiving Spotted Lanternfly Chemical Treatment Grant funds ("Grant Funds") from the New Jersey Department of Agriculture ("NJDA"). Further, by his/her signature below, the undersigned indicates that, in addition to the terms, conditions and requirements set forth in the Application form submitted by GRANTEE to request Grant Funds, and in consideration for receiving Grant Funds from NJDA, said GRANTEE agrees to comply with the provisions of the following statutes, rules, and regulations in connection with its receipt and expenditure of the Grant Funds being provided to GRANTEE by NJDA under the American Rescue Plan Act – Coronavirus State Fiscal Recovery Fund:

A. Federal regulations applicable include, without limitation, the following:

- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as U.S. Treasury may determine are inapplicable to this Award and subject to such exceptions as may be otherwise provided by U.S. Treasury. Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this award. See https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds/recipient-compliance-and-reporting-responsibilities
- Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
- 3. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.
- 4. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and U.S. Treasury's implementing regulation at 31 C.F.R. Part 19.
- 5. Recipient Integrity and Performance Matters, pursuant to which the award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.
- 6. Government-wide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
- 7. New Restrictions on Lobbying, 31 C.F.R. Part 21.

- 8. Executive Order 13985 On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (January 20, 2021).
- 9. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655) and implementing regulations.
- 10. Generally applicable federal environmental laws and regulations.

B. Statutes and regulations prohibiting discrimination applicable include, without limitation, the following:

1. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and U.S. Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance. The following language is hereby included in every contract or agreement subject to Title VI and its regulations between the NJDA and the GRANTEE and the following language must be included in every contract or agreement subject to Title VI and its regulations between GRANTEE and its contractors, subcontractors, successors, transferees and assignees:

The grantee, contractor, subcontractor, successor, transferee, and assignees shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the U.S. Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract (or agreement). Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the U.S. Treasury's Title VI regulations, 31 CFR Part 22, and herein incorporated by reference and made a part of this contract or agreement.

- 2. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability.
- 3. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance.
- 4. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and U.S. Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance.
- 5. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and

services provided or made available by state and local governments or instrumentalities or agencies thereto.

C. Federal Labor Standards

- 1. The Contract Work Hours and Safety Standards Act (40 U.S.C. §3701 et seq.), requiring that mechanics and laborers (including watchmen and guards) employed on federally assisted contracts of \$100,000 or greater be paid wages of not less than one and one-half times their basic wage rates for all hours worked in excess of forty in a work-week;
- 2. The Federal Fair Labor Standards Act (29 U.S.C. 201 et seq.), requiring that covered nonexempt employees be paid at least the minimum prescribed wage, and also that they be paid one and one-half times their basic wage rate for all hours worked in excess of the prescribed work-week;
- The Copeland "Anti-Kickback" Act (18 U.S.C. 874), as supplemented in Department of Labor regulations (29 CFR 3), which requires payment of wages once a week and allows only permissible payroll deductions.

D. Other State and federal laws applicable include, but are not limited to, the following:

- 1. The New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25 et seq.), establishing a prevailing wage level for workers engaged in public works.
- 2. The Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328), which limits certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by this federal assistance.
- 3. State of New Jersey Executive Order No. 215 (Kean 1989), requiring environmental assessments or environmental impact statements to the extent applicable for major construction projects.
- 4. (a) In accordance with 41 U.S.C. § 4712, GRANTEE may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.
 - (b) The list of persons and entities referenced in the paragraph above includes the following:
 - a. A member of Congress or a representative of a committee of Congress;
 - b. An Inspector General;
 - c. The Government Accountability Office;
 - d. A NJDA employee responsible for contract or grant oversight or management;
 - e. An authorized official of the U.S. Department of Justice or other law enforcement agency;

- f. A court or grand jury; or
- g. A management official or other employee of the New Jersey Department of Community Affairs ("DCA"), contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct.
- (c) GRANTEE shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.
- 5. Contracting with Small, Minority-owned, Women-owned and Veteran-owned Businesses, and Labor Surplus Area Firms.
 - (a) GRANTEE shall take all necessary affirmative steps to ensure contracting opportunities are provided to small, minority-owned, woman-owned, and veteran-owned businesses, and labor surplus area firms. As used in this contract, the terms "minority-owned business," "women-owned business," and "veteran-owned business" means a business that is at least fifty-one percent (51%) owned and controlled by minority group members, women or veterans. For purposes of this definition, "minority group members" are African Americans, Spanish-speaking, Spanish surnamed or Spanish-heritage Americans, Asian-Americans, and Native Americans. GRANTEE may rely on written representations by businesses regarding their status as minority, women and veteran businesses in lieu of an independent investigation.
 - (b) Affirmative steps shall include:
 - a. Placing qualified small and minority-, veteran- and women-owned businesses on solicitation lists;
 - b. Ensuring that small and minority-, veteran- and women-owned businesses are solicited whenever they are potential sources for goods and/or services required in furtherance of the Agreement;
 - c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority-, veteran- and women-owned businesses;
 - d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority-, veteran- and women-owned businesses;
 - e. Using the service and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the U.S. Department of Commerce; and
 - f. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in subparagraphs (a) through (e) of this section.
- 6. All state and federal laws and regulations concerning the procurement of goods and services by a county or municipality.

E. Increasing Seat Belt Use in the United States.

1. Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), GRANTEE should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

F. Reducing Text Messaging When Driving

1. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), GRANTEE should encourage its employees, subrecipients, and contractors to adopt and enforce policies that ban text messaging while driving, and GRANTEE should establish workplace safety policies to decrease accidents caused by distracted drivers.

G. Personally Identifiable Information

1. To the extent GRANTEE receives personally identifiable information, it will comply with the Privacy Act of 1974 and U.S. Treasury rules and regulations related to the protection of personally identifiable information. The term "personally identifiable information" refers to information which can be used to distinguish or trace an individual's identity, such as their name, social security number, biometric records, etc., either alone or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc. See 2 CFR 200.79. Subrecipients shall require all persons that have access to personally identifiable information (including subcontractors/subconsultants and their employees) to sign a Non-Disclosure Agreement.

H. Conflicts of Interest.

- GRANTEE must maintain a conflict-of-interest policy consistent with 2 C.F.R. § 200.318(c) and that such conflict-of-interest policy is applicable to each activity funded with CSFRF Funds.
- 2. GRANTEE must disclose in writing to U.S. Treasury or DCA, as appropriate, any potential conflict of interest affecting the CSFRF Funds in accordance with 2 C.F.R. § 200.112.

I. American Rescue Plan Act

- 1. Sections 602 and 603 of the Social Security Act, as added in Section 9901 of the American Rescue Plan Act (Pub. L. 117-2).
- 2. Implementing regulations adopted by U.S. Treasury pursuant to Section 602(f) of the Social Security Act, as added in Section 9901 of the American Rescue Plan Act (Pub. L. 117-2).

J.	Records	to	be	Provide	ed on	Request
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Upon request, GRANTEE will provide NJDA with all necessary documents and records to demonstrate compliance with the above terms, conditions and assurances.

Agreed to this	day of _	, 2024
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GRANTEE	
BY:	
	
Name:	
Title:	
Authorized to sign on behalf of a	nd to contractually bind
County/Municinality:	

RESOLUTION CHANGE IN CUSTODIAN OF PETTY CASH FUND

WHEREAS, Chief John Mc Tigue was custodian of the Closter Police Department Petty Cash Fund, and is retiring from the Borough of Closter effective May 1, 2024, and

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

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

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai					Х	
Councilman Cho			X.			
Councilwoman Chung		Х	Х			
Councilwoman Latner	Х		Х			
Councilwoman Margoules			X.			
Councilman Yammarino			X			

ADOPTED;	January 24, 2024		
ATTEST:		APPROVED:	
0	0	1 /	1.111

Stephanie Evans, 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 24, 2024

RESOLUTION CHANGE IN CUSTODIAN OF PETTY CASH FUND

WHEREAS, Detective Sergeant Vincent Aiello was custodian of the Closter Detective Bureau Petty Cash Fund, and has now been promoted outside of the Bureau from the Borough of Closter, and

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

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

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai					X	
Councilman Cho			Х			
Councilwoman Chung		Х	Х			
Councilwoman Latner	Х		Х			
Councilwoman Margoules			Х			
Councilman Yammarino			Х			

ATTEST: APPROVED:

Stephanie Evans, Borough Clerk John C. Glidden, Jr., Mayor

ADOPTED: January 24, 2024

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 24, 2024

RESOUTION TO REFUND TAX OVERPAYMENT

WHEREAS, there exists tax overpayments in Fourth Quarter 2023 tax accounts due to duplicate payments from home owner and the mortgage servicer.

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 Tax Collector is herewith authorized to issue a refund check to for the following account to **Core Logic** in the amount of \$4,644.23:

BLOCK	LOT	AMOUNT
1806	18	\$4,644.23

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai					x	
Councilman Cho			Х			
Councilwoman Chung		X	Х			
Councilwoman Latner	Х		Х			
Councilwoman Maroules			х			
Councilman Yammarino			Х			

Adopted: January 24, 2024	
ATTEST:	APPROVED:
Stephanie Evans, 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 24, 2024.

RESOLUTION AUTHORIZING BOSWELL ENGINEERING TO PROVIDE PROFESSIONAL LAND SURVEYING SERVICES FOR THE HICKORY LANE STREAM RESTORATION-Boswell Engineering Project No. PR-24-12439

WHEREAS, the Borough of Closter, by Resolution #24-27 dated January 3, 2024 entered into an annual contract with Boswell Engineering for the provision of professional engineering services; and

WHEREAS, during the Borough Waterways project the Borough Administrator has identified a need to have a detailed topographic survey of the stream on the southerly side of Hickory Lane between Bradley Place and Sherman Avenue completed; and

WHEREAS, Boswell Engineering, in a proposal dated January 17, 2024 (attached as Exhibit A), has outlined the professional engineering services for the Hickory Lane Stream Restoration detailed topographic survey of this stream; and

WHEREAS, it is deemed to be in the best interests of the Borough for the Mayor and Council to authorize the proposed engineering services as outlined in the January 17, 2024 Boswell Engineering proposal for an amount not to exceed \$8,000.00; and

WHEREAS, that said contract continuation is being awarded without competitive bidding, since the services covered are "professional services," pursuant to N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law, which are services performed by persons authorized by law to practice a recognized profession; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding, provided a notice of appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the State "Pay to Play" Law took effect on January 1, 2006 and the Borough had fully complied with the "fair and open" process set forth thereunder; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk shall provide a copy of this Resolution and Exhibit A to the Borough Administrator and to the Assistant CFO.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and Council that it does hereby approve the continuation of the contract with Boswell Engineering to provide engineering services for the Hickory Lane Stream Restoration project in an amount not to exceed \$8000.00.

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Frank Elenio, Certified Financial Officer of the Borough of Closter, hereby certify, pursuant to N.J.S.A. 40A:9-140.1, et seq. and N.J.A.C. 5:30-5.4, the funds are available to the Borough of Closter for calendar year 2024 in account C-04-21-287-000-002.

Date:

Frank Elenio, CFO

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai					X	
Councilman Cho			Х			
Councilwoman Chung		Х	Х			
Councilwoman Latner	Х		Х			
Councilwoman Maroules			Х			
Councilman Yammarino			Х			

Adopted: January 24, 2024

ATTEST:

APPROVED:

Stephanie Evans, 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 24, 2024.

Stephanie Evans, Borough Clerk

JW:lw

330 Phillips Avenue • P.O. Box 3152 • South Hackensack, N.J. 07606-1722 • (201) 641-0770 • Fax (201) 641-1831

January 17, 2024

The Honorable Mayor and Council Borough of Closter 295 Closter Dock Road Closter, NJ 07624

Attention: Mr. James Winters, Administrator

Re: Hickory Lane Stream Restoration

Borough of Closter

Bergen County, New Jersey Our File No. PR-24-12439

Dear Mayor Glidden and Members of the Council:

Pursuant to your request, Boswell Engineering (Boswell) is pleased to submit this proposal for professional land surveying services for the Hickory Lane Stream Restoration project.

Boswell's survey crew will perform a detailed topographic survey of the stream lying on the southerly side of Hickory Lane between Bradley Place and Sherman Avenue obtaining elevations and locations on such items including, but not limited to, edge of pavement, driveways, fences, water courses, visible utilities, utility mark-outs and trees (6 inches in diameter or greater). The field survey will extend a minimum of twenty-five (25) feet beyond the top of banks. Boswell will also field survey all drainage and sanitary facilities within said area obtaining pipe elevations and approximate pipe sizes from above ground. This proposal does not include entering confined space for exact measurements. The locations of underground sanitary and drainage pipes will also be approximate.

In addition to the topographic survey, Boswell will perform the necessary field surveying to locate property corners and other items which may indicate lines of possession; perform land record research; and perform an analysis comparing record data to field locations. The southerly right of way line of Hickory Lane and the property lines will be based upon the current deeds of record, existing surveys, if available, and maps on file with the Bergen County Clerk's Office. Property corners will not be set under this scope of work.

The project horizontal control (NAD 83) and vertical control (NAVD 88) will be established by means of GNSS/RTK surveying equipment utilizing the SmartNet North America Network.

A drawing of the project site will be produced showing the results of the boundary and topographic survey information with contours provided at one (1) foot intervals and elevations shown where necessary (high points, low points, etc.).

THE TOTAL LUMP SUM FEE FOR THE PREPARATION OF THE BOUNDARY AND TOPOGRAPHIC SURVEY AS OUTLINED ABOVE IS EIGHT THOUSAND DOLLARS (\$8,000.00).

Easement mapping and legal description are excluded from this proposal and the need for these documents will be predicated on both the restoration design and the relationship between the stream and the right of way lines. These documents will be addressed under a separate scope of work, if necessary.

Boswell will furnish a completed survey within 3 to 4 weeks of authorization to proceed.

If this proposal meets with your approval, kindly provide us with the necessary authorization to proceed and we will commence the project.

We wish to thank you for the opportunity of presenting this proposal and look forward to working with the Borough of Closter on this project. Should you have any questions or require anything further, please do not hesitate to contact me.

Very truly yours,

BOSWELL ENGINEERING

Frank M. Krupinski, P.L.S.

FMK/fmk 240117FMKpl

RESOLUTION AUTHORIZING THE APPLICATION TO THE NJ CLEAN ENERGY PROGRAM COMMUNITY ENERGY PLANNING GRANT PROGRAM

WHEREAS, a sustainable community seeks to ensure that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, The Borough of Closter, 295 Closter Dock Rd., Closter, NJ 07624, County of Bergen, strives to assure clean land, air and water for current and future generations; and

WHEREAS, New Jersey's Energy Master Plan: Pathway to 2050 ("EMP") established that community-level action is necessary to achieve the state's goal of 100% clean energy by 2050; and

WHEREAS, the New Jersey Board of Public Utilities has created a Community Energy Plan Grant program for municipalities to develop a community energy plan to meet the goals of the state's Energy Master Plan; and

WHEREAS, the Borough is invested in developing a community energy plan to help the state achieve the goal of 100% clean energy by 2050; and

WHEREAS, the Community Energy Plan Grant program will help the Borough of Closter to plan for and invest in renewable energy and to work towards a better environment for all residents by using the state's Energy Master Plan (EMP) as a guide to develop sustainable strategies that increase clean energy production, reduce energy use, and cut emissions.

THEREFORE, the Governing Body of the Borough of Closter has determined that the Borough of Closter should apply for the aforementioned Community Energy Planning Grant program; and

THEREFORE, the Borough of Closter will commit to providing staff support for the duration of the Community Energy Planning process, including for gathering of relevant data and for convening at least one public meeting.

THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Closter, State of New Jersey, authorizes the submission of the aforementioned application to the NJBPU Community Energy Planning Grant program.

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai						
Councilwoman Cho			X			
Councilman Chung		X	X			
Councilwoman Latner	X		X			
Councilwoman Maroules			X			
Councilman Yammarino			X			

Adopted:	January	24,	2024
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ATTEST:

APPROVED BY:

Stephanie Evans, Borough Clerk

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 January 24, 2024.

RESOLUTION TO GO INTO CLOSED SESSION AND EXCLUDE THE PUBLIC

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances will or presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closed, County of Bergen, State of New Jersey, as follow:

1. That the public shall be excluded from the January 24, 2024 Closed Session and discussion of the hereinafter specified subject matter:

Closed Session		Statutory
Docket#	Item Title of Description	Reference
24-01/24-1	Pending or Anticipated Litigation or Contract Negotiations	N.J.S.A. 10:4-12 (b) (7)
24-01/24-2	Matter Falling Within Attorney/Client Privilege	N.J.S.A. 10:4-12 (b) (7)

Formal action may/may not be taken.

2. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai					Х	
Councilman Cho			X			
Councilwoman Chung		X	X			
Councilwoman Latner	Х		X			
Councilwoman Maroules			X			
Councilman Yammarino			X			

Adopted: January 24, 2024

ATTEST:

APPROVED BY:

Stephanie Evans, 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 on January 24, 2024.

BOROUGH OF CLOSTER ORDINANCE #2024-1330

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$540,000 FOR VARIOUS ROAD IMPROVEMENTS FOR AND BY THE BOROUGH OF CLOSTER IN THE COUNTY OF BERGEN, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$486,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Closter, New Jersey (the "Borough") as general improvements. For the said Improvement there is hereby appropriated the amount of \$540,000, such sum includes the sum of \$54,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payment or for capital improvement purposes.

SECTION 2:

In order to finance the cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$486,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$486,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes").

SECTION 3:

- (a) The Improvements authorized and the purpose for the financing of which said obligations are to be issued is for various road improvements, including but not limited to Wainwright Avenue (entire length), King Place (Wainwright Avenue towards Trautwein Crescent), Wainwright Court (entire length), Meadows Lane (entire length), Jason Wood Road (entire length) and Flamm Brook Road (entire length), including curbing, milling, paving, drainage, sewer and other miscellaneous improvements, and including all work including all work and materials necessary therefor and incidental thereto, and as shown on and in accordance with the plans and specifications on file with the Borough Clerk.
- (b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$486,000.
- (c) The estimated cost of the Improvements is \$540,000 which amount represents the initial appropriation made by the Borough.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

- (a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 10 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$486,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.
- (d) An aggregate amount not exceeding \$80,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time as contributions in aid of financing the purposes described in Section 3 of this Ordinance (including \$228,481 expected to be received from the New Jersey Department of Transportation for Wainwright Avenue and King Place) shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$486,000.

SECTION 11:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilwoman Amitai					X	
Councilman Cho			Х			
Councilwoman Chung			Х			
Councilwoman Latner		Х	X			
Councilwoman Maroules			X			
CouncilmanYammarino	X	- 2.5.	Х			

Introduced: January 10, 2024 Adopted: January 24, 2024

ATTEST:

APPROVED BY:

Stephanie Evans, 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 on January 24, 2024