

PUBLIC MEETING – Wednesday, October 30, 2013 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 30, 2013 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 – absent
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 Approval of Minutes (10/9/13)

Resolution No. 189-13
Offered by Council Member Biggs
Seconded by Council Member Nogara

BE IT RESOLVED, that the Minutes of:

Council Meeting – October 9, 2013

Be accepted as submitted.

ROLL CALL:

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

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

2. Resolution for Payment of Bills

Resolution No.90-13

Offered by Council Member Biggs

Seconded by Council Member Nogara

BE IT RESOLVED, that the following bills of the Borough of Glen Rock be paid in the amount of \$4,963,962.76 .

| | |
|-------------------------------|------------------------|
| GR Payroll | \$ 917,781.36 |
| GRBOE | 1,751,298.00 |
| GR Library | 41,935.25 |
| GR Capital | 503,380.11 |
| NJSHBP | 178,164.08 |
| P.V.S.C. | 127,130.77 |
| B.C. Dept. of Health | 14,259.06 |
| B.C.U.A. | 21,717.11 |
| Rachles/Michele's | 21,273.74 |
| Burton Agency | 11,612.00 |
| Sokol, Behot, Fiorenzo | 11,826.28 |
| SUBTOTAL | \$ 3,600,377.76 |
| Miscellaneous | 126,883.52 |
| General Capital | 329,629.88 |
| Trust/Other | 15,778.97 |
| Payroll | 883,998.09 |
| Dog Trust | 7,250.63 |
| Developer's Escrow | 43.91 |
| Total Payment of Bills | \$ 4,963,962.76 |

ROLL CALL:

Council Member O'Hagan - present
Council Member Orseck – absent
Council Member Biggs - present

Council Member Pazan - present
Council Member Surrago - present
Council Member Nogara - present

3. Resolution Approving Fire Department Member (Kevin Sasek)

Resolution No. 191-13

Offered by Council Member Biggs

Seconded by Council Member Nogara

WHEREAS, the Fire Department wishes to have the Council pass a resolution approving this member; and

WHEREAS, the Fire Department has recommended that this applicant:

Kevin Sasek

is a qualified candidate and thereby recommend to the governing body for ratification of this appointment,

NOW, THEREFORE, IT IS HEREBY RESOLVED, that in accordance with the bylaws of the Glen Rock Fire Department the Borough Council of the Borough of Glen Rock does hereby accept the recommendation of the Fire Department and accepts the application for membership of:

Kevin Sasek

ROLL CALL:

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

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

4. Resolution Authorizing Site Study for Proposed Shared DPW Facility with Ridgewood

Resolution No. 192-13

Offered by Council Member Biggs

Seconded by Council Member Nogara

A RESOLUTION AUTHORIZING PARTICIPATION WITH THE VILLAGE OF RIDGEWOOD TO EXPLORE A SHARED DPW FACILITY ON PROSPECT STREET

WHEREAS, The Borough of Glen Rock was approached by the Village of Ridgewood to discuss the possibility of relocating the Department of Public Works and Sanitation Divisions to a new facility to be constructed at the Department of Public Works Water Pollution Control Facility (WPCF) at 561 Prospect Street, Glen Rock, NJ; and

WHEREAS, officials from the Borough of Glen Rock and the Village of Ridgewood have met on two occasions to discuss this joint venture, and in the interest of shared services determined that it would be advantageous to both parties to take the next step in by examining the feasibility of said location, the environmental impact, and the ability to handle vehicle traffic; and

WHEREAS, the Borough of Glen Rock, at the public work session held on October 7, 2013, agreed to fund 50% of the cost of the initial tasks with the Village of Ridgewood funding the other 50% of the cost; and

WHEREAS, the Local Public Contracts Law, N.J.S.A 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Mayor and Council of the Borough of Glen Rock is satisfied that by Conklin Associates, Consulting Engineers and Land Surveyors, P.O. Box 282, 29 Church Street, Ramsey, NJ, 07446, is qualified to render the services required for Task 1 Site Feasibility Study and Task 2 Truck Turning Analysis from the proposal submitted by Conklin Associates dated

September 24, 2013, in an amount not to exceed \$5,250, or \$2,625 per town.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Glen Rock that the Borough of Glen Rock enter into an agreement with the Village of Ridgewood to jointly conduct a Site Feasibility Study/Truck Turning Analysis for the potential of erecting a DPW/Sanitation Facility at the WPCF, and agree to pay for one-half of the study contract to Conklin Associates in an amount not to exceed \$2,625.00.

BE IT FURTHER RESOLVED that the CFO has certified that funds are available.

ROLL CALL:

Council Member O'Hagan - present
Council Member Orseck – absent
Council Member Biggs - present

Council Member Pazan - present
Council Member Surrago - present
Council Member Nogara - present

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

Resolution No. 193-13

Offered by Council Member Biggs

Seconded by Council Member Nogara

**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 2012 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 - present
Council Member Orseck – absent
Council Member Biggs - present

Council Member Pazan - present
Council Member Surrago - present
Council Member Nogara - present

6. Resolution for COAH Refund

Resolution No. 195-13

Offered by Council Member Biggs

Seconded by Council Member Nogara

**RESOLUTION AUTHORIZING REFUND OF COALITION OF AFFORDABLE HOUSING
OVERPAYMENTS**

WHEREAS, the Certified Tax Assessor, William Yince has determined that an over payment of COAH payments had been made by 50 Alan LLC, 501 Washington Ave., Washington Twp., NJ 07676 in regards to Block 234, Lot 5, 164 Hillman Avenue, Glen Rock, NJ in the amount of \$2,142.54; and Mrs. Evelyn Auerbach, 173 Fairmount Ave., Glen Rock, NJ in regards to Block 230, Lot 18, 173 Fairmount Ave., Glen Rock, NJ in the amount of \$2,989.00; and

NOW THEREFORE BE IT RESOLVED, The CFO is authorized to issue a check for \$2,142.54 to 50 Alan LLC. 501 Washington Ave., Washington Twp., NJ 07676, as well as a check for \$2,989.00 to Mrs. Evelyn Auerbach, 173 Fairmount Ave., Glen Rock, NJ 07452.

ROLL CALL:

Council Member O’Hagan - present

Council Member Pazan - present

Council Member Orseck – absent

Council Member Surrago - present

Council Member Biggs - present

Council Member Nogara - present

7. Resolution to Cancel Tax Refund or Overpayments

Resolution No. 195-13

Offered by Council Member Biggs

Seconded by Council Member Nogara

RESOLUTION TO CANCEL TAX REFUND OR OVER PAYMENTS

WHEREAS, N.J.S.A. 40A:5-17 allows for the cancellation of property tax refunds or delinquent amounts in the amount of less than \$10.00; and,

WHEREAS, the governing body authorizes the Tax Collector to cancel the following over payments all in year 2013: Block 36 Lot 2 amount \$8.06, Block 66 Lot 6 amount \$.02, Block 122 Lot 15 amount \$2.00, Block 129 Lot 14 amount \$.01, Block 131 Lot 14 amount \$.15, Block 247 Lot 8 amount \$2.32, Block 14 Lot 9 amount \$.42, Block 40 Lot 12 amount \$1.24, Block 51 Lot 12 amount \$.01, Block 51 Lot 16 amount \$8.42, Block 59 Lot 4 amount \$.45, Block 62 Lot 7 amount \$.01, Block 150 Lot 19 amount \$.54, Block 154 Lot 1 amount \$.01, Block 219 Lot 13 amount \$.30, Block 238 Lot 4 amount \$3.74, and Block 244 Lot 6 amount \$.01.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Glen Rock, County of Bergen, State of New Jersey, hereby authorize the Tax Collector to cancel said tax amounts.

ROLL CALL:

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

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

8. Resolution to Approve Contract with West Bergen Mental Healthcare

Resolution No. 196-13

Offered by Council Member Biggs

Seconded by Council Member Nogara

WHEREAS, there exist a need for the Borough of Glen Rock to provide health services for their Volunteer Member, Employees and Student of Glen Rock; and

WHEREAS, West Bergen Mental Healthcare Inc. can provide the these services to the Borough which include Employee Assistance Programs and Student Assistance Programs; and

WHEREAS, the West Bergen Mental Healthcare has agreed to provide these services to the Borough of Glen Rock through a contract agreement with the Borough of Glen Rock and West Bergen mental Healthcare for the calendar year 2013; and

WHEREAS, the amount of the contract for the year 2013 is not to exceed \$16,500;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Glen Rock that John van Keuren, Mayor is hereby authorized and directed to execute an agreement with the West Bergen Mental Healthcare Inc.

ROLL CALL:

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

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

9. Resolution for Tax Appeal Settlement (B47/L2)

Resolution No. 197-13

Offered by Council Member Biggs

Seconded by Council Member Nogara

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT

(B 47, L 2)

**WHEREAS, the Tax Assessor, has recommended a modification to the 2012 assessment;
and**

WHEREAS, as a result of discussions between the Tax Assessor, the Plaintiffs’ attorney, 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> |
|---------------------------|-----------------------|-------------|------------------------------|-------------------|
| Ricky Kaming Leung | 47/2 | 2012 | \$848,200.00 | \$825,000.00 |

ROLL CALL:

Council Member O'Hagan - present
Council Member Orseck – absent
Council Member Biggs - present

Council Member Pazan - present
Council Member Surrago - present
Council Member Nogara - present

10. Resolution for Tax Appeal Settlement (B218/L6)

Resolution No. 198-13

Offered by Council Member Biggs

Seconded by Council Member Nogara

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT

(B 218, L 6)

WHEREAS, there is pending before the Tax Court of New Jersey, the matter of Justin & Cheryl Moss v. Glen Rock bearing Docket Nos. 015038-2012 and 013227-2013.

WHEREAS, the Tax Assessor, has recommended a modification to the 2012 and 2013 assessment; and

WHEREAS, as a result of discussions between the Tax Assessor, the Plaintiffs' attorney, 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> |
|---------------------------|-----------------------|-------------|------------------------------|-------------------|
| Justin & Cheryl Moss | 218/6 | 2012 | \$415,100.00 | \$350,000.00 |
| Justin & Cheryl Moss | 218/6 | 2013 | \$415,100.00 | \$340,000.00 |

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

3. The Tax Assessor shall reduce the 2014 tax assessment to a total assessment of not more than \$330,000.00.

11. Resolution for Tax Appeal Settlement (B43L21.01)

Resolution No. 199-13
Offered by Council Member Biggs
Seconded by Council Member Nogara

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT

(B 43, L 21.01)

WHEREAS, there is pending before the Tax Court of New Jersey, the matter of Eric Magenheim v. Glen Rock bearing Docket Nos. 015024-2012.

WHEREAS, the Tax Assessor, has recommended a modification to the 2012 assessment; and

WHEREAS, as a result of discussions between the Tax Assessor, the Plaintiffs' attorney, 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> |
|-----------------------|-------------------|-------------|--------------------------|-------------------|
| Eric Magenheim | 43/21.01 | 2012 | \$424,500.00 | \$424,500.00 |
| Eric Magenheim | 43/21.01 | 2013 | \$430,500.00 | \$400,000.00 |

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

3. The Tax Assessor shall reduce the 2014 tax assessment to a total assessment of not more than \$400,000.00.

ROLL CALL:

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

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

12. Resolution Awarding Tree Planting Bid (Louis Barbato Landscaping)

Resolution No. 200-13

Offered by Council Member Biggs

Seconded by Council Member Nogara

**A RESOLUTION AWARDING BID TO LOUIS BARBATO LANDSCAPING,
INC. FOR THE SHADE TREE PLANTING BID**

WHEREAS, the Borough of Glen Rock authorized the advertising for the solicitation of bids for the Shade Tree Planting Bid for the Department of Public Works; and

WHEREAS, a notice to bidders was duly advertised and four (4) were received, to wit, Louis Barbato Landscaping, Inc., Donofrio & Sons, Inc., Pat Scanlan Landscaping, Inc. and Fullerton Ground Maintenance, LLC; and

WHEREAS, Director of the Department of Public Works and the Borough Attorney, have recommended that the low bidder, Louis Barbato Landscaping, Inc., be awarded the contract in the amount of \$19,425.00, as its bid submission substantially conforms to the specifications of the Borough of Glen Rock; and

WHEREFORE, the Chief Financial Officer has provided the Governing Body with Certification of the availability of funds requirements.

NOW, THEREFORE, BE IT

RESOLVED, that the bid of the lowest responsible bidder, namely, Louis Barbato Landscaping, Inc., in the amount of \$19,425.00 for the Shade Tree Planting Bid be accepted by the Borough of Glen Rock, subject to the execution of a form of contract to be approved by the Borough Attorney; and be it further

RESOLVED, that the Borough Clerk is hereby authorized and directed to return the bid bonds of the following unsuccessful bidders upon execution of the contract with RVH Mulch Supply, LLC and other required documents:

- 1. Donofrio & Sons, Inc.**
- 2. Pat Scanlan Landscaping, Inc.**
- 3. Fullerton Ground Maintenance, LLC**

ROLL CALL:

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

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

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

ROLL CALL:

**Council Member O’Hagan - yes
Council Member Orseck - absent
Council Member Biggs – yes**

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

4. MOTIONS

Departmental Reports

Council member Biggs (*Communications*) – The Chamber of Commerce will be holding a “Winter Wonderland” event on December 7th in lieu of the annual tree lighting held the Friday after Thanksgiving. Businesses will be offering coupons throughout the day. The tree lighting will be held from 4:30 – 5:30 p.m. The Chamber has also approached the Council to have a spring Street Fair on Sunday, May 4th, similar to the annual fall street fair. This will be an opportunity for local businesses to participate and showcase their wares.

Council member Nogara (*Finance*) – Saturday, December 7th the Finance Committee will be holding an open meeting to which residents are encouraged to attend.

Council member O’Hagan (*Public Safety*) – As leaves begin to fall and daylight savings ends, residents are reminded to be cautious when driving around town. A concerted effort has been made with the school H.S.A.’s to urge parents/children to reflective material when riding/walking around town. Many people dress in dark clothing making it difficult for vehicles to see them.

Council member Pazan (*Library*) – The movie “Rock at Glen” was shown at a sold-out performance with an encore scheduled December 5th at 7:00 p.m. The Library has a plethora of new and exciting and informational classes available on a weekly basis. The Library is now participating in a program to improve your language (English/foreign) skills.

Council member Surrago (*Public Works*) – Public Works has “pushed up” the start date for leaf pick-up to October 15th with all districts having been visited once. Pick-up will continue through the end of December, weather permitting. Residents are reminded not to put grass clippings, branches or potted plants in the leaf piles. The Environmental Commission continues working on the Borough’s recertification.

Mayor van Keuren reminded residents that there are more and more deer in our area, so please be cautious when driving. PSE&G has replaced lights on Birchwood Place with new brighter lights.

**Motion to accept reports as filed:
Motion by Council Member Pazan
Seconded by Council Member O’Hagan**

ROLL CALL:

**Council Member O’Hagan - yes
Council Member Orseck - absent
Council Member Biggs – yes**

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

5. ORDINANCE

Ord. #1690 – Motion to Carry Public Hearing to November 25, 2013

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 230 OF THE CODE OF THE BOROUGH OF GLEN ROCK ENTITLED “ZONING”, TO ADJUST THE MAXIMUM GROSS FLOOR AREA IN THE A-1 AND A-2 RESIDENCE DISTRICTS.

A motion was made by Council member Pazan, seconded by Council member Surrago to carry the public hearing to November 25th on this ordinance.

ROLL CALL:

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

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

Ord. # 1691 – First Reading - AN ORDINANCE TO AMEND CHAPTER 74 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK ENTITLED “DOGS”, BEING AN ORDINANCE REGULATING DOGS WITHIN THE BOROUGH. *Pulled until a later date.*

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

Doris Ciaramella – 15 Austin Place – Mrs. Ciaramella asked if there was a new system to pick-up leaves as once they are picked up the sweeper then comes through and many of the leaves end of back on the lawn.

Jim Seaton – Ferndale Avenue – Mr. Seaton asked where zones A1 and A2 are located. Mayor van Keuren stated A1 is an area near Dunham, Lowell, McKinley and Lincoln Avenue. A2 is everything else.

7. ADJOURNMENT

Motion to adjourn the public meeting made by Council member Surrago
Seconded by Council member O’Hagan
Meeting adjourned at 8:23 p.m.