

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – WEDNESDAY, MARCH 24, 2021 - 7:30 P.M

The Mayor and Council of the Borough of Closter held a Regular Meeting on Wednesday, March 24, 2021. Mayor Glidden called the meeting to order at 9:10 p.m. and read the following statement:

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 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. ROLL CALL

The following persons were present:

Mayor John C. Glidden, Jr.
Borough Administrator, Edward Hynes
Borough Attorney, Edward T. Rogan
Borough Engineer, Nick DeNicola
IT Coordinator, Kevin Whitney

The following persons participated via telephone:

Councilpersons Scott Devlin, Alissa Latner, Dolores Witko, Joseph Yammarino,
Jannie Chung and Victoria Amitai
Borough Clerk, Arlene Marie Gray
Chief Financial Officer, Joseph Luppino
Chief of Police, Jack McTigue

The following persons were not present:

3. MAYORAL APPOINTMENTS TO BOARDS AND COMMISSIONS: None

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
*Environmental Commission				
Associate Member / Shade Tree Liaison / Chair	<u>Ethel Abrams</u>	<u>NO APPOINTMENT</u>	1 Year	31-Dec-21
Associate Member/Historic Preservation Liaison	<u>Bobbie Bouton-Goldberg</u>	<u>NO APPOINTMENT</u>	1 Year	31-Dec-21
*Shade Tree Commission				
Member / Shade Tree Liaison	<u>Nancy Pergament</u>	<u>NO APPOINTMENT</u>	5 Years Unexp. (Pergament)	31-Dec-21

4. MAYORAL PROCLAMATION DECLARING APRIL 30, 2021 AS ARBOR DAY IN THE BOROUGH OF CLOSTER (Received from Mayor's Office 3/15/21)

Mayor Glidden read and so declared.

ORDINANCES

5. INTRODUCTION OF THE FOLLOWING ORDINANCE – PUBLIC HEARING AND ADOPTION 4/14/20 @ 8 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

ORDINANCE NO. 2021:1278, “CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)” (Received from Auditor 3/19/21)

Motion Introducing Ordinance No. 2021:1278 was made by Councilman Yammarino, seconded by Councilwoman Latner and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino, Chung and Amitai.

- 6a. REVIEW OF CONSENT AGENDA ITEMS

Motion approving the Consent Agenda was made by AL

seconded by DW

and declared carried by Mayor Glidden upon the affirmative vote of Councilpersons Devlin, Latner, Witko, Yammarino, Chung and Amitai.

RESOLUTIONS

7. BILL RESOLUTION – MARCH 24, 2021
(Received from Finance Office 3/18/21)
8. RESOLUTION AUTHORIZING THE CONTINUANCE OF THE AGREEMENT BETWEEN THE BOROUGH AND BERGEN COUNTY ADA COOPERATIVE CURB RAMP CONSTRUCTION GRANT PROGRAM (Resolution No. 98-20) and SHARED SERVICES AGREEMENT for COUNTY ROAD RESURFACING PROGRAM (Resolution No. 70-20) Received from Administrator’s Office 3/8/21
9. RESOLUTION SUPPORTING OUTDOOR DINING ESTABLISHMENTS AND TEMPORARILY SUSPENDING PORTIONS OF CHAPTER 141 (Received from Borough Attorney 3/12/21)
10. RESOLUTION ENDORSING SUBMISSION OF THE 2020 MUNICIPAL RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND DESIGNATING CAROLE DACEY TO ENSURE PROPER FILING OF SAID APPLICATION (Requested by Recycling Coordinator 3/15/21)
11. TAX REIMBURSEMENT CERTIFICATION OF SUBMISSION OF EXPENDITURE FOR TAXES PAID PURSUANT TO THE RECYCLING ENHANCEMENT ACT, P.L. 2007, Ch. 311, IN 2020 IN THE AMOUNT OF \$9,980.88 (Requested by Recycling Coordinator 3/15/21)
12. RESOLUTION HIRING LUDWINA LANG AS PART TIME PROBATIONARY CROSSING GUARD AT A RATE OF \$17.00 PER HOUR EFFECTIVE 3/24/21 (Received from Chief of Police 3/16/21)
13. RESOLUTION AUTHORIZING THE CONSUMPTION OF WINE DURING CERTAIN MONTHLY OPENING RECEPTIONS HELD AT THE BELSKIE MUSEUM OF ART AND SCIENCE FOR THE CALENDAR YEAR 2021 PURSUANT TO CHAPTER 67 OF THE CLOSTER CODE (Received from Borough Attorney 3/17/21)
14. RESOLUTION AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS (Received from Assistant CFO 3/17/21) ****2/3 MAJORITY VOTE REQUIRED**
15. RESOLUTION AUTHORIZING THE PAYMENT OF ACCRUED VACATION AND SICK DAYS TO DOROTHY WOODS UPON RETIREMENT (Received from Assistant CFO 3/17/21)
16. RESOLUTION APPROVING SETTLEMENT OF TAX APPEALS FOR THE YEARS 2019 AND 2020: DWL MONMOUTH, INC. v. CLOSTER BOROUGH (Received from Borough Attorney 3/17/21)
17. RESOLUTION AUTHORIZING AGREEMENT of SERVICES WITH EP & G AN INDEPENDENT (Electricity) ADVISORY FIRM (Received from Administrator’s Office 3/18/21/Approval received from Borough Attorney 3/18/21)
18. RESOLUTION AUTHORIZING AGREEMENT FOR LANDSCAPE ARCHITECT, MACBAIN FARM BAMBOO REMOVAL PROJECT (Received from Administrator’s Office 3/18/21)
19. RESOLUTION AUTHORIZING THE HIRING OF PART TIME FIRE SUB-CODE OFFICIAL - Richard T. Silvia, at an hourly rate of \$50.00/hour; not to exceed six (6) hours per week (Received from Administrator’s Office 3/18/21)
20. RESOLUTION AUTHORIZING THE HIRING OF PART TIME BUILDING SUB-CODE OFFICIAL - J. Scott Jezequel at an hourly rate of \$50.00/hour; not to exceed ten (10) hours per week (Received from Administrator’s Office 3/18/21)
21. RESOLUTION SETTING THE 2021 FEE FOR SEWER SERVICE TO ALPINE PROPERTIES (Received from Administrator’s Office 3/16/21)

MOTIONS

22. MOTION APPROVING THE FOLLOWING **NON-SALARIED** APPOINTMENTS TO BOARDS AND COMMISSIONS NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/21:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Board of Ethics				
Member	<u>VACANT</u>	_____	5 Years Unexp. (Vacant)	31-Dec-24
Food and Assistance Board				
Member	<u>VACANT</u>	_____	2 Years Unexp. (Vacant)	31-Dec-21

22. MOTION APPROVING THE FOLLOWING **NON-SALARIED** APPOINTMENTS TO BOARDS AND COMMISSIONS NOT MADE AT THE REORGANIZATION MEETING HELD 1/4/21: Continued

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRES</u>
Historic Preservation Commission				
Alternate No. 2	<u>VACANT</u>	_____	2 Years Unexp. (Vacant)	31-Dec-21

23. REPORTS

- a. CHIEF OF POLICE – FEBRUARY 2021 (Received 3/17/21)

6b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

14. RESOLUTION AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS (Received from Assistant CFO 3/17/21) ****2/3 MAJORITY VOTE REQUIRED**

Motion JY/AL y, y, y, y, y, y

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

- 21a. Sidewalk Waiver 60 Anderson Avenue – BC missed it – large Agenda. ETR said was discussed and should not hold up applicant so can be voted on. Mayor did not object.

VA/AL y, y, y, y, y, y,

25. 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)

Mayor Glidden opened the meeting to the public. No One

26. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:23 p.m.
 was made by AL
 seconded by JY
 and declared unanimously carried by Mayor Glidden.

Provided to the Mayor and Council on
 for approval at the
 Regular Meeting to be held

 Arlene Marie Gray, RMC
 Borough Clerk

Prepared by Arlene Marie Gray, RMC
 utilizing recording and
 Substitute Borough Clerk's
 notes

Approved at the Regular Meeting held
 Consent Agenda Item No.

THE BOROUGH OF CLOSTER, NJ
 BERGEN COUNTY, NJ

WHEREAS, the claims listed below have been authorized and approved by the Chairman of the Committee, examined by the Finance Committee, and found correct. Therefore

BE IT RESOLVED, that the Mayor and Council hereby authorize the payment of these claims, and that warrants be drawn therefore when funds are available.

Budgeted	Amount
Closter Board of Education February 21'	\$1,709,772.92
Northern Valley High School February 21'	\$1,493,747.50
2020 Budget Appropriations	\$29,356.08
2021 Budget Appropriations – Operating Expenses	\$225,493.91
Payroll 2/12/21	\$300,700.22
Payroll 2/26/21	\$293,511.52
Current Treasury Account February 25, 2021 – March 24, 2021	\$4,052,582.15

Capital and Trust	Amount
Capital	\$3,616.82
Escrow Trust	\$7,479.68
Animal Trust	\$10,009.40

The foregoing resolution was adopted at a meeting of the Mayor and Council held on March 24, 2021

Attest:

Approved:

 Arlene Gray, Borough Clerk

 John C. Glidden, Jr., Mayor

Range of Checking Accts: 01CURRENT to 21 CDBG MANUAL Range of Check Dates: 02/25/21 to 03/24/21
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: N Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
01CURRENT		CURRENT TREASURY ACCOUNT			
15614	02/25/21	CLOST070 CLOSTER PUBLIC LIBRARY	62,585.33		5618
15615	02/26/21	BOROU081 BOROUGH OF HAWORTH	1,937.78		5620
15616	03/02/21	DIREC001 DIRECT ENERGY BUSINESS	2,019.95		5623
15617	03/02/21	PUBLI000 PUBLIC SERVICE ELECTRIC & GAS	1,772.05		5623
15618	03/02/21	ROCKL015 ROCKLAND ELECTRIC COMPANY	8,449.59		5623
15619	03/11/21	ALFON000 ALFONSO DIASPARRA	163.73		5628
15620	03/11/21	ALPHO000 ALPHONSO H. YOUNG JR.	1,749.97		5628
15621	03/11/21	ANDRE010 ANDREW ORLICH	629.46		5628
15622	03/11/21	BONNI000 BONNIE SWITZER	163.73		5628
15623	03/11/21	CHIEF000 DAVID BERRIAN	402.23		5628
15624	03/11/21	CHRIS033 CHRISTOPHER DIPPOLITO	1,781.14		5628
15625	03/11/21	DAVID050 DAVID HOLLENDER	512.03		5628
15626	03/11/21	DENNI005 DENNIS KAINÉ	1,534.52		5628
15627	03/11/21	DONAL010 DONALD NICOLETTI	1,749.97		5628
15628	03/11/21	DONDE000 DONN DEEGAN	1,534.52		5628
15629	03/11/21	DONOV000 DONOVAN BLADES	352.43		5628
15630	03/11/21	JAMES000 JAMES B. WINTERS	1,749.97		5628
15631	03/11/21	JAMES035 JAMES GORDON	262.93		5628
15632	03/11/21	JAMES080 JAMES G. GABETTIE	163.76		5628
15633	03/11/21	JEROM000 JEROME IKALOWYCH	1,534.52		5628
15634	03/11/21	JOSEP020 JOSEPH CORVELLI	924.29	03/11/21 VOID	5628
15635	03/11/21	KEVIN000 KEVIN M. DOERR	1,534.52		5628
15636	03/11/21	LORET000 LORETTA CASTANO	163.73		5628
15637	03/11/21	MICHA026 MICHAEL DILUZIO	163.73		5628
15638	03/11/21	NORMA010 NORMA T. KETLER	163.73		5628
15639	03/11/21	RICHA040 RICHARD D'AMICO	512.03		5628
15640	03/11/21	ROBER015 ROBERT C. TALMO	199.79		5628
15641	03/11/21	RONAL010 RONALD GAFFNEY	155.05		5628
15642	03/11/21	THOMA025 THOMAS MCNAMARA	163.73		5628
15643	03/11/21	TIMOTH00 TIMOTHY CONWAY	709.52		5628
15644	03/11/21	WILLI040 WILLIAM HOWARD	511.21		5628
15645	03/11/21	WMCLO000 WILLIAM MCLOUGHLIN	1,749.97		5628
15646	03/11/21	JOSEP020 JOSEPH CORVELLI	830.78		5629
15647	03/15/21	ALFON000 ALFONSO DIASPARRA	147.43		5631
15648	03/15/21	DONAL010 DONALD NICOLETTI	1,566.35		5631
15649	03/16/21	DOGWA005 DOG WASTE DEPOT	289.65		5634
15650	03/16/21	ZUMUS000 Zumu Software	1,200.00		5635
15651	03/17/21	ROCKL015 ROCKLAND ELECTRIC COMPANY	721.23		5637
15652	03/17/21	SPECTR00 SPECTROTÉL	2,346.14		5637
15653	03/17/21	UNITE020 SUEZ WATER NEW JERSEY	654.36		5637
15654	03/17/21	VERIZ005 VERIZON	389.83		5637
15655	03/17/21	ROCKL015 ROCKLAND ELECTRIC COMPANY	9,339.83		5638
15656	03/17/21	DELAG000 DE LAGE LANDEN FINANCIAL SVC.	559.00		5639
15657	03/24/21	ACETO020 ACE TOOL REPAIR, INC	14,161.00		5641
15658	03/24/21	ALLIE010 ALLIED 100,LLC	403.20		5641
15659	03/24/21	ALMST002 ALMSTEAD TREE & SHRUB CARE CO	1,200.00		5641
15660	03/24/21	AMGRA000 AM GRAPHICS CO., INC.	465.00		5641
15661	03/24/21	APPRAO00 APPRAISAL SYSTEMS, INC.	3,800.00		5641
15662	03/24/21	ARCTI005 ARCTIC FALLS SPRING WATER INC.	143.25		5641

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
01CURRENT					
		CURRENT TREASURY ACCOUNT	Continued		
15663	03/24/21	BCMCA015 BCMCAA	40.00		5641
15664	03/24/21	CLIFF000 CLIFFSIDE BODY CORPORATION	2,213.35		5641
15665	03/24/21	DEUNI000 D & E UNIFORMS	440.00		5641
15666	03/24/21	DRAGE000 DRAEGER INC.	120.00		5641
15667	03/24/21	EMPTY000 EMPTY VASE	50.00		5641
15668	03/24/21	ERIKL005 ERIK LENANDER	500.00		5641
15669	03/24/21	FERGU010 FERGUSON ENTERPRISES NY -	1,695.45		5641
15670	03/24/21	GEMSP005 GEM SPORTS	850.00		5641
15671	03/24/21	HOMET000 HOMETOWN HARDWARE INC.	256.13		5641
15672	03/24/21	HUNTE003 HUNTER TECHNOLOGIES	3,381.20		5641
15673	03/24/21	JOHNG015 JOHN GLIDDEN	102.00		5641
15674	03/24/21	KENST000 KEN'S TREE CARE	1,995.00		5641
15675	03/24/21	KNOXC000 KNOX COMPANY	425.00		5641
15676	03/24/21	LESLI010 LESLIE WEATHERLY	86.47		5641
15677	03/24/21	LOWES000 LOWE'S	110.09		5641
15678	03/24/21	LUBEN005 LUBENET, LLC	1,498.58		5641
15679	03/24/21	MID-A005 MID-ATLANTIC TRUCK CENTRE, INC.	657.94		5641
15680	03/24/21	NORTH010 NORTH JERSEY MEDIA GROUP	224.10		5641
15681	03/24/21	PARTS003 PARTS AUTHORITY, INC.	130.94		5641
15682	03/24/21	PGAUT006 P&G AUTO INC.	343.61		5641
15683	03/24/21	QUALI005 QUALITY COOLING CORP	175.00		5641
15684	03/24/21	RACHL000 RACHLES/MICHELE'S OIL CO., INC	5,149.23		5641
15685	03/24/21	RDESP000 R D'ESPOSITO PRINTING CO	45.00		5641
15686	03/24/21	RUGGE000 SMITTY'S PRODUCTIONS INC	366.89		5641
15687	03/24/21	RUSCO000 RUSCON TRUCK SERVICE & EQUIPT	352.22		5641
15688	03/24/21	TENAF015 TENAFLY MOWER SERVICE, INC.	876.00		5641
15689	03/24/21	THEST000 NJ ADVANCE MEDIA	352.08		5641
15690	03/24/21	TILCO000 TILCON NY/CREDIT DEPT	337.83		5641
15691	03/24/21	TRI-C005 TRI-COUNTY TERMITE & PEST	50.00		5641
15692	03/24/21	VERAL000 V.E. RALPH & SON, INC.	216.00		5641
15693	03/24/21	WBMAS000 W. B. MASON CO., INC.	331.03		5641
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	79	1	158,664.81	924.29
	Direct Deposit:	0	0	0.00	0.00
	Total:	<u>79</u>	<u>1</u>	<u>158,664.81</u>	<u>924.29</u>
04CAPITAL					
		CAPITAL ACCOUNT			
1238	03/16/21	BERGE025 BERGEN CNTY SOIL CONSERV DIST	925.00		5633
1239	03/24/21	BOSWE000 BOSWELL MCCLAVE ENGINEERING IN	2,285.00		5642
1240	03/24/21	DECOT000 DECOTIIS, FITZPATRICK, COLE &	325.70		5642
1241	03/24/21	LOWES000 LOWE'S	81.12		5642
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	4	0	3,616.82	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	<u>4</u>	<u>0</u>	<u>3,616.82</u>	<u>0.00</u>
13 DEV ESCROW 2					
		ESCROW EDMUNDS CHECKING 2			
3288	03/24/21	BEATT000 BEATTIE PADOVANO, LLC	1,260.00		5643
3289	03/24/21	BOSWE000 BOSWELL MCCLAVE ENGINEERING IN	0.00	03/24/21 VOID	0
3290	03/24/21	BOSWE000 BOSWELL MCCLAVE ENGINEERING IN	5,369.68		5643
3291	03/24/21	YUVAL005 YUVAL TAL	850.00		5643

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
13 DEV ESCROW 2 ESCROW EDMUNDS CHECKING 2 Continued					
Checking Account Totals					
			<u>Paid</u>	<u>Void</u>	
			Checks: 3	1	
			Direct Deposit: 0	0	
			Total: 3	1	
			7,479.68		0.00
			0.00		0.00
			7,479.68		0.00
15ANIMALCONTROL ANIMAL ACCOUNT					
219	03/15/21	NJDEP00 NJ DEPARTMENT OF HEALTH	209.40		5632
220	03/24/21	MUNID000 MUNIDEX, INC.	9,800.00		5644
Checking Account Totals					
			<u>Paid</u>	<u>Void</u>	
			Checks: 2	0	
			Direct Deposit: 0	0	
			Total: 2	0	
			10,009.40		0.00
			0.00		0.00
			10,009.40		0.00
Report Totals					
			<u>Paid</u>	<u>Void</u>	
			Checks: 88	2	
			Direct Deposit: 0	0	
			Total: 88	2	
			179,770.71		924.29
			0.00		0.00
			179,770.71		924.29

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	0-01	29,356.08	0.00	0.00	29,356.08
CURRENT FUND	1-01	129,308.73	0.00	0.00	129,308.73
GENERAL CAPITAL FUND	C-04	3,616.82	0.00	0.00	3,616.82
DOG TRUST	T-15	10,009.40	0.00	0.00	10,009.40
Total of All Funds:		<u>172,291.03</u>	<u>0.00</u>	<u>0.00</u>	<u>172,291.03</u>

Project Description	Project No.	Project Total
47 CEDAR LANE	2010057074	546.68
131 WEST STREET	2010057084	449.88
198 HICKORY LANE	2010057130	998.28
130 HERBERT AVE	2010057133	221.49
86 MAC ARTHUR	2010057145	760.40
60 ANDERSON AVE	2010057157	539.20
93 PIERMONT ROAD	2010057162	440.68
14 VENUS DRIVE	2010057173	334.67
5 REUTEN DRIVE	2010057179	654.40
6 JASON WOODS ROAD	2010057192	405.00
62 GARRY ROAD	2010057194	405.00
311 LINDENBERG AVE	2010057195	850.00
475 RUCKMAN RD	2010057200	135.00
15 WAINWRIGHT COURT	2010057201	106.00
126 CLOSTER DOCK RD	2010057205	315.00
401 HOMANS AVE	2010057207	318.00
Total Of All Projects:		<u>7,479.68</u>

March 17, 2021
04:10 PM

BOROUGH OF CLOSTER
Check Register By Check Id

Page No: 1

Range of Checking Accts: CURRENT-MANUAL to CURRENT-MANUAL Range of Check Ids: 102251 to 102251
 Report Type: All Checks Report Format: Detail Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void	Ref Num
PO #	Item	Description				Contract	Ref Seq Acct
102251	02/25/21	MUNIC003 MUNICIPAL PAY LLC					5619
21-00200	1	CREDIT CARD FEES - JANUARY	1.56	1-01-43-490-000-171	Budget		1 1
				Municipal Court -Miscellaneous			

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	1	0	1.56	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	1.56	0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	1-01	1.56	0.00	0.00	1.56
Total of All Funds:		<u>1.56</u>	<u>0.00</u>	<u>0.00</u>	<u>1.56</u>

Range of Checking Accts: CURRENT-MANUAL to CURRENT-MANUAL Range of Check Ids: 103021 to 103023
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
103021	03/02/21	CABLE000 OPTIMUM	170.44		5621
103023	03/02/21	NATIO005 NATIONAL BENEFIT SERVICES, LLC	7.00		5621
Report Totals					
			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:		2	0	
	Direct Deposit:		0	0	
	Total:		<u>2</u>	<u>0</u>	
			177.44	0.00	
			0.00	0.00	
			177.44	0.00	

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	1-01	177.44	0.00	0.00	177.44
Total of All Funds:		<u>177.44</u>	<u>0.00</u>	<u>0.00</u>	<u>177.44</u>

March 17, 2021
04:13 PM

BOROUGH OF CLOSTER
Check Register By Check Id

Page No: 1

Range of Checking Accts: CURRENT-MANUAL to CURRENT-MANUAL Range of Check Ids: 103114 to 103153
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
103114	03/11/21	PAYRO000 PAYROLL AGENCY ACCOUNT	129.83		5626
103151	03/15/21	NORTH065 NORTHERN VALLEY HIGH SCHOOL	1,493,747.50		5630
103152	03/15/21	NJSHB000 NJSHBP	91,876.35		5630
103153	03/15/21	MAILF005 QUADIENT LEASING USA, INC	4,000.00		5630

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	4	0	1,589,753.68	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	4	0	1,589,753.68	0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	1-01	1,589,753.68	0.00	0.00	1,589,753.68
Total of All Funds:		<u>1,589,753.68</u>	<u>0.00</u>	<u>0.00</u>	<u>1,589,753.68</u>

March 17, 2021
04:21 PM

BOROUGH OF CLOSTER
Check Register By Check Id

Page No: 1

Range of Checking Accts: CURRENT-MANUAL to CURRENT-MANUAL Range of Check Ids: 102231 to 102231
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num	
102231	02/23/21	CLOST010 CLOSTER BOARD OF EDUCATION	1,709,772.92		5612	
Report Totals						
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks:	1	0	1,709,772.92	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	1	0	1,709,772.92	0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	1-01	1,709,772.92	0.00	0.00	1,709,772.92
Total of All Funds:		<u>1,709,772.92</u>	<u>0.00</u>	<u>0.00</u>	<u>1,709,772.92</u>

CHIEF FINANCIAL OFFICER CERTIFICATION OF AVAILABILITY OF FUNDS

Borough of Closter Council

As the Chief Financial Officer of the Borough of Closter, responsible for the maintenance of the financial records of the Municipality, I hereby certify that adequate funds have been appropriated. All funds are available for the aforementioned purpose and that payment of perspective contract price will be charged against and not to exceed the amount appropriated in the:

Closter Board of Education -	\$ 1,709,772.92
Northern Valley Regional H.S. -	\$ 1,493,747.50
Bergen County Tax	\$ -
Bergen County Open Space	\$ -
2020 Budget Appropriations - Operating	\$ 29,356.08
2021 Budget Appropriations - Operating	\$ 225,493.91
Payroll 2/12/2021	\$ 300,700.22
Payroll 2/26/2021	\$ 293,511.52
Total Current Treasury 02/25/21 - 03/24/21	<u>\$ 4,052,582.15</u>
Capital	\$ 3,616.82
Escrow Trust Account	\$ 7,479.68
Recreation	\$ -
Housing Trust	\$ -
Animal Account	\$ 10,009.40
Open Space	\$ -
Community Development Block Grant	\$ -
Food Locker	\$ -

Joseph Luppino
Chief Finance Officer
Borough of Closter

Dated: 03/24/21

BOROUGH OF CLOSTER
COUNTY OF BERGEN

RESOLUTION AUTHORIZING THE CONTINUANCE OF THE AGREEMENT BETWEEN THE BOROUGH AND BERGEN COUNTY ADA COOPERATIVE CURB RAMP CONSTRUCTION GRANT PROGRAM (Resolution No. 98-20) and SHARED SERVICES AGREEMENT for COUNTY ROAD RESURFACING PROGRAM (Resolution No. 70-20)

WHEREAS, the Borough of Closter entered into an Agreement with the County of Bergen on May 16, 2012 for the ADA Cooperative Curb Ramp Construction Grant Program; and

WHEREAS, the Federal Highway Administration requires that prior to paving roadways the roadway must be reconstructed to ensure ADA compliant curbs; and

WHEREAS, the cost of such reconstruction may be eligible for a reimbursable shared service grant; and

WHEREAS, the Borough wishes to proceed pursuant to the ADA Cooperative Engineering Design Grant Agreement dated May 16, 2012; and

WHEREAS, such Agreement had been reviewed by the Borough Engineer and deemed it in order; and

WHEREAS, the Borough Attorney had reviewed this Agreement and deemed it in order; and

WHEREAS, there is a specific need for the Borough of Closter to cooperate with the County of Bergen for the paving of its roadways; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Closter that the terms and conditions of the Shared Services Agreement for County Road Resurfacing Program approved; and.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter that the terms and conditions of the Agreement with the County of Bergen, dated May 16, 2012, for the ADA Cooperative Curb Ramp Construction Grant Program be continued; and

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

Adopted: March 24, 2021.

APPROVED BY:

ATTEST:

John C. Glidden, Jr., Mayor

Arlene Gray, Borough Clerk

Certified to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Closter on March 24, 2021.

Arlene Gray, Borough Clerk

**COUNTY OF BERGEN
DEPARTMENT OF PUBLIC WORKS
OPERATIONS DIVISION**

220 E. Ridgewood Avenue, Suite 205, Paramus, NJ 07652
Phone: (201) 336-7675 ~ Fax: (201) 336-7684

James J. Tedesco, III
County Executive

Thomas Connolly
County Road Supervisor

March 3, 2021

**Re: ADA Cooperative Curb Ramp Grant Program; Resolution No.98-20
Shared Services Agreement for County Road Resurfacing Program; Resolution No.70-20**

Dear Administrator and DPW Superintendent:

Attached please find the ADA Cooperative Curb Ramp Grant Program Agreement along with Resolution No.98-20 and the Shared Services Agreement for County Road Resurfacing Program along with Resolution No.70-20. These documents must be signed and returned before the county can proceed with any scheduled work moving forward on the resurfacing of the county roads in your municipality.

Please print and sign the agreements in the designated areas. **Return 4 copies with original signatures and seals to this office, Attention: Tom Connolly.** Also, please provide **4 copies with original signatures of your governing body's authorizing resolution for each agreement.** These attached agreements are to supersede the previous agreements that we have on file.

Municipalities will no longer be contracting for ADA ramp construction. In order to streamline the process, the county will contract for the construction of municipal ADA ramps along county roads that require compliance before resurfacing. Other municipal responsibilities remain unchanged.

Once the agreements are signed by the County Executive, an original agreement for each will be sent back to the municipality for your files. If you have any questions, please call me at (201) 336-7676 or Liza Schoen at (201) 336-6803.

Sincerely,

Thomas Connolly

cc: Will Brown, Esq.

ADA COOPERATIVE CURB RAMP GRANT PROGRAM

THIS AGREEMENT made on March 24, 2021 between the:

COUNTY OF BERGEN, a body politic and corporate of the State of New Jersey, with administrative offices at One Bergen County Plaza, Room 580, Hackensack, New Jersey 07601-7076, hereinafter referred to as the "County"

And the Borough of Closter a municipal corporation of the STATE OF NEW JERSEY, herein referred to as the "MUNICIPALITY."

WITNESSETH

WHEREAS, the County of Bergen ("County") is a body politic and corporate of the State of New Jersey with jurisdiction, pursuant to N.J.S.A. 27:16-1, over County Roads; and

WHEREAS, the Borough of Closter ("Municipality") is a Municipal Corporation of the State of New Jersey; and

WHEREAS, the New Jersey Department of Transportation (NJDOT), the Federal Highway Administration (FHWA), the Americans with Disabilities Act Accessibility Guidelines (ADAAG), and Public Right-of-Way Accessibility Guidelines (PROWAG) mandate that public sidewalks at intersections provide, at a minimum: depressed curb cuts, detectable warning surfaces and a landing area at all crosswalk locations as designated by the County Engineer or his designee; and

WHEREAS, public sidewalks, including handicap ramps, are a municipal responsibility in as much as the County's road responsibility is limited to improved road areas from curb face to curb face as set forth in N.J.S.A. 27:16-8; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et. seq) promotes the broad use of shared services to reduce local expenses funded by property tax payers; and

WHEREAS, the County seeks to assist municipalities with their obligation to comply with NJDOT and Federal ADA regulations on County roadways by using County funds for the design and dedicating a portion of the County's New Jersey Department of Transportation, Bureau of Local Aid funds for the inspection of ADA improvements, as designated by the County Engineer or his designee, on County roads; and

WHEREAS, ADA Curb Ramp design work shall not commence until the County Engineer, subject to budget considerations, authorizes the work recommended by the municipal engineer; and

WHEREAS, the County will, upon proper verification and pre-construction authorization by the County Engineer, reimburse the municipality for the design and inspection costs in connection with the county wide ADA Cooperative Curb Ramp contract provided that participating municipalities are responsible for all costs outside the scope of work; and

WHEREAS, municipal budget requirements mandate the confirmation that funds are available to perform the work pursuant to a grant agreement; and

NOW THEREFORE BE IT RESOLVED, that in consideration of the premises, and of the covenants, terms, and conditions hereinafter set forth County of Bergen will assist municipalities in meeting ADA Curb Ramp requirements at intersections on County roads.

BE IT FURTHER RESOLVED, that the County's Cooperative funding assistance is conditioned upon the following:

1. ADA COOPERATIVE CURB RAMP GRANT PROGRAM

A. Funding. The County, through a countywide ADA Cooperative Curb Ramp Grant Program, will make *NJDOT Bureau of Local Aid* funds and/or County funds available to municipalities, on a reimbursement basis as authorized by the County Engineer or his designee, for the engineering design and inspection work related to the construction of ADA improvements at crosswalk locations.

B. Construction. The County will enter into a Curb Ramp Construction Contract with the successful bidder(s) of the County's ADA Cooperative Curb Ramp Construction bid.

C. County Engineer's Approval. Municipal Engineering design work shall not commence until the County Engineer, subject to budget considerations, authorizes said work.

2. REIMBURSEMENT SCHEDULE

The County will, upon proper verification and pre-work authorization by the County Engineer, reimburse the municipality for approved engineering costs, in two payments.

A. Initial Reimbursement. The County shall provide the municipality with fifty percent of the estimated design funds, at the rates set forth herein, to design ADA compliant improvements provided that municipality seeks and receives pre-authorization from the County Engineer.

B. Final Reimbursement. Upon receipt of its municipal engineer's certification that the completed design work meets ADA compliance or received a "technical infeasibility" waiver approved by the County Engineer, the Bergen County Department of Public Works will reimburse the participating municipality for the balance of the funds based on the

approved scope of work.

C. Inspection Costs. Reimbursable costs shall include construction inspection costs not to exceed ten (10%) percent of the as-built construction costs.

3. **REIMBURSEMENT RATES**, upon authorization from the County Engineer, the municipality will be reimbursed as follows:

A. Four (4) Corner Intersections. A flat fee of \$450 for four (4) corner intersections for:

- (1) A walk through and completion of Curb Ramp Assessment Forms and designation of the type of ADA compliant ramp for each corner.
- (2) A walk through with the County Engineer or designee to confirm and/or revise the Curb Ramp Assessment Forms and ramp type designation.
- (3) A walk through with the County Engineer or designee and the County Curb Ramp Construction Contractor to direct the contractor to construct improvements in accordance with Curb Ramp Assessment and ramp type designation.
- (4) Preparation and submission of a technical infeasibility waiver if required.
- (5) Engineer's design compliance certification in County form.

B. "T" intersections. A flat fee of \$300 for a "T" intersection:

- (1) A walk through and completion of Curb Ramp Assessment Forms and designation of the type of ADA compliant ramp for each corner.
- (2) A walk through with the County Engineer or designee to confirm and/or revise the Curb Ramp Assessment Forms and ramp type designation.
- (3) A walk through with the County Engineer or designee and the County Curb Ramp Construction Contractor to direct the contractor to construct improvements in accordance with Curb Ramp Assessment and ramp type designation.
- (4) Preparation and submission of a technical infeasibility waiver if required.
- (5) Engineer's design compliance certification in County form.

C. Raised Islands & Mid-Block Crossings. A flat fee of \$200 for a raised island or mid-block crossing for:

- (1) A walk through and completion of Curb Ramp Assessment Forms and designation of the type of ADA compliant ramp for each corner.
- (2) A walk through with the County Engineer or designee to confirm and/or revise the Curb Ramp Assessment Forms and ramp type designation.
- (3) A walk through with the County Engineer or designee and the County Curb Ramp Construction Contractor to direct the contractor to construct improvements in accordance with Curb Ramp Assessment and ramp type designation.
- (4) Preparation and submission of a technical infeasibility waiver if required.
- (5) Engineer's design compliance certification in County form.

D. Full Engineering Design. A fee up to \$1,000 for full engineering design for one corner of

an intersection or up to \$2,400 for full engineering design for four corners (as approved by the County Engineer) for steep slope or extraordinary situations. Full engineering services include:

- (1) Design Plans.
- (2) As-built design drawings.
- (3) Documented waivers, approved by the County Engineer, for "technical infeasibility" waiver(s) pertaining to any portion of the work that is not fully compliant with ADA requirements.
- (4) Engineer's design compliance certification in County form.

4. ADA STANDARDS AND PERFORMANCE

A. Compliance. All construction work shall be one hundred (100%) compliant with ADA regulations. If construction compliance is not possible in accordance with ADA regulations, then the municipal engineer will substantiate and document grounds for a waiver based upon "technical infeasibility". Waivers are not valid unless approved by the County Engineer.

B. Compliance Issues. If during construction it becomes impossible to comply with the design work and/or it is discovered that the design work is inaccurate then, in that event, the municipal engineer's inspector shall: (1) immediately suspend construction; (2) notify the County Engineer; (3) the municipal engineer shall redesign the work, at no extra expense, to obtain full compliance or document waiver(s) based upon "technical infeasibility"; and obtain the County Engineer's authorization to proceed.

C. County Traffic Signal. If the construction of ADA improvements appears to require the removal and/or relocation of a County traffic signal structure or device, the Municipal Engineer shall contact the County Engineer and advise him of the potential conflict. The County Engineer shall review the conflict and determine an appropriate course of action which may include the redesign of ADA improvements, removal and/or relocation of the traffic signal structure or device at the County's expense, or the issuance of a technical infeasibility waiver.

D. Utilities. If the construction ADA improvements appears to require the removal and/or relocation of a non-municipal utility structure or device, the Municipal Engineer shall contact the County Engineer and advise him of the potential conflict. The County Engineer shall review the conflict and determine an appropriate course of action which may include the redesign of ADA improvements, removal and/or relocation of the utility structure or device at the utility company's expense, or the issuance of a technical infeasibility waiver. In the event that a non-municipal utility refuses to relocate its structures, at its sole cost and expense, the expense of compelling same shall be assumed by the County.

E. Municipal Utilities. If the construction of ADA improvements appears to require the removal and/or relocation of a municipal traffic signal structure or device or municipal utility or

other structure, the Municipal Engineer shall contact the County Engineer, the Municipality and/or Municipal Utility and advise them of the potential conflict. The County Engineer shall review the conflict and determine an appropriate course of action which may include the redesign of ADA improvements, removal and/or relocation of the traffic signal structure or device or municipal utility or other structure, at the Municipality or Municipal Authority's expense, or the issuance of a technical infeasibility waiver.

F. Restriping. After resurfacing, the County will re-stripe the roadways. As a courtesy, the County will install thermoplastic traffic markings and symbols at municipal intersections with traffic signals, and will replace crosswalk markings where requested *only if the* crosswalks terminate at handicapped ramps that meet ADA regulations. Once installed, the maintenance of these markings and symbols will be the municipality's responsibility unless the intersection is under County jurisdiction. If the Municipality plans a streetscape project, the County only allows using stamped or imprinted crosswalks and that these crosswalks be completed *after* the roadway is resurfaced. Crosswalks made from materials such as pavers or other types of blocks and headers, or very thick layers of extruded thermoplastic materials, are not recommended. Should the municipality install crosswalks of this type, then it will be the municipality's responsibility to maintain them at all times.

G. Road Opening Permits. Upon completion of road resurfacing, the County's Road Opening Permit policy and fees shall apply to future road openings.

H. Upgrades. If a municipality desires to upgrade the ADA Cooperative Specifications beyond NJDOT standards for materials and/or to expand the scope of the work beyond the limits authorized by the County Engineer, then municipality shall be responsible for the increase in costs. For example, if the municipality chooses to install stamped crosswalks, the municipality shall pay the difference between NJDOT standards and the municipality's standards.

5. MUNICIPAL RESPONSIBILITIES

In connection with the work set forth herein, each municipality shall be responsible for the following:

A. Traffic Control

(1) NJDOT. NJDOT rules require that the contractor set up and maintain a proper and safe work zone with properly trained flagmen at each work location. The use of NJDOT funds to pay for uniformed police protection is not permitted. Additionally, the County does not provide another source of funding for police protection since the contractor is already required to maintain a safe work zone in accordance with the Manual for Uniform Traffic Control Devices. If the Municipality desires the use of local police for additional protection, over and above the contractor's responsibilities, the municipality will be solely responsible for the cost of local police protection.

(2) Chief of Police Determination. The Municipality will provide uniformed

police officers, at the municipality's sole expense, for the maintenance and protection of traffic in connection with the ADA improvements when the Chief of Police deems their presence necessary.

- (3) Required Police. If an intersection cannot be fully closed to traffic during the following construction phases then Municipality will provide uniformed police officers, at the municipality's sole expense; installation of underground traffic signal conduit in the intersection; installation of underground storm water drainage systems in the intersection; installation of new overhead traffic signal hardware or removal of existing traffic signal hardware; and signal "tum-on".

B. Waiver of Municipal Permits and Fees. The Municipality and/or its Municipal Utility shall waive all permits and fees.

C. Ownership, Maintenance and Continued Compliance. The Municipality expressly acknowledges ownership and control of the completed ADA improvements, agrees to maintain all ADA improvements in compliance and/or to require property owners to maintain the ADA improvements and keep same in compliance as part of the property owner's sidewalk maintenance obligations.

D. Municipal Structures. The Municipality and/or its Municipal Utility shall be solely responsible for the cost of relocating its structures including but not limited to traffic signals or devices or utility structures or other structures which interfere with ADA improvements and do not, in the judgment of the County Engineer, qualify for a technical infeasibility waiver.

6. HOLDHARMLESS

The Municipality shall defend, indemnify, protect and save harmless the County of Bergen and its officers, agents, servants, and employees from and against any and all suits, claims, demands or damages of any kind or nature, arising out of, or claimed to arise out of, any act, error or omission of the Municipality, its consultants, contractors, agents, servants and employees in the performance of the work funded under this agreement, including, but not limited to, expenditures for investigation, legal defense, settlement and/or judgment. In addition to the Municipality naming County of Bergen as an Additional Insured on its public liability insurance policies, the Municipality shall require, in all agreements for professional and non-professional contract services necessary for the performance and completion of work funded under this agreement, that Municipality and County of Bergen are named as Additional Insured on the service providers' public liability insurance policies.

6. MISCELLANEOUS

A. Counterparts and Electronic Delivery and Signatures. This Agreement and any amendments or addenda hereto, or any other document necessary for the consummation of the transaction contemplated, administered or controlled by this Agreement ("Agreement Documents"), may be executed and delivered in any number of counterparts, each of which so

executed and delivered shall be deemed to be an original and all of which shall constitute one and the same instrument. Any Agreement Documents, to the extent delivered by means of a facsimile machine, electronic mail, or other electronic means, shall be treated in all manner and respects as an original agreement or instrument, and shall be considered to have the same binding legal effect as if it were the original signed version thereof delivered in person or via mail. The Parties agree that Agreement Documents may be accepted, executed, or agreed to through the use of an electronic signature in accordance with the Uniform Electronic Transaction Act, N.J.S.A. 12A:12-1, et seq. and any associated regulations. Any Agreement Document accepted, executed or agreed to in conformity with such laws will be binding on all Parties the same as if it were physically executed, and all Parties hereby consent to the use of any third party electronic capture service providers as may be chosen by the County.

B. Force Majeure. Neither party shall be liable for any failure or delay in the performance of its respective obligations hereunder if and to the extent that such delay or failure is due to a cause or circumstance beyond the reasonable control of such party, including, without limitation, fire, flood, earthquake, hurricane, tornado, "Acts of God," epidemics, war (declared or not), riots, disturbances, terrorism, embargos, strikes, lockouts, shutdowns, slowdowns, or acts of public authority.

C. General. This Agreement shall be construed and enforced in accordance with the laws of the State of New Jersey, including the New Jersey Tort Claim Act, N.J.S.A. 59:1-2 et seq., and the New Jersey Contractual Liability Act, N.J.S.A. 59:13 et seq., without regard to its conflict of law principles. All disputes arising out of this Agreement shall be resolved in the Courts of the State of New Jersey.

D. No Waiver. The failure of either party at any time to require performance by the other party of any provision of this Agreement shall in no way affect the right to require such performance at any time thereafter, nor shall the waiver by either party of a breach waive any succeeding breach of such provision or waive the enforcement of the provision itself.

E. No Third Party Beneficiaries. Nothing contained herein shall be construed so as to create rights in any third party

7. NON-BINDING MEDIATION

A. Rights to Request and Decline. Either party may request Non-Binding Mediation of any dispute arising under this Agreement, whether technical or otherwise. The non-requesting party may decline the request in its sole discretion. If there is concurrence that any particular matter shall be mediated, the provisions of this Section shall apply. The costs of such Non-Binding Mediation shall be divided equally between the County and the Municipality.

B. Procedure. The Mediator shall be a retired Judge of the Superior Court of New Jersey or other professional mutually acceptable to the County and the Municipality. The Mediator shall have full discretion as to the conduct of the mediation. Each party shall participate in

the Mediator's program to resolve the dispute until and unless the parties reach agreement with respect to the disputed matter or one party determines in its sole discretion that its interests are not being served by the mediation.

C. Non-Binding Effect. Mediation is intended to assist the County and Municipality in resolving disputes over the correct interpretation of this Agreement. No Mediator shall be empowered to render a binding decision.

D. Relation to Judicial Legal Proceedings. Nothing in this Section shall operate to limit, interfere with or delay the right of either party under this Article to commence judicial Legal Proceedings upon a breach of this Agreement by the other party, whether in lieu of, concurrently with, or at the conclusion of any Non-Binding Mediation.

8. ARBITRATION. If the dispute is not mutually resolved through non-binding mediation, then in that event, the dispute shall be resolved through binding arbitration.

A. Arbitration. Should there arise any disagreement between the County and Municipality respecting the meaning and intent of this Agreement or performance of any of its terms or provisions, the County and Municipality agree to settle the same by arbitration, before a single arbitrator who is a retired New Jersey Superior Court Judge, with such pre-hearing discovery as may be permitted by the arbitrator. The decision of the arbitrator shall be final and the Judgment may be entered upon it in accordance with applicable law in any Court having jurisdiction thereof.

B. Injunctive Relief. Notwithstanding the foregoing, nothing herein shall prevent a party from seeking injunctive relief in the appropriate division of the Superior Court of New Jersey in Bergen County. In the event of litigation, each government entity waives whatever rights it may have to trial by jury in order to prevent irreparable harm from occurring that may arise from a breach or threatened breach of this Agreement; however, any damage claim that may be associated therewith shall be exclusively resolved through arbitration in accordance with the preceding paragraph.

9. DURATION, CANCELLATION & AMENDMENTS

A. Term. The term of this Agreement shall commence immediately upon execution (as authorized by resolution) by the last (in time) of all parties to this Agreement. This agreement shall have a term of one year, and shall renew annually until terminated or modified by the parties. Any rights and responsibilities of the parties under this Agreement that have accrued prior to the date of termination shall survive such termination.

B. Amendments. This Agreement may be amended from time to time by agreement of the parties thereto in the same manner as this Agreement was originally authorized and approved. Amendments to this Agreement shall become effective immediately upon execution (as authorized by resolution) by the last (in time) of all parties to this Agreement.

10. ATTACHMENTS

A. Freeholders Resolution 98-20 adopted February 5th, 2020

B. Municipal Resolution No. 8 adopted March 24, 2020 2021

IN WITNESS WHEREOF, the County and Municipality have caused this Agreement to be signed and their corporate seals to be hereunto affixed, pursuant to duly adopted resolutions of their governing bodies, passed for that purpose.

WITNESSED

COUNTY OF BERGEN

By: _____
James J. Tedesco, III, County Executive, or
Julien X. Neals, Acting County Administrator

Date: _____

WITNESSED

Municipality: Closter Borough

By: John C. Glidden, Jr.
Print Name

Signature

Date: _____

SHARED SERVICES AGREEMENT

County Road Resurfacing Program

The County of Bergen ("County") and Closter (the "Municipality") agree to the following procedures and conditions in connection with the County's road resurfacing program:

1. **Scope and Term.** This Agreement shall govern the parties' rights and responsibilities in connection with the County's annual Road Resurfacing Program. This agreement shall have a term of one year, and shall renew annually until terminated or modified by the parties. Any rights and responsibilities of the parties under this Agreement that have accrued prior to the date of termination shall survive such termination.
2. **Prerequisites.** As a prerequisite to and in consideration of the County's scheduling of road resurfacing within the Municipality, the Municipality agrees to:
 - a. inspect the conditions of all existing ADA compliant curb ramps and crosswalk locations, make any repairs/replacements before the road is scheduled for resurfacing;
 - b. identify any locations at which the Municipality requests the County to install asphalt berms as described in Section 8 of this Agreement; and
 - c. inspect all sanitary sewer manholes and frames and either:
 - i. verify that the manholes and frames are in good condition; or
 - ii. for any manhole frames that requires replacement, notify the County's contractor who will provide the labor, at no cost to the Municipality, to replace the manhole frame(s) provided that Municipality supplies the frames a minimum of seven calendar days in advance of the County's schedule for the commencement of road milling.
3. **Notice.** The County shall endeavor to give at least one (1) year's notice to the Municipality prior to commencement of road milling so that any repairs, replacements, or other work required to be performed by the Municipality can be scheduled and completed.
4. **ADA Compliance.** NJDOT and Federal ADA regulations require compliance with the Americans with Disabilities Act (ADA) at all altered crosswalk locations along the resurfaced county roads which have public sidewalks. Municipality is responsible for the ownership, maintenance, and control of all curb ramps and detectable warning surfaces as N.J.S.A. 27:16-8 limits the County's maintenance responsibility to improved road areas between the curb lines.
5. **Funding of ADA Compliance.** The County of Bergen has established engineering design and capital improvement cooperatives for the funding of ADA work. As a prerequisite to

the County's scheduling of road resurfacing within the Municipality, the municipality must first comply with the following:

- a. ADA Engineering Grant Program – Freeholder Resolution No. 70-20.
 - b. The Municipality must execute an ADA Grant Program agreement and the Municipal Engineer must:
 - i. identify and quantify the curb ramp locations; and
 - ii. design and certify the ADA improvements, including ensuring that ramps are set at the proper grade to prevent pooling of water; and
 - iii. inspect the ADA improvements and certify compliance with ADA regulations upon completion of curb ramp construction prior to reimbursement by the County,
 - iv. Municipality is responsible for all costs outside the scope of the county curb ramp construction contract, including any local police protection.
 - v. Municipality agrees and accepts that after the completion of construction all ADA ramps are owned, maintained, and controlled by the Municipality.
6. **Crosswalks.** After resurfacing, the County will restripe the roadways.
- a. As a courtesy, the County will install thermoplastic traffic marking lines and thermoplastic traffic markings symbols across the County road and across the intersecting municipal road at municipal intersections, and will replace crosswalk markings *only if* the crosswalks terminate at curb ramps that comply with ADA regulations.
 - b. Once installed, the Municipality is responsible for the maintenance of these markings and symbols across both the County Road and across the intersecting municipal road *unless* the intersection is under County jurisdiction.
 - c. If the Municipality plans a streetscape project, the County recommends using stamped or imprinted crosswalks and that these crosswalks be completed *after* the roadway is resurfaced. Crosswalks made from raised materials such as pavers or other types of concrete blocks and headers, or very thick layers of extruded thermoplastic materials, are not recommended. Should the Municipality install crosswalks of this type, then it is the Municipality's responsibility to maintain them at all times.
7. **Intersections with Municipal Roads.** Pursuant to N.J.S.A. 27:16-8, the County is only responsible for maintaining County roads between the curb lines, i.e. from curb face to curb face. Where no curb exists on a County road, the term curb line refers the edge of pavement. At intersections, the curb line refers to the imaginary line created by extending the curb or edge of pavement of the County road across the intersection with the municipal road. By executing this agreement, the Municipality agrees and acknowledges that the County does not own, control, maintain, or have any duty to maintain, any portion of the right of way beyond the curb line of the County road, including any right of way that may

extend onto a municipal road, except as may be otherwise be provided in a formal agreement or resolution of the County Planning Board. The County will, at the Municipality's request, and solely as a courtesy to the Municipality, pave into an intersecting municipal road to meet the prior paving joint or to ensure a smooth pavement transition as directed by a municipal engineer, and subject to Paragraph 6, "Crosswalks," above, install traffic markings and symbols and replace crosswalk markings on a municipal road at the intersection with a County road. The Municipality agrees that, notwithstanding this courtesy extended by the County, it is solely the Municipality's responsibility to improve, maintain, and control the intersecting municipal road beyond the curb line of the County road, and that the County is not exercising ownership, control, or accepting any maintenance obligation over any portion of the municipal road by virtue of such paving or other improvements on the municipal road beyond the curb line of the County Road. In consideration for the County agreeing to pave into or make other improvements on the intersecting municipal road, the Municipality hereby agrees to indemnify, defend, save harmless, and release the County, its officers, employees, agents, and contractors, from and against any and all claims, demands, actions, suits, judgments, costs, charges, fees, damages and expenses, including reasonable attorney's fees, which may arise or result from a condition of the intersecting municipal road beyond the curb line of the County Road, including attorney's fees and costs incurred in any appeal.

8. **Asphalt Berms.** As a courtesy to the Municipality for the sole purpose of directing surface water away from adjacent properties, when repaving a County road with no existing curbs or sidewalks, the County may, at the request of the Municipality and where directed by the municipal engineer, construct asphalt berms at the edge of the County road pavement, within the public right of way. The Municipality agrees, in consideration for the County's efforts and costs in construction of such berms, that the Municipality shall thereafter assume all responsibility for maintenance, repair, and replacement for the berms and that the County shall not be required to maintain, repair, or replace any such berm the County has constructed. The Municipality hereby agrees to indemnify, defend, save harmless, and release the County, its officers, employees, agents, and contractors, from and against any and all claims, demands, actions, suits, judgments, costs, charges, fees, damages and expenses, including reasonable attorney's fees, which may arise or the County may incur as a result of the County's construction of asphalt berms as directed by the Municipality. This provision shall extend to the County regardless of the structure or workmanship of the County constructed asphalt berms, and shall expressly include any claim that the berm, howsoever it is maintained, is a dangerous condition under the New Jersey Tort Claims Act.
9. **Traffic Control.** The County uses NJDOT monies to fund the resurfacing program. NJDOT regulations require that the contractor set up and maintain a proper and safe work zone with properly trained flagmen at each work location. NJDOT does not permit the use of funds to pay for uniformed police protection. However there are circumstances where the use of uniformed police officers may be required for safe traffic control.
 - a. The Municipality shall provide uniformed police officers, and be solely responsible for the cost thereof, in the following circumstances:

i. When intersecting roadways cannot be fully closed to traffic during installation of underground traffic signal conduit; installation of underground storm-water drainage systems; installation of new overhead traffic signal hardware or removal of existing traffic signal hardware; work is being performed within 100' of a signalized intersection; pavement milling operations; final paving operations; and signal "turn-on."

ii. When requested by the County Division of Engineering or Department of Public Works.

b. Nothing herein shall prohibit the Municipality from assigning Municipal uniformed police officers for additional protection on its own initiative, over and above the contractor's responsibilities, at the Municipality's sole cost and expense.

c. The Municipality agrees that the aforementioned traffic control procedure shall apply to all future work by the County of Bergen, and its contractors, performing work that is a County responsibility within public right-of-ways of County roads.

10. Road Opening Permits. The Municipality agrees that once a County road is resurfaced, the Municipality will procure a road opening permit for any Municipality controlled project or Municipal utility company project. The Municipality agrees to meet all requirements and specifications in the restoration of the County's roads.

11. Integration. This is the parties' entire agreement on this matter, superseding all previous negotiations or agreements, including any prior agreements regarding the County's Road Resurfacing Program.

[Signature Page to Follow]

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective as of the day and year first above written.

WITNESSED

COUNTY OF BERGEN

By:

James J. Tedesco, III, County Executive, or
Julien X. Neals, Acting County Administrator

Date:

WITNESSED

Municipality: Closter Borough

By:

John C. Glidden, Jr.
Print Name

Signature

Date:



COUNTY OF BERGEN

ONE BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601

Certified Copy

Resolution: 98-20

Agenda: 2/12/2020

Public Works

Meeting Date: 2/12/2020

Purpose: Authorize County of Bergen to enter into ADA Cooperative Curb Ramp Program with various Municipalities

Prepared By: WB

Sponsored by Freeholder Ganz, seconded by Freeholder Silna Zur, and passed by the following vote:

Yes: 6 - Chairwoman Amoroso, Vice Chairwoman Voss, Chair Pro Tempore Tanelli, Freeholder Ganz, Freeholder Ortiz, and Freeholder Silna Zur

Absent: 1 - Freeholder Sullivan

I, Lara Rodriguez, Clerk, Board of Chosen Freeholders, certify that this is a true copy of Resolution No. 98-20, passed by the BOARD OF CHOSEN FREEHOLDERS on 2/12/2020.

Attest:



COUNTY OF BERGEN

ONE BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601

Certified Copy

Resolution: 98-20

Agenda: 2/12/2020

**BERGEN COUNTY BOARD OF CHOSEN FREEHOLDERS
RESOLUTION**

WHEREAS, the County of Bergen maintains and controls approximately 450 miles of County roads; and

WHEREAS, the New Jersey Department of Transportation (NJDOT), the Federal Highway Administration (FHWA), the Americans with Disabilities Act Accessibility Guidelines (ADAAG), and Public Right-of-Way Accessibility Guidelines (PROWAG) mandate that public sidewalks at intersections provide, at a minimum: depressed curb cuts, detectable warning surfaces and a landing area at all crosswalk locations as designated by the County Engineer or his designee; and

WHEREAS, public sidewalks, including handicap ramps, are a municipal responsibility in as much as the County's road responsibility is limited to improved road areas from curb face to curb face as set forth in N.J.S.A. 27:16-8; and

WHEREAS, the County seeks to assist municipalities with their obligation to comply with NJDOT and Federal ADA regulations on County roadways by dedicating a portion of the County's New Jersey Department of Transportation, Bureau of Local Aid funds for the design and inspection of ADA improvements, as designated by the County Engineer or his designee, on County roads; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) promotes the broad use of shared services to reduce local expenses funded by property tax payers; and

WHEREAS, the County and the seventy municipalities within Bergen County are "local units" under N.J.S.A. 40:65-4(a)(1), authorized to enter into shared services agreements pursuant to the Uniform Shared Services Act and Consolidation Act, N.J.S.A. 40A:65-1 et seq.; and

WHEREAS, County Counsel has, with the input of the Department of Public Works (Supervisor of Roads) and the Department of Planning and Engineering (County Engineer), prepared a form of agreement for execution between the County of Bergen and each municipality in which the County will carry out its ADA Curb Ramp program, a copy of which is annexed hereto; and

NOW THEREFORE BE IT RESOLVED, by the Board of Chosen Freeholders, upon the recommendation of Tom Connolly, Supervisor of Roads, and Joseph Femia, County Engineer, as follows:

1. The recitals set forth above are hereby incorporated into the body of this resolution as if set forth at length herein.
2. The Board of Chosen Freeholders hereby approve and authorize the execution of a shared services agreement between the County and each municipality in which the County will be performing ADA Ramp construction, in substantially the form annexed hereto.
3. The County Executive is hereby authorized to execute a shared services agreement with each of the municipalities in a form determined by County Counsel to be in substantially the form annexed hereto.



COUNTY OF BERGEN

ONE BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601

Certified Copy

Resolution: 70-20

Agenda: 2/5/2020

Public Works

Meeting Date: 2/5/2020

Purpose: Authorize shared services agreement between the County of Bergen and municipalities for Road Resurfacing Projects

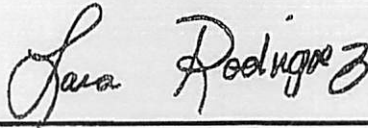
Prepared By: WB

Sponsored by the Body as a Whole that this Resolution be passed. The motion passed by the following vote:

Yes: 7 - Chairwoman Amoroso, Vice Chairwoman Voss, Chair Pro Tempore Tanelli, Freeholder Ganz, Freeholder Ortiz, Freeholder Sullivan, and Freeholder Silna Zur

I, Lara Rodriguez, Clerk, Board of Chosen Freeholders, certify that this is a true copy of Resolution No. 70-20, passed by the BOARD OF CHOSEN FREEHOLDERS on 2/5/2020.

Attest:





COUNTY OF BERGEN

ONE BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601

Certified Copy

Resolution: 70-20

Agenda: 2/5/2020

**BERGEN COUNTY BOARD OF CHOSEN FREEHOLDERS
RESOLUTION**

WHEREAS, the County of Bergen maintains and controls approximately 450 miles of County roads; and

WHEREAS, maintenance of the County roads requires periodic resurfacing for the benefit of the drivers and residents of Bergen County; and

WHEREAS, the County's Department of Public Works performs this resurfacing through periodic Road Resurfacing Projects; and

WHEREAS, the County Road Resurfacing Projects require cooperation and coordination between the County and the seventy municipalities in which the County roads are located; and

WHEREAS, a formal agreement between the County of Bergen and the seventy municipalities in which the County will undertake road resurfacing activities will serve to memorialize the respective responsibilities of the County and the municipality in connection with a Road Resurfacing Project; and

WHEREAS, N.J.S.A. 40A:65-4(a)(1) states, in part, that "[a]ny local unit may enter into an agreement with any other local unit or units to provide, or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction;" and

WHEREAS, the County and the seventy municipalities within Bergen County are "local units" under N.J.S.A. 40:65-4(a)(1), authorized to enter into shared services agreements pursuant to the Uniform Shared Services Act and Consolidation Act, N.J.S.A. 40A:65-1 et seq.; and

WHEREAS, County Counsel has, with the input of the Department of Public Works (Supervisor of Roads) and the Department of Planning and Engineering (County Engineer), prepared a form of shared services agreement for execution between the County of Bergen and each municipality in which the County will carry out its Road Resurfacing Project, a copy of which is annexed hereto; and

NOW THEREFORE BE IT RESOLVED, by the Board of Chosen Freeholders, upon the recommendation of Tom Connolly, Supervisor of Roads, and Joseph Femia, County Engineer, as follows:

1. The recitals set forth above are hereby incorporated into the body of this resolution as if set forth at length herein.
2. The Board of Chosen Freeholders hereby approve and authorize the execution of a shared services agreement between the County and each municipality in which the County will be performing a Road Resurfacing Project, in substantially the form annexed hereto.
3. The County Executive is hereby authorized to execute a shared services agreement with each of the municipalities in a form determined by County Counsel to be in substantially the form annexed hereto.

BOROUGH OF CLOSTER**RESOLUTION SUPPORTING OUTDOOR DINING ESTABLISHMENTS AND
TEMPORARILY SUSPENDING PORTIONS OF CHAPTER 141**

WHEREAS, due to the public health emergency caused by the COVID-19 pandemic, Governor Murphy issued Executive Order Nos. 104 and 107, which limited all restaurants, dining establishments, and food courts, with or without a liquor license, all bars, and all other holders of a liquor license with retail consumption privileges, to offering food delivery and/or take-out services only, thereby prohibiting the on-premises consumption of food or beverages; and

WHEREAS, these restrictions have caused local restaurants and dining establishments to experience significant loss of revenue and financial hardship; and

WHEREAS, the restrictions have been loosened to permit 50% occupancy in restaurants and dining establishments. The governing body recognizes that significant loss of revenue and financial hardship will continue; and

WHEREAS, the State has determined that certain data metrics pertaining to the current level of COVID-19 transmission allow it to begin to take steps to lift certain restrictions that were designed to limit person-to-person contact, while still maintaining many of the State's current measures in place to reduce additional new infections; and

WHEREAS, given the reduced risks of COVID-19 transmission outdoors, the State has determined to continue to allow restaurants, bars, and other food or beverage establishments to provide in-person service at areas designated for food and/or beverage consumption ("outdoor dining") in accordance with CDC and DOH safeguards;

WHEREAS, on June 3, 2020, Governor Murphy issued Executive Order No. 150, which allows establishments to open to the public to offer outdoor dining, commencing June 15, 2020, where such food and/or beverage consumption is conducted in a way that ensures groups of individuals will be appropriately spaced apart, and with strict limits in place governing when individuals may enter the premises, and requiring adherence to all Statewide health standards; and

WHEREAS, Executive Order No. 150 acknowledges that some restaurants or bars will not have sufficient outdoor space to serve their patrons, and thus may seek to use additional space for outdoor food and/or beverage consumption, including other areas of their property, such as parking lots, and shared spaces, such as sidewalks, streets, and parks; and

WHEREAS, Executive Order No. 150 further acknowledges that municipalities are in the best position to make decisions on allowing restaurants or bars to temporarily expand their service footprint on their property and potentially into shared spaces in a way that comports with public safety, provided they do so in a way that distributes these spaces equitably among restaurants or bars who may feasibly seek to use them; and

WHEREAS, Borough Code, Chapter 141, Outdoor Cafes, allows for the licensing of outdoor cafes in the Business Zone District of the Borough of Closter, subject to the applicant's payment of a licensing fee and compliance with all other application and licensing requirements; and

WHEREAS, the Governing Body of the Borough of Closter wishes to support local restaurants and dining establishments who want to provide outdoor dining by temporarily relaxing, suspending and/or modifying certain portions of Chapter 141, Outdoor Cafes, as well as any other applicable provisions of the Code deemed appropriate by the Borough, to enable such establishments to resume business more quickly and easily than would be possible under existing Code requirements;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey, that the provisions of Chapter 141, Outdoor Cafes, can be temporarily suspended or modified as follows:

1. The license application fee under §141-5E(7) and §A301-1(C)(1)(dd) is hereby waived until further action by the Mayor and Council.

2. The seating limitation prescribed by §141-3(C)(2) is temporarily suspended, subject to State-mandated social distancing and other requirements.

3. The time period for review of applications under §141-6 is hereby temporarily modified as follows: Applications shall be reviewed for completeness/compliance within 3 business days of receipt. The Construction Code Official will act upon a completed application within three (3) business days of receipt.

4. The requirement to submit a layout plan with scaled drawings per the terms of §141-5E is temporarily suspended. In lieu of the layout plan required under §141-5E, an applicant for a license shall submit a completed application available from the Construction Code Office which will include but not be limited to submission of a drawing/map detailing the location, number of tables and seating capacity of the outdoor dining space.

5. The Construction Code Official, Borough Administrator, Board of Health, and Fire Official, with the advice and consent of the Borough Attorney and other responsible Borough officials, may waive other sections of the Borough Code and adopt other temporary rules as deemed necessary and appropriate to assist Borough restaurants and dining establishments while maintaining public safety.

6. Except as modified herein, any outdoor café licensed by the Borough must adhere to all of the remaining requirements of Chapter 141 and the Borough Code, as well as all requirements under Executive Order No. 150 and any applicable regulations and Executive Orders of the State of New Jersey, and will be limited to days and hours of operation as established by the Borough and Chief of Police.

7. The Borough Clerk shall forward a copy of this Resolution to the Construction Code Official, Chief of Police, Fire Official, and Board of Health Officer.

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

Adopted: March 24, 2021

ATTEST:

APPROVED:

Arlene Marie Gray, Borough Clerk

John C. Glidden, Jr., Mayor

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on March 24, 2021.

Arlene Marie Gray, Borough Clerk

**BOROUGH OF CLOSTER
RESOLUTION ENDORSING SUBMISSION OF THE
2020 MUNICIPAL RECYCLING TONNAGE GRANT APPLICATION
TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND
DESIGNATING CAROLE DACEY TO ENSURE PROPER FILING OF SAID APPLICATION**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Closter hereby endorses the submission of a 2020 Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling, and designates Carole Dacey to ensure that the said Application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

Adopted: March 24, 2021

ATTEST:

APPROVED:

Arlene Gray, 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 March 24, 2021.

Arlene Gray, Borough Clerk

BOROUGH OF CLOSTER
COUNTY OF BERGEN

Tax Reimbursement Certification

WHEREAS, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program; and

NOW, THEREFORE, BE IT RESOLVED, the Borough of Closter hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chapter 311, in 2020 in the amount of \$9,980.88. Documentation supporting this submission is available at the Closter Department of Public Works, 130 Ruckman Road, Closter, New Jersey 07624 and shall be maintained for no less than five years from this date.

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

Adopted: March 24, 2021

ATTEST:

APPROVED:

Arlene Gray, 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 March 24, 2021.

Arlene Gray, Borough Clerk

**BOROUGH OF CLOSTER
BERGEN COUNTY
RESOLUTION**

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Closter, County of Bergen, New Jersey that **Ludwina Lang** is hereby appointed to the position of Part Time Probationary Crossing Guard, effective **3/24/2021** at an hourly rate of \$17.00.

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

Adopted: March 24th 2021

ATTEST:

APPROVED:

Arlene Gray, 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 March 24, 2021.

Arlene Gray, Borough Clerk

BOROUGH OF CLOSTER

RESOLUTION AUTHORIZING THE CONSUMPTION OF WINE DURING CERTAIN MONTHLY OPENING RECEPTIONS HELD AT THE BELSKIE MUSEUM OF ART AND SCIENCE FOR THE CALENDAR YEAR 2021 PURSUANT TO CHAPTER 67 OF THE CLOSTER CODE

WHEREAS, by correspondence dated February 13, 2021, a representative from the Belskie Museum of Art and Science, Inc. has requested permission for the museum to serve wine at its monthly opening receptions and during certain special events during the calendar year 2021; and

WHEREAS, the Mayor and Council at its meeting of March 10, 2021 acknowledged, considered and discussed this request; and

WHEREAS, pursuant to Chapter 67 of the Borough Code, the Mayor and Council may, by resolution, permit the possession and/or consumption of alcoholic beverages in a designated public or quasi public place in connection with specific events or series of events which have been authorized by the Governing Body; and

WHEREAS, pursuant to Chapter 67, the Borough Administrator is authorized to grant a permit allowing the possession and/or consumption of alcoholic beverages between the hours of 12:00 noon and 10:30 p.m. in connection with specific event(s) such as monthly opening receptions conducted at the museum; and

WHEREAS, the Governing Body expressly authorizes and permits the holding of the museum’s monthly opening receptions and certain special events on the Closter Library grounds, provided that, for as long as the current COVID-19 Public Health Emergency exists, the Belskie Museum agrees to adhere to all applicable Borough, County, State and federal COVID-19 health and safety guidelines for all such events;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that the legal consumption of wine pursuant to the provisions of Chapter 67 of the Code is hereby permitted at the Belskie Museum of Art and Science, Inc’s monthly opening receptions and during certain special events on the Closter Library grounds during the calendar year 2021, provided that, for as long as the current COVID-19 Public Health Emergency exists, the Belskie Museum agrees to adhere to all applicable Borough, County, State and federal COVID-19 health and safety guidelines for all such events; and

BE IT FURTHER RESOLVED that the Borough Administrator is authorized to issue a permit for same pursuant to the provisions of Chapter 67 of the Code.

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

Adopted: March 24, 2021

ATTEST:

APPROVED:

Arlene Marie Gray, 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 March 24, 2021.

Arlene Marie Gray, Borough Clerk

**BOROUGH OF CLOSTER
BERGEN COUNTY, NEW JERSEY
Authorizing Emergency Temporary Appropriation**

WHEREAS, an emergent condition has arisen with respect to grant receivables in the amount of \$12,900.00 in the 2020-2021 Community Development Block Grant Funds for the Public Library Community Room ADA Doors Contract Number NV-CLOSTER-02-20; and

WHEREAS, the Borough of Closter must fulfill its obligation to pay our pension bills by April 1, 2021 and

WHEREAS, no adequate provision has been made in the 2021 temporary budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2021 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) *including* this resolution total \$ **5,112,401.00**.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Closter (**not less than two-thirds of all members affirmatively concurring**) that in accordance with the provisions of N.J.S. 40A:4-20 that emergency temporary appropriations be made and that said emergency temporary appropriations shall be provided for in full in the 2021 municipal budget so adopted:

CDBG Grant 2020-2021 Library Community Room ADA Doors	\$12,900.00
PERS Contribution	432,315.00
PFRS Contribution	834,786.00

A certified copy of this resolution shall be filed forthwith the Director.

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

Adopted: March 24, 2021

ATTEST:

APPROVED:

Arlene Marie Gray, 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 March 24, 2021.

Arlene Marie Gray, Borough Clerk

BOROUGH OF CLOSTER
RESOLUTION AUTHORIZING THE PAYMENT OF ACCRUED VACATION AND SICK DAYS TO
DOROTHY WOODS UPON RETIREMENT

WHEREAS, Dorothy (Dee) Woods, will be retiring from her position as Deputy Treasurer, Benefits Clerk and Finance Clerk - COAH, effective April 1, 2021 after 16 years of employ.

WHEREAS, pursuant to Borough ordinance, upon retirement, Ms. Woods is entitled to payment for a portion of his unused sick days, vacation days and accrued time; and

WHEREAS, the total payment has been calculated to equal \$ **31,476.00** (See Attachment A); and the Finance Office has confirmed the gross amount due with Ms. Woods and;

WHEREAS, it has been agreed between the parties that the amount due shall be paid in two equal annual installments of \$15,738.00 on April 15, 2021 and January 14, 2022.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, and State of New Jersey that the aforementioned payment is hereby authorized.

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Joseph Luppino, Chief Financial Officer of the Borough of Closter, hereby certify, pursuant to N.J.S.A.40A:-9140.1, et seq. and N.J.A.C 5:30-5.4, that the funds, which are required for said retirement, are available to the Borough in account T-13-56-000-094-000.

Dated: March 24, 2021

Joseph Luppino, Chief Finance Officer

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

Adopted: March 24, 2021

APPROVED BY:

John C. Glidden, Jr., Mayor

ATTEST:

Arlene M. Gray, Borough Clerk

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on March 24, 2021.

Arlene M. Gray, Borough Clerk

3/17/2021

Re: calculation of pending retirement package
Deputy Treasurer

Employee:

DOROTHY WOODS		
<i>Year</i>	<i>Month</i>	<i>Day</i>
2005	August	1
2021	April	1
16		

Date of Hire:

Date of Retirement:

Total Years of Service:

1	Sick days accrued:	126	payable at 50%	63
2	Vacation days:			
2,a	two days each year 1-15 years:	15		30
2,b	three days each year greater than 15:	1		3
3	2020 Unused vacation days	1		1
4	2021 vacation days	25		25
Total payable hours 1-4				122
5	Current hourly rate:	\$ 34.40		
7	Current daily rate (*7.5hours):	\$ 258.00		
8	Total payable days:	122	x daily rate	\$ 258.00
9				
10				
11				0.00
Total retirement package compensation:				\$ 31,476.00

Calculations must be confirmed by Finance Office

calc by: mt
calculation checked -

BOROUGH OF CLOSTER

RESOLUTION APPROVING SETTLEMENT OF TAX APPEALS FOR THE YEARS 2019 AND 2020: DWL MONMOUTH, INC. v. CLOSTER BOROUGH

WHEREAS, the taxpayer, DWL Monmouth, Inc., appealed the assessments levied on Block 1607, Lot 3.32 for the tax years 2019 and 2020 in actions in the Tax Court of New Jersey bearing docket nos. 007088-2019 and 006691-2020; and

WHEREAS, the subject property’s street address is 570 Piermont Road, Unit D-1; and

WHEREAS, the taxpayer and the Assessor have agreed to compromise the appeals on the following terms: The assessment on the property for 2019 shall be reduced from \$4,870,700 to \$3,785,000; and the assessment on the property for 2020 shall be reduced from \$4,996,200 to \$3,785,000; and

WHEREAS, the taxpayer has agreed that the refunds due as a result of this settlement shall be satisfied through a credit applied against real estate taxes due on the property in the second half of 2021; and

WHEREAS, the Assessor is of the opinion that the revised valuations are consistent with the true value of the property;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter, County of Bergen, State of New Jersey that:

The proposed settlement for the 2019 and 2020 tax appeals captioned DWL Monmouth, Inc. v. Closter Borough hereinbefore set forth is approved, and the Borough Attorney or a member of his firm is authorized to execute all documents necessary to effectuate its terms.

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

Adopted: March 24, 2021

APPROVED BY:

ATTEST:

John C. Glidden, Jr., Mayor

Arlene Marie Gray, Borough Clerk

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on March 24, 2021.

Arlene Marie Gray, Borough Clerk

BOROUGH OF CLOSTER
COUNTY OF BERGEN

**RESOLUTION AUTHORIZING AGREEMENT of SERVICES
WITH EP & G
AN INDEPENDENT ADVISORY FIRM**

WHEREAS, the contract between the Borough of Closter and Direct Energy, (an independent third party energy supplier) expired on January 5, 2021 with scant prior notice; and

WHEREAS, there is a need for an independent third party electric service provider; and

WHEREAS, the Borough of Closter is seeking to secure the lowest price for electricity utilized by the Borough for services; and

WHEREAS, the Borough Administrator has contacted EP & G, 322 North Shore Drive, Building 1A, Pittsburgh, PA 15212, a leader in energy strategy procurement and independent energy analysis; and

WHEREAS, after conducting his due diligence, the Borough Administrator/Treasurer has determined that it would be in the best financial interest of the Borough of Closter to retain the services of EP & G, an independent electricity advisory firm; and

WHEREAS, the Borough of Closter will not incur expenses by authorizing EP & G to conduct a public auction on behalf of the Borough of Closter in order to obtain wholesale energy prices; and

WHEREAS, the pricing provided by EP & G will be obtained from a public auction between wholesale energy suppliers; and

WHEREAS, this engagement is in conformance with the requirements promulgated pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and which satisfies the best interests of the Borough; and

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

1. The Administrator/Treasurer is hereby directed with the assistance of the Chief Financial Officer and Borough Attorney to negotiate and enter into an Agreement with the services of EP & G for the purchase of discounted electricity from licensed suppliers, with contract terms not exceeding statutory term limits.

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

Adopted: March 24, 2021

APPROVED BY:

ATTEST:

John C. Glidden, Jr., Mayor

Arlene Gray, Borough Clerk

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on March 24, 2021.

Arlene Gray, Borough Clerk

BOROUGH OF CLOSTER

**Resolution Authorizing Agreement For
LANDSCAPE ARCHITECT
MACBAIN FARM BAMBOO REMOVAL PROJECT**

WHEREAS, on February 24, 2021 the Borough of Closter’s governing body approved the Resolution Memorializing Vote to Authorize Mayor to Execute MacBain Homestead and Farm Lease Extension Agreement, Agenda Item 15; and,

WHEREAS, the Extension Agreement between the Borough of Closter and John P. McCaffrey, designated as “tenants” residing at 203 Hickory Lane, Closter, New Jersey 07624 was signed and dated February 10, 2021, Exhibit “A” attached; and,

WHEREAS, the Extension Agreement of February 10, 2021 certifies that the parties agree to extend the MacBain Farm Lease Agreement for an additional time period of fifteen (15 months) starting on September 30, 2020 and ending on December 31, 2021 subject to full compliance with the terms and conditions of the existing Lease; and,

WHEREAS, paragraph 8, page 2 of the Extension Agreement states “Caretaker/Tenant shall remove at Tenant’s cost all bamboo on farm property on or before April 5, 2021. Tenant agrees that there shall be no additional planting of bamboo or any other invasive plants on the property”; and,

WHEREAS, the governing body has determined it is in the best interest of the Borough of Closter to hire a landscape architect to oversee the excavation, removal and proper disposal of the bamboo; and,

WHEREAS, the governing body has determined it is in the best interest of the Borough of Closter for a Landscape Architect to oversee the proper installation of the containment barrier and to prepare a report for the Mayor and Council that the project has been successfully completed; and,

WHEREAS, the landscape architect firm of James G. Koth Landscape Architect, LLC, PO Box 544, Oradell, New Jersey 07649, provided the sole response for the inquiry for the landscape services; and,

WHEREAS, James G. Koth Landscape Architect, LLC provided a written proposal for the services required to address the bamboo removal requirements described in the February 10, 2021 Extension Agreement between the Borough of Closter and John P. McCaffrey, at a fee of \$125.00 per hour (one hundred and twenty five dollars), not to exceed 10 (ten) hours; and,

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Joseph Luppino, Chief Financial Officer 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 be available to the Borough of Closter for calendar year 2021, Account Number C-04-18-250-001-002 and Account Number 1-01-20-100-000-171.

Dated: March 24, 2021

Joseph Luppino, CFO

NOW, THEREFORE BE IT RESOLVED Mayor John C. Glidden is authorized to enter into an agreement with the James G. Koth Landscape Architect, LLC for securing oversight services to meet the needs of the February 10, 2021 MacBain Farm Extension Agreement.

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

Adopted: March 24, 2021

ATTEST:

APPROVED:

Arlene Gray, 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 March 24, 2021

Arlene Gray, Borough Clerk

EXHIBIT A

THE OFFICE OF **JAMES G. KOTH, LANDSCAPE ARCHITECT, LLC**

NJ Certificate of Authorization #21MH0008200

NJ #21AS00114100

NY #1877

James G. Koth, PLA, ASLA
Managing Member

PROPOSAL FOR ADVISORY AND INSPECTION SERVICES

March 21, 2021

Mr. Edward Hynes, Borough Administrator
Borough of Closter
295 Closter Dock Road
Closter, NJ 07624

Re: Bamboo Removal and Containment at MacBain Farm, 203 Hickory Lane

Mr. Hynes:

The Office of James G. Koth, Landscape Architect (OJK) herby presents a fixed fee proposal for Advisory & Inspection services concerning the containment of bamboo on the property in question. This proposal has been based upon our telephone conversation that the Borough of Closter (Borough) is in need of a Landscape Architect to review and advise the Borough on matters relating to the removal of a portion of and installation of approved containment measures to prohibit the further horizontal spread of an existing stand of bamboo located on the property.

Services to be provided by OJK under this proposal are limited to:

1. Review the land manager's proposed method of removal and containment to be consistent with industry standards and advise as to suitability and effectiveness for consideration and approval/acceptance by the Borough.
2. Observe and document implementation of the land manager's plan as approved by the Borough. *(A minimum advance notice of 48 hours will be required to be provided prior to the work being undertaken by the land manager.)*
3. Provide the Borough with a written report documenting the process of removal/containment and certification that the work was completed by the land manager in accordance with the approved plan.

The fee for the services detailed herein shall be \$1,250.00.

OJK shall require the Borough to transmit:

1. A scaled site survey of the property for the purposes of creating the necessary base map to document the work.
2. The land manager's proposed plan as submitted to the Borough for removal and containment of the bamboo.
3. Any directives issued to the land manager regarding the removal/containment of the bamboo.

THE OFFICE OF JAMES G. KOTH, LANDSCAPE ARCHITECT, LLC

NJ Certificate of Authorization #21MH00008200

NJ #21AS00114100

NY #1877

James G. Koth, PLA, ASLA
Managing Member

Services required by the Borough of OJK not specifically listed within this proposal shall be undertaken by the mutual written consent and acknowledgement of both parties on an hourly basis at a rate of \$125.00 per hour.

If you have any questions, please do not hesitate to contact me on my cell phone at 917.642.2659.

Respectfully Submitted,



James G. Koth, PLA, ASLA
Managing Member

JAMES G. KOTH

465 Demarest Avenue, Oradell, NJ 07649

SUMMARY Accomplished senior executive adept at design, construction, operations, and government relations. Proven ability to construct and lead high functioning teams that reflect an organization's mission, vision, & values and deliver projects on time and under budget. Effective change agent capable of implementing cost effective policies and procedures.

PROFESSIONAL EXPERIENCE **Bergen County Department of Parks & Recreation, Hackensack, NJ** 2015-Present
Executive Director & Chief Landscape Architect

- Member of the County Executive's cabinet, principal advisor on Parks, Recreation, Land Preservation, Historic, Cultural and Environmental Issues.
- Principal agency executive responsible to provide leadership, guidance, and oversight of over 350 unionized and non-unionized staff, diverse 10,000+ acre land and real estate portfolio, administration of a \$13MM annual operating budget, \$21MM revolving Capital Program, \$18MM annual land trust, and generation of \$11MM+ in annual operating revenue generated by guest services.
- Formulate and execute countywide real estate and land acquisition strategies including determination of need, acquisition, and activation processes.
- Strategize and oversee administration of procurement processes, concession and P3 agreements, and real estate leases. Serve as principal negotiator for all relevant agency matters.
- Principal executive responsible to liaise with 501(c)3 groups established to provide philanthropic support for agency programming efforts and specialized capital campaigns.
- Partnered with Rutgers University to inventory and create a masterplan for the future growth of the parks system through 2047.
- Developed a long range masterplan for the future development and growth of the Bergen County Zoo.
- Strategized and secured valuable public private partnership(s) to mitigate capital costs to be borne by the County, realize and grow annual revenue, provide recreational, educational, and environmental programming opportunities, and protect/grow NJ jobs.
- Re-structured department organization to focus efforts on efficiency and effectiveness through a centralized management hierarchy with task focused divisions and bureaus.
- Grew overall revenue from Golf and Permits divisions by approximately 11% in twelve months as a result of new management structure and practices.
- Developed diverse programming for park areas including summer movie and concert series, cultural, and themed events.
- Created and serve as Executive Producer of County's Winter Wonderland festival which attracts 30,000+ attendees annually.

City of Englewood, Englewood, NJ 2013-2015
Director, Department of Public Works & Engineering

- Re-structured department organization to increase efficiency of operations and effectiveness in delivery of services; designed and implemented quality assurance and control programs.
- Modernized operations; introduced GPS tracking and monitoring of city's fleet, GIS mapping of infrastructure and service routing, RFID to monitor and audit

- city's fuel systems and sanitation collection activities.
- Re-structured management and operation of fleet services; expanded responsibilities to provide repair and maintenance services for all city agencies over multiple shifts, reduced dependence on costly outsourced contracts through more efficient use of existing staff and equipment.
- Implemented phase one of a 3.2MM automated collection program for sanitation & recycling to consolidate collection routes, reduced labor costs by 66% per route, reduced worker compensation claims, improved aesthetic and delivery of collection activities citywide.
- Led a visioning process to prepare a new and dynamic conceptual design for the city's largest park through public engagement and outreach to meet new and changing needs of this significant public space.
- Worked with city administration and stakeholders to secure funding to develop a master plan to identify opportunities and elevate the city's park system to better serve user need and growing demand.
- Used grant funding to re-certify the city's Community Forestry Management Plan (CFMP) with DEP and conduct phase I of a citywide tree inventory documenting public and private assets through the use of lidar and multispectral imagery analysis of tree cover.

Hudson River Park Trust, New York, NY
Vice President of Operations

2001-2013
2003-2013

- Created operations, maintenance & public safety department to operate and maintain park areas, facilities, and infrastructure serving over 18MM annual visitors. Strategically planned and developed an expandable operations structure to be implemented in phases consistent with park development. Assembled staffing structure of internal & outsourced staff to current level of 100 union and non-union employees. Advocated for operating and capital budget needs to current level of \$9MM to maintain over \$500MM in assets.
- Planned and managed operational logistics for in-house and major citywide events such as; HRP summer film and concert series, HRP Blues & BBQ Festival, Guest Events (Bowery Concert Series, Ashes & Snow Art Exhibition, Marc Jacobs and Adidas fashion week shows, Food Network NYC Food & Wine Festival, Red Bull Flugtag), Macys July 4th Fireworks, Fleet Week, DirectTV Superbowl Beachbowl, Queen Mary 2 Inaugural Visit, Commissioning of USS New York, NASA Shuttle Enterprise Transport and USS Intrepid Restoration.
- Implemented a partnership with a non-profit organization who rehabilitates the homeless and low level substance abuse offenders to supplement daily labor pool needs for general maintenance at a 55% cost savings over direct hires.
- Implemented a shared services agreement with New York State DOT to provide the Trust with funding to maintain the West Side Highway corridor south of 59th Street (park frontage) on DOT's behalf averaging \$500K annually.
- Implemented a partnership with the New York Power Authority to have energy audits, equipment analysis, and site evaluation for alternate energy sources at no cost to reduce energy consumption. Generated revenue through participation in Peak Load Management program for on-site generation.
- Implemented an on-line asset management system with GIS capability to increase efficiency, improve customer service, establish key performance measures, increase accountability of staff and third party vendors, track

- inventory, and allow for data and cost analysis by asset.
- Served as principal liaison to Federal, State, and City Agencies.

Project Manager

2002-2003

- Managed design and construction staff to coordinate over 10 concurrent capital construction contracts to complete construction of the first phase of the park on time and within an aggregate budget of \$54MM.
- Analyzed and negotiated resolution to contractor's claims for extra compensation assuring compliance with contract documents and bid pricing.

Design & Construction Associate

2001-2002

- Prepared bid documents to competitively procure and assure best pricing and qualifications for maintenance and capital construction projects valued between \$100K and \$500K.
- Developed design standards to define vocabulary of park elements and materials for use by multiple design teams focused on durability, longevity, and maintenance requirements to ensure minimal life cycle operating costs.

Vollmer Associates, L.L.P., New York, NY
Junior Landscape Architect

1999-2000

- Prepared cost estimates and conceptual/schematic design alternatives.
- Developed designs and prepared construction documents.
- Engaged actively in client relations. Created computer presentations, preparation of graphics, and proposals.

Koth Landscape Contractors, Inc., Oradell, NJ
Foreman, Landscape Construction and Maintenance

1992-1998

- Installed, constructed, and maintained commercial and residential landscapes in compliance with contract documents and industry standards.
- Interpreted plans and specifications, performed design layout, directed crew to practice proper installation and maintenance procedures.
- Managed personnel, scheduling, and resource allocation.

AFFILIATIONS

Licensed Landscape Architect, New York #1877, New Jersey #21AS00114100
Council of Landscape Architectural Registration Boards, Certification #1660
Certified Public Works Manager, New Jersey #M-1752
Licensed Sanitary Collection System Operator, New Jersey #716529
Certified Recycling Professional, New Jersey
Certified Compost Site Operator, New Jersey
United States Coast Guard, Licensed Captain of Uninspected Passenger Vessels
American Society of Landscape Architects, Member
American Public Works Association, Member
Public Works Association of New Jersey, Past Vice President, Region 1
Bergen County Public Works Administrators Association, Past Vice President
NJ Recreation & Park Association, Member
National Recreation & Park Association, Member
Association of Zoos & Aquariums, Member
Professional Grounds Management Society, Member

CONFERENCES	<p>Presenter, "Thinking About Tomorrow's Waterfront Parks: Lessons from Hurricane Sandy and Beyond", American Society of Landscape Architects Annual Conference, Boston, MA.</p> <p>Panelist, Break-Out Session Leader, "Second Annual NYC Greenway Summit" Transportation Alternatives, Hunter College, New York, NY</p> <p>Presenter & Panelist, "Regional Visioning: Transforming City Regions & Public Participation", University Alliance Ruhr, American Council on Germany & German Center for Research and Innovation, German Consulate, New York, NY.</p>	<p>2013</p> <p>2007</p> <p>2018</p>
HONORS	<p>TCC Award for Environmental Excellence, Teaneck Creek Conservancy</p> <p>Joint Legislative Resolution for Environmental Excellence, Senate and General Assembly, State of New Jersey</p> <p>Public Partner of the Year, NY & NJ Trail Conference</p> <p>Richard Rohrbach Public Works Leader of the Year Award, American Public Works Association, NJ Chapter.</p> <p>Commendation for Leadership in Public Safety, NJ State Policeman's Benevolent Association, Local 206, Oradell Unit</p>	<p>2017</p> <p>2017</p> <p>2017</p> <p>2015</p> <p>2015</p>
EDUCATION	<p>University of Connecticut, Storrs, CT Bachelor of Science in Landscape Architecture (BSLA) Elected President, University of Connecticut Student Chapter of the ASLA Departmental Representative, Dean's Undergraduate Student Council</p> <p>Rutgers University, New Brunswick, NJ Edward J. Bloustein School of Planning and Public Policy, Center for Government Services Certified Public Works Manager (CPWM)</p> <p>New York University, New York, NY Certificate in Facility Management (CFM)</p>	<p>1998</p> <p>1996-1998</p> <p>1996-1998</p> <p>2009</p> <p>2007</p>
COMMUNITY SERVICE	<p>Borough of Oradell, Oradell, NJ Councilman</p> <ul style="list-style-type: none"> ▪ Elected to serve as President of the Council, assumed responsibilities of the Mayor when absent or as necessary, first in line of succession to the Office of the Mayor. ▪ Appointed Police Commissioner by the Mayor, restructured executive management who delivered a 20% reduction in overtime expenses in 12 months with an additional 40% reduction targeted through the use of civilian support services. ▪ Established and codified an ordinance governing police promotions and new hires. ▪ Established and adopted rules and regulations governing the conduct and operation of the police department. ▪ Implemented installation of a lightning detection and warning system at all borough recreational facilities, offset costs through the use of grant funds. 	<p>2010-2015</p> <p>2012-2013</p> <p>2011-2014</p>

- Strategized re-design and bidding processes for tennis facility re-construction with engineering staff to achieve an \$80K savings over original bid pricing to bring the project within budget.
- Led Mayor's committee to evaluate FAR regulations in response to citizen complaints concerning over development. Recommended and adopted structural changes to govern allowable density of volumes and provide credits for desired design initiatives contextual to the community.
- Strategized implementation of a State approved online auction service to dispose of and maximize return on surplus equipment generating an 85% increase in revenue over prior auctions of similar size.

Oradell Fire Department, Oradell, NJ
Firefighter/Engineer/Diver

1993-Present

- Department President
- Treasurer, Local Relief Unit of NJ State Fireman's Association
- By-Laws Committee Chair
- Project Coordinator, Capital Renovation Program for Fire Headquarters
- Lieutenant
- Financial Secretary

2020-Present

2007-Present

2002-2010

2001-2002

2000-2001

1997-2000

Planning Board, Borough of Oradell, NJ
Chairman
Vice Chairman

1998-2008

2007-2008

1999-2007

Office of Emergency Management, Oradell, NJ
Deputy Coordinator

2007-2008

2016-2017

Request for Taxpayer Identification Number and Certification

Give Form to the
 requester. Do not
 send to the IRS.

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. OFFICE OF JAMES G. KOTH, LANDSCAPE ARCHITECT, LLC	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>	
	5 Address (number, street, and apt. or suite no.) P.O BOX 544	
	6 City, state, and ZIP code ORADELL, NJ 07649	
	7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number

				-			-				
--	--	--	--	---	--	--	---	--	--	--	--

or

Employer identification number

4	7	-	4	0	0	6	5	4	1
---	---	---	---	---	---	---	---	---	---

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here	Signature of U.S. person ▶	Date ▶ <u>21 March 2021</u>
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

**BOROUGH OF CLOSTER
COUNTY OF BERGEN**

**RESOLUTION AUTHORIZING THE HIRING OF
PART TIME FIRE SUB-CODE OFFICIAL**

WHEREAS, the governing body of the Borough of Closter is aware of certain personnel needs due to a vacancy in the Borough’s Building Department; and

WHEREAS, the Borough of Closter’s Administrator has reviewed the qualifications of an individual with the Closter Human Resources Committee of the governing body and has recommended the hiring of an individual to the following position effective *April 1, 2021*:

Richard T. Silvia – Part-time Fire Sub-Code Official

WHEREAS, there are funds in the Borough’s budget sufficient to pay the compensation for a Part-time Fire Sub-Code Official; and

NOW THEREFORE BE IT RESOLVED, the Mayor and Council are hereby authorizing the hiring of *Richard T. Silvia* – Part-time Fire Sub-Code Official, at an hourly rate of \$50.00/hour; not to exceed six (6) hours per week.

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

Adopted : March 24, 2021

APPROVED BY:

ATTEST:

John C. Glidden, Jr., Mayor

Arlene Gray, Borough Clerk

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on March 24, 2021.

Arlene Gray, Borough Clerk

**BOROUGH OF CLOSTER
COUNTY OF BERGEN**

**RESOLUTION AUTHORIZING THE HIRING OF
PART TIME BUILDING SUB-CODE OFFICIAL**

WHEREAS, the governing body of the Borough of Closter is aware of certain personnel needs due to a vacancy in the Borough's Building Department; and

WHEREAS, the Borough of Closter's Administrator has reviewed the qualifications of an individual with the Closter Human Resources Committee of the governing body and has recommended the hiring of an individual to the following position effective *April 1, 2021*:

J. Scott Jezequel – Part-time Building Sub-Code Official

WHEREAS, there are funds in the Borough's budget sufficient to pay the compensation for a Part-time Building Sub-Code Official; and

NOW THEREFORE BE IT RESOLVED, the Mayor and Council are hereby authorizing the hiring of *J. Scott Jezequel* – Part-time Building Sub-Code Official, at an hourly rate of \$50.00/hour; not to exceed ten (10) hours per week.

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

Adopted : March 24, 2021

APPROVED BY:

ATTEST:

John C. Glidden, Jr., Mayor

Arlene Gray, Borough Clerk

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on March 24, 2021.

Arlene Gray, Borough Clerk

EH:lw

BOROUGH OF CLOSTER**RESOLUTION SETTING THE 2021 FEE FOR SEWER SERVICE
TO ALPINE PROPERTIES**

WHEREAS, the Borough of Closter has an Agreement with the Borough of Alpine to provide sewer service to certain homes located near or on Anderson Avenue; and

WHEREAS, this Agreement provides for an annual rate adjustment to meet increases in sewage treatment costs; and

WHEREAS, the fee for calendar year 2020 was set at \$996.79; and

WHEREAS, Bergen County Utilities Authority *decreased* Closter's charge for calendar year 2021 by *-1.11% (negative one point eleven percent)*; and,

WHEREAS, pursuant to the Closter/Alpine Sewer Agreement dated July 26, 1994 and Closter Code Section A301,I. Tax Collector, paragraph 6, the Borough Council may set the rate annually via Resolution;

NOW THEREFORE, BE IT RESOLVED, by the Closter Mayor and Council to set an annual rate of **\$985.73 for the year 2021** for each Alpine sewer connection.

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

Adopted: March 24, 2021

APPROVED BY:

ATTEST:

John C. Glidden, Jr. Mayor

Arlene Gray, Borough Clerk

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on March 24, 2021.

Arlene Gray, Borough Clerk

BOROUGH OF CLOSTER

RESOLUTION WAIVING THE SIDEWALK REQUIREMENT OF CLOSTER CODE FOR PROPERTY LOCATED AT 60 ANDERSON AVENUE

WHEREAS, the owners of the property located at 60 Anderson Avenue, Block 2011, Lot 3 have requested a waiver of the Borough’s sidewalk requirement pursuant to Closter Code Section 171-29A(2); and

WHEREAS the property owners request before the Mayor and Council was discussed at the public meeting held on March 10, 2021 pursuant to the request for the sidewalk waiver; and

WHEREAS, the Council and its Engineer has examined the road and other properties located on that section of Anderson Avenue and has found it appropriate to grant such a waiver; and

WHEREAS, the property owner agrees to make a contribution of \$5,500.00 to the Borough’s sidewalk fund and to install concrete curbs in line with the curbing adjacent to the properties boundaries. The payment to the fund and installation of concrete curbs shall be complete prior to the issuance of a Certificate of Occupancy for the aforementioned property;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Closter that the Borough’s sidewalk requirement for the property located at 60 Anderson Avenue is hereby waived but concrete curbs are to be installed in line with the curbing to the adjacent property and the property owner shall make a contribution of \$5,500.00 to the Borough’s sidewalk fund. Curb installation and payment to the sidewalk fund shall be completed prior to the issuance of a Certificate of Occupancy for the aforementioned property.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to forward a copy of this Resolution to the Building Department.

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

Adopted: March 24, 2021

APPROVED BY:

ATTEST:

John C. Glidden, Jr., Mayor

Arlene Marie Gray, Borough Clerk

Certified to be a true copy of Resolution adopted by the Mayor and Council of the Borough of Closter on March 24, 2021.

Arlene Marie Gray, Borough Clerk

Borough of Closter

2021	1,024,039.34
2020	1,035,489.71
Change in \$\$	(11,450.37)
Change in %	-1.11%