

PUBLIC MEETING – Wednesday, February 8, 2012 at 8:00 p.m.

There will be a Public Meeting of the Mayor and Council of the Borough of Glen Rock on Wednesday, February 8, 2012, 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

The Glen Rock 7th grade Girl Scout Troop 286 led the Council and audience in the flag salute.

Mayor van Keuren asked each of the girls to introduce themselves.

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

Resolution No. 52-12

Offered by Council Member Surrago

Seconded by Council Member Nogara

BE IT RESOLVED, that the Minutes of:

**Reorganization Meeting – January 4, 2012
January 11, 2012**

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 Reinstatement of a Cancelled 2010 Payroll Check

Resolution No. 53-12

Offered by Council Member Surrago

Seconded by Council Member Nogara

Resolution: Reinstatement of a Cancelled 2010 Payroll Check

WHEREAS, the Chief Financial Officer of the Borough of Glen Rock has been notified that a previously stale dated payroll check in the amount of \$377.36, to be paid to Janice Lynn Doot, was formally cancelled on January 4, 2012, Resolution 3-12;

WHEREAS, Janice Lynn Doot has presented the lost payroll check to the Chief Financial Officer, and the Chief Financial Officer has been deemed to reinstate the cancelled check to Janice Lynn Doot, 12-69 Sunnyside Drive, Fair Lawn, NJ 07410, in the amount of \$377.36;

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Glen Rock, County of Bergen that the amount be disbursed to Janice Lynn Doot from the Borough of Glen Rock Current Fund – Operations Account.

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 Tax Appeal Refund (B 111 L1)

Resolution No. 54-12

Offered by Council Member Surrago

Seconded by Council Member Nogara

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT

(B111, L 1)

WHEREAS, there is pending before the Tax Court of New Jersey, the matter of Boiling Springs Savings Bank v. Borough of Glen Rock bearing Docket Nos. 6485-2006, 8682-2007, 9908-2008, 8378-2009, 8416-2010 and 10225-2011; 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 year(s) 2007, 2008, 2009 and 2010 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 Acting 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>
Boiling Springs Savings Bank	111/1	2006		WITHDRAWN
Boiling Springs Savings Bank	111/1	2007	\$2,480,800	\$2,100,000
Boiling Springs Savings Bank	111/1	2008	\$2,480,800	\$1,900,000
Boiling Springs Savings Bank	111/1	2009	\$2,480,800	\$1,800,000
Boiling Springs Savings Bank	111/1	2010	\$2,480,800	\$1,800,000

The parties agree the 2011 assessment shall remain at the 2009 and 2010 assessment.

2. Statutory interest pursuant to NJSA 54:3-27.2 having been waived by the taxpayer shall not be paid provided the tax refund is paid within 60 days of the date of entry of the Tax Court Judgment.

3. The provisions of N.J.S.A. 54:51-A-8 (Freeze Act) shall be applicable for the Freeze Act years established by the statute. 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.

4. Overpayments for the years 2006 through 2009 shall be paid as refunds to Matthew J. O'Donnell, Esq., Attorney for Boiling Springs Savings Bank. Refunds for 2010 and 2011 shall be applied as credits to the current tax year in lieu of payment.

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 Tax Appeal Refund (B 197 L 7)

Resolution No. 55-12

Offered by Council Member Surrago

Seconded by Council Member Nogara

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT

(B197, L7)

WHEREAS, there is pending before the Tax Court of New Jersey, the matter of Joan Ree Realty v Borough of Glen Rock bearing Docket Nos. 010646-2009; 001967-2010, 001863-2011;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 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 settlement:

<u>PROPERTY OWNER</u>	<u>BLOCK/ LOT</u>	<u>YEAR</u>	<u>ORIGINAL ASS'MENT</u>	<u>SETTLEMENT</u>
Joan Ree Realty	197/7	2009	\$5,438,100.00	\$4,584,100.00
Joan Ree Realty	197/7	2010	\$5,348,100.00	\$4,432,500.00
Joan Ree Realty	197/7	2011	\$5,348,100.00	\$4,432,500.00

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

5. Resolution Adding a Quasi Member to BMJIF

Resolution No. 56-12

Offered by Council Member Surrago

Seconded by Council Member Nogara

RESOLUTION ADDING A QUASI MEMBER TO THE BMJIF

WHEREAS, the Borough of Glen Rock is a participating member of the Bergen Municipal Joint Insurance Fund relative to General Liabilities and other overages; and

WHEREAS, the “FUND” has adopted certain criteria to distinguish between bona fide municipal activities and other quasi-public entities not sponsored by the municipality and therefore, not subject to coverage by the “FUND”; and

WHEREAS, it has been determined that in order to be covered by the “FUND” and organization or activity meet the test that’s its function is of the type that historically municipalites have undertaken themselves or have provided with insurance coverage and/or is one which advances a bona fide local public purpose on a non-profit basis typically met by local government the benefits of which are available to the municipality in general; and

WHEREAS, the Borough has asked the “FUND” to extend General Liability and Non-Owned Automobile Liability Coverage to the following Entities:

CLASS III – General

G.R.A.C.E

Non-Profit Entity

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Glen Rock as follows:

It is certified that the above listed organization exist with the Borough of Glen Rock as the bona fide charitable, educational or recreational activities of the municipality and are, in fact, organization that supports and/or provides services to the municipality in general and as such are sponsored pr subsidized directly or indirectly by the municipality.

The Borough of Glen Rock does hereby request that this organization described herein be named as additional named Insured for General Liability and Non-Owned Automobile Liability Coverage in accordance with the applicable limits and restrictions.

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

Motion to accept consent agenda by Council Member Surrago
Seconded by Council Member Nogara

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. ORDINANCES

Ord. #1652- Final Reading - AN ORDINANCE TO AMEND CHAPTER 150 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK 1971 AS AMENDED, ENTITLED “PARKING” BEING AN ORDINANCE ESTABLISHING REGULATIONS FOR PARKING ON PUBLIC OR PRIVATE PROPERTY WITHIN THE BOROUGH; TO PROVIDE FROM MODIFICATIONS TO PARKING VIOLATIONS AND PENALTIES.

A motion was made by Council member Orseck, seconded by Council member O’Hagan to withdraw this ordinance. All were in favor.

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 speak at this time.

Council member Nogara commented that residents who are requesting a tree may obtain a request form at publicworks@glenrocknj.net or glenrocktreetrust@gmail.com.

Council member O’Hagan reminded residents not to make left hand turns into the diagonal parking in the Central Business District. Secondly, congratulations to the students who participated in the High School Musical, “Grease”.

6. ADJOURNMENT

Motion to adjourn the meeting was made by Council member Surrago
Seconded by Council member Orseck
Meeting adjourned at 8:08 p.m.