

**PUBLIC MEETING – Thursday, July 15, 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, July 15, 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 being called pursuant to the Open Public Meeting Law. Notice of the meeting has been adequately announced, notice of the time, date and place of the meeting was included in a list of meeting notices sent to the Bergen edition of The Record newspaper and advertised in that newspaper. Further a notice of this meeting was posted on the bulletin board in this building and has remained continuously posted as required by Statue. Finally, a notice of this meeting is on file in the office of the Borough Clerk. Accordingly, I declare this to be a properly constituted public meeting of the Mayor and Council.**

**In accordance with the New Jersey State Fire & Safety Code I call your attention to the 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 Orseck 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 Approval of Minutes (6/17/10)**

**Resolution No. 137-10  
Offered by Council Member O'Hagan  
Seconded by Council Member Biggs**

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

**Meeting of 6/17/10**

Be accepted as submitted.

**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 Payment of Bills**

Resolution No. 138-10

Offered by Council Member O'Hagan

Seconded by Council Member Biggs

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**BE IT RESOLVED**, that the following bills of the Borough of Glen Rock be paid in the amount of \$1,875,267.24.

Board of Education	\$	300,000.00
Payroll		535,564.13
PSE&G		38,858.99
Garibaldi		14,806.45
B.C.U.A.		60,383.16
NJSHBP		138,745.23
EPlus		12,947.14
McEnerney, Brady & Co.		24,800.00
NW Bergen Central Disp.		67,626.60
Subtotal	\$	1,193,731.70
Miscellaneous		54,177.02
Capital		627,358.52
Total Payment of Bills	\$	1,875,267.24

**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 Accepting Liquor License Bid (Greek Village II Inc.)**

Resolution No. 139-10

Offered by Council Member O'Hagan

Seconded by Council Member Biggs

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**A RESOLUTION AWARING LIQUOR LICENSE**

WHEREAS, the Borough of Glen Rock did advertise to receive sealed bids on April 21, 2010, for the sale of a new plenary retail consumption liquor license in accordance with the conditions of sale; and

WHEREAS, one prequalified bid was received from Greek Village II, Inc. an existing restaurant located at 175 Rock Road in Glen Rock, and the application was approved by the

Borough Clerk and Glen Rock Police Department as having met the qualifications for bidding and a 10% deposit check of \$12,600 was received on April 21, 2010; and

WHEREAS, a bank check for the balance of \$113,400.00 was delivered to the Borough on July 12, 2010, bringing the total to the bid amount of \$126,000.00.

NOW THEREFOR BE IT, RESOLVED, that the Governing Body of the Borough of Glen Rock hereby accepts the bid (and acknowledges full payment thereof) of Greek Village II, Inc., for the purchase of the Plenary Retail Consumption Liquor License for the bid amount of \$126,000.00, subject to the issuance of the license, based upon the applicant having met in accordance with N.J.A.C. 13:2-2.9 the following conditions:

1. Submitted an application complete in all respects;
2. Qualified to be licensed according to all standards established by the New Jersey Alcoholic Beverage Control Act, the regulations promulgated thereunder, as well as any pertinent local ordinances or division-approved conditions; and
3. The applicant has disclosed and the Borough has reviewed all sources of funds used in the purchase of the license.

**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 Authorizing Tax Overpayment Refund (B 112 L 2)

Resolution No. 140-10

Offered by Council Member O'Hagan

Seconded by Council Member Biggs

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**RESOLUTION AUTHORIZING TAX OVERPAYMENT REFUND**

WHEREAS, it has been determined by the Tax Collector that through a State Tax Court Appeal on Block 112 Lot 2 located at 252 Rock Road, there is a Settlement agreed to for the assessed value in the amount of \$1,369,000.00, and the actual assessed amount on the property in 2007 is \$1,430,800.00,

THEREFORE, the amount of taxes paid by the Bank of America, in 2007 was \$31,906.84 and with the approved change in assessment the amount should have been \$30,528.70 so that there is an over payment of \$1,378.14 to be refunded to Attorney for plaintiff Bruce J. Stavitsky Esq. and The Bank of America,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Glen Rock hereby reimburses The Bank of America, \$1,378.14.

**ROLL CALL:**

Council Member O'Hagan – yes  
Council Member Arnao - yes  
Council Member Surrigo - yes

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

**5. Resolution To Cancel Tax Refund or Over Payments**

Resolution No. 141-10

Offered by Council Member O'Hagan

Seconded by Council Member Biggs

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**RESOLUTION TO CANCEL TAX REFUND OR OVER PAYMENTS**

WHEREAS, N.J.S.A. 40A:5-17 allows for the cancellation of property tax refunds or delinquent amounts in the amount of less than \$10.00; and,

WHEREAS, the governing body authorizes the Tax Collector to cancel the following over payments all in 2<sup>nd</sup> quarter year 2010: Block 18 Lot 7.02 amount \$.20, Block 63 Lot 15 amount \$.01, Block 81 Lot 10 amount \$.02, Block 105 Lot 5 amount \$.01, Block 115 Lot 24 amount \$.01, Block 120 Lot 1 amount \$.01, Block 141 Lot 19 amount \$.54, Block 196 Lot 5 amount \$.01, Block 197 Lot 8 amount \$.01, and Block 244 Lot 22 amount \$.02;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Glen Rock, County of Bergen, State of New Jersey, hereby authorize the Tax Collector to cancel said tax amounts.

**ROLL CALL:**

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

Council Member Pazan - yes  
Council Member Surrigo- yes  
Council Member Nogara- yes

**6. Resolution Authorizing Refund of Redemption Monies to Outside Lien Holder**

Resolution No. 142-10

Offered by Council Member O'Hagan

Seconded by Council Member Biggs

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

WHEREAS, at the following municipal tax sale, a lien was sold on Block 205 Lot 9, also known as 11 Rocklynn Place in Glen Rock, NJ

SALE DATE 12/09/2009 TAX SALE CERTIFICATE #2009-006 AT 15% in the amount of \$5,615.37, total to redeem \$6,397.36.

WHEREAS, the above certificate was sold to R. Rothman,

WHEREAS, Bridget Bagnato has effected redemption for owner Vincent Bagnato, totaling \$6,397.36,

**NOW, THEREFORE, BE IT RESOLVED, the CFO be authorized to issue a check in the amount of \$6,397.36, payable to R. Rothman at 411 Grand Ave., Englewood, NJ 07631 for the above redemption of the above certificate.**

**ROLL CALL:**

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

**7. Resolution for Chapter 159 (Click It Or Ticket)**

**Resolution No. 143-10**

**Offered by Council Member O'Hagan**

**Seconded by Council Member Biggs**

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**Chapter 159 Resolution  
Approval of items of Revenue and Appropriation  
NJS 40A:4-87**

**Whereas, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and**

**WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,**

**NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Glen Rock in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2010 in the amount of \$4,000.00, which is now available from the State of New Jersey Division of Highway Traffic Safety in the amount of \$4,000.00.**

**BE IT FURTHER RESOLVED that the like sum of \$4,000.00 is hereby appropriated under the caption of Click It Or Ticket; and**

**BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey Division of Highway Traffic Safety in the amount of \$4,000.00**

**ROLL CALL:**

<b>Council Member O'Hagan - yes</b>	<b>Council Member Pazan - yes</b>
<b>Council Member Orseck - yes</b>	<b>Council Member Surrago - yes</b>
<b>Council Member Biggs - yes</b>	<b>Council Member Nogara - yes</b>

**8. Resolution Authorizing Service Agreement with AXA Equitable (Deferred Compensation Plan)**

Resolution No. 144-10

Offered by Council Member O'Hagan

Seconded by Council Member Biggs

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WHEREAS, in order to attract and retain qualified employees there exists a need to adopt and implement a DEFERRED COMPENSATION PLAN for the employees of the Borough of Glen Rock (hereinafter referred to as "Employer"), which will provide employees the opportunity to enhance their financial security at retirement through savings of compensation on a deferred basis as provided by Section 457 of the Internal Revenue Code of 1986, as amended ("Code"); and

WHEREAS, in 2010 the Employer adopted a DEFERRED COMPENSATION PLAN provided by AXA-Equitable and assigned the plan identifier (66-PD- Equitable-053107) Borough of Glen Rock by the Division of Local Government Services; and

WHEREAS, the offering of additional investments from another contractor will provide additional retirement investment options to participating employees; and

WHEREAS, there is no direct financial cost to the Employer to adopt and implement an additional employee deferred compensation plan and

WHEREAS, the Employer solicited written proposals from two or more contractors for a Deferred Compensation Plan that meet the requirements of the Municipal, County and Authority Deferred Compensation Programs Rule N.J.A.C. 5:37; including AXA Equitable and AIG Valic.

WHEREAS, the following contractors submitted written proposals: AXA Equitable Life Insurance Company (hereinafter referred to as "AXA Equitable) and AIG Valic; and

WHEREAS, the Borough of Glen Rock reviewed the proposals and met with representatives of the responding contractors of deferred compensation services; and

WHEREAS, it was deemed that AXA Equitable has the ability to: (1) maintain complete records of accounts; (2) manage accounts with absolute fidelity; (3) provide advice concerning various categories of investments; and (4) provide continuing consultation to participants.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Glen Rock that the, Benefits Coordinator, Valerie Maene is hereby authorized to execute the Service Agreement (bearing the identifier: 66-SA-Equitable-053107 assigned by the New Jersey Division of Local Government) with AXA Equitable for the provision of administrative and investment services.

BE IT FURTHER RESOLVED that the Borough's Benefits Coordinator, Valerie Maene is hereby designated as Local Plan Administrator for the administration of the DEFERRED COMPENSATION PLAN.

BE IT FURTHER RESOLVED that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of AXA Equitable in the selection of AXA Equitable as contractor for the administration of the Service Agreement pursuant to N.J.A.C. Section 5:37-5.7.

**BE IT FURTHER RESOLVED** that the Borough of Glen Rock is adopting a deferred compensation plan substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the federal Internal Revenue Service except for provision added by reason of The Small Business Job Protection Act 1996 (United State Public Law no.104-188), the Tax Payer Relief Act 2001 (United States public law no.105-34) and the Economic Growth and Tax Relief Reconciliation Act 2001 (United states public law no.107-16) , and all such provisions are stated in the plan in terms substantially similar to the text of those provisions in the Internal Revenue code section 457.The use of the Ruling is for guidance only and acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not to be considered precedent.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution and all necessary required documents shall be submitted to the Business Administrator of the Division of Local Government Services within the State Department of Community Affairs for approval.

**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

9. Resolution to Rescind Resolution 134-10 (Chapter 159 2009 Municipal Alliance Program)

Resolution No. 145-10  
Offered by Council Member O'Hagan  
Seconded by Council Member Biggs

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**RESOLUTION TO RESCIND RESOLUTION 134-10**

**WHEREAS**, Resolution 134-10, for Chapter 159, Insertion of an Item of Revenue and Appropriation for 2009 Municipal Alliance Program in the amount of \$2,892.17 was approved on June 17, 2010,

**WHEREAS**, it has been determined that the revenue received was recorded properly in budget year 2009 and a Chapter 159 was not necessary,

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Glen Rock, County of Bergen, State of New Jersey, hereby rescind Resolution 134-10.

**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

Motion to accept consent agenda by Council Member O'Hagan  
Seconded by Council Member Biggs

**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. MOTIONS**

**Departmental Reports**

Council member O'Hagan (*Safety*) – No report at this time.

Council member Biggs (*Building*) – Although the number of building permits has increased slightly in recent months we're still down from this time last year. The new website is up and running with improvements and functionality continually being made.

Council member Orseck (*Parks & Recreation*) – There are 285 registered Shack campers this year. The pool has 4,700 members with 236 members participating in the swim team. Early morning lap swimming (6 a.m. – 11 a.m.) will begin August 2.

Council member Pazan (*Finance*) - The Finance Committee met with the Borough Auditor to review the 2009 Audit. Discussion also ensued on the mid-year review of the 2010 budget and revenue. 2011 budget strategy was also discussed.

Council member Nogara (*Licenses & Franchises*) – The commuter shuttle membership has not increased. Serious consideration will be given to this program for 2011. Membership with the senior citizens has slightly increased.

Council member Surrago (*Public Works*) – FEMA confirmed that Public Works will be receiving \$37,000 reimbursement from the March storm.

Motion to accept reports as filed:

Motion by Council Member Nogara  
Seconded by Council Member Pazan

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

Jim Seaton – Ferndale Avenue – Mr. Seaton asked if the company that worked on the Chambers was a bonded company. Mr. Garibaldi replied yes they were and that is the company we are currently working with for the completion of the Chambers. Mr. Seaton stated he assumes the Borough is having difficulty collecting. Mr. Garibaldi replied no, the bonding company has taken over the balance of the project. Secondly, last week Mr. Seaton tried to report an emergency to the police station and found the offices empty (during the day). Mr. Seaton asked why the police desk isn't staffed during the day. Council member O'Hagan asked what time of day this occurred. (It was after 4 p.m.). Mr. Seaton asked if the new tax bills have been sent. Lenora Benjamin the bills have not been sent yet as we're waiting for our tax rate from the County. Once the rate is received the bills will be sent as soon as possible.

**6. ADJOURNMENT**

**Motion to adjourn the meeting was made by Council member Orseck  
Seconded by Council member Biggs  
Meeting adjourned at 8:13 p.m.**

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**Jacqueline Scalia, Borough Clerk**