

**PUBLIC MEETING – Wednesday, August 24, 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, July 27, 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 – 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 Pazan 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 – July 27, 2011**

**Resolution No. 146-11  
Offered by Council Member Orseck  
Seconded by Council Member Surrago**

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**BE IT RESOLVED, that the Minutes of:**

**Meeting of July 27, 2011**

**Be accepted as submitted.**

**ROLL CALL:**

Council Member O'Hagan – absent  
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 – Recycling Tonnage**

**Resolution No. 147-11**

**Offered by Council Member Orseck**

**Seconded by Council Member Surrago**

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**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 \$26,861.20, which is now available from the State of New Jersey State Recycling Fund in the amount of \$26,861.20.**

**BE IT FURTHER RESOLVED that the like sum of \$26,861.20 is hereby appropriated under the caption of 2009 Recycling Tonnage Grant; and**

**BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey State Recycling Fund in the amount of \$26,861.20.**

**ROLL CALL:**

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

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

**3. Resolution for Reinstatement of a Cancelled 2009 Payroll Check**

**Resolution No. 148-11**

**Offered by Council Member Orseck**

**Seconded by Council Member Surrago**

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**Resolution: Reinstatement of a Cancelled 2009 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 \$288.41, to be paid to Roberta Reynolds, was formally cancelled on December 29, 2009, Resolution 311-09;

WHEREAS, Roberta Reynolds 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 Roberta Reynolds, 10 Pinecrest Road, Vly. Cottage, NY 10989, in the amount of \$288.41;

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

**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

4. Resolution to Submit and Execute a Grant Agreement with NJDOT for Hamilton Avenue/Belmont Road Drainage Project

**Resolution No. 149-11**

**Offered by Council Member Orseck**

**Seconded by Council Member Surrago**

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**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NJDOT FOR THE HAMILTON AVENUE (SECTION 3) AND BELMONT ROAD DRAINAGE PROJECT**

WHEREAS, the Borough of Glen Rock is requesting funding from the New Jersey Department of Transportation Municipal Aid Program.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Glen Rock formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2012-Glen Rock Borough-00006 to the New Jersey Department of Transportation on Behalf of the Borough of Glen Rock.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Glen Rock and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**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. Resolution to Accept Memorandum of Understanding for DPW Contract**

**Resolution No. 150-11**

**Offered by Council Member Orseck**

**Seconded by Council Member Surrago**

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**RESOLUTION ACCEPTING THE MEMORANDUM OF AGREEMENT WITH THE UNITED PUBLIC SERVICE EMPLOYEES UNION (GLEN ROCK DPW)**

**WHEREAS, the Borough of Glen Rock and the United Public Services Employees Union (Glen Rock DPW) have been in contract negotiations since September 2009, and**

**WHEREAS, a settlement of such contract was agreed upon as of the meeting of June 1, 2011, where the attached Memorandum of Understanding was signed by both parties.**

**NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Glen Rock to accept the Memorandum of Understanding and implement the agreed upon conditions into a new contract covering the period 2010 – 2013.**

**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**

**6. Resolution for Bergen County Open Space Grant**

**Resolution No. 151-11**

**Offered by Council Member Orseck**

**Seconded by Council Member Surrago**

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**WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and,**

**WHEREAS, the Borough of Glen Rock desires to further the public interest by obtaining a matching grant of \$31,675 from the County Trust Fund, for a total project total of \$63,350, to fund the following project: Wilde Memorial Park ADA Improvements; and**

**WHEREAS, the Governing Body has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,**

**WHEREAS, as part of the application process, the governing body will hold a public hearing on August 24, 2011, to receive comments prior to the submission of said application(s); and,**

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project(s).

NOW, THEREFORE, BE IT RESOLVED by the Borough of Glen Rock;

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of September 1, 2011, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the applicant has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the applicant is committed to providing a dollar for dollar cash match for the project; and,
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
5. That this resolution shall take effect immediately.

**ROLL CALL:**

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

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

**7. Resolution for Municipal Representative for Open Space Committee**

**Resolution No. 152-11**

**Offered by Council Member Orseck**

**Seconded by Council Member Surrago**

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**RESOLUTION FOR MUNICIPAL REPRESENTATIVE FOR OPEN SPACE  
COMMITTEE**

WHEREAS, the Borough of Glen Rock has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NSJA 40A:8A-1 et seq. to participate in the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund; and

WHEREAS, said Agreement requires that one municipal representative be appointed by the governing body of the community to be part of the Open Space Trust Fund Municipal Park Improvement Program Regional Subcommittee for the term coinciding with the 2011 funding year of September 1, 2011 through August 31, 2012;



WHEREAS, the Annual Report of Audit for the year 2010 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Glen Rock, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**ROLL CALL:**

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

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

**10. Resolution for Cancellation of Unexpended Improvement Authorizations**

**Resolution No. 155-11**

**Offered by Council Member Orseck**

**Seconded by Council Member Surrago**

WHEREAS, certain General Capital Fund Improvement Authorization balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to General Capital Fund – Fund Balance;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Glen Rock, that the following unexpended Improvement Authorizations in the General Capital Fund be cancelled to General Capital Fund – Fund Balance.

<u>Ordinance No.</u>	<u>Improvement Description</u>
1346-00	Various Public Improvements \$ 53,174
1414-02	Various Public Improvements 143,400
1438-03	Various Public Improvements <u>189,218</u>
	\$385,792

**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

**11. Resolution for Cancellation of Due from State of New Jersey – General Capital Fund**

**Resolution No. 156-11**

**Offered by Council Member Orseck**

**Seconded by Council Member Surrago**

WHEREAS, a receivable balance in the amount of \$794,660 entitled “Due from State of New Jersey” remains on the General Capital Fund balance sheet at December 31, 2010 and

WHEREAS, it is necessary to formally cancel a portion of the receivable balance from the balance sheet.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Glen Rock, that the grant receivable balance be cancelled as follows:

<u>Ord. No.</u>	<u>Improvement Description</u>	<u>Balance 12/31/10</u>	<u>General Capital Fund Fund Balance</u>	<u>Funded Improvement Authorization</u>
1374-01	Var. Pub. Improv.	\$ 86,119	\$ 80,853	\$ 5,266
1401/1437	Var. Pub. Improv.	4,209	4,209	
1407/02	Var. Pub. Improv.	30,548	23,702	6,846
1414-02	Var. Pub. Improv.	40,000		40,000
1438-03	Var. Pub. Improv.	27,502		27,502
1467-04	Var. Pub. Improv.	175,816	91,670	84,146

1493-05	Var. Pub. Improv.	80,000		80,000
1498-06	Var. Pub. Improv.	120,000	95,973	24,027
1524-06	Var. Pub. Improv.	<u>30,466</u>	<u>          </u>	<u>30,466</u>
		\$594,660	\$296,407	\$298,253

**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

**12. Resolution for Tax Sale Redemption (152/3)**

**Resolution No. 157-11**

Offered by Council Member Orseck

Seconded by Council Member Surrago

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**RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES  
TO OUTSIDE LIENHOLDER**

WHEREAS, at the following municipal tax sale, a lien was sold to US BANK CUST/SASS MUNI V DTR on Block 152 Lot 3, also known as 32 Carol Court in Glen Rock, NJ

SALE DATE 12/9/2009 TAX SALE CERTIFICATE #2009-005 at 18% in the amount of \$3,681.18 with interest \$1,131.96, filing fees and penalty \$125.62, plus subsequent taxes and interest, total to redeem \$39,893.49.

SUBSEQUENT 2010 taxes paid on 03/25/2010 in the amount of \$17,709.11 with interest \$2,003.10 totaling \$19,712.21.

SUBSEQUENT 2010 taxes paid on 06/15/2010 in the amount of \$3,388.93 with interest \$323.08 totaling \$3,712.01.

SUBSEQUENT 2010 tax paid on 10/14/2010 in the amount \$3,716.10 with interest \$256.00 totaling \$3,972.10.

SUBSEQUENT 2010 tax paid on 12/29/2010 in the amount of \$3,699.04 with interest \$193.17 totaling \$3,892.21.

SUBSEQUENT 2011 tax paid on 04/07/2011 in the amount of \$3,557.88 with interest \$108.32 totaling \$3,666.20.

WHEREAS, the above certificate was sold to US BANK-CUST/SASS MUNI V dtr,

WHEREAS, HSBC BANK, have effected redemption totaling \$39,893.49,

NOW, THEREFORE, BE IT RESOLVED, the CFO is authorized to issue a check for \$39,893.49, payable to US BANK –CUST/SASS MUNI V, dtr for the above redemption of the certificate and subsequent taxes paid.

**ROLL CALL:**

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

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

**13. Resolution Authorizing Reissuance of a Plenary Retail Consumption License**

**Resolution No. 158-11**

**Offered by Council Member Orseck**

**Seconded by Council Member Surrago**

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**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
GLEN ROCK AUTHORIZING THE RE-ISSUANCE OF A PLENARY RETAIL  
CONSUMPTION LICENSE**

**WHEREAS**, pursuant to N.J.S.A. 33:1-12.14 of the New Jersey Alcoholic Beverage Control Law, the Borough of Glen Rock is permitted to issue three (3) Plenary Retail Consumption Licenses; and

**WHEREAS**, license number 0222-33-010-002 (the “License”) was previously held and used by Glen Rock Café, Inc., which license ceased to exist on June 30, 2008 due to the failure to renew said license; and

**WHEREAS**, P.L. 2010, c.14 contained a special one time opportunity for licensees to renew a license that had lapsed within the prior five (5) years; and

**WHEREAS**, Glen Rock Café, Inc. submitted its application to the State of NJ seeking the requested relief pursuant to N.J.S.A. 33:1-12.18 for the 2008-2009, 2009-2010 and 2010-2011 license terms, which application was granted by the Director of the NJ Division of Alcoholic Beverage Control in a Special Ruling (Trans No. 11009688) dated January 13, 2011, subject to conditions outlined therein; and

**WHEREAS**, the Special Ruling of the Director of the NJ Division of Alcoholic Beverage Control acknowledged in footnote no. 2 that the issuance of the license by the Borough of Glen Rock places the Borough over the “population cap” set forth in N.J.S.A. 33:1-12.14 and acknowledged the legislative intent P.L. 2010, c.14 to allow the reinstatement of the expired licenses nonetheless, thereby resulting in the Borough issuing a total of four (4) Plenary Retail Consumption Liquor Licenses; and

**WHEREAS**, Glen Rock Café, Inc. has satisfied the conditions (i.e. tax clearance certificate) set forth in the Special Ruling of the Director of the NJ Division of Alcoholic Beverage Control; and

**WHEREAS**, the Borough Council, pursuant to the provisions of N.J.S.A. 33:1-12.18 and N.J.S.A. 33:1-12.39, is satisfied that Glen Rock Café, Inc. has met all requirements for the re-issuance of the liquor license.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that consistent with the Special Ruling of the State of NJ, Department of Law and Public Safety, Division of Alcoholic Beverage Control “**In the Matter of the Application for Relief**

**pursuant to N.J.S.A. 33:1-12.18 for the 2008-2009, 2009-2010 and 2010-2011 License Terms and Pursuant to N.J.S.A. 33:1-12.39 For The 2010-2011 and 2011-2012 License Terms - Glen Rock Café, Inc.**” (License No. 0222-33-010-002; Agency No. 11-10-6777; Trans No. 11009688) the Governing Body of the Borough of Glen Rock hereby grants the reinstatement of License No. 0222-33-010-002 to Glen Rock Café, Inc. for the 2008-2009, 2009-2010 and 2010-2011 license years, subject to the payment of any and all outstanding license fees; and be it further

**RESOLVED**, that the Borough Clerk of the Borough of Glen Rock is hereby authorized and instructed to issue and deliver said license to Glen Rock Café, Inc.

**ROLL CALL:**

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

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

**14. Resolution Appointing Alternate Public Defender**

**Resolution No: 159-11**

**Offered by Council Member Orseck**

**Seconded by Council Member Surrago**

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**WHEREAS** the Borough of Glen Rock requires certain professional services for the calendar year of 2011 and

**WHEREAS**, it is anticipated that the expenditure for such professional services will per on a per diem basis in said calendar year; and

**WHEREAS**, the 2011 budget contains the necessary appropriation estimated to be reasonably required for each said professional service;

**NOW, THEREFORE BE IT RESOLVED**, By the Mayor and Council of the Borough of Glen Rock that the following appointments be and they are hereby made for the calendar year 2011.

**Alternate Public Defender**

**Joseph Nackson**

**BE IT FURTHER RESOLVED** that the aforesaid appointments were made without competitive bidding under the provision of N.J.S.A. 40A:11-5 which excepts from competitive bidding "Professional Services" rendered by persons authorized by law to practice a recognized profession and whose practice is regulated by law;

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be published within ten (10) days after passage as required by law.

**ROLL CALL:**

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

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

**15. Resolution Authorizing Tax Appeal Settlement (112/1; 112/2; 112/11)**

**Resolution No. 160-11  
Offered by Council Member Orseck  
Seconded by Council Member Surrageo**

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**RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT**

**(B112, L 2; B112, L1; B112, L11)**

**WHEREAS**, there is pending before the Tax Court of New Jersey, the matter of Bank of America v Borough of Glen Rock bearing Docket Nos. 003118-2010, 002403-2011; 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 settlement:

<u>PROPERTY OWNER</u>	<u>BLOCK/ LOT</u>	<u>YEAR</u>	<u>ORIGINAL ASS'MENT</u>	<u>SETTLEMENT</u>
Bank of America	112/2	2010	\$1,369,000.00	\$1,294,000.00
Bank of America	112/2	2011	\$1,369,000.00	\$1,244,000.00
Bank of America	112/1	2010	\$367,200.00	\$ 367,200.00
Bank of America	112/1	2011	\$367,200.00	\$ 367,200.00
Bank of America	112/11	2010	\$543,300.00	\$ 543,300.00
Bank of America	112/11	2011	\$543,300.00	\$ 543,300.00

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:**

<b>Council Member O’Hagan – absent</b>	<b>Council Member Pazan - yes</b>
<b>Council Member Orseck – yes</b>	<b>Council Member Surrago - yes</b>
<b>Council Member Biggs – yes</b>	<b>Council Member Nogara – yes</b>

**16. Resolution Authorizing Tax Appeal Settlement (115/9)**

**Resolution No. 161-11**  
**Offered by Council Member Orseck**  
**Seconded by Council Member Surrago**

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**RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT**

**(B115, L 9)**

**WHEREAS**, there is pending before the Tax Court of New Jersey, the matter of Lawrence Kramer III v Borough of Glen Rock bearing Docket Nos. 015789-2010, 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 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 settlement:

<u>PROPERTY OWNER</u>	<u>BLOCK/ LOT</u>	<u>YEAR</u>	<u>ORIGINAL ASS'MENT</u>	<u>SETTLEMENT</u>
Lawrence Kramer III	115/9	2010	\$740,000.00	Withdrawn
Lawrence Kramer III	115/9	2011	\$740,000.00	\$661,800.00

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 – absent  
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 Orseck  
Seconded by Council Member Surrago**

**ROLL CALL:**

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

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

**4. MOTIONS**

**Departmental Reports**

Council member Surrago (*Public Works*) – DPW has received four additional recycling receptacles for the downtown area. This past Sunday DPW began the Sunday pick-ups of garbage in the Central Business District. The Council has approved a field maintenance agreement with the BOE, which will now be reviewed by them.

Council member Biggs (*Building & Grounds, Communication*) – The website content continues to be updated. The Recreation portion is complete with Public Works to be tackled next. GRTV has a great program schedule with Council meetings available on demand. Kudos to Walter Perry for keeping the downtown planters looking good ... even at 6:15 a.m.

Council member Pazan (*Finance*) – We have received the auditor’s report and corrections are in progress. The Borough is in good shape and accurate in our accounting. The new Library Director will begin next week. Lap swimming continues at the pool with participants sharing healthy lifestyle tips, recipes and vegetables from their gardens.

Council member Nogara (*Licenses and Franchises, Shade Tree*) – Thanked residents who were involved in the 11 trees for 11 neighbors program, dedicated to remembering our 11 residents lost on 9/11. Favorable comments are being received concerning the outside of the municipal building.

Council member Orseck (*Parks & Recreation*) – Several incidents of vandalism have been reported at Wilde Park. Residents are reminded that we can’t solely depend on DPW to clean the parks. The pool season will conclude September 18. Current Pool Manager Bill Hardenberg will be retiring and moving to Las Vegas.

Mayor van Keuren urged residents to take necessary precautions concerning Hurricane Irene. The Borough will be addressing any concerns to minimize property damage and/or personal injury.

**Motion to accept reports as filed:  
Motion by Council Member Nogara**

Seconded by Council Member Biggs

**ROLL CALL:**

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

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

**5. ORDINANCES**

**Ordinance Procedure # 1646 (DPW Salaries)**

**Date of Introduction: August 24, 2011**

**Council Resolution #162-11**

**Introduced by Council Member Surrago**

**Seconded by Council Member Pazan**

**Be It Resolved by the Borough Council of the Borough of Glen Rock that AN AMENDMENT TO AN ORDINANCE TO FIX THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF GLEN ROCK, BERGEN COUNTY, NEW JERSEY.**

Heretofore introduced and does now pass on first reading, and that the said Ordinance be further considered for final passage at a meeting to be held on September 14, 2011 at 8:00 p.m., or as soon thereafter as the matter can be reached, at the Municipal Building in the Borough of Glen Rock, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance in the Bergen Record according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

**ROLL CALL:**

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

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

**BOROUGH OF GLEN ROCK  
ORDINANCE NO. 1646**

**AN AMENDMENT TO AN ORDINANCE TO FIX THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF GLEN ROCK, BERGEN COUNTY, NEW JERSEY.**

**BE IT ORDAINED, by the Borough Council of the Borough of Glen Rock in the County of Bergen, New Jersey as follows:**

**SECTION 1. That there is hereby established salary and wages for the classification of certain employees herein below set forth:**

<b><u>2010 PUBLIC WORKS</u></b>	<b><u>MINIMUM</u></b>	<b><u>MAXIMUM</u></b>
Foreman	20.00 per hr	32.42 per hr
Mechanic	20.00 per hr	34.24 per hr
Asst Mech	20.00 per hr	32.94 per hr

Leadman	20.00 per hr	30.92 per hr
Laborer	20.00 per hr	30.62 per hr

**2011 PUBLIC WORKS**

**MINIMUM**

**MAXIMUM**

Foreman	20.00 per hr	33.68 per hr
Mechanic	20.00 per hr	34.92 per hr
Asst Mech	20.00 per hr	33.60 per hr
Leadman	20.00 per hr	31.54 per hr
Laborer	20.00 per hr	31.23 per hr

**2010 SANITATION**

**MINIMUM**

**MAXIMUM**

Driver	20.00 per hr	31.63 per hr
Loader	19.00 per hr	29.11 per hr

**2011 SANITATION**

**MINIMUM**

**MAXIMUM**

Driver	20.00 per hr	32.26 per hr
Loader	19.00 per hr	29.69 per hr

**2010 RECYCLING**

**MINIMUM**

**MAXIMUM**

Laborer	20.00 per hr	30.62 per hr
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**2011 RECYCLING**

**MINIMUM**

**MAXIMUM**

Laborer	20.00 per hr	31.23 per hr
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**SECTION 2.** The Annual Salaries, weekly wages, and hourly wages shall be paid in bi-weekly installments, except that the Mayor and Council, Secretary of the Board of Health may be compensated quarterly.

**SECTION 3.** The amount to be paid to each officer or employee within the salary and wage range shall be fixed from time to time by resolution of the Mayor and Council.

**SECTION 4.** In addition to the salary ranges indicated above, longevity pay will be given to full-time Public Works personnel, Sanitation personnel, and Administrative personnel hired before 1-1-77 and Police Officers at the rate of two (2%) per cent for each four years of service not to exceed twelve (12%) per cent or the amount set forth in the contract. Longevity credit will be computed and paid semi-annually each year (January 1 and July 1) and semi-annually thereafter. Employees who serve in more than one capacity and spend their full time in Borough Service shall be considered a full-time employee for the purpose of longevity.

**SECTION 5.** The provisions of any ordinance or ordinances inconsistent with the provisions hereof are hereby expressly repealed.

**SECTION 6.** Where labor contract prevails, terms and conditions of the contract shall supersede this ordinance.

**SECTION 7. This ordinance shall take effect retroactive to January 1, 2010 upon passage and publication as required by law.**

**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 noted the recent meeting with the Lindsey Meyer Group and hoped they would be willing/able to help with snow shoveling for seniors.**

**7. ADJOURNMENT**

**Motion to adjourn the meeting was made by Council member Biggs  
Seconded by Council member Orseck  
Meeting adjourned at 8:17 p.m.**