

PUBLIC MEETING – Thursday, March 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, March 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 Statute. 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 – late
Council Member Orseck – present
Council Member Biggs – present**

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

2. FLAG SALUTE/ANNOUNCEMENTS

Girl Scout Troop 286 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 Transfer of Funds in the 2009 Budget

Resolution No. 59-10

Offered by Council Member Orseck

Seconded by Council Member Biggs

BE IT RESOLVED by the Mayor and Council that the following transfers be made within the 2009 Municipal Budget:

<u>FROM</u>		<u>TO</u>		<u>AMOUNT</u>
Tax Asses OE	20-1502	Finance OE	20-1352	\$ 1,203.00
Tax Collector OE	20-1452	Public Bldg S&W	20-3101	923.00
Tax Collector OE	20-1452	Public Bldg OE	20-3102	1,800.00
Tax Collector OE	20-1452	Planning Bd OE	21-1802	1,542.00
Tax Assessor OE	20-1502	Planning Board OE	21-1802	386.00
Planning Bd S&W	21-1801	Planning Bd OE	21-1802	663.00
DPW Mun Svc OE	26-3302	Sanitation S&W	21-3051	407.00
DPW Mun Svc OE	26-3302	Sanitation OE	21-3052	10.00
DPW Mun Svc OE	26-3302	Recycling OE	26-3062	36,000.00
DPW Mun Svc OE	26-3302	Shuttle Bus S&W	28-3771	400.00
Dumping Fees	32-4652	Electricity	31-4301	23,350.00
Street Lighting	32-4352	Natural Gas	31-4303	3,925.00
Total				\$ 70,609.00

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

2. Resolution Awarding Contract to Atlantic Coast Fiber (Recycling)

Resolution No.: 60-10

Offered by Council Member: Orseck

Seconded by: Biggs

RESOLUTION AUTHORIZING RECYCLING MATERIAL CONTRACT

WHEREAS, the Borough of Glen Rock, pursuant to the provisions of Borough Ordinance §184.1 et seq, has established a mandatory program for recycling materials as defined therein;

WHEREAS, the Borough of Glen Rock is in need of a vendor to sell its recyclable materials;

WHEREAS, NJSA 40A:11-5(s) exempts from public bid contracts covering the marketing of recyclable materials recovered through a recycling program;

WHEREAS, Atlantic Coast Fiber, LLC has submitted a proposal for a three (3) year agreement dated February 1, 2010 setting forth the anticipated price to be paid to the Borough for the recycling material described therein, which agreement may be terminated by the Borough of Glen Rock upon sixty (60) days prior notice in the event of the decision to privatize the collection of recyclable materials within the Borough of Glen Rock. A copy of said proposal is on file in the office of the Borough Clerk; and

WHEREAS, the proposal of Atlantic Coast Fiber, LLC has been recommended for approval by the Director of the Department of Public Works and has been reviewed and approved by the Borough Attorney.

NOW THEREFOR BE IT,

RESOLVED, by the Borough Council of Glen Rock, that the Mayor or the Borough Administrator is hereby authorized to enter into a contract with Atlantic Coast Fiber, LLC in the form on file with the Borough Clerk, for a term of three (3) years.

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

3. Resolution for Tax Overpayment Refund B 199 L 8

Resolution No. 61-10

Offered by Council Member Orseck

Seconded by Council Member Biggs

RESOLUTION AUTHORIZING TAX OVERPAYMENT REFUND

WHEREAS, it has been determined by the Tax Collector that the 4th Quarter, 2009 Taxes on Block 199 Lot 8 in the amount of \$2,899.14 was paid from escrow for home owner Raymond Marquis who sold his property and was represented by John L. Abbamonte Esq. at the sale and it was also paid by the new home owner at the closing;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Glen Rock hereby reimburses Raymond L. Marquis through his attorney John L. Abbamonte for the tax overpayment in the amount of \$2,899.14.

ROLL CALL:

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

4. Resolution for Tax Overpayment Refund B 244 L 15

Resolution No. 62-10

Offered by Council Member Orseck

Seconded by Council Member Biggs

RESOLUTION AUTHORIZING TAX OVERPAYMENT REFUND

WHEREAS, it has been determined by the Tax Collector that the 4th Quarter, 2009 Taxes on Block 244 Lot 15 in the amount of \$3,269.85 was paid by Metlife Home Loans for home owner Kenneth Gazda at a refinance and it was also paid by First American;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Glen Rock hereby reimburses Metlife Home Loans for the tax overpayment in the amount of \$3,269.85.

ROLL CALL:

**Council Member O’Hagan - yes
Council Member Arnao - yes
Council Member Surrago – yes**

**Council Member Pazan - yes
Council Member Orseck – yes
Council Member Biggs - yes**

5. **Resolution for Permanent Appointment of Police Officer Doney – *Read Separately***
6. **Resolution for Permanent Appointment of Police Officer Carter – *Read Separately***
7. **Resolution for Tax Appeal Refund B238 L 29**

Resolution No. 63-10

Offered by Council Member Orseck

Seconded by Council Member Biggs

RESOLUTION AUTHORIZING TAX OVERPAYMENT REFUND

WHEREAS, it has been determined by the Tax Collector that through a State Tax Court Appeal on Block 238 Lot 29 located at 924 Prospect Street, there is a Settlement agreed to for the assessed value in the amount of \$4,800,000.00, and the actual assessed amount on the property in 2009 is \$4,959,700.00,

THEREFORE, the amount of taxes paid by Rock Glen Assoc. LLC, in 2009 was \$119,578.37 and with the approved change in assessment the amount should have been \$115,728.00 so that there is an over payment of \$3,850.37 to be refunded to Rock Glen Assoc. LLC,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Glen Rock hereby reimburses Rock Glen Assoc. LLC, \$3,850.37.

ROLL CALL:

**Council Member O’Hagan - yes
Council Member Arnao - yes
Council Member Surrago - yes**

**Council Member Pazan - yes
Council Member Orseck – yes
Council Member Biggs - yes**

8. **Resolution for Tax Appeal Refund B254 L 15**

Resolution No. 64-10

Offered by Council Member Orseck

Seconded by Council Member Biggs

RESOLUTION AUTHORIZING TAX OVERPAYMENT REFUND

WHEREAS, it has been determined by the Tax Collector that through a State Tax Court Appeal on Block 254 Lot 15 located at 897 Prospect Street, there is an agreed Settlement on a change in the assessed value in 2007 from \$1,952,800.00 to \$1,772,500.00 and in 2008 from \$1,952,800.00 to \$1,652,000.00 and in 2009 from \$1,952,800.00 to \$1,625,000.00,

THEREFORE, the amount of taxes paid by Hudson City Savings Bank in 2007 was \$43,547.44 and with the approved change in assessment the amount should have been \$39,526.75 so that there is an over payment of \$4,020.69 and in 2008 taxes paid were \$45,168.26 and with change in assessment should be \$37,586.25 so there is an over payment of \$7,582.01 and in 2009 taxes paid were \$47,082.01 and with assessment change should be \$39,178.75 so there is an over payment of \$7,903.26 so there is a total refund due to Hudson City Savings Bank in the amount of \$19,505.96,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Glen Rock hereby reimburses Hudson City Savings Bank \$19,505.96.

ROLL CALL:

Council Member O’Hagan - yes	Council Member Pazan - yes
Council Member Arnao - yes	Council Member Orseck – yes
Council Member Surrigo - yes	Council Member Biggs - yes

9. Resolution for Tax Appeal Refund B254 L 16.02

Resolution No. 65-10

Offered by Council Member Orseck

Seconded by Council Member Biggs

RESOLUTION AUTHORIZING TAX OVERPAYMENT REFUND

WHEREAS, it has been determined by the Tax Collector that through a State Tax Court Appeal on Block 254 Lot 16.02 located at 909 Prospect Street, there is a Settlement agreed to for the assessed value in the amount of \$3,000,000.00, and the actual assessed amount on the property in 2008 is \$3,252,000.00,

THEREFORE, the amount of taxes paid by 909 Prospect Street Assoc., LLC, in 2008 was \$75,218.76 and with the approved change in assessment the amount should have been \$69,390.00 so that there is an over payment of \$5,828.76 to be refunded to 909 Prospect Street assoc., LLC,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Glen Rock hereby reimburses 909 Prospect Street Assoc., LLC, \$5,828.76.

ROLL CALL:

Council Member O’Hagan - yes	Council Member Pazan - yes
Council Member Arnao - yes	Council Member Orseck – yes
Council Member Surrigo - yes	Council Member Biggs - yes

**10. Resolution Authorizing Sale of A New Liquor License (Plenary Retail Consumption)
– *Pulled***

Motion to accept consent agenda by Council Member Orseck

Seconded by Council Member Biggs

ROLL CALL:

Council Member O'Hagan - yes
Council Member Arnao - yes
Council Member Surrago - yes

Council Member Pazan - yes
Council Member Orseck – yes
Council Member Biggs - yes

At this time Council member O'Hagan read Resolutions 5 and 6.

Resolution No. 66-10

Offered by Council Member O'Hagan

Seconded by Council Member Biggs

**RESOLUTION FOR PERMANENT APPOINTMENT FOR LUCAS DONEY
POLICE OFFICER**

WHEREAS, the Governing Body has appointed Lucas Doney to the position of Police Officer of the Glen Rock Police Department effective February 25, 2009; and

WHEREAS, the Borough of Glen Rock's Code Chapter 40 states that the Chief of Police must recommend permanent appointment for this position after a one year probationary period has been served; and

WHEREAS, Fred Stahman, Chief of Police has recommended to the Mayor and Council that Lucas Doney be granted a permanent appointment as a Glen Rock Police Officer of the Glen Rock Police Department;.

NOW, THEREFORE BE IT RESOLVED, that that Mayor and Council hereby endorse the recommendation of the Chief of Police and hereby make the appointment of Lucas Doney effective February 25, 2010, a permanent appointment of Police Officer of the Glen Rock Police Department.

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

Resolution No. 67-10

Offered by Council Member O'Hagan

Seconded by Council Member Surrago

**RESOLUTION FOR PERMANENT APPOINTMENT FOR GREG CARTER
POLICE OFFICER**

WHEREAS, the Governing Body has appointed Greg Carter to the position of Police Officer of the Glen Rock Police Department effective February 25, 2009; and

WHEREAS, the Borough of Glen Rock's Code Chapter 40 states that the Chief of Police must recommend permanent appointment for this position after a one year probationary period has been served; and

WHEREAS, Fred Stahman, Chief of Police has recommended to the Mayor and Council that Greg Carter be granted a permanent appointment as a Glen Rock Police Officer of the Glen Rock Police Department;

NOW, THEREFORE BE IT RESOLVED, that that Mayor and Council hereby endorse the recommendation of the Chief of Police and hereby make the appointment of Greg Carter effective February 25, 2010, a permanent appointment of Police Officer of the Glen Rock Police Department.

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 # 1619 (Pool Fees)
Date of Introduction: March 4, 2010**

**Council Resolution # 68-10
Introduced by Council Member Nogara
Seconded by Council Member Pazan**

Be It Resolved by the Borough Council of the Borough of Glen Rock that AN ORDINANCE TO AMEND CHAPTER 101 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK - 1971 AS AMENDED ENTITLED "FEES" BEING AN ORDINANCE COVERING FEES CHARGED BY VARIOUS AGENCIES, BUREAUS AND DEPARTMENTS WITHIN THE BOROUGH OF GLEN ROCK: TO AMEND FEES CHARGED FOR POOL BADGES

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 March 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 OF GLEN ROCK
ORDINANCE NO. 1619**

**AN ORDINANCE TO AMEND CHAPTER 101 OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH
OF GLEN ROCK - 1971 AS AMENDED ENTITLED "FEES" BEING
AN ORDINANCE COVERING FEES CHARGED BY VARIOUS AGENCIES,
BUREAUS AND DEPARTMENTS WITHIN THE BOROUGH OF GLEN ROCK:
TO AMEND FEES CHARGED FOR POOL BADGES**

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

Section I. Chapter 101 of the Revised General Ordinances of the Borough of Glen Rock 1971 as amended being an Ordinance entitled "Fees" is hereby amended as to the following sections:

A. Section 101-5 entitled “Municipal Pool Facility” is hereby amended and supplemented as follows:

1. Section A. Pool Badge, subsection (1) entitled “Seasonal Pool Memberships” is deleted in its entirety and replaced with the following:

“(1) Seasonal Pool Memberships.

	Badge Issued before May 16	Badge Issued after May 16
Walking to 5 years Old	\$35	\$40
Age 6 to 11 (adult supervision required)	\$60	\$70
Age 12 to 17	\$70	\$80
Age 18 to 61	\$100	\$110
Senior Age 62+	\$20	\$25
Family Membership cap (does not include nonresident caretaker)	\$310	\$335
Non-Resident Care Giver	\$120	\$135
Adult (age 18 to 61) resident daily fee (with \$20 Resident ID Card)	\$10	\$10
10 Trip Adult Guest Book	\$80	\$80
10 Trip Child/Senior Citizen Guest Book	\$40	\$40

B. Section B Pool Programs, Participation Fees, subsection (1) entitled “Pool shack, child summer program”, is deleted in its entirety and replaced with the following:

(1) Shack Fees, child summer program (10 Weeks):

- a. One (1) child - \$110.**
- b. Two (2) children - \$220.**
- c. Three or more children - \$275.**

C. There is added thereto the following new sections:

“C. All School Parties (Private Parties).

- a. Rental Fee: \$900 per party.**

D. Graduation Pool Parties - 5th and 8th Grades.

- a. Hourly Rental Fee - \$125**

E. Kindergarten Swim: No Charge.”

Section II. VALIDITY-SEVERABILITY If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be held invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Ordinance but such judgment shall be confined in its operation to the section, paragraph, subdivision or clause directly involved in the controversy in which said judgment shall have been rendered.

Section III All Ordinances or parts of Ordinances inconsistent with the provisions hereof are hereby repealed.

Section IV This Ordinance shall take effect upon passage as required by law.

Ordinance Procedure # 1620 (Bond Ordinance \$575,000)

Date of Introduction: March 4, 2010

Council Resolution # 69-10

Introduced by Council Member Surrago

Seconded by Council Member Pazan

Be It Resolved by the Borough Council of the Borough of Glen Rock that BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF GLEN ROCK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$575,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF

BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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 March 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

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF GLEN ROCK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$575,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of Glen Rock, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements in, by and for said Borough, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the down payment and the State grant appropriated, by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and

Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the State grant hereinafter appropriated, and (3) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (4) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (5) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking of the Harristown/Belmont Drainage Project.

Appropriation and Estimated Cost	\$335,000
State Grant Appropriated	\$200,000
Down Payment Appropriated	\$ 6,500
Bonds and Notes Authorized	\$128,500
Period of Usefulness	15 years

B. Undertaking of the 2010 Street Resurfacing Program at various locations in the Borough. It is hereby determined and stated that said streets being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the Local Bond Law).

Appropriation and Estimated Cost	\$200,000
Down Payment Appropriated	\$ 91,500
Bonds and Notes Authorized	\$108,500
Period of Usefulness	10 years

C. Undertaking of various improvements to the Municipal Pool.

Appropriation and Estimated Cost	\$ 40,000
Down Payment Appropriated	\$ 2,000
Bonds and Notes Authorized	\$ 38,000
Period of Usefulness	15 years

Aggregate Appropriation and Estimated Cost	\$575,000
State Grant Appropriated	\$200,000
Aggregate Down Payment Appropriated	\$100,000
Aggregate Amount of Bonds and Notes Authorized	\$275,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$99,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. The sum of \$200,000 received or to be received as a grant from the State of New Jersey Department of Transportation is hereby appropriated to the payment of the cost of the drainage project authorized in Section 4.A hereof.

Section 7. It is hereby determined and stated that moneys exceeding \$100,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$100,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 8. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$275,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 9. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$275,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 10. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 11. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 13.02 years computed from the date of said bonds.

Section 12. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$275,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 13. Any private contributions, any funds received from the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes (other than the State grant hereinbefore appropriated which shall be applied to the cost of such purposes, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 14. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 17. This ordinance shall take effect twenty days after the first publication thereof after final passage.

5. MEETING OPEN TO THE PUBLIC: (Before speaking at the meeting, each person must state their name and address. 5 minute limit)

Mayor van Keuren read a letter honoring our Building Department's Lucia Camporeale for her being chosen as Technical Assistant for 2009.

Jim Seaton – Ferndale Avenue – Mr. Seaton commented he hopes one of the first roads to be fixed will be Harding Road. Mayor van Keuren stated the Council has addressed the possibility of finding a temporary fix for the largest potholes on Harding prior to being repaved.

6. ADJOURNMENT

Motion to suspend the meeting and go back into closed session was made by Council member Pazan
Seconded by Council member Biggs
Meeting suspended at 8:24 p.m.

At 10:00 p.m. a motion was made to suspend the closed session and go back into public session by Council member Pazan, seconded by Council member O'Hagan.

During the open session the following resolution was read by Council member Pazan.

Resolution No. 70-10
Offered by Council Member Pazan
Seconded by Council Member O'Hagan

WHEREAS, the Borough of Glen Rock, pursuant to the provisions of N.J.S.A. 33:1-1 et seq., is authorized to issue an additional plenary retail consumption license; and

WHEREAS, the Governing Body has determined that it is in the best interest of the Borough to permit the issuance of an additional plenary retail consumption license pursuant to the authority granted to it under N.J.S.A. 33:1-19.1, as amended and supplemented.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Glen Rock:

1. A new plenary retail consumption license shall be issued to the highest qualified bidder in accordance with the terms and conditions of this Resolution.

2. The Borough Clerk is hereby directed to publish an invitation to bid, in the Bergen Record, in not less than two insertions, to be published not less than one week apart and one to be published not less than 30 days prior to the date of the sale. The notice to be published shall specify that any prospective bidder shall apply and qualify for a license prior to the sale. Proof of qualification for a license shall be submitted with the bid in accordance with the bid instructions. The Borough Clerk shall, in accordance with the requirements of the authorizing statute, publicly announce those applicants who meet the qualifications for bidding, five (5) days prior to the opening of bids. All bids submitted shall be sealed. The minimum bid shall be \$125,000.00, which sum is in addition to the annual license fee, application fee and costs of qualification.

The following are additional conditions of sale:

1. The Borough reserves the right to reject all bids where the highest bid is not accepted.

2. The Borough reserves the right to postpone or cancel the sale at any time prior to the opening of the bids.

3. A certified check payable to the Borough of Glen Rock in an amount equal to ten per cent (10%) of the bid price is required to be submitted with each bid. This deposit will be retained by the Borough as liquidated damages in the event that the successful bidder does not complete its obligation pursuant to the bid.

4. All prospective bidders shall qualify no later than five (5) business days prior to the opening of bids.

5. The licensee shall operate a restaurant. The restaurant shall have no less than 80% of the seats of the restaurant reserved for the consumption of food. The licensee's business shall comply with all applicable federal, state and local laws affecting or controlling the operation of a restaurant at said location.

6. The Borough Clerk shall, five (5) days prior to the opening of bids, publicly announce those applicants who meet the qualifications for bidding, as fixed by law, received satisfactory approval from the Glen Rock Police Department of a background check of all interested parties involved in applicant's business, and has met all other applicable rules and regulations of the Borough and this resolution. No bids shall be opened from or on behalf of any prospective bidder who does not meet the qualifications. No bid shall be considered which does not contain proof of qualification.

7. Upon conclusion of the sale, the Borough Clerk shall be authorized to issue the license to the highest qualified bidder, upon payment of his/her bid and the annual license fee. The balance of the purchase price, payable to the Borough of Glen Rock, in cash or certified check, shall be paid by the highest qualified bidder within 30 days of the date of the award of this bid at a time and location designated by the Borough Clerk.

8. The restaurant operation is required to commence within nine months of the date that the bid is awarded to the successful bidder, unless extended by consent of the Governing Body. Failure to adhere to the provision of this paragraph shall subject the bidder to forfeiture of the 10% deposit as liquidated damages. The balance of the bid shall then be returned to the bidder, without interest.

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. ADJOURNMENT

Motion to adjourn the meeting was made by Council member Nogara
Seconded by Council member Orseck
Meeting adjourned at 10:15 p.m.

Jacqueline Scalia, Borough Clerk