

PUBLIC MEETING – Wednesday, August 29, 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, August 29, 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

Council member Nogara 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 (7/25/12)

**Resolution No. 182-12
Offered by Council Member Pazan
Seconded by Council Member Biggs**

BE IT RESOLVED, that the Minutes of:

July 25, 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 Payment of Bills

Resolution No. 183-12

Offered by Council Member Pazan

Seconded by Council Member Biggs

BE IT RESOLVED, that the following bills of the Borough of Glen Rock be paid in the amount of \$ 12,281,696.91 .

GR Payroll	615,299.56
GR Unemployment	10,000.00
GR Capital	200,000.00
Cty. of Bergen	1,414,516.94
Cty. Open Space	15,435.25
Bergen Cty. Elections	11,795.00
Warnock Auto	27,405.45
NW Central Disp.	80,421.25
Lincoln Financial	70,600.00
P.S.E.&G.	33,177.73
Rachles/Michele’s	23,932.96
Veolia Environmental	22,847.13
NJSHBP	162,181.29
Chase Bank	785,908.13
GRBOE	7,641,983.00
SUBTOTAL	\$ 11,091,570.73
Miscellaneous	127,295.77
General Capital	381,090.07
Escrow	5,340.00
Payroll Account	674,482.84
State & Fed. Grt Fund	938.00
DDEF	600.00
Unemployment Fund	379.50
Total Payment of Bills	\$ 12,281,696.91

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 Corrective Action Plan

Resolution No. 184-12

Offered by Council Member Pazan

Seconded by Council Member Biggs

**BOROUGH OF GLEN ROCK
2011 ANNUAL AUDIT
CORRECTIVE ACTION PLAN**

Recommendations:

1. Internal controls over Information Technology be reviewed and enhanced to ensure the control environment is secure, effective and efficient.

Corrective Action Plan

The Borough has had numerous discussions with our Information Technology consultants from the Board of Education and have recently installed a new server with backup capabilities that will enhance the current backup system. We continue to work on advancements on disaster recover systems and have been working with Baroan Technologies in setting up an off-site backup. Additionally, an inventory of software and hardware has been prepared, and the Borough manual contains acceptable use of computer language. The Borough Administrator is assigned with the overall responsibility of IT.

Implementation Date – Currently in progress, by September 30.

2. The payroll deduction ledger balances be reviewed and reconciled to the monthly bank accounts.

Corrective Action Plan

On a monthly basis, the payroll deduction ledger balances will be reviewed and reconciled. Staff of the finance department and tax collector's office will be cross-trained to be able to participate in this task.

Implementation Date – Currently in progress – prior to year-end.

3. Dedication by riders to be obtained or balances be disposed of for each of the miscellaneous reserves in Other Trust Fund.

Corrective Action Plan

Throughout this year to date the Borough has been reviewing the Other Trust Fund balance with the intention of disposing of any miscellaneous reserves. Each dedication by rider has been accurately recorded and will be properly expended.

Implementation Date – currently in progress – prior to year-end.

4. With regard to the Municipal Court, it is recommended that:

- Bank reconciliations contain only current reconciling items.

Corrective Action: Bank reconciliations now contain all reconciling items carried over from previous administration. All reconciling items will be adjusted by October 1, 2012, including discrepancies from the previous administration.

- Traffic bail on account be reviewed and be in agreement with the bail account reconciliation.

Corrective Action: Traffic bail on account is reviewed monthly and is in agreement with the bail account reconciliation.

- All checks issued from both the General and Bail accounts contain two authorized check signatures.
Corrective Action: General Account will bear dual signatures. Bail account will contain only signature due to AOC recommendation.
- Disbursements be made to each respective third party agency by the 15th of the month following receipt.
Corrective Action: Disbursements are made by the 15th of the month.
- All tickets outstanding in excess of six months on the Municipal Court's "Tickets Assigned Not Issued Report" be recalled and tickets on the "Tickets Issued Not Assigned Report" be assigned.
Corrective Action: All tickets outstanding in excess of six months are recalled and tickets not assigned are assigned on a daily basis.

Implementation Date – as indicated above.

5. A formalized accounting and reporting system be implemented for all amounts collected by the various municipal departments to ensure that cash receipt journals are maintained to account for all funds received, financial reports are prepared monthly and reconciled with the Finance Office, cash receipts are turned over to the Tax Collector within 48 hours of receipt and each amount collected is supported by a prenumbered receipt.

Corrective Action Plan

The Borough has reviewed the process and procedures for submission of cash receipts. The Borough has used, and will continue to use prenumbered receipts, that have been issued, logged and tracked to each department. The Borough has established a practice of logging revenue items and proving on a monthly basis with the central revenue receipt ledger in the office of the Tax Collector.

Implementation Date – Current

6. Financial Disclosure Statements be completed and retained on file for the applicable Borough officials.

Corrective Action Plan

The Borough has been diligent in keeping track of the submission of the Financial Disclosure Statements. Second and third notices have been sent out for compliance prior to instilling penalties.

Implementation Date – Current

7. The old outstanding checks and reconciling items be reviewed and cleared and all reconciliations be formally approved.

Corrective Action Plan

Prior to year's end, the Borough will review all old outstanding checks and reconciling items for formal approval by the Mayor and Council.

Implementation Date – Prior to year's end.

8. The Borough's synopsis of audit be published within 30 days after receipt of the audit report.

Corrective Action Plan

The publication date of the synopsis of audit was June 8, 2012, and the audit was received May 17, 2012.

Implementation Date – Current

9. The Borough implement procedures to verify the payment of payroll deductions by its third party payroll provider.

Corrective Action Plan

The Borough has registered with the IRS and is currently awaiting access to the EFTPS system for verification of payroll deductions. Once the registration process is completed, the Borough will verify payroll deductions on a monthly basis through this system.

Implementation Date – Currently in progress – year's end.

10. The corrective action plan be submitted to the Borough Clerk and Division of Local Government Services within sixty days of receipt of the audit report.

Corrective Action Plan

The corrective action plan is on the agenda of the Mayor and Council for August 29, 2012. Due to the summer schedule of the meetings, the time period lapse between receipt of the audit and submission to the State and Clerk is 73 days.

Implementation Date – Current

11. The Borough publish a notice stating the nature of each professional service contract, duration, service

Corrective Action Plan

All professional service contracts will be published in the Record prior to year's end.

Implementation Date – currently in progress – prior or year's end.

12. The open purchase order report for general capital fund be reviewed on a periodic basis to determine the validity of the outstanding liabilities.

Corrective Action Plan

The open purchase order report for general capital fund will be reviewed on a monthly basis to determine the validity of the outstanding liabilities.

Implementation Date – Current

13. The scope of General Capital Fund bond ordinances be amended to coincide with certain expenditures paid.

Corrective Action Plan

Should the occasion arise for an amendment to an existing bond ordinance for a necessary expenditure, the Borough will take the appropriate action to amend such bond ordinance.

Implementation Date – Current

4. Resolution for Emergency Resolution – Repair of Bedford Place

Resolution No. 185-12

Offered by Council Member Pazan

Seconded by Council Member Biggs

**A RESOLUTION AUTHORIZING EMERGENCY CONTRACT FOR INTERSECTION OF
MAPLE AVENUE AND BEDFORD PLACE PURSUANT TO N.J.S.A. 40A:11-6 AND N.J.A.C.
5:34-6.1**

WHEREAS, an emergency condition has arisen with respect to the health, safety and welfare of individuals, inclusive of Borough residents, and vehicular traffic at the intersection of Maple Avenue and Bedford Place arising from flooding and poor pavement conditions; and

WHEREAS, N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1 provides for the awarding of a contract without public advertising for bids and bidding therefor, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate performance of services; and

WHEREAS, the Borough Engineer has solicited quotes to perform the emergency repairs and has otherwise certified the emergency pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1; and

WHEREAS, the Borough Engineer has reviewed all quotes received by the Borough and has otherwise recommended the award of the emergency work required herein in a total contract price not to exceed the sum of \$35,000.00; and

WHEREAS, the Borough Engineer has also determined that the quote received from was the lowest responsible quote and that the contractor is qualified to perform the work required to remedy the emergency condition.

NOW, THEREFORE, BE IT

RESOLVED, that, pursuant to the provisions of N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1, and in reliance upon the recommendation received from the Borough Engineer, the Borough of Glen Rock does hereby award a contract to Marini Brothers Construction Co., Inc., in the amount not to exceed the sum of \$35,000.00 for the road repairs to the intersection of Maple Avenue and Bedford Place to correct flooding and poor pavement conditions which cause a public health, safety and welfare issue to the vehicular and pedestrian traffic; and be it further

RESOLVED, that this award of Contract is an emergency contract pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1 and is subject to further compliance of the successful Contractor with all other terms and conditions established by the Borough Engineer; and be it further

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 Authorizing Capital Alternative to submit DOT Grant (Hamilton Ave Section 4)

Resolution No. 186-12

Offered by Council Member Pazan

Seconded by Council Member Biggs

Resolution: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Hamilton Avenue (Section 4) 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 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-2013-Glen Rock Borough-00033 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.

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

6. Resolution Designating \$880,000 Bond Anticipation Note

Resolution No. 187-12

Offered by Council Member Pazan

Seconded by Council Member Biggs

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF GLEN ROCK, IN THE COUNTY OF BERGEN, NEW JERSEY, DESIGNATING AN \$880,800 BOND ANTICIPATION NOTE, DATED AUGUST 7, 2012 AND PAYABLE JANUARY 18, 2013, AS A “QUALIFIED TAX-EXEMPT OBLIGATION” PURSUANT TO SECTION 265(B)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED

WHEREAS, the Borough of Glen Rock, in the County of Bergen, New Jersey (the “Borough”) intends to issue an \$880,800 bond anticipating note, dated August 7, 2012 and payable January 18, 2013 (the “Note”); and

WHEREAS, the Borough desires to designate the Note as a “qualified tax-exempt obligation” pursuant to Section 265(b)(3) of the Code;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Glen Rock, in the County of Bergen, New Jersey, as follows:

SECTION 1. The Note is hereby designated as a “qualified tax-exempt obligation” for the purpose of Section 265(b)(3) of the Code.

SECTION 2. It is hereby determined and stated that (1) said Note is not a “private activity bond” as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2012.

SECTION 3. It is further determined and stated that the Borough has, as of the date hereof, issued the following tax-exempt obligations (other than the Note) during the calendar year 2012, viz:

<u>Amount</u>	<u>Dated – Due</u>
\$8,369,000 BANs	1/20/12 – 1/18/13

SECTION 4. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 5. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2012 dated as of the date of delivery of the Note.

SECTION 6. This resolution shall take effect immediately upon its adoption.

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 Profession Services Contract (Wilentz Goldman & Spitzer P.A.)

Resolution No.: 188-12

Offered by Council Member: Pazan

Seconded by Council Member: Biggs

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT

WHEREAS, the Borough of Glen Rock is in need of professional legal services for the year 2012 to advise and assist the Governing Body, Borough Administrator, Department Heads, and the administrative staff members, and to undertake and complete all other duties and responsibilities as assigned to the attorney by the Borough; and

WHEREAS, Beth Hinsdale-Piller has submitted a proposal dated April 4, 2012, setting forth the anticipated hourly charges/costs to be assessed to the Borough of Glen Rock for the 2012 contract term; and

WHEREAS, pursuant to the provisions of the New Jersey Campaign Contribution and Expenditures Reporting Act, specifically N.J.S.A. 19:44A-205, the Borough has determined and certified in writing that the value of the services will exceed \$17,500.00; and

WHEREAS, Beth Hinsdale-Piller, has completed and submitted a Business Entity Disclosure Certification which certifies that Beth Hinsdale - Piller has not made any reportable contributions to a political or candidate committee in the Borough of Glen Rock, in the previous one year and that the contract will prohibit Beth Hinsdale-Piller from making any reportable contributions through the term of the contract; and

WHEREAS, the Governing Body has determined that Beth Hinsdale-Piller is to be the most qualified firm to assist the Borough in its legal needs for 2012; and

WHEREAS, legal services are a professional service exempt from public bidding requirements, but notice of this resolution must be published in a legal newspaper as required by the Local Public Contracts Law; and

NOW THEREFOR BE IT,

RESOLVED, by the Borough Council of Glen Rock that the Borough Administrator is hereby authorized to enter into a contract with Beth Hinsdale-Piller as declared herein; and be it further

RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and be it further

RESOLVED, that the Borough Clerk shall cause to be published, notification of the award of the Professional Services Contract as required by the Local Public Contracts Law.

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**

8. Resolution for Tax Appeal Settlement (B 112 L 8&9)

**Resolution No. 189-12
Offered by Council Member Pazan
Seconded by Council Member Biggs**

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT

(B 112, L 8 and 9)

WHEREAS, there is pending before the Tax Court of New Jersey, the matter of RBG Realty Co., LLC v. Borough of Glen Rock bearing Docket Nos. 873-2010, 150-2011 and XXX-2012; 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) 2010, 2011 and 2012 assessments as set forth on the Stipulations of Settlement; 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>
RBG Realty	112/8	2010		WITHDRAWN
RBG Realty	112/8	2011	\$1,030,300	\$980,300
RBG Realty	112/8	2012	\$1,030,300	\$950,300
RBG Realty	112/9	2010		WITHDRAWN
RBG Realty	112/9	2011	\$962,600	\$912,600
RBG Realty	112/9	2012	\$962,600	\$882,600

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. Refunds 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

9. Resolution for Redemption of Tax Sale Certificate (B43 L1.20)

Resolution No. 190-12

Offered by Council Member Pazan

Seconded by Council Member Biggs

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER

WHEREAS, at the following municipal tax sale on December 7, 2011, a lien was sold to TOUMA & ASSOCIATES on Block 43 Lot 1, also known as Block 43 Lot 1.01 through 1.20 (20 parcels) location at 471 Doremus Ave. in Glen Rock, NJ,

To Redeem the TAX SALE CERTIFICATE #2011-003 at 7% in the amount of \$33,277.51, redemption penalty of \$1,996.65, fees of \$53.00, subsequent taxes for all of 2011 and 1st and 2nd quarters of 2012 in amount of \$93,110.47 and interest of \$2,903.92 the total to redeem is \$133,036.85,

NOW THEREFORE BE IT RESOLVED, the CFO is authorized to issue a check for \$133,036.85 payable to TOUMA & ASSOCIATES to complete the redemption of the above certificate and subsequent taxes paid.

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

10. Resolution Authorizing Tax Overpayment Refund (B174 L2)

Resolution No. 191-12

Offered by Council Member Pazan

Seconded by Council Member Biggs

RESOLUTION AUTHORIZING TAX OVERPAYMENT REFUND

WHEREAS, it has been determined by the Tax Collector that in the year 2012 there is an overpayment in the amount of \$3,166.63 on the Block 174 Lot 2 made in error by SOVEREIGN BANK,

NOW, therefore be it resolved that the Borough of Glen Rock reimburse SOVEREIGN BANK for \$3,166.63

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

11. Resolution Authorizing Tax Overpayment Refund (B171 L15)

Resolution No. 192-12
Offered by Council Member Pazan
Seconded by Council Member Biggs

RESOLUTION AUTHORIZING TAX OVERPAYMENT REFUND

WHEREAS, it has been determined by the Tax Collector that in the year 2012 there is an overpayment in the amount of \$683.01 on the Block 171 Lot 15 as a result of an estimated tax payment made by James and Kathleen O'Brien,

NOW, therefore be it resolved that the Borough of Glen Rock reimburse James and Kathleen O'Brien \$683.01.

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

12. Resolution Authorizing Agreement with AMVETS (Textile Recycling)

Resolution No. 193-12
Offered by Council Member Pazan
Seconded by Council Member Biggs

**A RESOLUTION AWARING CONTRACT FOR THE 2012 TEXTILE
RECYCLING BINS LOCATED AT THE GLEN ROCK RECYCLING CENTER
TO GSW, INC.**

WHEREAS, the Governing Body Borough of Glen Rock authorized the advertising for the solicitation of bids for the 2012 Textile Recycling Bins situate at the Recycling Center; and

WHEREAS, a notice to bidders was duly advertised and no bids were received; and

WHEREAS, the 2011 contract vendor, GSW Inc., c/o American Veterans of World War II-Korea-Vietnam "AMVETS") has submitted a proposal to increase the per bin fee from \$100.00 to \$200.00 per month; and

WHEREAS, pursuant to N.J.S.A. 40A:11-3(a), a contract having a price less than the bid threshold may be awarded with public advertising; and

WHEREAS, the Governing Body, based on the prior performance of GSW, Inc. under the 2011 contract, is willing to accept the proposal for the award of the 2012 Textile Recycling contract.

NOW, THEREFORE, BE IT

RESOLVED, that, pursuant to N.J.S.A. 40A:11-3(a), the 2012 contract for two (2) textile recycling bins located at the Glen Rock Recycling Center is awarded to GSW, Inc. for an amount of a monthly bin fee of \$200.00 each

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**

13. Resolution for Liquor License Renewal (Glen Rock Café)

Resolution No. 194-12

Offered by Council Member Pazan

Seconded by Council Member Biggs

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
GLEN ROCK AUTHORIZING THE RENEWAL OF A PLENARY RETAIL
CONSUMPTION LICENSE**

WHEREAS, Glen Rock Café, Inc. submitted its application to the State of NJ seeking the requested relief pursuant to N.J.S.A. 33:1-12.39 for the 2012-2013 and 2013-2014 license terms, which application was granted by the Director of the NJ Division of Alcoholic Beverage Control in a Special Ruling (Docket No, 06-12-7525) dated July 26, 2012, subject to conditions outlined therein; 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. 33:1-12.39, is satisfied that Glen Rock Café, Inc. has met all requirements for the renewal 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. 33:1-12.39 for the 2012-2013 and 2013-2014 License Terms - Glen Rock Café, Inc.” (License No. 0222-33-010-006) the Governing Body of the Borough of Glen Rock hereby grants the renewal of License No. 0222-33-010-006 to Glen Rock Café, Inc. for the 2012-2013 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 – yes
Council Member Orseck – yes
Council Member Biggs – yes**

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

14. Resolution Appointing Representatives for the Bergen County Community Development Program

Resolution No. 195-12
Offered by Council Member Pazan
Seconded by Council Member Biggs

RESOLUTION APPOINTING A REPRESENTATIVE AND ALTERNATE FOR THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, the Borough of Glen Rock has entered into a Three-Year Cooperative Agreement with the County of Bergen, as provided under the Interlocal Service Act NJSA 40A:8A-1 et seq., and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said agreement requires that one Municipal Representative be appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the calendar year July 1, 2012 through June 30, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the governing body hereby appoints Joan Orseck as its representative to participate on the Community Development Regional Committee; and

BE IT FURTHER RESOLVED, that Lenora Benjamin, Borough Administrator be appointed as the alternative representative.

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

15. Resolution Authorizing the Establishment of Bank Account (to be maintained with the Glen Rock Senior Citizen Housing Corporation)

Resolution No. 196-12
Offered by Council Member Pazan
Seconded by Council Member Biggs

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF BANK ACCOUNT TO BE MAINTAINED WITH THE GLEN ROCK SENIOR CITIZEN HOUSING CORPORATION

WHEREAS, the Glen Rock Senior Citizen Housing Corporation and the Borough of Glen Rock are of exploring the possibility of developing a new senior housing project through the Senior Citizen Project II Ad Hoc Committee (the "Committee"); and

WHEREAS, the Glen Rock Senior Citizen Housing Corporation has agreed to provide an amount up to \$50,000.00 from surplus funds to allow the Committee to retain licensed New Jersey architects and engineers to assist in the evaluation of all aspects of a potential site; and

WHEREAS, Section 508 © (iv) of the 1984 General Bond Resolution requires, in part, that “moneys held in the Surplus Fund may be used for the general purposes of the corporation...but only with the written consent of the Borough.”

NOW, THEREFORE, BE IT

RESOLVED, that the Governing Body approves the following:

1. Authorization for the Glen Rock Senior Citizen Housing Corporation to utilize from their surplus funds, pursuant to Section 508 © (iv) of the 1984 General Bond Resolution, an amount not to exceed of \$50,000.00 in order to provide architectural, engineering and other feasibility professionals to develop feasibility studies for a new Senior Housing facility within the Borough.

16. Resolution Authorizing Snow Plowing Agreement with Bergen County –
PULLED FROM AGENDA

17. Resolution Refunding Building Permit Fee (Duplicate permit)

Resolution No. 197-12
Offered by Council Member Pazan
Seconded by Council Member Biggs

RESOLUTION REFUNDING BUILDING PERMIT FEE

WHEREAS, Defender Security Co. applied for a burglar alarm installation permit (permit #12-828) for a property located in Glen Rock; and

WHEREAS, upon receiving the permit (12-828) they realized that they had already applied for this permit for this location and that it was a duplication, and

WHEREAS, no inspection have been made and that this permit should be voided, and

WHEREAS, Defender Security realizes there is a permit review fee of 20% to the Borough and request that they be reimbursed the remaining 80%;

BE IT RESOLVED, that the Borough Council approves a refund of \$80.00 to Defender Security Company for permit # 12-828.

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

18. Resolution Opposing PSE&G Rate Increase (Subsidize Solar Program) - *READ SEPARATELY*

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

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**

18. Resolution Opposing PSE&G Rate Increase (Subsidize Solar Program)

**Resolution No. 198-12
Offered by Council Member Surrago
Seconded by Council Member Orseck**

RESOLUTION OPPOSING PSE&G RATE INCREASE TO SUBSIDIZE SOLAR PROGRAMS

WHEREAS, PSE&G, has sent notification that it has filed a petition with the Board of Public Utilities (BPU) requesting an increase to the PSE&G Electric and Gas RGGI Recovery Charges; and

WHEREAS, the reasons for this increase in part include the Solar Generation Investment Program (solar 4 All) and Solar Loan II Program; and

WHEREAS, in 2011, without notice or opinion from the residents, solar panels were installed on main roads and neighborhood streets; and

WHEREAS, in certain areas there are a large number of solar panels in a row that they are quite unsightly and cumbersome; and

WHEREAS, these solar panels were installed throughout New Jersey by PSE&G without thought to the aesthetic or quality of life effects on residents; and

WHEREAS, on its website, PSE&G states in its Solar 4 All Program, description that “Every one of the panels placed in service generates value from the sale of its electricity and capacity into the wholesale electric grid, the solar renewable energy certificates (SRECs) that it generates and the federal investment tax credits PSE&G monetizes this value *and the dollars are returned to customers by offsetting the overall cost of the program*”; and

WHEREAS, the Borough of Glen Rock finds it disingenuous that now PSE&G will raise the rates of its residents to subsidize the cost of installing those same solar panels that are supposed to, by their own admission, bring monetized value to their customers; and

WHEREAS, the Solar Loan program brochure states that “PSE&G will provide approximately \$247 million to finance the installation of solar power systems” for commercial, industrial, not-for-profit and governmental customers as well as residential customers; and

WHEREAS, the Borough of Glen Rock finds it abhorrent that PSE&G is expecting its residential customers to finance a loan program for its business customers;

BE IT RESOLVED, that the Mayor and Council of the Borough of Glen Rock appeal to the board of Public Utilities to not grant an increase to PSE&G that will be borne on the backs of our taxpayers who are already overburdened trying to make ends meet;

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby directed to distribute copies of this resolution to the Board of Public Utilities: Senator Robert Gordon, Assemblywoman Joan Voss, Assemblywoman Connie Wagner; Governor Christie; the New Jersey League of Municipalities; and all municipalities in Bergen County.

ROLL CALL:

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

Council Member Pazan - no
Council Member Surrago – yes
Council Member Nogara – yes

4. MOTIONS

Departmental Reports

Council member Pazan (*Finance/Library*) – Reminded residents there is some great, up-to-date information on the Borough website. One item of interest is the department breakdown for the 2012 budget. Improvements and enhancements have been made at the Library. The 25th Arboretum Run will be held this Labor Day and all residents are encouraged to participate. The volunteer emergency groups are always in need of new members. The cost to outfit a fireman in turn-out gear is approximately \$3,000.

Council member Surrago (*Public Works*) - Summer hours will end this week, after Labor Day DPW will go back to 7:00 a.m.-3:30 p.m. hours. Street lining is nearly complete. Delivery of a new loader is expected soon, to be ready for leaf collection season. We anticipate the Recycling building to be finished the first week in September.

Council member Nogara (*Licenses & Franchises*) – No report at this time.

Council member Orseck (*Recreation*) – The pool season is winding down with the pool remaining open during Rosh Hashanah. Fall sports have begun. Thank you to all the volunteers that keep our town running; coaches, arboretum, Game on Glen Rock. GOCR will be holding a fundraising gala October 18, 2012.

Council member O'Hagan (*Public Safety*) – School will be opening soon and residents are reminded to take the extra time to deal with traffic congestion and getting children to school. Residents are also reminded left turns heading west on Rock Road into parking spaces are not permitted and could potentially have dangerous results. The Fire Department and Ambulance Corps. continue to look for volunteers.

Council member Biggs (*Communications/Building*) – Improvements have been made to the website and a new facebook page has been established. A part-time communications coordinator has been hired and has been working on keeping the public informed. Residents are encouraged to sign-up for alerts from the Borough through a variety of media.

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

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. ORDINANCES

**Ordinance Procedure #1668 (Granting an Easement to PSE&G at Recycling Center)
Date of Introduction: August 29, 2012**

**Council Resolution # 199-12
Introduced by Council Member Surrago
Seconded by Council Member Nogara**

**Be It Resolved by the Borough Council of the Borough of Glen Rock AN ORDINANCE
AUTHORIZING THE GRANT OF EASEMENT TO PUBLIC SERVICE ELECTRIC AND GAS
FOR A PORTION OF BLOCK 46, LOT 4.02**

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 12, 2012 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 - yes	Council Member Pazan - yes
Council Member Orseck – yes	Council Member Surrago - yes
Council Member Biggs - yes	Council Member Nogara – yes

ORDINANCE NO. 1668

**BOROUGH OF GLEN ROCK
COUNTY OF BERGEN, STATE OF NEW JERSEY**

**AN ORDINANCE AUTHORIZING THE GRANT OF EASEMENT TO PUBLIC
SERVICE ELECTRIC AND GAS FOR A PORTION OF BLOCK 46, LOT 4.02**

WHEREAS, Public Service Electric & Gas Company (“PSE&G”) is a public utility in the in the State of New Jersey engaged in furnishing utility service to subscribers in the State of New Jersey; and

WHEREAS, the Borough of Glen Rock wishes to convey an easement in perpetuity to PSE&G, which is necessary for the provision of natural gas services for the Recycling Center Improvement Project, all in accordance with the purposes set forth in the proposed Grant of Easement for Block 46, Lot 4.02 as listed on the Tax Map of the Borough of Glen Rock, which proposed Grant of Easement is on file in the Office of the Borough Clerk.

NOW, THEREFORE, BE IT ORDAINED, that:

SECTION 1. The Governing Body of the Borough of Glen Rock do hereby authorize the Mayor and Borough Clerk to execute the Grant of Easement in favor of PSE&G to convey an easement, in perpetuity, on a portion of Block 46, Lot 4.02 as listed on the Tax Map of the Borough of Glen Rock, in the form on file and available for inspection in the Office of the Borough Clerk.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

SECTION 3. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.

SECTION 4. This Ordinance shall take effect upon final publication as provided by law.

Ordinance Procedure: #1667 (Agreement w/Cross River Fiber)

Date of Final Reading: August 29, 2012

Date of Introduction: July 25, 2012

A motion to open public discussion on this ordinance was made by Council member Surrago, seconded by Council member Nogara. All were in favor

A motion to close public discussion on this ordinance was made by Council member Surrago, seconded by Council member Nogara. All were in favor.

Council Resolution # 200-12

Introduced: Council Member Biggs

Seconded Council Member O'Hagan

AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A RIGHT OF WAY AGREEMENT WITH CROSS RIVER FIBER LLC.

Be passed upon second and final reading, and that the Borough Clerk be, and is hereby authorized and directed, to advertise the same according to law by publishing the same by title in the Bergen Record.

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

**BOROUGH OF GLEN ROCK
ORDINANCE NO. 1667**

**AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A RIGHT OF WAY AGREEMENT
WITH CROSS RIVER FIBER LLC.**

WHEREAS, Cross River Fiber LLC (“Cross River Fiber”) has requested the Borough of Glen Rock’s consent to locate, place, attach, install, operate and maintain facilities within the Boroughs rights-of-way for purpose of providing telecommunications services; and

WHEREAS, Cross River Fiber is authorized by the New Jersey Board of Public Utilities to provide telecommunications services in and throughout the state of New Jersey; and

WHEREAS, the Borough desires, consistent with law, to grant Cross River Fiber the Borough’s consent to place service and maintain Cross River Fiber’s telecommunication facilities within and along the Borough’s public rights-of-way;

WHEREAS, the Borough is authorized to grant such consent pursuant to N.J.S.A. 48:3-11 et seq.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Glen Rock, County of Bergen, State of New Jersey, as follows:

1. The attached Rights of Way Use Agreement with Cross River Fiber LLC is hereby approved by Borough Council and the Mayor is hereby authorized to execute the attached Rights of Way use Agreement. For the purpose of construction, erection, operation, repair, maintenance, and replacement of telecommunications system for a period of fifty (50) years.
2. The Mayor, Borough Clerk and other necessary Borough officials are hereby authorized to execute and deliver the Rights of Way Use Agreement and all other documents and undertake all actions reasonably necessary to effectuate the Rights of Way use Agreement approved herein.

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 suggested an article be put in the paper for new residents alerting them to the Borough calendar, rules and regulations.

7. ADJOURNMENT

Motion to adjourn the meeting was made by Council member O’Hagan
Seconded by Council member Orseck
Meeting adjourned at 8:30 p.m.