

PUBLIC MEETING – Monday, September 24, 2012 at 8:00 p.m.

There will be a Public Meeting of the Mayor and Council of the Borough of Glen Rock on Monday, September 24, 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 – absent
Council Member Surrago – present
Council Member Nogara – present**

2. FLAG SALUTE/ANNOUNCEMENTS

**Honoring : Bob Klein
Bill Koenecke
Simon Toffell**

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 (9/12/12)**

Resolution No. 210-12

Offered by Council Member Biggs

Seconded by Council Member O’Hagan

BE IT RESOLVED, that the Minutes of:

September 12, 2012

Be accepted as submitted.

ROLL CALL:

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

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

2. Resolution for Payment of Bills

Resolution No. 211-12

Offered by Council Member Biggs

Seconded by Council Member O'Hagan

BE IT RESOLVED, that the following bills of the Borough of Glen Rock be paid in the amount of \$ 3,968,095.85.

GR Payroll	591,885.35
GR Library	52,509.58
GRBOE	1,751,298.00
GRVAC	75,550.00
P.S.E.&G.	28,635.24
NJSHBP	323,050.14
L.J. Freudenlich, ESQ	50,163.84
SUBTOTAL	\$ 2,873,092.15
Miscellaneous	131,321.01
General Capital	307,868.10
Payroll Account	515,602.06
DDEF	155.00
Trust Other	140,041.53
Developer's Fees	16.00
Total Payment of Bills	\$ 3,968,095.85

ROLL CALL:

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

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

3. Resolution for Emergency Authorization for Down Payment on Improvement

Resolution No. 212-12

Offered by Council Member Biggs

Seconded by Council Member O'Hagan

WHEREAS, an emergency has arisen with respect to funding for the down payment on improvements for the project Radio Communication System Upgrade, and no adequate provision was made in 2012 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of the emergency appropriation created including the appropriation to be created by this resolution is \$9,000.00, and three percent of the total

operations in the budget for the year 2012 is \$510,849.84.

NOW THEREFORE BE IT RESOLVED by not less than two-thirds of all the members thereof affirmatively concurring that in accordance with N.J.S.A. 40A:4-48,

1. An emergency appropriation be and the same is hereby made for Down Payment on Improvements in the amount of \$9,000.00.
2. That said emergency appropriation shall be provided in full in the 2013 budget.
3. That two certified copies of this resolution be filed with the Director of Local Government Services.

ROLL CALL:

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

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

4. Resolution Authorize Extension of Leaf Removal Contract (RVH Mulch)

Resolution No. 213-12

Offered by Council Member Biggs

Seconded by Council Member O'Hagan

RESOLUTION EXTENDING LEAF DISPOSAL BID

WHEREAS, the Borough of Glen Rock received bids for Leaf Disposal on November 9, 2011 and the lowest bid came from RVH Mulch Supply, LLC of Wyckoff, NJ NY and was awarded on November 9, 2011, Resolution 208-11; and

WHEREAS, RVH Mulch Supply and performed the leaf removal and disposal in accordance with the specifications; and

WHEREAS, Local Public Contracts Law N.J.S.A. 40A:11-15 allows for the performance of goods and services shall be awarded for a period not to 12 consecutive months; and

WHEREAS, the Borough would like to exercise their right to extend this contract until November 30, 2012; and

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Glen Rock, hereby awards an extension of the 2011 Leaf Disposal Contract to RVH Mulch Supply, of Wyckoff, NJ and the amount to be increased by the CPI using a 3% increase in price from last year not to exceed \$5.00 per cubic yard subject to certification of funds by the CFO.

ROLL CALL:

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

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

5. Resolution To Cancel Tax Refund or Overpayments

Resolution No. 214-12
Offered by Council Member Biggs
Seconded by Council Member O’Hagan

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 1st, 2nd and 3rd quarter year 2012: Block 16 Lot 14 amount \$.02, Block 25 Lot 6 amount \$.01, Block 33 Lot 9 amount \$.01, Block 69 Lot 9 amount \$.01, Block 97 Lot 4 amount \$.01, Block 120 Lot 7 amount \$.51, Block 127 Lot 23 amount \$.90, Block 171 Lot 5 amount \$.60, Block 255 Lot 5 amount \$.01, block 239 Lot 9 amount \$.01,

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 amount.

ROLL CALL:

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

6. Resolution Authorizing Agreement with Atlantic Coast Fiber (Recycling)

Resolution No. 215-12
Offered by Council Member Biggs
Seconded by Council Member O’Hagan

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 agreement¹ with one two (2) year option under the same terms dated October 1, 2012 setting forth the anticipated price to be paid to the Borough for the recycling material

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described therein. 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 and the Borough Clerk are 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 - absent

Council Member Orseck – yes

Council Member Surrago - yes

Council Member Biggs – yes

Council Member Nogara – yes

7. Resolution for Professional Service Agreement (Liebman)

Resolution No.: 216-12

Offered by Council Member: Biggs

Seconded by Council Member: O'Hagan

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, Wells, Jaworski, Libeman & Paton, LLP has submitted a proposal dated January 5, 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, Wells, Jaworski, Lieman & Paton , has completed and submitted a Business Entity Disclosure Certification which certifies that Wells, Jaworski, Lieman & Paton 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 Wells, Jaworski ,Lieman & Paton from making any reportable contributions through the term of the contract; and

WHEREAS, the Governing Body has determined that Wells, Jaworski, Lieman &

Paton 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 Wells, Jaworski, Lieman & Paton 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 Pazan - absent

Council Member Orseck – yes

Council Member Surrago - yes

Council Member Biggs – yes

Council Member Nogara – yes

8. Resolution for Award of Contract to Parkmobile, USA, Inc.

Resolution No. 217-12

Offered by Council Member Biggs

Seconded by Council Member O’Hagan

AUTHORIZING AWARD OF CONTRACT TO PARKMOBILE, USA, INC.

WHEREAS, the Borough of Glen Rock is interested in utilizing Smartphone technology to offer pay by phone parking to Glen Rock non-residents as an alternative method to pay for commuter parking within designated sites without the need for parking meter equipment; and

WHEREAS, Parkmobile USA, Inc. provides a free mobile app to consumers who are interested in using the service as an alternative to paying with coins at parking meters and users are assessed a \$0.35 fee, per transaction, in addition to the parking meter charges only when they utilize the service. There is no additional service or contract fee for the Borough of Glen Rock; and

WHEREAS, Parkmobile USA, Inc. provides this service at no cost to the Borough of Glen Rock, and shall not charge the Borough of Glen rock any costs for the integration of its system(s) or for the management of the project and the services; and

WHEREAS, a web-based management site will be established that enforcement officers will be able to access all payment activity for enforcement of the parking ordinances.

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

of Glen Rock that the Borough Administrator is hereby authorized to execute a two (2) year agreement, in a form acceptable to the Borough Administrator and approved by the Borough Attorney, between the Borough of Glen Rock and Parkmobile USA, Inc., for the Pay By Phone Parking System.

ROLL CALL:

Council Member O’Hagan – yes

Council Member Pazan - absent

Council Member Orseck – yes

Council Member Surrago - yes

Council Member Biggs - yes

Council Member Nogara – yes

9. Resolution Acknowledging Sprint/Nextel Cell Site Modifications

Resolution No. 218-12

Offered by Council Member Biggs

Seconded by Council Member O’Hagan

**A RESOLUTION AUTHORIZING IMPROVEMENTS TO
EQUIPMENT/FACILITIES BY SPRINT SPECTRUM REALTY COMPANY,
L.P., A SUCCESSOR WITH INTEREST TO SPRINT SPECTRUM L.P. (“SPRINT
NEXTEL”)**

WHEREAS, Sprint Nextel executed a land lease agreement with the Borough of Glen Rock and Village of Ridgewood (“Landlord”) dated May 30, 2006 (“Lease”) with respected to the placement of a cellular tower facility at real property located at 561 Prospect Street, Glen Rock, NJ (“Site”); and

WHEREAS, pursuant to the terms of the lease, the consent of the landlord is a condition precedent for making physical modifications to the equipment within Sprint Nextel’s leased area on the Site; and

WHEREAS, Sprint Nextel, by letter of the Borough of Glen Rock and Village of Ridgewood dated August 20, 2012, has submitted a construction drawing, a copy of which is on file with the Borough Clerk, detailing the proposed modifications/improvement to be made by Sprint Nextel it the leasehold site; and

WHEREAS, the Borough Officials have reviewed the construction plans and find the improvements outlined therein acceptable, subject however to the approval by the Village of Ridgewood and the Construction Official of the Borough of Glen Rock.

NOW THEREFORE, be it

Resolved that the Borough Administrator is hereby authorized to grant the approval of the Borough of Glen Rock to the proposed improvements to the Sprint Nextel leasehold site as set forth in the August 20, 2012 letter from Site Sector (representative of Sprint Nextel) and the construction plans appended thereto; and be it further

RESOLVED, that the resolution shall become effective upon adoption of a similar approval resolution of the Village of Ridgewood; and be it further

RESOLVED, that Spring Nextel shall submit all required building application to

the Borough of Glen Rock Construction Official for the approval to construct the proposed equipment improvement/modifications.

ROLL CALL:

Council Member O'Hagan – yes

Council Member Orseck – yes

Council Member Biggs - yes

Council Member Pazan - absent

Council Member Surrago - yes

Council Member Nogara – yes

10. Resolution for Renewal of Phone Service Contract with Optimum Lightpath

Resolution No. 219-12

Offered by Council Member Biggs

Seconded by Council Member O'Hagan

**RESOLUTION AUTHORIZING INTERNET SERVICE AGREEMENT
CONTRACT**

WHEREAS, the Borough of Glen Rock is in need of a vendor to provide internet service;

WHEREAS, NJSA 40A:11-5(f) exempts from public bid contracts covering the “supplying of any product or the rendering of any service by a public utility, which is subject to the jurisdiction of the Board of Public Utilities or the Federal Energy Regulatory Commission or its successor, in accordance with tariffs and schedules of charges made, charged or exacted, filed with the board or commission”;

WHEREAS, Optimum Lightpath, Inc., current internet provider to the Borough, has submitted a proposal for a three (3) year renewal agreement¹ dated September 18, 2012 setting forth the anticipated price to be paid to the Borough for the internet service described therein. A copy of said proposal is on file in the office of the Borough Clerk; and

WHEREAS, the proposal of Optimum Lightpath, Inc. has been recommended for approval by the Borough Administrator 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 and the Borough Clerk are hereby authorized to enter into a renewal contract with Optimum Lightpath, Inc., in the form on file with the Borough Clerk, for a term of three (3) years at a monthly recurring charge of \$2,612.00, together with any applicable Federal or State taxes, if applicable.

ROLL CALL:

Council Member O'Hagan – yes

Council Member Orseck – yes

Council Member Biggs - yes

Council Member Pazan - absent

Council Member Surrago - yes

Council Member Nogara – yes

¹Permitted pursuant to N.J.S.A. 40A:11-15(1)(C)(8)

11. Resolution Authorizing Issuance of Site Work Permit (B 106 L26)

Resolution No. 220-12

Offered by Council Member Biggs

Seconded by Council Member O'Hagan

RESOLUTION AUTHORIZING ISSUANCE OF SITE WORK PERMIT

WHEREAS, the Mayor and Council have been made aware of the need for a five (5) foot fence in the rear of the property located at 45 Iona Place (Block 106, Lot 26) due to a medical condition of one of the residents living at the property;

WHEREAS, the proposed fence exceeds the permitted height of four (4) feet in the A-2 Residential Zone;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council direct the Building Department to issue a site work permit to the owners of 45 Iona Place to construct a five (5) high fence in the rear yard of their property, subject to the following:

- 1. Completed site work permit application**
- 2. Two copies of the survey of the property with the fence delineated**
- 3. Letter from a physician verifying need**
- 4. Letter from the homeowner indicating that the fence will either be removed or reduced to a conforming four (4) height upon cessation of need**

ROLL CALL:

Council Member O'Hagan – yes

Council Member Orseck - yes

Council Member Biggs – yes

Council Member Pazan - absent

Council Member Surrago – yes

Council Member Nogara – yes

Motion to accept consent agenda by Council Member Biggs

Seconded by Council Member O'Hagan

ROLL CALL:

Council Member O'Hagan – yes

Council Member Orseck - yes

Council Member Biggs – yes

Council Member Pazan - absent

Council Member Surrago – yes

Council Member Nogara – yes

4. MOTIONS

Departmental Reports

Motion to accept reports as filed:

Motion by Council Member

Seconded by Council Member

Roll Call: O'Hagan, Pazan, Orseck, Surrago, Biggs, Nogara

5. ORDINANCES

Ord. # 1669 – First Reading – BOND ORDINANCE TO AUTHORIZE THE RADIO COMMUNICATION SYSTEM UPGRADE PROJECT BY AND FOR THE BOROUGH OF GLEN ROCK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$525,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATIONS AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIAPTION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

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