

PUBLIC MEETING – Monday, December 29, 2014 at 4 p.m.

There will be a Public Meeting of the Mayor and Council of the Borough of Glen Rock on Monday, December 29, 2014, at 4:00 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 – absent
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 Biggs 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.

Correspondence:

Rogut McCarthy Bond Anticipation Note Approving Opinion

Resolutions:

1. Resolution for 2014 Budget Transfers

Resolution No. 249-14

Offered by Council Member Surrago

Seconded by Council Member Orseck

BE IT RESOLVED by the Mayor and Council that the following transfers be made within the 2014 Municipal Budget:

FROM	TO	AMOUNT
23-2252 Employees Group Ins	20-1101 General Admin S & W	\$ 1,757.00
23-2252 Employees Group Ins	20-1201 Municipal Clerk S & W	\$ 2,561.00
23-2252 Employees Group Ins	20-1301 Finance S & W	\$ 3,758.00
23-2252 Employees Group Ins	20-1451 Collection of Taxes S & W	\$ 5,000.00
23-2252 Employees Group Ins	20-1501 Assessment of Taxes S & W	\$ 1,500.00
23-2252 Employees Group Ins	20-1502 Assessment of Taxes OE	\$ 2,300.00
23-2252 Employees Group Ins	20-1652 Engineering OE	\$23,000.00
23-2252 Employees Group Ins	20-3101 Public Bldg & Gr S & W	\$ 2,800.00
23-2252 Employees Group Ins	20-3102 Public Bldg & Gr OE	\$ 4,500.00
23-2252 Employees Group Ins	21-1801 Planning Board S & W	\$ 558.00
23-2252 Employees Group Ins	21-1802 Planning Board OE	\$ 100.00
23-2252 Employees Group Ins	21-1851 Zoning Board S & W	\$ 737.00
23-2252 Employees Group Ins	22-1951 Code Enforcement S & W	\$ 1,525.00
23-2252 Employees Group Ins	22-1952 Code Enforcement OE	\$ 500.00
23-2252 Employees Group Ins	23-2253 Unemployment	\$ 5,325.00
23-2252 Employees Group Ins	25-2521 OEM S & W	\$ 204.00
23-2252 Employees Group Ins	25-2681 Fire Prev S & W	\$ 1,000.00
23-2252 Employees Group Ins	26-3061 Recycling S & W	\$24,000.00
23-2252 Employees Group Ins	27-3301 Board of Health S & W	\$ 80.00
23-2252 Employees Group Ins	31-4372 Water	\$15,000.00
23-2252 Employees Group Ins	43-4901 Municipal Court S & W	\$ 2,349.00
23-2252 Employees Group Ins	43-4903 Public Defender	\$ 800.00
32-4652 Dumping Fees	31-4352 Street Lighting	\$ 7,600.00
25-2402 Police OE	25-2401 Police S & W	\$18,000.00
26-3051 Sanitation S & W	25-2401 Police S & W	\$20,000.00
26-3301 DPW S & W	25-2401 Police S & W	\$60,000.00
27-3302 Board of Health OE	25-2401 Police S & W	\$ 5,000.00
28-3752 Pool OE	25-2402 Police S & W	\$20,000.00
28-3751 Pool S & W	26-3302 DPW OE	\$ 5,000.00
Total		\$234,954.00

ROLL CALL:

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

2. Resolution for Emergency Appropriation – Legal

Resolution No. 250-14

Offered by Council Member Surrago

Seconded by Council Member Orseck

WHEREAS, an emergency has arisen with respect to funding for Legal Expenses, and no adequate provision was made in 2014 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of the emergency appropriation created including the appropriation

to be created by this resolution is \$48,745.00, and three percent of the total operations in the budget for the year 2014 is \$449,106.78.

NOW THEREFORE BE IT RESOLVED by not less than two-thirds of all the members thereof affirmatively concurring that in accordance with N.J.S.A. 40A:4-48,

1. An emergency appropriation be and the same is hereby made for Legal Other Expenses in the amount of \$48,745.00.
2. That said emergency appropriation shall be provided in full in the 2015 budget.
3. That two certified copies of this resolution be filed with the Director of Local Government Services.

ROLL CALL:

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

3. Resolution for Payment of Bills

Resolution No.

Offered by Council Member

Seconded by Council Member

BE IT RESOLVED, that the following bills of the Borough of Glen Rock be paid in the amount of \$5,474,566.61 .

GR BOE	\$ 1,770,224.00
GR Payroll	347,449.45
NJSHBP	181,131.84
County of Bergen	27,806.70
Stantec	17,200.00
James A. Fox, ESQ	35,155.25
Garibaldi	10,857.75
BCMJIF	118,640.94
BCUA	20,363.06
Rachles/Michele’s	13,712.97
Iron Mtn. Mulch	10,824.00
McCarter & English	17,844.28
PSE&G	19,299.89
Ridgewood Water	14,496.18
SUBTOTAL	\$ 2,605,006.31
Miscellaneous	73,591.62
Total Current Fund	\$ 2,678,597.93
General Capital	\$ 1,328,313.56
DDEF	666.88
Animal Control	459.00
Community Development	38,000.00
Unemployment	17,132.81

WHEREAS, the Chief Financial Officer has been deemed to cancel of record the following check which is dated prior to July 1, 2014;

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 - absent	Council Member Pazan - yes
Council Member Orseck – yes	Council Member Surrago - yes
Council Member Biggs – yes	Council Member Nogara – yes

Stale General Capital Check

<u>Check No.</u>	<u>Amount</u>
4059	\$ 251.90

6. Resolution to Cancel Stale Current Fund Checks

Resolution No. 254-14

Offered by Council Member Surrago

Seconded by Council Member Orseck

Cancellation of Stale Dated Checks

WHEREAS, a receivable balance in the amount of \$918.73 entitled "Municipal Drug Alliance and Drunk Driving Enforcement Fund" remain on the Federal & State Grants Receivable – Current Fund balance sheet at December 31, 2014

WHEREAS, it is necessary to formally cancel the receivable balance and its offsetting appropriation reserve from the balance sheet.

NOW THEREFORE BE IT RESOLVED that the following grant receivable and appropriation reserve balances be cancelled:

<u>GRANT TITLE</u>	<u>AMOUNT CANCELLED</u>
Municipal Drug Alliance	\$205.61
Drunk Driving Enforcement Fund	\$713.12

ROLL CALL:

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

7. Resolution to Approve State Contract Vendors

Resolution No. 255-14

Offered by Council Member Surrago

Seconded by Council Member Orseck

RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a

WHEREAS, the Borough of Glen Rock, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State Contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the Borough of Glen Rock has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Borough of Glen Rock intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Glen Rock authorizes the purchase certain goods and services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Glen Rock pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Borough of Glen Rock and the Referenced State Contract Vendors shall be from January 1st to December 31st 2014.

ROLL CALL:

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

Referenced State Contract Vendors

<u>Commodity/Service</u>	<u>Vendor</u>	<u>State Contract #</u>
Firefighter Safety Equipment	Globe Manu. Co., DBA/ AAA Emergency Supply	A-80945
	Continental Fire & Safety	A-80956, 81365
	Draeger Safety	A-80962

	NJ Fire Equipment	A-80945
	Firefighter One, LLC	A-80949
	Turnout Fire & Safety	A-78923
Fuel, Gasoline	Rachles/Michele's	A-80913, 82769
Heavy Duty Truck Parts	Beyer Bros. Co.	A-73475, 73697 79161, 83470
Industrial Supplies	Grainger	A-79875
Tires	Kirk's Orange Tire, Inc.	A-82527
	Platinum Car Care/ Platinum II	A-82528
	Custom Bandag	A-82527, 82528
Photocopier Services	Konica Minolta	A-52046, 64044 68256
Auto Parts	P & A Auto Parts	A-85994-86013
Telecommunication Services	Verizon	A-85943
	Verizon Wireless	A-82583
Police Vehicles	Winner/Day Ford	A-82925 81165, 83012
IT Hardware	Dell Computer Corp, Hewlett-Packard, Lenovo G.T.B.M., Inc.	A-70256 A-75583, A-81341
	CDW Gov't, ePlus Group	70262, 70263, 74851 75579, 75580
Police Safety Equipment	Lawmen Supply Co NJ	A-81295, 82100, A-86392
	Draeger Safety	A-81301
	Galls, Inc.	A-81320
	Motorola	A-83909
	Firefighter One, LLC	A-81363
	Turnout Fire & Safety	A-81361
Radio Communications Equipment	Goosetown Comm.	A-83892
Uniforms	Flemington Dept. Store	A-81324

8. Resolution for Tax Appeal Settlement (Pending)

Resolution No. 256-14
Offered by Council Member Surrago
Seconded by Council Member Orseck

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT

(B 196, L 4)

WHEREAS, there is pending before the Tax Court of New Jersey, the matter of 333 Realty LLC v. Glen Rock bearing Docket Nos. 008133-2010, 008970-2011, 01076-2012, 006704-2013 and 00742-2014.

WHEREAS, the Tax Assessor, has recommended a modification to the 2010, 2011, 2012, 2013 and 2014 assessments; 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>
333 Realty, LLC	196/4	2010	\$8,583,500.00	\$8,583,500.00
333 Realty, LLC	196/4	2011	\$8,583,500.00	\$8,400,000.00
333 Realty, LLC	196/4	2012	\$8,583,500.00	\$8,350,000.00
333 Realty, LLC	196/4	2013	\$8,583,500.00	\$8,250,000.00
333 Realty, LLC	196/4	2014	\$8,583,500.00	\$8,000,000.00

2. The provisions of N.J.S.A. 54:5:51A-8 (Freeze Act) shall not apply.

3. The total assessment for 2015 tax year shall be \$7,333,000.00, either party has the right to file a tax appeal for the 2015 tax year to obtain judgment to implement, enforce and/or confirm the \$7,333,000.00 assessment.

4. Taxpayer agrees to waive prejudgment interest provided that the aforementioned tax refunds are paid within sixty (60) days of the issuance of judgment.

5. On half of resultant tax overpayments shall be refunded as a result of the settlement set forth herein, by check made payable to McCarter & English, LLP as attorneys for Plaintiff and forwarded to Frank E. Ferruggia, Esq., McCarter & English, LLP, Four Gateway Center, 100 Mulberry Street, P.O. Box 652, Newark, New Jersey 07102-0652. The balance of the resultant tax overpayments shall be issued as tax credits to the taxpayer.

ROLL CALL:

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

9. Resolution for Closed Session – Police Personnel, Litigation

Resolution No. 257-14

Offered by Council Member Surrago

Seconded by Council Member Orseck

WHEREAS, the Mayor and Council of the Borough of Glen Rock has certain pending litigation/personnel matters to discuss; and

WHEREAS, the same constitutes matters which are specifically excepted from the requirements of the Open Public Meeting Act of the State of New Jersey.

NOW THEREFORE BE IT RESOLVED that all matters shall be discussed in private session from which the public will be specifically excluded on December 29, 2014 at 4:00 p.m. or soon thereafter in the Conference Room of the Municipal Building.

BE IT FURTHER RESOLVED that the subject matter to be discussed at said private session of the Borough Council may be disclosed to the public at such future time as determination has been reached on said matter.

ROLL CALL:

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

10. Resolution for Change Order #2 D&L Paving

Resolution No. 258-14

Offered by Council Member Surrago

Seconded by Council Member Orseck

**RESOLUTION AUTHORIZING CHANGE ORDER #2 FOR
2014 STREET PAVING-NW BERGEN COOPERATIVE**

WHEREAS, the Borough of Ramsey awarded a contract to D & L Paving Contractors, for the 2014 NW Bergen Cooperative Street Resurfacing Project in the amount of \$2,483,601.60, and;

WHEREAS, the Borough of Glen Rock passed Resolution No. 162-14 on July 30, 2014 for their portion of the project, in the amount of \$401,446.86, and;

WHEREAS, the Borough of Glen Rock passed Resolution No. 190-14 on September 22, 2014 for Change Order #1 in the amount of \$111,461.51, and;

WHEREAS, the need for revised quantities of face plates and grates resulted in the final change order:

<u>Item #</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Amount</u>
4	Bike Safe Grates	14	\$265.00	\$ 3,710.00
7	Metal Face Plates	12	\$225.00	<u>2,700.00</u>
Total Change Order #2 and FINAL				\$ 6,410.00

WHEREAS, the Director of Public Works has recommended the request for the additional face plates and grates, and;

WHEREAS, the Chief Financial Officer has certified that funds are available for Change Order #2 and FINAL, and;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Glen Rock that Change Order #2 and FINAL be approved in the amount \$ 6,410.00 for the face plate & grate work.

ROLL CALL:

Council Member O'Hagan - absent	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 Surrago
Seconded by Council Member Orseck

ROLL CALL:

Council Member O'Hagan - absent	Council Member Pazan - yes
Council Member Orseck – yes	Council Member Surrago – yes
Council Member Biggs – 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)

There was no one wishing to address the Council at this time

6. ADJOURNMENT

Motion to adjourn the public meeting made by Council member Biggs

Seconded by Council member Nogara

Meeting adjourned at 4:11 p.m.