

PUBLIC MEETING – Thursday, February 4, 2010 at 8:00 p.m.

There will be a Public Meeting of the Mayor and Council of the Borough of Glen Rock on Thursday, February 4, 2010, 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 Pazan led the Council and audience in the flag salute.

Mayor van Keuren commented on statistics received from West Bergen Mental Health and the assistance we are receiving from them.

Mayor van Keuren read a letter from Mt. Bethel Baptist Church thanking the Council for their recent proclamation honoring Rev. Thomas Johnson.

Mayor van Keuren read a letter from Jane Toskovich thanking DPW worker Joseph Nunnally for running after her daughter to return a personal item she had dropped.

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 Execution of Developer’s Agreement (Trafalgar Square)**

Resolution No.: 41-10

Offered by Council Member: Surrago

Seconded by Council Member: Nogara

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT

WHEREAS, Doremus Avenue Associates, LLC (“Developer”) was granted preliminary and final site plan approval by the Zoning Board of Adjustment for premises identified as 471 Doremus Avenue, Glen Rock, New Jersey (Block 43, Lot 1) (“Premises”) to construct a 20 unit townhouse development and associated site improvements, subject to the execution of a Developer’s Agreement and certain other terms and conditions.

NOW THEREFOR BE IT,

RESOLVED, by the Borough Council of Glen Rock, that the Developer’s Agreement, which has been reviewed and approved by the Borough Attorney, is hereby approved between the Borough of Glen Rock and the Developer, a copy of which is on file with the Borough Clerk; and be it further

RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute said Developer’s Agreement on behalf of the Borough of Glen Rock.

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 Extension of Clerk of the Works Contract

**Resolution No. 42-10
Offered by Council Member Surrago
Seconded by Council Member Nogara**

**RESOLUTION EXTENDING CONTRACT OF
JANEEN McDONALD
CLERK OF THE WORKS FOR THE
MUNICIPAL BUILDING RENOVATION PROJECT**

WHEREAS, Janeen McDonald was named Clerk of the Works for the Municipal Building renovation project on June 11, 2008; and

WHEREAS, the original contract stipulated a 15 month agreement, from July 2008 through September 2009, for compensation in the amount of \$67,500, or \$4,500 per month; and

WHEREAS, an extension of that project was approved on November 5, 2009 to include the fourth quarter of 2009; and

WHEREAS, there is a need for additional time by the Clerk of the Works to complete the project.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Glen Rock that the contract for the clerk of the works for the Municipal Building Renovation Project be extended to include February 2010, at a monthly rate of \$4,500.

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 Bond Anticipation Note (\$7,795.00)

Resolution No. 43-10

Offered by Council Member Surrago

Seconded by Council Member Nogara

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF GLEN ROCK, IN THE COUNTY OF BERGEN, NEW JERSEY, CONVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF GLEN ROCK AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$7,795,000 BOND ANTICIPATION NOTE, DATED JANUARY 22, 2010 AND PAYABLE JANUARY 21, 2011, 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") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (The "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue a \$7,795,000 bond anticipation note, dated January 22, 2010 and payable January 21, 2011 (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 Borough Council of the Borough of Glen Rock hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest

paid on bonds, notes or other obligations of the Borough (including the Note) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

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

SECTION 4. 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 \$30 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2010.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2010.

SECTION 6. 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 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchasers of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2010 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

The foregoing resolution was adopted by the following roll call vote:

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

4. Resolution Appointing Crossing Guard & Parking Enforcement Officer

Resolution No: # 44-10

Offered by Council Member Surrago

Seconded by Council Member Nogara

COMMUNICATION FROM THE MAYOR:

Ladies and Gentlemen of the Council: With your advice and consent I hereby make the following appointments for School Crossing Guards and Parking Enforcement Office for one year to the next re-organization meeting in 2011.

Crossing Guard

Howard Baker

Crossing Guard	Ed Brown
Crossing Guard	Phil Brustlin
Crossing Guard	George Erlich
Crossing Guard	Janice Doot
Crossing Guard	Mary Carides
Crossing Guard	Vivian Johnson
Crossing Guard	Frank Kabrel
Crossing Guard	Marion Kuchar
Crossing Guard	Howard Perkins
Crossing Guard	Cynthia Mani
Crossing Guard	Richard Meyers
Crossing Guard	Thomas Mulligan
Crossing Guard	Leonard Sapherstein
Crossing Guard	Sheldon Schwartz
Crossing Guard	Janice Sheehan
Crossing Guard	Jeff Blumenfeld
Crossing Guard	Tom Egan
Crossing Guard	Harry Orr
Crossing Guard	Charles Sheridan
Crossing Guard	Leonard Minnichino
Parking Enforcement Officer	Dan Carter

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. Resolution Authorizing Agreement with West Bergen Mental Healthcare

**Resolution No. 45-10
Offered by Council Member Surrago
Seconded by Council Member Nogara**

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

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

WHEREAS, the West Bergen Mental Healthcare has agreed to provide these services to the Borough of Glen Rock through a contract agreement with the Borough of Glen Rock and West Bergen mental Healthcare for the calendar year 2010; and

WHEREAS, the amount of the contract for the year 2010 is not to exceed \$16,500;

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

ROLL CALL:

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

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

6. Resolution for Tax Reimbursement Certification (Recycling Tonnage Grant)

Resolution No. 46-10

Offered by Council Member Surrago

Seconded by Council Member Nogara

TAX REIMBURSEMENT CERTIFICATION

WHEREAS, Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection , or provides for regular solid waste collection service under contract awarded pursuant to the “Local Publics Contract Law”, the amount of grant monies received by the municipality shall not be less that the annual amount of the recycling tax paid by the municipality except that all grant monies be received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Borough of Glen Rock that the Borough of Glen Rock hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, chapter 311, in 2009 in the amount of \$12,4847.14 Documentation supporting this submission is available at the Department of Public Works, 473 Doremus Avenue, Glen Rock, NJ, 07452, and shall be maintained for no less than five years from this date.

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 Authorizing Agreement with State of New Jersey for 2009 Business Stimulus Fund

Resolution No. 47-10

Offered by Council Member Surrago

Seconded by Council Member Nogara

**GRANT AGREEMENT
BETWEEN
BOROUGH OF GLEN ROCK
AND**

THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

The governing body of the Borough of Glen Rock desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$7,000 to fund the following project: 2009 Business Stimulus Fund (BSF).

Therefore, the governing body resolves that John van Keuren or the successor to the office of the Mayor is authorized (a) to make application for such grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$7,000, and not more than \$7,000, and (c) to execute any amendments thereto any amendments thereto which do not increase the grantee's obligations.

The Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

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 Authorizing Refund of Redemption Monies to Outside Lien holders

Resolution No. 48-10

Offered by Council Member Surrago

Seconded by Council Member Nogara

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDERS

WHEREAS, at the following municipal tax sale, a lien was sold on Block 178 Lot 9 Qualifier CCZ6W, also known as 26 Pamrapo Court West in Glen Rock, NJ

SALE DATE 12/07/2006 TAX SALE CERTIFICATE #2006-003 at 18% in the amount of \$12,189.80 total to redeem \$19,903.08 and SALE DATE 12/06/2007 TAX SALE CERTIFICATE #2007-001 at 18% in the amount of \$13,198.65 total to redeem \$19,176.84

WHEREAS, the above certificate was sold to RCM Holdings,

WHEREAS, Jerry Cunningham has effected redemption for owner Tafaro, totaling \$39,079.92,

NOW, THEREFORE, BE IT RESOLVED, that the CFO be authorized to issue a check in the amount of \$39,079.92 payable to RCM Holdings, P.O. Box 196 Hawthorne, NJ 07507 for the above redemption of certificate.

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

**Ordinance Procedure # 1618 (Turf Field Funds from Recreation Groups)
Date of Introduction: February 2, 2010**

**Council Resolution # 49-10
Introduced by Council Member Orseck
Seconded by Council Member O’Hagan**

Be It Resolved by the Borough Council of the Borough of Glen Rock that AN ORDINANCE AUTHORIZING FUNDS PROVIDED BY DONATIONS FROM THE GLEN ROCK BASEBALL ASSOCIATION OF \$6,000, GLEN ROCK RECREATION SOCCER CLUB OF \$6,000, SHOOTING STARS SOCCER CLUB OF \$6,000, GLEN ROCK JUNIOR FOOTBALL ASSOCIATION OF \$6,000 AND GLEN ROCK LACROSSE ASSOCIATION OF \$4,000, FOR A TOTAL OF \$28,000 FOR THE TOPOGRAPHIC SURVEYING, GEOTECHNICAL WORK AND ENVIRONMENTAL PERMITTING PROCESS, PHASE I, FOR THE DEVELOPMENT OF AN SYNTHETIC TURF FIELD INSTALLATION AT LOWER FABER FIELD, DOREMUS AVENUE, GLEN ROCK, NJ.

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 February 18, 2010 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 Orseck – yes
Council Member Biggs - yes**

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

BOROUGH ORDINANCE #1618

AN ORDINANCE AUTHORIZING FUNDS PROVIDED BY DONATIONS FROM THE GLEN ROCK BASEBALL ASSOCIATION OF \$6,000, GLEN ROCK SOCCER CLUB OF \$6,000, SHOOTING STARS SOCCER CLUB OF \$6,000, GLEN ROCK JUNIOR FOOTBALL ASSOCIATION OF \$6,000 AND GLEN ROCK LACROSSE ASSOCIATION OF \$4,000, FOR A TOTAL OF \$28,000 FOR THE TOPOGRAPHIC SURVEYING, GEOTECHNICAL WORK AND ENVIRONMENTAL PERMITTING PROCESS, PHASE I, FOR THE DEVELOPMENT OF AN SYNTHETIC TURF FIELD

INSTALLATION AT LOWER FABER FIELD, DOREMUS AVENUE, GLEN ROCK, NJ.

WHEREAS, a group of volunteers has brought to the attention of the Mayor and Council the need and benefit of an installation of a turf field to the Borough of Glen Rock; and

WHEREAS, the Borough of Glen Rock has had numerous meetings and discussions regarding the installation of a synthetic turf field within the Borough with the volunteer committee and concerned residents; and

WHEREAS, while the Mayor and Council have considered the request of the volunteer group for exploration of a synthetic turf field within the Borough of Glen Rock, no funding for this project has been pledged by the Borough for such project, but has authorized the acceptance of funding from various clubs and associations involved with recreation sports in the Borough; and

WHEREAS, the Mayor and Council has agreed to Phase 1 of the project, consisting of topographic surveying, geotechnical work and environmental permit processing, based on funds donated by the following organizations:

Glen Rock Baseball Association	\$6,000
Glen Rock Soccer Club	\$6,000
Shooting Stars Soccer Club	\$6,000
Glen Rock Junior Football Association	\$6,000
Glen Rock Lacrosse Association	\$4,000

For a total of \$28,000; and

WHEREAS, the volunteer group will work in conjunction with the Borough of Glen Rock, its Recreation Director and Council Liaison to move forward with Phase 1 of this project,

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council accept this donation of \$28,000 from the Glen Rock Baseball Association, the Glen Rock Soccer Club, Shooting Stars Soccer Club, Glen Rock Junior Football Association and Glen Rock Lacrosse Association, and hereby appropriate the sum of \$28,000 to be utilized in Phase 1 of the exploration of a synthetic turf field, consisting of topographic surveying, geotechnical work and environmental permit processing.

- 5. 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 questioned why two trees in front of Central School were removed. Mayor van Keuren stated he is unaware of all the details though commented that the Shade Tree Advisory Committee has strongly expressed their disappointment in not being consulted.

Mayor van Keuren added there is concern with the Library Board near the rear entrance to the Library. The Board has requested this tree be taken down as it attracts an enormous number of bees.

Council member Pazan commented that Salon, Salon Rocks will be moving across the street to a larger location. Additionally, Kumon Learning Center will be moving into Glen Rock as well.

6. ADJOURNMENT

Motion to adjourn the meeting was made by Council member Biggs

Seconded by Council member Orseck

Meeting adjourned at 8:24 p.m.

Jacqueline Scalia, Borough Clerk