

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – WEDNESDAY, MARCH 25, 2020 - 7:30 P.M.

DUE TO PUBLIC HEALTH CONSIDERATIONS, THIS MEETING WILL BE HELD VIA TELEPHONE. IF YOU WISH TO ATTEND THE MEETING TELEPHONICALLY, PLEASE JOIN BY DIALING: TOLL FREE: 1-646-558-8656; MEETING I.D. NUMBER 563871339#

1. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Annual Notice of Meetings which was published in The Record and The Star Ledger on January 10, 2020, was posted on the Municipal Clerk's bulletin board 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.

Mayor Glidden to read as follows into the record:

A COPY OF THIS NOTICE HAS BEEN POSTED ON THE OUTER DOORS OF THE BOROUGH HALL AND ON THE BOROUGH WEB SITE.

2. ROLL CALL

3. MAYORAL PRESENTATION(S)

4. PRESENTATION(S)

5. AT 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD – INTRODUCTION OF THE 2020 MUNICIPAL BUDGET AND RELATED RESOLUTIONS - PUBLIC HEARING – 4/22/20 @7:30 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD
(Received from Borough Auditor 3/21/20)

6. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCE @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

The following Ordinance was introduced at the Regular Meeting held 2/26/20, and was originally published in The Record issue of 3/3/20, as stated in the Municipal Clerk'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. On 3/12/20 a correction of the Ordinance was published in The Record issue of 3/18/20, as stated in the Municipal Clerk's affidavit of publication. Reprint of this corrected Ordinance was posted on the Municipal Clerk's bulletin board in accordance with statutory requirements, and copies have been made available to the general public.

BOND ORDINANCE NO. 2020:1267, "AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF SEWER CLEANING EQUIPMENT AND VEHICLE IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$435,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$413,250 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME"

ORDINANCES

7. INTRODUCTION OF THE FOLLOWING ORDINANCES – PUBLIC HEARING AND ADOPTION TO BE HELD 4/22/20 , @ 8 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

a. **ORDINANCE NO. 2020:1269**, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200 OF THE CODE OF THE BOROUGH OF CLOSTER-AFFORDABLE HOUSING OVERLAY DISTRICT PURSUANT TO THE RECOMMENDATIONS OF THE BOROUGH'S PROFESSIONALS AND IN ACCORDANCE WITH THE BOROUGH OBTAINING AN ORDER OF COMPLIANCE FOR THE BOROUGH'S AFFORDABLE HOUSING OBLIGATION"
(Received from Borough Attorney 3/20/20)

b. **ORDINANCE NO. 2020:1270**, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200 ARTICLE II AND ARTICLE X INDUSTRIAL AREA OF THE CODE OF THE BOROUGH OF CLOSTER PURSUANT TO THE RECOMMENDATIONS OF THE BOROUGH'S PROFESSIONALS AND IN ACCORDANCE WITH THE OBTAINING OF AN ORDER OF COMPLIANCE " (Received from Borough Attorney 3/20/20)

8a. VOTE ON CONSENT AGENDA ITEMS

All items with an asterisk (*) are considered to be non-controversial by the Council and will be approved by one MOTION.

There may be further discussion prior to the vote upon request of a member of the public or 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.

BOROUGH OF CLOSTER
BOND ORDINANCE NO. 2020:1267

AN ORDINANCE OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF SEWER CLEANING EQUIPMENT AND VEHICLE IN AND FOR THE BOROUGH OF CLOSTER AND APPROPRIATING \$435,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$413,250 IN BONDS OR NOTES OF THE BOROUGH OF CLOSTER TO FINANCE THE SAME

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 or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Closter, in the County of Bergen, New Jersey (the "Borough") as general improvements. For the improvements or purposes described in Section 3 hereof, there is hereby appropriated the sum of \$435,000, including the sum of \$21,750 as the down payment for the improvements or purposes required by the Local Bond Law. The down payment has been made available by virtue of provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvements or purposes not otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$413,250 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The improvements hereby authorized and the purposes for which the bonds or notes are to be issued, the estimated cost of each improvement and the appropriation therefore, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) Purpose: Acquisition of sewer cleaning equipment including, without limitation, vacuum system, boom, debris tank, water system, electrical, toolboxes, hoses and accessories, and including all work and materials necessary therefore or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$325,000
<u>Amount of Down Payment:</u>	\$16,250
<u>Estimated Maximum amount of Bonds or Notes:</u>	\$308,750
<u>Period or Average Period of Usefulness:</u>	15 years

- (b) Purpose: Acquisition of cab and chassis for sewer cleaning equipment and including all work and materials necessary therefore or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$110,000
<u>Amount of Down Payment:</u>	\$5,500
<u>Estimated Maximum amount of Bonds or Notes:</u>	\$104,500
<u>Period or Average Period of Usefulness:</u>	5 years

(c) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(d) The estimated cost of the improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by 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 bond ordinance, and the chief financial officer's signature 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 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 governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond 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 or temporary capital budget (as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 12.47 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the 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 \$413,250, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$10,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the 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 real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

RESOLUTIONS

- *9. RESOLUTION AUTHORIZING DEPUTY TREASURER TO RELEASE AND RETURN REMAINING PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT ESCROW FUNDS TO EIGHT (8) NAMED APPLICANTS FOR SATISFACTORY COMPLETION OF ALL REQUIRED IMPROVEMENTS PER PLANNING/ZONING BOARD PROFESSIONALS’ DETERMINATION; AND ALL FEES DUE FOR SERVICES RENDERED HAVE BEEN RECEIVED (Received from Deputy Treasurer 3/12/20)
- *10. RESOLUTION AUTHORIZING CONTRACT WITH APPROVED STATE CONTRACT PRICING SYSTEM VENDOR PURSUANT TO N.J.S.A. 40A:11-11 FOR 900-ECO 9 YARD TRUCK MOUNTED COMBINATION SEWER CLEANER SYSTEM AND ASSOCIATED EQUIPMENT FOR AN AMOUNT NOT TO EXCEED \$425,000 BOROUGH (Bond) ORDINANCE 2020:1267, CAPITAL ACCOUNT C-04-20-267-000-001 (Received from Administrator’s office 3/17/20)
- *11. RESOLUTION SETTING THE 2020 FEE FOR SEWER SERVICE TO ALPINE PROPERTIES AT AN ANNUAL RATE OF \$996.79 (Received from Administrator’s office 3/19/20)
- *12. RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT TO PROVIDE GAS PUMPING FACILITIES TO THE BOROUGH OF HARRINGTON PARK, BOROUGH OF DEMAREST AND NORTHERN VALLEY REGIONAL HIGH SCHOOL (Received from Borough Attorney 3/19/20)
- *13. RESOLUTION OPPOSING SENATE BILL S-1017 (Received from Borough Attorney 3/20/20)
- *14. RESOLUTION – COUNCIL APPROVING EMERGENCY PURCHASES AND EXPENSES DURING COVID-19 PANDEMIC (Received from Administrator’s office 3/20/20)

MOTIONS

- *15. MOTION APPROVING THE FOLLOWING MINUTES: NO ABSTENTIONS (Distributed 3/19/20):
 - a. REGULAR MEETING HELD MARCH 11, 2020
 - b. WORK SESSION HELD MARCH 11, 2020
- *16. MOTION APPOINTING THE FOLLOWING **BOROUGH PROFESSIONALS** NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/20 – RESOLUTIONS TO BE PREPARED BY BOROUGH ATTORNEY – Professional Services Opening held Wednesday, 3/4/20 @ 10 a.m.

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Financial Advisory Services*	<u>Daniel C. Mariniello</u> NW Financial Group, LLC	Resolution Advertising Re-Bid Approved RM 2/12/20	1 Year	31-Dec-20
Risk Management Consultant*	<u>Richard M. Keating</u> Trinity Brokerage, Inc.	Resolution Advertising Re-Bid Approved RM 2/12/20	1 Year	31-Dec-20

- *17. MOTION APPROVING THE FOLLOWING **NON-SALARIED** APPOINTMENTS TO BOARDS AND COMMISSIONS NOT MADE AT THE REORGANIZATION MEETING HELD 1/2/20:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Board of Ethics				
Member	<u>Joann Hildenbrand</u>	_____	5 Years	31-Dec-24
Food and Assistance Board				
Member	<u>VACANT</u>	_____	2 Years	31-Dec-21
Historic Preservation Commission				
Alternate No. 2	<u>VACANT</u>	_____	2 Years	31-Dec-21
Improvement Commission				
Alternate No. 2	<u>Andrew Correa</u> (Appt'd to Member RM 2/26/20)	_____	2 Years (Unexp. Correa)	31-Dec-20
Recreation Commission				
Member	<u>Steven Potterton</u> (Dec. Feb. 2020)	_____	5 Years (Unexp. Potterton)	31-Dec-22

- *18. REPORTS
(None received at the time of preparation of this Agenda)

CLOSTER MAYOR AND COUNCIL

REGULAR MEETING AGENDA – WEDNESDAY, MARCH 25, 2020 - 7:30 P.M.

- 8b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA
- 19. 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)
- 20. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY
- 21. ADJOURNMENT

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