

**MAYOR AND COUNCIL  
BOROUGH OF CLOSTER**

**REGULAR MEETING MINUTES – WEDNESDAY, DECEMBER 22, 2021 – 9:28 P.M.,  
immediately following the work session**

**Mayor Glidden opened the meeting with the following public 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. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of 2021 Mayor and Council Meetings which was published in The Record on January 15, 2021 and The Star Ledger on January 18, 2021, was posted on the Municipal Clerk's bulletin board and on the Borough website, and has remained posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

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

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

The Mayor introduced Bill Bailey, attorney, who read the title of the resolution he wrote to memorialize the Mayor and Council's non-endorsement of Nature's Touch Medical Marijuana Dispensary at 273 Closter Dock Road. All of the Council agreed to add the resolution to the Consent Agenda. The Council president read the resolution. Councilwoman Latner moved to approve this resolution separately, second Councilwoman Amitai.

Councilwoman Amitai-yes  
Councilwoman Chung-yes  
Councilman Devlin-yes

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

4. The Mayor read the following REVIEW OF CONSENT AGENDA ITEMS: Items 6 and 12 were pulled for a separate vote.

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

- \*4. BILL LIST (Received from Finance on 12-16-21)
- \*5. RESOLUTION ACCEPTING THE NEW JERSEY DEPARTMENT OF LAW & PUBLIC SAFETY OFFICE OF ATTORNEY GENERAL GRANT FOR BODY-WORN CAMERAS (RECEIVED FROM POLICE ON 12/08/21)
- \*6. RESOLUTION FOR FINALIZING OF TREE APPEALS PROVIDED TO THE GOVERNING BODY BETWEEN JUNE 2020 AND JANUARY 2021 (Received from Administrator's Office 12/07/21)
- \*7. RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER (Received from Finance on 12-15-21)
- \*8. RESOLUTION AUTHORIZING REFUND OF TREE BOND ESCROW (Received from Finance on 12-16-21)
- \*9. RESOLUTION AUTHORIZING SEWER CONNECTION FOR ALPINE RESIDENT, RUDY GOFMAN, IN ACCORDANCE WITH CLOSTER/ALPINE SEWER AGREEMENT DATE 8/5/1994 (Received from Administration 12-16-21)

\*10. RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH BOSWELL ENGINEERING TO PROVIDE ENGINEERING SERVICES FOR THE 2021 IMPROVEMENT OF BOROUGH WATERWAYS IMPACTED BY HURRICANE IDA-BOWELL FILE NO. PR-21-10688 (Received from Administration 12-16-21)

\*11. TRANSER RESOLUTION No. 1 AUTHORIZING THE TRANSFER OF 2021 BUDGET APPROPRIATIONS (Received from Finance 12-16-21)

\*12. MOTIONS  
MOTION GRANTING APPROVAL FOR BPOE #2304 CLOSTER LODGE, 148 RAILROAD AVE., CLOSTER, NJ 07624, TO CONDUCT OFF PREMISE CASH RAFFLE AT 148 RAILROAD, ON FEBRUARY 20, 2022 FROM 4PM TO 8PM.

\*13. REPORTS  
a. POLICE DEPARTMENT – NOVEMBER 2021  
Councilwoman Latner moved to approve the Consent Agenda (minus Items 6 and 12), second Councilwoman Amitai.  
Councilwoman Amitai-yes                      Councilwoman Latner-yes  
Councilwoman Chung-yes                      Councilwoman Witko-yes  
Councilman Devlin-yes                      Councilman Yammarino-yes  
Carried.

4b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA  
Councilman Devlin moved to approve Item 6, second Councilwoman Latner.  
Councilwoman Amitai-yes                      Councilwoman Latner-yes  
Councilwoman Chung-no                      Councilwoman Witko-no  
Councilman Devlin-yes                      Councilman Yammarino-no  
Mayor Glidden-yes  
Carried.

Councilwoman Latner moved to approve Item 12, second Councilwoman Amitai.  
Councilwoman Amitai-yes                      Councilwoman Latner-yes  
Councilwoman Chung-yes                      Councilwoman Witko-no  
Councilman Devlin-yes                      Councilman Yammarino-abstain  
Carried.

Councilman Devlin asked for clarification of the 2/3 necessary vote for budget amendment.

Councilwoman Amitai mentioned that bamboo had been removed and that a barrier will be installed and that the new owner had not been informed of the situation. Councilwoman Chung asked whether it should be clarified who would be paying for it. The Mayor stated that the Borough is paying for it. The administrator said that there is an agreement with the landscape architect, but there is no agreement for the removal.

Councilwoman Latner moved to go into Closed Session for Personnel matters and Contract matters, second Councilwoman Chung. All in favor. Carried.

Mayor Glidden recommended bringing on Huntington Bailey as interim borough attorney at the same pro rata rate as Ed Rogan and a retainer per hour rate for items not included.  
Councilwoman Latner moved to approve the resolution, second Councilwoman Amitai.

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

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

15. 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)

16. ADJOURNMENT Councilwoman Latner moved to adjourn, second Councilwoman Chung. All in favor.  
Meeting adjourned at 9:47 p.m.

Respectfully submitted,

Stephanie Evans, Deputy Borough Clerk

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

**BOROUGH OF CLOSTER**

**RESOLUTION ACCEPTING THE NJ DEPT. OF LAW & PUBLIC SAFETY OFFICE OF ATTORNEY GENERAL GRANT FOR BODY-WORN CAMERAS**

**WHEREAS**, the town of Closter is committed to transparency, technology advancements and safety of their police officers and community members; and

**WHEREAS**, the use of body-worn cameras is a great tool for law enforcement to help fulfil the needs of the department and the community; and

**WHEREAS**, the Closter Police Department applied for a grant from the NJ Department of Law & Public Safety Office of the Attorney General after the approval of P.L.2020 Chapter 128 ; and

**WHEREAS**, on 7/19/21 the Closter Police Department was awarded a SFY21 BodyWorn Camera Grant in the amount of \$50,950.00 (Award Number 21-BWC-106) for the period of January 1, 2021 through December 31, 2025; and

**WHEREAS**, the Mayor and Council of the Borough of Closter acknowledge and accept the grant.

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

- 1) The Mayor and Council accept these grant funds on behalf of the Borough of Closter to be used for the implementation of body-worn cameras; and
- 2) The Mayor is authorized to sign the required grant forms provided by the NJ Department of Public Safety Office of Attorney General.

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

Adopted: December 22, 2021

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 a Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held December 22, 2021.

Stephanie Evans  
Stephanie Evans, Acting Borough Clerk

**BOROUGH OF CLOSTER  
BERGEN COUNTY  
RESOLUTION**

**RESOLUTION FOR FINALIZATION OF TREE APPEALS PROVIDED TO THE  
GOVERNING BODY BETWEEN JUNE 2020 and JANUARY 2021**

WHEREAS, during calendar years 2020 and 2021 the governing body of the Borough of Closter has received seven requests of appeal of fines in violation of the Borough Ordinances, Chapter 59 and 181; and

WHEREAS, the Mayor appointed a committee to review the nature of these requests of the appeals listed on Exhibit A; and;

WHEREAS, on August 18, 2021 the Committee finalized its review of these appeals, attached as Exhibit A, and which the governing body reviewed and discussed at its regularly scheduled meeting held on December 22, 2021;

NOW, THEREFORE BE IT RESOLVED, the governing body of the Borough of Closter formally approves the proposed action detailed in Exhibit A of the Summary of Tree Appeals Spreadsheet – New Update as of August 18, 2021; and

BE IT FURTHER RESOLVED that the Mayor and Council authorize the Borough Attorney or designee to execute letters of notice to the property owners; and

BE IT FURTHER RESOLVED that the Borough Clerk shall provide copies of this resolution to the Administrator, Building Department and Finance Office.

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

Mayor Glidden

X

Adopted: December 22, 2021

ATTEST:

APPROVED:

Stephanie Evans  
Stephanie Evans, Acting Borough Clerk

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

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Stephanie Evans  
Stephanie Evans, Acting Borough Clerk

**BOROUGH OF CLOSTER**

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER**

**WHEREAS**, at the Municipal Tax Sale held on the 29<sup>th</sup> day of September 2021, a lien was sold on **Block 2210; Lot 3** also known as **14 Mac Arthur Avenue** in Closter, NJ for 2020 delinquent taxes, and,

**WHEREAS**, this lien, known as Tax Sale Certificate #21-00004 was sold to US Bank Cust/PC8 Firstrust Bank.

**WHEREAS**, the Title Company has affected redemption of said property, TSC #21-00004, in the amount of \$40,480.09 on December 13, 2021,

**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 authorized to issue a check in the amount of **\$40,480.09** for redemption and a check in the amount of **\$164,000.00** for return of Premium Paid at Tax Sale to **US Bank Cust/PC8 Firstrust Bank** for said certificate.

(Interest through 12/30/2021)

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

**ADOPTED:** December 22, 2021

ATTEST:

Stephanie Evans  
Stephanie Evans, Acting Borough Clerk

APPROVED:

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

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter at the Regular Meeting held December 22, 2021.

Stephanie Evans  
Stephanie Evans, Acting Borough Clerk

**BOROUGH OF CLOSTER**

**RESOLUTION AUTHORIZING REFUND OF TREE BOND ESCROW**

WHEREAS, the Agreement with Susman, Jeffrey, was required to post a Tree Bond in the amount of \$4,500.00, which included \$600.00 of related Engineering escrow, for planting of trees at Block 2213, Lot 3, and

WHEREAS, the Building Department in an E-Mail dated November 15, 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>Category</u>	<u>Amount</u>
2213	3	368 Anderson Avenue	Susman, Jeffrey	Tree	\$3,900.00
				Engineering	\$ 265.54

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 \$4,165.54 tree bond escrow monies to the applicant mentioned above

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

Adopted: December 22, 2021

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 December 22, 2021

Stephanie Evans  
Stephanie Evans, Acting Borough Clerk

**BOROUGH OF CLOSTER**

**RESOLUTION AUTHORIZING SEWER CONNECTION FOR  
ALPINE RESIDENT, RUDY GOFMAN,  
IN ACCORDANCE WITH CLOSTER/ALPINE SEWER AGREEMENT DATED 8/5/1994**

WHEREAS, on or about August 5, 1994, the Borough of Closter and the Borough of Alpine entered into a sewer connection agreement; and

WHEREAS, a request for sewer connection pursuant to that agreement has been received by the Borough of Closter from the property owner, Rudy Gofman, of 18 Old Saw Mill Road, Block 70, Lot 26, Alpine, New Jersey and was considered by the Governing Body at the October 13, 2021 Council Meeting; and

WHEREAS, the Borough of Closter Engineer has reviewed the sanitary sewer connection plan and finds them to be in compliance; and

WHEREAS, the Governing Body agreed that it was in the best interest of the residents to allow this connection.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey, that the aforementioned sewer connection is hereby approved by the Governing Body of the Borough of Closter, subject to payment of the required fees.

THEREFORE, BE IT FURTHER RESOLVED the Borough Clerk shall provide a certified copy of this resolution to the Borough Clerk, Borough of Alpine, New Jersey.

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

Adopted: December 22, 2021

ATTEST:

APPROVED BY:

Stephanie Evans  
Stephanie Evans, Acting Borough Clerk

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

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Stephanie Evans  
Stephanie Evans, Acting Borough Clerk

EL:lw

**BOROUGH OF CLOSTER**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT  
WITH BOSWELL ENGINEERING TO PROVIDE ENGINEERING SERVICES  
FOR THE 2021 IMPROVEMENT OF BOROUGH WATERWAYS IMPACTED  
BY HURRICANE IDA BOSWELL FILE NO. PR-21-10688**

**WHEREAS**, the Borough of Closter, by resolution dated January 4, 2021, entered into an annual contract with Boswell Engineering for the provision of professional engineering services; and

**WHEREAS**, the Borough of Closter was impacted negatively by Hurricane Ida along certain streams and waterways; and

**WHEREAS**, there is a need for cleaning, bank stabilization and de-snagging of the impacted waterways; and

**WHEREAS** additional professional engineering services are required for the project known as Improvement of Borough Waterways Impacted By Hurricane Ida; and

**WHEREAS**, the Borough of Closter has requested Boswell Engineering to provide these services in an effort to advance this project; and

**WHEREAS**, Boswell Engineering has offered to provide the additional, engineering services in a proposal dated December 16, 2021, copy attached, for an amount not to exceed **\$247,000.00**; 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

**WHEREAS**, it is deemed to be in the best interests of the Borough for the Mayor and Council to enter into a contract amendment with and thereby authorizing Boswell Engineering to undertake such additional work and responsibility for an amount not to exceed **\$247,000.00** for the initial engineering tasks; and

**WHEREAS**, the Treasurer of the Borough of Closter has (by a Certificate of Availability of Funds) certified, pursuant to N.J.S.A. 40A:9-140.1 et seq. and N.J.A.C. 5:30-5.4, that the funds, which are required by the Borough for the retention of Boswell Engineering, will be available upon the completion of the estoppel period of Borough Ordinance 2021:1287; and;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that it does hereby approve the execution by the Mayor and Borough Clerk of a contract amendment to the Borough's contract with Boswell Engineering under which Boswell Engineering will provide the additional professional services at an amount not to exceed **\$247,000.00**; and

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

**BE IT FURTHER RESOLVED** that the Borough Clerk is authorized and directed, in accordance with the notice of publication provisions of N.J.S.A. 40A:11-5(1)(a), to publish a notice of this action once in the official newspaper of the Borough; and

**BE IT FURTHER RESOLVED** that the award of the contract amendment shall be in accordance with and subject to compliance with the Affirmative Action Regulations of the State of New Jersey, N.J.A.C. 17:27-1.1, et seq., and the requirements of Public Laws 1975 Chapter 127, N.J.S.A. 10:5-31 to 38; and

**BE IT FURTHER RESOLVED** that the contract amendment is being awarded in accordance with the provisions of N.J.S.A. 19:44A-20.1, et seq.



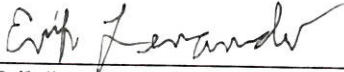
**BE IT FURTHER RESOLVED** that no work shall commence until the completion of the estoppel period of Borough Ordinance 2021:1287; and

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

**CERTIFICATE OF AVAILABILITY OF FUNDS**

I, Erik Lenander, Treasurer of the Borough of Closter, hereby certify, pursuant to NJSA 40A:9-140.1, et seq. and NJAC 5:30.4, that the funds will available upon the completion of the estoppel period of Borough Ordinance 2021:1287 to the Borough of Closter for calendar year 2021.


Dated: December 22, 2021

  
Erik Lenander, Treasurer


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

Adopted: December 22, 2021

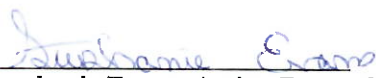
ATTEST:

  
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 December 22, 2021.

  
Stephanie Evans, Acting Borough Clerk

EL:tw

**BOROUGH OF CLOSTER**

**TRANSFER RESOLUTION NO. 1  
AUTHORIZING THE TRANSFER OF 2021 BUDGET APPROPRIATIONS**

WHEREAS, N.J.S.A. 40A:4-58 provides that should it become necessary during the last two months of the fiscal year, the amount to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriations over and above the above the amount deemed to be necessary to fulfill the purpose of such appropriation, the governing body may, by resolution setting forth the facts, **adopted by not less than 2/3 vote of the full membership** thereof, transfer the amount of such excess to those appropriations deemed to be insufficient; no transfers may be made to appropriations for contingent expenses or deferred charges.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter that the Assistant Chief Financial Officer be and is hereby authorized to make the following transfers in the 2021 Budget Appropriations:

<u>FROM:</u>	<u>ACCOUNT NUMBER</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
	1-01-20-145-000-011	REVENUE ADMIN - S&W	\$ 8,300.00
	1-01-22-195-000-011	CONSTRUCTION - S&W	15,000.00
	1-01-20-150-000-011	ASSESSOR - S&W	400.00
	1-01-20-130-000-011	FINANCE - S&W	8.00
	1-01-20-120-000-011	MUNICIPAL CLERK - S&W	880.00
	1-01-22-195-000-011	CONSTRUCTION - S&W	1,300.00
	1-01-22-195-000-171	CONSTRUCTION - MISC.	88.00
	1-01-23-220-000-171	GROUP INSURANCE -MISC.	\$ 204.00
			<u>\$26,180.00</u>

<u>TO:</u>	<u>ACCOUNT NUMBER</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
	1-01-22-196-000-011	ZONING OFFICER - S&W	\$ 8,300.00
	1-01-20-100-000-011	GENERAL ADMIN. S&W	15,000.00
	1-01-26-306-000-011	RECYCLING S&W	400.00
	1-01-25-252-000-011	OEM - S&W	8.00
	1-01-26-315-000-011	VEHICLE MAINT. - S&W	880.00
	1-01-21-185-000-011	ZONING BOARD - S&W	1,300.00
	1-01-22-201-000-020	CODE ENFORCEMENT - OE	88.00
	1-01-23-230-000-179	OTHER INSURANCE PREMIUMS	\$ 204.00
			<u>\$26,180.00</u>

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

Adopted: December 22, 2021

ATTEST:

Stephanie Evans  
Stephanie Evans, Acting Borough Clerk

APPROVED BY:

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

Certified to be a true copy of Resolution adopted at the Regular Meeting by the Mayor and Council of the Borough of Closter on December 22, 2021.

Stephanie Evans  
Stephanie Evans, Acting Borough Clerk

**BOROUGH OF CLOSTER**

**RESOLUTION DECLARING ITS NON-ENDORSEMENT OF APPLICATION FOR AWARD OF PERMIT TO OPERATE AN ALTERNATIVE TREATMENT CENTER FOR NATURE’S TOUCH MED NJ LLC**

**WHEREAS**, the Borough of Closter was advised that the Cannabis Regulatory Commission issued an Award of Dispensary Permit Endorsement to Operate an Alternative Treatment Center (“ATC”) Pursuant to the 2019 Request for Application Process to Nature’s Touch Med NJ LLC; and,

**WHEREAS**, the Application submitted by Nature’s Touch incorporated a Zoning Permit issued in 2019 which purportedly authorized and approved an application for the sale of medical marijuana for the property located at 273 Closter Dock Road; and,

**WHEREAS**, as part of the final award of the permit Nature’s Touch must provide to the Cannabis Regulatory Commission proof of local approval for the endorsement; and

**WHEREAS**, the Borough of Closter unequivocally does not support or endorse the issuance of the permit as the Zoning Permit for the property was improperly issued, the issuance of the Zoning Permit was not an action of the Governing Body of the Borough of Closter and did not have municipal support, and the Borough of Closter having thereafter adopted an Opt-Out Ordinance as identified as Ordinance 2021-1279 prohibiting all classes of cannabis businesses as authorized by the Cannabis Regulatory Commission.

**NOW THEREFORE, BE IT AFFIRMED BY THE BOROUGH OF CLOSTER THAT:**

1. The Borough of Closter does not endorse, support or authorize the issuance of a Permit by the Cannabis Regulatory Commission to Nature’s Touch Med NJ LLC for the utilization of the premises at 273 Closter Dock Road as an Alternative Treatment Center.
2. The issuance of the 2019 Zoning Permit to Nature’s Touch Med NJ LLC has lapsed as is no longer in full force and effect.
3. The issuance of the 2019 Zoning Permit to Nature’s Touch Med NJ LLC was improper and ultra vires, thereby being null and void.
4. The Borough of Closter has subsequently opted out of all six (6) classes of cannabis businesses (Ordinance 2021-1279) as authorized by the Cannabis Regulatory Commission and similarly does not desire or authorize the sale of medical marijuana or issuance of a permit for an ATC within any zone of the Borough of Closter.
5. This Resolution shall be sent to the Cannabis Regulatory Commission upon its execution in opposition to the awarding of a Permit to operate an ATC to Nature’s Touch Med NJ LLC.
6. This Resolution shall take effect immediately.

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

Adopted:  
ATTEST:

APPROVED BY:

Stephanie Evans  
Stephanie Evans, Acting Borough Clerk

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

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Stephanie Evans  
Stephanie Evans, Acting Borough Clerk

**BOROUGH OF CLOSTER  
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) (1)  A matter required by law to be held confidential.
- N.J.S.A. 10:4-12 (b) (2)  A matter in which the release of information would impair a right to receive funds from the United States Government.
- N.J.S.A. 10:4-12 (b) (3)  A matter which would constitute an unwarranted invasion of privacy.
- N.J.S.A. 10:4-12 (b) (4)  A collective bargaining agreement.
- N.J.S.A. 10:4-12 (b) (5)  A matter involving the expenditure of public funds for the acquisition of real property.
- N.J.S.A. 10:4-12 (b) (6)  A matter involving the setting of banking notes or investment of public funds.
- N.J.S.A. 10:4-12 (b) (6)  Tactics and techniques utilized in protecting the safety and property of the public.
- N.J.S.A. 10:4-12 (b) (7)  An investigation of the violation or possible violations of the law.
- N.J.S.A. 10:4-12 (b) (7)  Pending or anticipated litigation or contract negotiations.
- N.J.S.A. 10:4-12 (b) (7)  A matter falling within the attorney-client privilege.
- N.J.S.A. 10:4-12 (b) (8)  A matter involving public employees
- N.J.S.A. 10:4-12 (b) (8)  A matter involving public officers.
- N.J.S.A. 10:4-12 (b) (a)  Deliberations following public hearing of the governing body that might result in a civil penalty, suspensions or loss of license of permit.

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

which should be within \_\_\_\_\_ weeks.

(b) That the items under discussion in the closed meeting will not be disclosed to the public.

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Councilman Devlin			<input checked="" type="checkbox"/>			
Councilwoman Latner	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			
Councilwoman Witko		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
Councilman Yammarino			<input checked="" type="checkbox"/>			
Councilwoman Chung			<input checked="" type="checkbox"/>			
Councilwoman Amitai			<input checked="" type="checkbox"/>			

Adopted:

ATTEST:

Stephanie Evans  
Stephanie Evans, Acting Borough Clerk

APPROVED BY:

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 12-22-21

Stephanie Evans  
Stephanie Evans, Acting Borough Clerk