

PUBLIC MEETING – Wednesday, October 26, 2011 at 8:00 p.m.

There will be a Public Meeting of the Mayor and Council of the Borough of Glen Rock on Wednesday, October 26, 2011, at 8:00 p.m. in the Council Chambers of the Municipal Building.

Agenda: (May be subject to change)

1. CALL TO ORDER /ROLL CALL

This meeting is called pursuant to the provisions of the Open Public Meeting Law. This Meeting was included in a list of meeting notices sent to the Bergen Record and advertised in said newspaper in January, posted on the bulletin board in the Municipal Building, and has remained continuously posted as the required notices under the Statue. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

In accordance with the New Jersey State Fire & Safety Code I call your attention to the lighted exit signs. In the event the alarm sounds, move in an orderly manner toward the exit nearest you and leave the building.

**Council Member O’Hagan – present
Council Member Orseck – present
Council Member Biggs – present**

**Council Member Pazan – present
Council Member Surrago – present
Council Member Nogara - present**

2. FLAG SALUTE/ANNOUNCEMENTS

Council member Surrago led the Council and audience in the flag salute.

3. CONSENT AGENDA

All items listed are considered to be routine and non-controversial by the Borough Council and will be approved by one motion. There will be no separate discussion on these items unless a Council member(s) so request it, in which case the item(s) will be removed from the Consent Agenda and considered in its normal sequence on the agenda. The one motion signifies adoption of all resolutions, received and filed letters, correspondence, reports and approval of applications and minutes.

Resolutions:

1. Resolution for Approval of Minutes (10/12/11)

Resolution No. 193-11

Offered by Council Member Nogara

Seconded by Council Member Biggs

BE IT RESOLVED, that the Minutes of:

Meeting of October 12, 2011

Be accepted as submitted.

ROLL CALL:

Council Member O’Hagan – yes
Council Member Orseck – yes
Council Member Biggs – yes

Council Member Pazan - yes
Council Member Surrago - yes
Council Member Nogara – yes

2. Resolution for Chapter 159 (Sustainable Jersey)

Resolution No. 194-11

Offered by Council Member Nogara

Seconded by Council Member Biggs

**Chapter 159 Resolution
Approval of items of Revenue and Appropriation
NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Glen Rock in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the amount of \$1,000.00, which is now available from the NJLM Educational Foundation, Inc. in the amount of \$1,000.00.

BE IT FURTHER RESOLVED that the like sum of \$1,000.00 is hereby appropriated under the caption of 2011 Sustainable Jersey Small Grants; and

BE IT FURTHER RESOLVED that the above is the result of funds from the NJLM Educational Foundation, Inc. in the amount of \$1,000.00.

ROLL CALL:

Council Member O’Hagan – yes
Council Member Orseck – yes
Council Member Biggs – yes

Council Member Pazan - yes
Council Member Surrago - yes
Council Member Nogara – yes

3. Resolution for Chapter 159 (Clean Air Cool Planet)

Resolution No. 195-11

Offered by Council Member Nogara

Seconded by Council Member Biggs

**Chapter 159 Resolution
Approval of items of Revenue and Appropriation
NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Glen Rock in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the amount of \$2,500.00, which is now available from the Clean Air Cool Planet, Inc. in the amount of \$2,500.00.

BE IT FURTHER RESOLVED that the like sum of \$2,500.00 is hereby appropriated under the caption of Clean Air Cool Planet; and

BE IT FURTHER RESOLVED that the above is the result of funds from the Clean Air Cool Planet, Inc. in the amount of \$2,500.00.

ROLL CALL:

Council Member O’Hagan – yes
Council Member Orseck – yes
Council Member Biggs – yes

Council Member Pazan - yes
Council Member Surrago - yes
Council Member Nogara – yes

4. Resolution for Payment of Bills

Resolution No. 196-11

Offered by Council Member Nogara

Seconded by Council Member Biggs

BE IT RESOLVED, that the following bills of the Borough of Glen Rock be paid in the amount of \$ 3,059,200.40

Board of Education	\$1,561,307.00
GR Payroll	596,433.62
GR Library	42,766.00
NJSHBP	149,142.72
PVSC	127,663.40
Rachles/Michele’s	31,114.66
Ridgewood Water	10,099.81
PSE & G	71,931.59
Aerial Rise	18,458.79
NW Bergen Central Disp	80,421.25
Veolia Environmental	45,879.36
Warnock Fleet	50,311.40
Subtotal	\$2,785,529.60
Miscellaneous	138,339.82
Capital	134,423.98
State & Federal Grant Fund	907.00

Total Payment of Bills \$3,059,200.40

ROLL CALL:

Council Member O’Hagan – yes Council Member Pazan - yes
Council Member Orseck – yes Council Member Surrago - yes
Council Member Biggs – yes Council Member Nogara – yes

5. Resolution for Tax Appeal Settlement (B175 L2.10)

Resolution No.: 197-11
Offered by Council Member: Nogara
Seconded by Council Member: Biggs

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT

(B175, L2.10)

WHEREAS, there is pending before the Tax Court of New Jersey, the matter of Michael and Eliza Kane v Borough of Glen Rock bearing Docket Nos.003088-2010, 002216-2011;and

WHEREAS, the Borough’s Tax Assessor, Steven Rubenstein, has reviewed the property record card, income and expense analysis and has made a physical inspection of the property; and

WHEREAS, the Tax Assessor has recommended a modification to the 2010-2011 assessments; and

WHEREAS, as a result of discussions between the Tax Assessor, the Plaintiff’s attorney, their real estate expert/consultant and the Borough Attorney, it is the recommendation of the Tax Assessor that the Mayor and Council ratify and approve the settlement of this matter.

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

1. The Mayor and Council having reviewed the recommendation for reduction in the assessment of the following Tax Court of New Jersey appeal do hereby ratify the following settlement:

Table with 5 columns: PROPERTY OWNER, BLOCK/ LOT, YEAR, ORIGINAL ASS'MENT, SETTLEMENT. Rows for Michael & Eliza Kane in 2010 and 2011.

2. Taxpayer agrees to waive prejudgment interest provided that the tax refund is paid within sixty (60) days of the judgment.

3. The provisions of N.J.S.A. 54:51-A-8 (Freeze Act) shall be applicable for the year(s) 2011 and 2012 (Freeze Act years). This judgment is a final disposition of the entire controversy and

of any actions pending or hereafter instituted by the parties concerning the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year.

ROLL CALL:

Council Member O’Hagan - yes	Council Member Pazan - yes
Council Member Orseck – yes	Council Member Surrago – yes
Council Member Biggs – yes	Council Member Nogara - yes

6. Resolution for Tax Appeal Settlement (B 197 L8)

Resolution No.: 198-11

Offered by Council Member: Nogara

Seconded by Council Member: Biggs

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT

(B197, L8)

WHEREAS, there is pending before the Tax Court of New Jersey, the matter of LJS Properties, LLC v Borough of Glen Rock bearing Docket Nos. 002647-2009, 006326-2010, xxxxxx-2011;and

WHEREAS, the Borough’s Tax Assessor, Steven Rubenstein, has reviewed the property record card, income and expense analysis and has made a physical inspection of the property; and

WHEREAS, the Tax Assessor, has recommended a modification to the 2009-2011 assessment; and

WHEREAS, as a result of discussions between the Tax Assessor, the Plaintiff’s attorney, and their real estate expert/consultant and the Borough Attorney, it is the recommendation of the Tax Assessor that the Mayor and Council ratify and approve the settlement of this matter.

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

1. The Mayor and Council having reviewed the recommendation for reduction in the assessment of the following Tax Court of New Jersey appeal do hereby ratify the following settlement:

<u>PROPERTY OWNER</u>	<u>BLOCK/ LOT</u>	<u>YEAR</u>	<u>ORIGINAL ASS'MENT</u>	<u>SETTLEMENT</u>
LJS Properties, LLC	197/8	2009	\$1,100,900.00	\$1,100,900.00
LJS Properties, LLC	197/8	2010	\$1,100,900.00	\$1,000,000.00
LJS Properties, LLC	197/8	2011	\$1,100,900.00	\$900,000.00

2. Taxpayer agrees to waive prejudgment interest provided that the tax refund is paid

within sixty (60) days of the judgment.

3. The provisions of N.J.S.A. 54:51-A-8 (Freeze Act) shall be applicable for the year(s) 2010 and 2011 (Freeze Act years). This judgment is a final disposition of the entire controversy and of any actions pending or hereafter instituted by the parties concerning the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year.

ROLL CALL:

Council Member O'Hagan - yes
Council Member Orseck – yes
Council Member Biggs – yes

Council Member Pazan - yes
Council Member Surrago – yes
Council Member Nogara - yes

7. Resolution for Tax appeal Settlement (B115 L 13)

Resolution No.: 199-11

Offered by Council Member: Nogara

Seconded by Council Member: Biggs

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT

(B115, L13)

WHEREAS, there is pending before the Tax Court of New Jersey, the matter of 66 Glen Avenue, LLC v Borough of Glen Rock bearing Docket Nos. 002001-2010, 0029569-2011;and

WHEREAS, the Borough's Tax Assessor, Steven Rubenstein, has reviewed the property record card, income and expense analysis and has made a physical inspection of the property; and

WHEREAS, the Tax Assessor, has recommended a modification to the 2010-2011 assessments; and

WHEREAS, as a result of discussions between the Tax Assessor, the Plaintiff's attorney, and their real estate expert/consultant and the Borough Attorney, it is the recommendation of the Tax Assessor that the Mayor and Council ratify and approve the settlement of this matter.

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

1. The Mayor and Council having reviewed the recommendation for reduction in the assessment of the following Tax Court of New Jersey appeal do hereby ratify the following settlement¹:

<u>PROPERTY OWNER</u>	<u>BLOCK/ LOT</u>	<u>YEAR</u>	<u>ORIGINAL ASS'MENT</u>	<u>SETTLEMENT</u>
66 Glen Avenue, LLC	115/13	2010	\$2,100,000.00	\$2,100,000.00

¹The Tax Assessor and the Plaintiff have stipulated to a 2012 assessment of \$1,800,000.00

66 Glen Avenue, LLC 115/13 2011 \$2,100,000.00 \$2,000,000.00

2. Taxpayer agrees to waive prejudgment interest provided that the tax refund is paid within sixty (60) days of the judgment.

3. The provisions of N.J.S.A. 54:51-A-8 (Freeze Act) shall be applicable for the year(s) 2010 and 2011 (Freeze Act years). This judgment is a final disposition of the entire controversy and of any actions pending or hereafter instituted by the parties concerning the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year.

ROLL CALL:

Council Member O’Hagan - yes	Council Member Pazan - yes
Council Member Orseck – yes	Council Member Surrago – yes
Council Member Biggs – yes	Council Member Nogara - yes

8. Resolution for Chapter 159 (Click It Or Ticket)

Resolution No. 200-11

Offered by Council Member Nogara

Seconded by Council Member Biggs

**Chapter 159 Resolution
Approval of items of Revenue and Appropriation
NJS 40A:4-87**

Whereas, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Glen Rock in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the amount of \$4,000.00, which is now available from the State of New Jersey Division of Highway Traffic Safety in the amount of \$4,000.00.

BE IT FURTHER RESOLVED that the like sum of \$4,000.00 is hereby appropriated under the caption of Click It Or Ticket; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey Division of Highway Traffic Safety in the amount of \$4,000.00

ROLL CALL:

Council Member O’Hagan - yes	Council Member Pazan - yes
Council Member Orseck - yes	Council Member Surrago - yes
Council Member Biggs - yes	Council Member Nogara - yes

9. Resolution for Canceling Stale Dated Trust Check

**Resolution No. 201-11
Offered by Council Member Nogara
Seconded by Council Member Biggs**

Cancellation of Stale Dated Trust Check

WHEREAS, the Chief Financial Officer of the Borough of Glen Rock has identified the following check to be stale, and;

WHEREAS, the Chief Financial Officer has been deemed to cancel of record the following check which is dated prior to October 26, 2011;

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Glen Rock, County of Bergen that all balances as per attached list shall be treated as Miscellaneous Revenue Not Anticipated, as to the Tax Collector’s bank statement reconciliation.

ROLL CALL:

Council Member O’Hagan – yes	Council Member Pazan - yes
Council Member Orseck - yes	Council Member Surrago - yes
Council Member Biggs - yes	Council Member Nogara - yes

**Motion to accept consent agenda by Council Member Nogara
Seconded by Council Member Biggs**

ROLL CALL:

Council Member O’Hagan – yes	Council Member Pazan - yes
Council Member Orseck - yes	Council Member Surrago - yes
Council Member Biggs - yes	Council Member Nogara - yes

4. MOTIONS

Departmental Reports

Council member Nogara (*Buildings & Grounds*) – Fees that have been collected by the Borough are up 20% from last year.

Council member Pazan (*Library, Finance*) – There is a new art show being exhibited at the Library. The Library receives 20% from the sale of any of the artwork. The Environmental Commission will be launching a project to eliminate single-use plastic bags. Council member Pazan highlighted several utility bills for the Borough.

Council member Orseck (*Recreation*) – Game On Glen Rock recently held an auction which was a success. The Thielke Arboretum is looking to build an educational facility on site. They have sent out informational postcards. The GRBA continues to put their funding back into the fields and facilities.

Council member Biggs (*Communications*) – GRINS (Glen Rock Information Notification System) continues to sign up residents. Anyone who has signed up will be receiving a notification verifying their information as well as passing the link onto to neighbors and friends. Club and organization information is in the process of being compiled to be put on the website. The Environmental Commission will be consulted for any input they have.

Council member Surrago (*Public Works* - Leaf pick-up will begin October 31st. Pick-up will continue through the end of December. Residents are asked to keep leaves at least 10' from storm drains and to refrain from disposing of branches and/or pumpkins, flowers in the leaf piles. A resident Girl Scout is collecting screw-type bottle caps to be collected at the Recycling Center. The Ambulance Corps. is celebrating their 60th year of operation this year.

Council member O'Hagan (*Public Safety*) – Parents are asked to keep children in on “Goosey Night” for safety reasons. Council member O'Hagan reminded residents that when a pedestrian is in the crosswalk it is the law to yield to them.

Mayor van Keuren responded to a comment he heard stating funding for a second senior citizen housing facility would affect the borough's bond rating. Mayor van Keuren stated the current Glen Courts was funded by a separate agency that issued bonds, which the borough backed up. This process did not affect the borough's bond rating however it did have the implication on future amounts it may borough. Mayor van Keuren assured everyone that the borough is in no way near to reaching the cap it may borough. Consequently, if the borough were to pursue a senior citizen facility and proceed in this same manner it would not affect our financial standing. Mayor van Keuren strongly encouraged any resident to seek correct answers from any member of the Council or himself.

Motion to accept reports as filed:
Motion by Council Member Orseck
Seconded by Council Member Pazan

ROLL CALL:

Council Member O'Hagan – yes
Council Member Orseck - yes
Council Member Biggs - yes

Council Member Pazan - yes
Council Member Surrago - yes
Council Member Nogara - yes

5. MEETING OPEN TO THE PUBLIC: (Before speaking at the meeting, each person must state their name and address. 5 minute limit)

Andy Curshen – Glen Rock Environmental Commission – Mr. Curshen elaborated on the previously mentioned “Shop the Rock” bag program in an effort to eliminate single-use plastic bags. The purpose is to increase business for local merchants and to encourage residents to stop using plastic bags. The bags will be given out free as the cost has been covered by received grants. Mr. Curshen noted that the artwork on the bags has been done by resident Hy Eisman, who was the creator of the Popeye cartoons.

Council member Nogara asked when the bags would be available.

Mr. Curshen replied merchants have been asked to put the bags on November 26th.

Doris Ciaramella – 15 Austin Place – Mrs. Ciaramella reminded residents to vote on November 8th and noted that their district is noted on the label of their sample ballot. Council member Biggs also noted that the districts are also listed on the borough website.

6. ADJOURNMENT

Motion to adjourn the meeting and reopen the closed meeting was made by Council member Biggs
Seconded by Council member Surrago
Meeting adjourned at 8:30 p.m.