

PUBLIC MEETING – Wednesday, January 29, 2014 at 8:00 p.m.

There will be a Public Meeting of the Mayor and Council of the Borough of Glen Rock on Wednesday, January 29, 2014, 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 – absent
Council Member Nogara - present**

2. FLAG SALUTE/ANNOUNCEMENTS

Council member Pazan led the Council and audience in the flag salute.

Mayor van Keuren took this opportunity to thank Volunteer Resident Hank Allen for his dozen (or so) years of taking care of the municipal pool.

Council member Orseck thanked Hank from the bottom of her heart. “There are not enough words to say thank you!” The borough’s appreciation is truly heartfelt.

All other Council members expressed their appreciation and gratitude for Hank’s leadership, teaching and example to the many children who have watched him in action every day at the pool.

At this time, Council member Orseck presented Hank with a standing bronze plaque which will be erected at the pool near the flag pole. The inscription read ... “This gateway to the Glen Rock Pool is hereby dedicated in fond appreciation to Henry “Hank” Allen. Without Hank’s many years’ of hard work, service and commitment the Glen Rock Pool would not be what it is today”. September 2013

Hank graciously and humbly accepted the accolades and thanked his family, friends, Mayor and Council, Tom Wilson and the many employees and volunteers who have supported him.

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 (1/6/14)**

Resolution No. 44-14

Offered by Council Member Orseck

Seconded by Council Member Biggs

BE IT RESOLVED, that the Minutes of:

Reorganization Meeting – January 6, 2014

Be accepted as submitted.

ROLL CALL:

Council Member O’Hagan – yes

Council Member Pazan - yes

Council Member Orseck – yes

Council Member Surrago - absent

Council Member Biggs – yes

Council Member Nogara – yes

- 2. Resolution for Payment of Bills**

Resolution No. 45-14

Offered by Council Member Orseck

Seconded by Council Member Biggs

BE IT RESOLVED, that the following bills of the Borough of Glen Rock be paid in the amount of \$ 3,729,231.93.

GRBOE	\$ 1,928,067.00
GR Payroll	595,526.09
GR Capital	94,365.14
NJSHBP	188,854.04
BCMJIF	107,397.57
RVH Mulch	31,240.00
Delta dental	15,461.15
P.S.E.&G.	27,138.29
Rachele’s/Michele’s	11,090.99
EPlus Group	19,420.71
Pinnacle Press	11,000.00

Extra Space Storage	10,596.00
SUBTOTAL	\$ 3,040,156.98
Miscellaneous	36,635.27
General Capital	63,922.39
Trust/Other	1,250.00
Dog Trust	462.60
Payroll	585,868.75
Unemployment	935.34
Total Payment of Bills	\$ 3,729,231.93

ROLL CALL:

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

3. Resolution for LOSAP Certification (2013)

Resolution No. 46-14

Offered by Council Member Orseck

Seconded by Council Member Biggs

RESOLUTION APPROVING FINAL CERTIFICATION OF LENGTH OF SERVICE AWARD PROGRAM (LOSAP) LISTS FOR 2013 FOR GLEN ROCK VOLUNTEER AMBULANCE CORPS MEMBERS AND GLEN ROCK VOLUNTEER FIRE DEPARTMENT MEMBERS

WHEREAS, the Mayor and Council are in receipt of a certified list of credits for LOSAP from Bruce D. Rigg, Local Plan Administrator, a requirement under the law establishing LOSAP for qualified ambulance and fire volunteers of Glen Rock, and

WHEREAS, there are 46 members of the volunteer ambulance corps and fire department that qualify for this benefit for the year of 2013, at an amount of \$1,412.00 per qualified participant, for a total investment of \$64,952.00.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Glen Rock, that the attached certified list for the year 2013 is hereby approved, and instructs the Borough Clerk to forward a copy of the approved resolution to the Local Plan Administrator as required in LOSAP regulations, and post such list in the municipal building for a period of 30 days.

ROLL CALL:

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

4. Resolution for NJ Transit Bus Stop Relocation

Resolution No. 47-14

Offered by Council Member Orseck

Seconded by Council Member Biggs

RESOLUTION AUTHORIZING PROPOSED BUS STOP CHANGE

BE IT RESOLVED, by the Mayor and Council of the Borough of Glen Rock, County of Bergen, State of New Jersey.

That pursuant to N.J.S.A. 39-4-8€ the following described location is designated as a bus stop:

County Road

1. Along Prospect Street, southbound on the westerly side thereof at:
 - a. Between Woodvale Road and Saddle River Road – (mid block) Beginning 328 feet south of the southerly curblineline of Woodvale Road and extending 135 feet southerly therefrom.

That pursuant to N.J.S.A 39-4-8€ the following described location is deleted as bus stop:

2. Along Prospect Street southbound on the westerly side thereof at:
 - b. Woodvale Road – (far side)
Beginning at the southerly curblineline of Woodvale Road and extending 105 feet southerly therefrom.

That the mayor and Council of the Borough of Glen Rock will enforce the needed traffic regulations governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the traveling public.

ROLL CALL:

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

5. Resolution to Award Residential Energy Audit Contract

Resolution No. 48-14

Offered by Council Member Orseck

Seconded by Council Member Biggs

**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO
CIEL POWER FOR THE BOROUGH OF GLEN ROCK
HOME ENERGY AUDIT SERVICES**

WHEREAS, pursuant to the duly advertised¹ Request for Proposals (“RFP”), six (6) proposals were received on or about December 17, 2013 for home energy audit services; and

¹ Advertised October 18, 2013

WHEREAS, the Glen Rock Environmental Commission has reviewed the proposals in accordance with the criteria set forth in the RFP, and has recommended in its report dated January 22, 2014, a copy of which is on file with the Borough Clerk, that the Borough of Glen Rock award the contract for home energy audit services to Ciel Power LLC²; and

WHEREAS, Ciel Power LLC shall render home energy audit services to Borough residents as set forth in its proposal, hereby incorporated is if fully set forth herein; and

WHEREAS, all home energy audits performed by Ciel Power LLC shall not exceed the amount of \$49.00 per home; and

WHEREAS, the contents of the RFP and the proposal submitted by Ciel Power LLC shall become a part of, and are specifically incorporated into, the contract to be awarded to Ciel Power LLC.

NOW, THEREFORE, BE IT

RESOLVED, by the Borough Council of the Borough of Glen Rock as follows:

1. The preamble to this Resolution is hereby incorporated as if more fully set forth herein.
2. The contract for home energy audit services is hereby awarded to Ciel Power LLC.
3. The Mayor and Clerk are hereby authorized to execute a contract with Ciel Power LLC, the form and substance of which shall be reviewed by and deemed acceptable to the Borough Attorney.
4. The Borough Administrator, Clerk, Environmental Committee and Borough Attorney and other appropriate staff and officials are hereby authorized and directed to undertake any and all other acts as may be proper and necessary to effectuate the terms of this Resolution.
5. A copy of this resolution and the Agreement shall be placed on file in the Office of the Borough Clerk, and shall be available for public inspection.

ROLL CALL:

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

6. Resolution to Hire Communications Coordinator

Resolution No. 49-14

Offered by Council Member Orseck

Seconded by Council Member Biggs

**RESOLUTION APPOINTING THALIA HALPERT RODIS TO THE POSITION OF
COMMUNICATIONS COORDINATOR**

WHEREAS, the position of Communications Coordinator has become vacant and the Borough Administrator Council Liaison in the Division of Communications interviewed numerous qualified

² Participant in the NJ Board of Public Utilities – Home Performance with Energy Star Program for the period January 1, 2014 – December 31, 2014.

candidates to fill the position, and has recommended the Borough hire Thalia Halpert Rodis at an hourly rate of \$20/per hour effective as of January 17, 2014.

NOW THEREFORE BE IT RESOLVED that Borough Council, does hereby appoint Thalia Halpert Rodis to the position of Communications Coordinator for the Borough of Glen Rock, effective January 17, 2014.

ROLL CALL:

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

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

7. Resolution for Tax Sale Appeal Settlement B157 L15

Resolution No. 50-14

Offered by Council Member Orseck

Seconded by Council Member Biggs

**RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT
(B 157, L 15)**

WHEREAS, there is pending before the Tax Court of New Jersey, the matter of Catherine Kraft Trust v. Glen Rock bearing Docket Nos.015022-2012 & 013342-2013;

WHEREAS, the Tax Assessor, has recommended a modification to the 2012 and 2013 assessment; and

WHEREAS, as a result of discussions between the Tax Assessor, the Plaintiffs’ attorney, and the Borough Attorney, it is the recommendation of the Tax Assessor that the Mayor and Council ratify and approve the settlement of this matter.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council as follows:

1. The Mayor and Council having reviewed the recommendation for reduction in the assessment of the following Tax Court of New Jersey appeal do hereby ratify the following settlement:

<u>PROPERTY OWNER</u>	<u>BLOCK/ LOT</u>	<u>YEAR</u>	<u>ORIGINAL ASS'MENT</u>	<u>SETTLEMENT</u>
Catherine Kraft Trust	157/15	2012	\$532,200.00	\$500,000.00
Catherine Kraft Trust	157/15	2013	\$532,200.00	\$450,000.00

2. Taxpayer agrees to waive prejudgment interest provided that the tax refund is paid within sixty (60) days of the judgment.

3. The Tax Assessor shall reduce the 2014 tax assessment to a total assessment of not more than \$400,000.00.

ROLL CALL:

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

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

8. Resolution for Tax Appeal Settlement PSE&G (B128.03 L 1, B128.04 L1, B128.05 L 1& B128.06 L1)

Resolution No. 51-14

Offered by Council Member Orseck

Seconded by Council Member Biggs

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT

(B 128.03, L 1) (B 128.04, L 1) (B 128.05, L 1) (B 128.06, L 1)

WHEREAS, there is pending before the Tax Court of New Jersey, the matter of Public Service Electric & Gas v. Glen Rock bearing Docket Nos.016527-2012, 018276-2013, 016531-2012, 018273-2013, 016534-2012, 018274-2013, 016789-2012 & 018275-2013;

WHEREAS, the Tax Assessor, has recommended a modification to the 2012 and 2013 assessment; and

WHEREAS, as a result of discussions between the Tax Assessor, the Plaintiffs' attorney, and the Borough Attorney, it is the recommendation of the Tax Assessor that the Mayor and Council ratify and approve the settlement of this matter.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council as follows:

1. The Mayor and Council having reviewed the recommendation for reduction in the assessment of the following Tax Court of New Jersey appeal do hereby ratify the following settlement:

<u>PROPERTY OWNER</u>	<u>BLOCK/ LOT</u>	<u>YEAR</u>	<u>ORIGINAL ASS'MENT</u>	<u>SETTLEMENT</u>
PSE&G	128.03/1	2012	\$478,800.00	\$478,800.00
PSE&G	128.03/1	2013	\$478,800.00	\$400,000.00
PSE&G	128.04/1	2012	\$369,000.00	\$369,000.00
PSE&G	128.04/1	2013	\$369,000.00	\$300,000.00
PSE&G	128.05/1	2012	\$495,300.00	\$495,300.00
PSE&G	128.05/1	2013	\$495,300.00	\$450,000.00

PSE&G	128.06/1	2012	\$456,000.00	\$456,000.00
PSE&G	128.06/1	2013	\$456,000.00	\$390,000.00

2. Taxpayer agrees to waive prejudgment interest provided that the tax refund is paid within sixty (60) days of the judgment.

3. The Tax Assessor shall reduce the 2014 tax assessment to a total assessment of not more than \$360,000.00 for property 128.03/1, \$200,000.00 for property 128.04/1, \$330,000.00 for property 128.05/1 and \$350,000.00 for property 128.06/1.

ROLL CALL:

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

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

9. Resolution for Agreement with West Bergen Mental Healthcare (Employee & Student Assistance Program)

Resolution No. 52-14

**Offered by Council Member Orseck
 Seconded by Council Member Biggs**

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 2014; and

WHEREAS, the amount of the contract for the year 2014 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 - absent
 Council Member Nogara – yes

10. Resolution for Professional Services (Bond Counsel Rogut McCarthy)

Resolution No.: 53-14

**Offered by Council Member: Orseck
 Seconded by Council Member: Biggs**

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT

WHEREAS, the Borough of Glen Rock is in need of professional Bond Counsel services for the year 2014 to advise and assist the Governing Body, Planning and Zoning Boards, and the administrative staff members, and to undertake and complete various capital projects and grant applications; and

WHEREAS, Rogut Mc Carthy, LLC as submitted a proposal dated January 22, 2014, setting forth the anticipated hourly charges/costs to be assessed to the Borough of Glen Rock for the 2014 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, Rogut Mc Carthy, LLC. has completed and submitted a Business Entity Disclosure Certification which certifies that Rogut Mc Carthy 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 Rogut Mc Carthy from making any reportable contributions through the term of the contract; and

WHEREAS, the Governing Body has determined that Rogut Mc Carthy, LLC to be the most qualified firm to assist the Borough in its auditing needs for 2014; and

WHEREAS, bond counsel 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 Rogut Mc Carthy, LLC as declared herein to provide engineering services to the Borough for 2014; and be it further,

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

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

ROLL CALL:

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

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

11. Resolution Authorizing ADA Cooperative Curb Ramp Construction Grant Program

Resolution No.:54-14

Offered by Council Member: Orseck

Seconded by: Biggs

RESOLUTION AUTHORIZING ADA COOPERATIVE CURB RAMP CONSTRUCTION GRANT PROGRAM

WHEREAS, the New Jersey Department of Transportation (NJDOT), Federally funded programs and the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and Public Right-of-Way Accessibility Guidelines (PROWAG) mandate, among other things, that public sidewalks at intersections provide, at a minimum: depressed curb cuts, detectable warning surfaces and a landing area at crosswalk locations; and

WHEREAS, public sidewalks are a municipal responsibility in as much as the County's road responsibility is limited to improved road areas from curb face to curb face as set forth in N.J.S.A. 27:16-8; and

WHEREAS, the County, as set forth in Freeholder Resolution No.677-12 adopted on May 16, 2012, seeks to assist municipalities with their obligation to comply with NJDOT and Federal ADA regulations on County roadways by dedicating a portion of the County's New Jersey Department of Transportation, Bureau of Local Aid funds for the funding of an "ADA Cooperative Curb Ramp Construction Grant Program"; and

WHEREAS, the County, as set forth in Freeholder Resolution No. 676-12 adopted on May 16, 2012, seeks to further assist municipalities with their obligation to comply with NJDOT and Federal ADA regulations on County roadways by dedicating a portion of the County funds for a countywide "Cooperative ADA Engineering Design Grant Program"; and

WHEREAS, the Borough of Glen Rock desires to participate in the aforesaid grant programs.

WHEREAS, the County will, upon proper verification and pre-construction authorization by the County Engineer, reimburse participating municipalities for construction costs at the prices set forth in the cooperative bid (or the municipality's lower pricing provided that the municipality uses the County's bid specifications for purposes of comparison) as follows:

1. **Initial Reimbursement.** The County shall provide the municipality with fifty percent of the estimated funds necessary to construct ADA compliant improvements and as authorized by the County Engineer, at County road intersections contingent upon the participating municipality's execution of a contract with the successful bidder of the ADA Cooperative Curb Ramp Construction contract (or execution of a contract with the municipality's bidder).

2. **Final Reimbursement.** Upon receipt of its municipal engineer's certification, in County form, that the completed construction work meets ADA compliance or received a "technical infeasibility" waiver approved by the County Engineer, the Bergen County Department of Public Works will reimburse the

participating municipality for the balance of the funds based on the actual, as-built cost for construction within the approved scope of work.

3. **Inspection Costs.** Reimbursable costs shall include construction inspection costs not to exceed ten percent (10%) of the as-built construction costs. At the County Engineer's sole discretion, in extreme cases, and upon receipt of written justifications, construction inspection reimbursement may be authorized up to fifteen percent (15%) of as-built constructions costs.

WHEREAS, the Treasurer has certified the availability of the fund's requirements per NJSA 5:30-5.4.

NOW, THEREFORE BE IT

RESOLVED, upon the recommendation of Robert Tirserio, Director of Public Works, that the Borough of Glen Rock hereby agrees to participate in the "ADA Cooperative Curb Ramp Construction Grant Program"; and be it further

RESOLVED that each participating municipality shall enter a grant agreement in a form approved by County Counsel; and be it further

RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the aforesaid grant agreement.

ROLL CALL:

Council Member O'Hagan – yes

Council Member Orseck - yes

Council Member Biggs – yes

Council Member Pazan - yes

Council Member Surrago - absent

Council Member Nogara - yes

12. Resolution Appointing Hearing Officer (Carver)

Resolution No. 55-14

Offered by Council Member: Orseck

Seconded by: Biggs

RESOLUTION APPOINTING HEARING OFFICER

WHEREAS, in accordance with N.J.S.A. 40A:14-118 and Borough Ordinance § 40-10(B), the Council of the Borough of Glen Rock is designated as the Appropriate Authority to make full determinations on all Police Department disciplinary matters; and

WHEREAS, Ordinance § 40-10(B) authorizes the Council/Appropriate Authority to designate a Hearing Officer to conduct hearings and make findings and recommendations to the Council/Appropriate Authority on Police Department disciplinary matters; and

WHEREAS, Hon. Alexander H. Carver III, R.J.S.C., has submitted his resume and proposal to the Borough to serve as Hearing Officer for a pending Police Department disciplinary matter, a copy of which is on file with the Borough Clerk; and

WHEREAS, the Borough Administrator and the Borough Attorney have recommended a contract be awarded at an hourly rate of \$400.00; and

WHEREAS, the appointment is for a professional service under the Local Public Contract Law (N.J.S.A. 40:11-1 et seq.).

NOW THEREFORE BE IT,

RESOLVED, by the Council/Appropriate Authority of the Borough of Glen Rock that Hon. Alexander H. Carver III, R.J.S.C., be and is hereby appointed as a Hearing Officer for the Council/Appropriate Authority with respect to a Police Department disciplinary hearing to be held before the Borough of Glen Rock at a rate not to exceed \$400.00 per hour; and be it further

RESOLVED, that the Mayor and Borough Clerk are authorized to execute any and all necessary documents; and be it further

RESOLVED, that this contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contract Law because the contract is for a service performed by a person (s) certified by the State of New Jersey to render legal services. A notice of this action shall be printed once in the Ridgewood News; and be it further

RESOLVED, that this appointment is made after a “non -fair and open” process in accordance with the requirements of N.J.S.A. 19:44A-20.5 and is, there for subject to the restrictions set forth herein; and be it further

RESOLVED, that a copy of the Resolution and Contract, once executed, will be on file and available for public inspection in the Borough Clerk’s office.

ROLL CALL:

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

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

13. Resolution Appointing Special Prosecutor (Hanrahan)

Resolution No.: 56-14

Offered by Council Member: Orseck

Seconded by: Biggs

RESOLUTION APPOINTING SPECIAL PROSECUTOR

WHEREAS, in accordance with N.J.S.A. 40A:14-118 and Borough Ordinance § 40-10(B), the Council of the Borough of Glen Rock is designated as the Appropriate Authority to make full determinations on all Police Department disciplinary matters; and

WHEREAS, Ordinance § 40-10(B) authorizes the Council/Appropriate Authority to designate a Special Prosecutor to prosecute pending disciplinary matters before a hearing officer designated by the Council/Appropriate Authority; and

WHEREAS, Thomas B. Hanrahan, Esq., Special Labor Council – Police disciplinary matters for the Borough, is qualified to handle all responsibilities associated with the position of Special Prosecutor of Police disciplinary matters; and

WHEREAS, the appointment is for a professional service under the Local Public Contract Law (N.J.S.A. 40:11-1 et seq.).

NOW THEREFORE BE IT,

RESOLVED, by the Council/Appropriate Authority of the Borough of Glen Rock that Thomas B. Hanrahan, be and is hereby appointed as a Special Prosecutor for the Council/Appropriate Authority with respect to a Police Department disciplinary hearing to be held before the Borough of Glen Rock at a rate not to exceed \$160.00 per hour; and be it further

RESOLVED, that the Mayor and Borough Clerk are authorized to execute any and all necessary documents; and be it further

RESOLVED, that this contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contract Law because the contract is for a service performed by a person (s) certified by the State of New Jersey to render legal services. A notice of this action shall be printed once in the Ridgewood News; and be it further

RESOLVED, that this appointment is made after a “non - fair and open” process in accordance with the requirements of N.J.S.A. 19:44A-20.5 and is, there for subject to the restrictions set forth herein; and be it further

RESOLVED, that a copy of the Resolution and Contract, once executed, will be on file and available for public inspection in the Borough Clerk’s office.

ROLL CALL:

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

Motion to accept consent agenda by Council Member Orseck
Seconded by Council Member Biggs

ROLL CALL:

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

4. MOTIONS

Departmental Reports

Council member Biggs (*Communications*) – Stevens Institute has developed an Android app for Glen Rock. This was done by a class with no cost to the Borough by the students. The app gathers information from the website.

Council member Nogara (*Finance/Shade Tree Committee*) – The Budget Committee has been meeting in preparation for the 2014 budget. The Borough was able to plant as many trees that were lost during the year. The arborist’s report has been acted upon with a borough savings realized. A grant has been applied for to cover tree planting on private property ... more to come.

Council member Pazan (*Library*) – Noted that many organizations have made donations to the Library ... which are always welcome. New programs are continually being introduced through various means of technology.

Council member O’Hagan (*Public Safety*) – Council member O’Hagan reiterated how important our volunteers are; i.e. fire and ambulance. The amount of time required with training and drills is incredible. Council member O’Hagan thanked the volunteers of Hawthorne and Fair Lawn with their assistance in bridging the gap during daytime hours when coverage is light in Glen Rock.

Council member Orseck (*Recreation*) – Basketball has begun, baseball and lacrosse registration has begun. Council member Orseck thanked all the volunteer coaches who work with the 1500+ children on various teams.

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

ROLL CALL:

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

5. ORDINANCES

Ordinance Procedure # 1694 (Pool Fees)

Date of Introduction: January 29, 2014

Council Resolution # 57-14

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 MEMBERSHIP, PROGRAMS AND ACTIVITIES

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 12, 2014 at 8:00 p.m., or as soon thereafter as the matter can be reached, at the Municipal Building in the Borough of Glen Rock, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance in the Bergen Record according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

ROLL CALL:

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

**BOROUGH OF GLEN ROCK
ORDINANCE NO. 1694**

**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
MEMBERSHIP, PROGRAMS AND ACTIVITIES**

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. entitled "**Pool Membership**" is amended as follows:

I. Section 1 "**General Membership, Care Giver**" is deleted in its entirety and replaced with the following:

"Care Giver Memberships.	Badge Issued	Badge Issued
	before May 16	after May 16
I. Resident Care Giver	\$150	\$175
ii. Nonresident Care Giver	\$200	\$250

II. Section 1 "General Membership, Adult Resident Daily Fee" is deleted in its entirety.

III. Section 1 "General Membership" , subsection 4 "Nonresident Daily Guests" is deleted in its entirety and replaced with the following:

"4. Resident and Nonresident¹ Daily Guest Fee.

• Non-walking toddler	Free
• Child (Walking - 17 years of age)	\$10/Visit
• Adult (18-61 years of age)	\$15/Visit
• Senior Citizen (62+ years of age)	\$10/Visit
• Adult Resident Guest Fee ²	\$15/Visit
• 10 Trip Discounted Adult Coupon Book	\$100/Book
• 10 Trip Discounted Child/Senior Citizen Coupon Book	\$75/Book"

¹[Must be accompanied by resident.](#)

²[Must have Resident ID card.](#)

- B. Section B entitled “General Programs” is amended as follows:
- I. Section 2 entitled “Swim Team (Residents Only)” is deleted in its entirety and replaced with the following:
- “2. Swim Team (Residents Only)
 - a. 1 Swimmer
 - b. 2 Swimmers
 - c. 3 Swimmers
 - d. 4 Swimmers (Family Cap)
- II. Section 3 entitled “Swim Team (Residents Only)” is deleted in its entirety and replaced with the following:
- “3. Kindergarten Swim (Residents Only).
 - Per swimmer \$50
- III. Section 10 entitled “HSA Entire School Parties/Private Parties (400 Person Maximum)” is deleted in its entirety and replaced with the following:
- “10 HSA Entire School Parties/Private Parties (400 Person Maximum)
 - a. Rental Fee/Party
- IV. There is added new section 13 entitled “Learn to Swim Program” to read as follows:
- “13. Learn to Swim Program.
 - a. Each participant
- V. There is added new section 14 entitled “2014 Wyckoff YMCA Rental Schedule and Terms of Use” to read as follows:
- “14. “2014 Wyckoff YMCA Rental Schedule and Terms of Use”

•Anticipated Start Date	Monday - 6/16/14
•Anticipated End Date	Friday - 7/25/14
•Rental Schedule	Mon-Fri - 6am - 8 am
•Rental Fee	\$4200 for Rental period
•Payment term	Payment in full on or before 6/16/14.

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 # 1692 (Fees for Building Department, Police)

Date of Introduction: January 29, 2014

Council Resolution # 58-14

Introduced by Council Member O’Hagan

Seconded by Council Member Orseck

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; TO PROVIDE FOR ADDITIONAL FEES FOR POLICE ADMINISTRATION SERVICES, GENERAL ADMINISTRATIVE MATTERS AND BUILDING DEPARTMENT

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 12, 2014 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 - absent
Council Member Nogara - yes

**BOROUGH OF GLEN ROCK
ORDINANCE NO. 1692**

**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; TO PROVIDE FOR ADDITIONAL FEES FOR POLICE
ADMINISTRATION SERVICES, GENERAL ADMINISTRATIVE
MATTERS AND BUILDING DEPARTMENT**

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:

I. Chapter 101 of the Revised General Ordinance of the Borough of Glen Rock, 1971 as amended, entitled "Fees", is hereby amended as to the following subsections:

A. Section 101-2 entitled "General Administration" is amended by adding thereto a new subsection "C. Miscellaneous Fees" to read as follows:

"C. Miscellaneous Fees.

(1). Charge for returned checks. For each check returned for insufficient funds or any other reason, payable in cash to the Chief Financial Officer: \$20."

B. Section 101-12 entitled "Building Department" is deleted in its entirety and replaced with the following:

"101-12. Building Department.

1. In accordance with the provisions of Chapter 90, Construction Codes, Uniform, § 90-1

et seq., the following fees are hereby established:

A. Uniform Construction Code fees. The following fees have been established through the New Jersey Uniform Construction Code, as established by the State of New Jersey.

(NOTE: Fees for combinations of renovations and additions shall be computed as the sum of the fees for the additions and renovations computed separately.)

A) Building Subcode Fees.

1. Minimum fees use group(s) R3, R4, R5, U	\$ 75.00
2. Minimum Fee - all other use groups:	\$150.00
3. New construction/additions (Buildings and Structures)	
A. Per cubic foot of volume:	\$0.08
B. Minimum fees:	
i. Principal building:	\$300.00
ii. Accessory structure(s) (including utility sheds over 100 sq. ft.):	\$150.00
4. Open deck and Raised (over 8" above grade) Patio:	
A. Per 1,000 of estimated cost:	\$ 18.00
5. Alterations/renovation/reconstruction to existing principal and accessory buildings and structures:	
A. Per \$1,000 of estimated cost up to \$100,000.00	\$ 18.00
B. Per \$1,000 of estimates cost over \$100,001.00	\$ 15.00
6. Fences - pool barriers and fences over 6' in height:	\$ 75.00
7. Roofing and siding:	\$ 75.00
8. Fireplaces and stoves (wood/solid fuel):	\$ 75.00
9. Swimming pools.	
A. In-ground pool (including safety fencing):	\$200.00
B. Above-ground pools/hot tubs/spa (including Safety fencing or alternate protection):	\$100.00
10. HVAC ductwork:	\$ 75.00
11. Communication towers and similar open structures:	\$300.00
12. Signs - flat fee per sign:	\$100.00
13. Tents larger than 900 square feet or 30' in diameter:	\$ 75.00
14. Asbestos abatement (Fee set by NJAC 5:23-8.9, as amended)	
A. Administrative fee permit:	\$ 84.00
B. Administrative fee - Certificate of Occupancy	\$ 17.00
15. Lead Abatement:	\$150.00
16. Temporary Structures:	\$150.00
17. Demolition of buildings and structures:	
A. Residential.	
i. Principal structures:	\$200.00
ii. Accessory structure:	\$100.00
iii. Fuel tank:	\$100.00
B. Commercial.	
i. Principal building:	\$400.00

ii. Accessory structure:	\$200.00
iii. Fuel tank:	\$200.00
B) <u>Electrical Subcode Fees.</u>	
1. Minimum fee - use groups, R3, R4, R5, U:	\$ 75.00
2. Minimum fee - all other use groups:	\$150.00
3. First 25 total of lighting fixtures, receptacles, switches, detectors, light poles, motors-fract, H.P., emergency and exit lights:	\$ 75.00
A. Each additional total of 25 units	\$ 50.00
4. Swimming Pool:	
A. In-ground:	\$100.00
B. Above ground/spa/hot tub	\$ 75.00
5. Electric Appliance - range, oven, water heater, dryer, dishwasher, garbage disposal, baseboard heat (each):	\$ 25.00
6. HVAC equipment-central ac/and central heat:	\$ 75.00
7. Alarm System - burglar/fire	\$ 75.00
8. Transformers/Generator:	
A. 100 KVA or less (each)	\$100.00
B. Over 100 KVA	\$500.00
9. Service/Subpanel:	
A. 200 amps or less:	\$100.00
B. 200 to less than 300 amps:	\$300.00
C. Over 300 amps:	\$500.00
C) <u>Fire Subcode Fees:</u>	
1. Minimum fee - use groups, R3, R4, R5, U:	\$ 75.00
2. Minimum fee - all other use groups:	\$150.00
3. Storage tank installation - flammable/combustible liquid:	
A. Residential:	\$ 75.00
B. Commercial:	\$150.00
4. Alarm Systems - new installation:	
A. Residential:	\$ 75.00
B. Commercial - up to 20 combined devices:	\$150.00
5. Alarm systems, supervisory devices, signaling devices, (each), changes to existing systems and additional commercial devices:	\$ 15.00
6. Suppression systems - per head:	\$ 10.00
7. Stand pipes, wall hydrants, hose stations/fire pumps:	\$100.00
8. Pre-engineered system:	\$150.00
9. Kitchen hood exhaust systems:	\$150.00
10. Gas/oil fired appliances:	\$ 75.00
11. B Vent:	\$ 75.00
D) <u>Plumbing Subcode Fees.</u>	
1. Minimum fee - use groups, R3, R4, R5, U:	\$ 75.00
2. Minimum fee - all other use groups:	\$150.00
3. Fixtures/devices: water closets, urinal/bidet/bathtub, lavatory, shower, floor drain/sink, dishwasher, washing	

machine, hose bib, stack, disposal, drinking fountain, water softener, roof drain, condensate drain, back flow device (each):	\$ 25.00
4. Water heaters:	\$ 75.00
5. Boiler:	\$ 75.00
6. Gas piping/fuel oil piping (each connection):	\$ 50.00
7. Sewer pump:	\$ 50.00
8. Interception/separator:	\$ 50.00
9. Grease trap:	\$100.00
10. Sewer connection:	\$ 75.00
11. Water service connection:	\$ 75.00
12. Swimming Pool Suction Drain	\$ 75.00
13. Chimney Liner	\$ 75.00
E) Elevator subcode Fees	

In Accordance with NJ Department of Community Affairs, N.J.A.C. 5:23-12, as Amended.

F) Certificate Fees - Uniform Construction Code.

1. Certificate of occupancy.	
A. Residential:	
i. New single-family detached/attached dwellings:	\$150.00
ii. Other than single-family dwellings: plus \$50 per additional dwelling units.	\$150.00
iii. Residential additions:	\$100.00
iv. Change of use: residential to residential:	\$150.00
B. Non-residential:	
i. New non-residential buildings and additions: Plus \$100 per additional tenant space.	\$300.00
ii. Change in use:	\$300.00
2. Certificate of continued occupancy.	
A. Residential.	
i. Single-Family Dwellings:	\$ 100.00
ii. Other than Single-Family Dwellings: Plus \$100.00 per additional dwelling unit	\$100.00
B. Non-Residential	
i. Single tenancy non-residential building:	\$300.00
ii. Multiple-tenancy spaces and/or mixed use buildings: Plus \$100 per additional non-residential tenant space and/or \$50 per additional residential dwelling unit.	\$300.00
3. Certificates of Approval, Compliance and Clearance (Lead Abatement):	No fee
4. Temporary certificates of occupancy.	
A. Up to a sixty (60) day period - initial issuance:	\$ 50.00
G) <u>Plan Review Fees.</u>	
Twenty percent (20%) of the total construction permit fee. Plan review fees are not refundable.	
H) <u>Variation fees.</u>	
i. Residential:	\$ 75.00

ii. Non-Residential: \$150.00

I) Construction Board of Appeals Fees.

Fees set by Bergen County Construction Board of Appeals located at One Bergen County Plaza, Fifth Floor, Freeholder’s Public Meeting Room, Hackensack, NJ

07601.

J) DCA training Fees.

Fees set by pursuant to NJAC 5:23-4.19 as amended

K) Site Work Fees.

- A. Minimum fee - residential: \$ 75.00
- B. Minimum fee - non residential: \$150.00
- C. Per \$1,000 of estimated costs: \$ 18.00

L) Borough Engineering Escrow - New construction and additions to existing buildings with a footprint increase of 100 sq. foot or larger, non-residential sitework and individual unit not part of an approved subdivision consisting of two or more single - family residential regrading and/or drainage work: \$500 Initial Deposit. All outstanding fees are to be paid, in full, prior to the issuance of a certificate of occupancy.

M) Residential Resale, Re-occupancy or Rental Certificate issued pursuant to Borough Ordinance 230-96B(2):

- 1. Certificate of continued occupancy per dwelling unit: \$100.00
- 2. Temporary Certificate of Continued Occupancy per dwelling unit: \$100.00

N) Miscellaneous.

- 1. Change of contractor – fee per subcode: \$ 50.00

C. Chapter 101 of the Revised General Ordinance of the Borough of Glen Rock, 1971 as amended, entitled “Fees”, Section 101-18 entitled “Police Administrative Fees” is deleted in its entirety and replaced with the following:

“101-18. Police Administrative Fees.

In accordance with the provisions of § 40-13, entitled “Fees for Administrative Services,” the following fees are hereby established:

- A. Fingerprinting: \$10.00
- B. Municipal Court Discovery Fees:
 - 1. All requests for discovery in matters pending in the Glen Rock

Municipal Court shall be submitted through the Borough Prosecutor.

Notwithstanding the foregoing, to the extent said fees may conflict with the fee schedule promulgated by the Administrative Director of the Courts, the latter shall control.

2. Police Reports:

- i. Standard sized paper documents, if requested and picked up in person:

<u>Size</u>	<u>Fee (per page)</u>
Letter Size or Smaller	\$0.05
Legal Size or Larger	\$0.07

- ii. A special service charge shall be imposed, in addition to the actual cost of duplicating the record, where the nature, format, manner of collation or volume of printed such that it cannot be reproduced by ordinary

document-copying equipment in ordinary business size where such record involves an extraordinary expenditure of time and effort to accommodate the request. The estimated and actual charges shall be calculated based upon the actual administrative time for the employee performing the work. The Requestor shall have the opportunity to review and object to the charge prior to it being incurred.

iii. For discovery returned by mail, the Requestor shall be charged the sum of \$5.00 to cover the cost of postage and related mailing supplies.

iv. Records to be provided in mediums such as computer disc, CD-ROM, DVD, audio tape (“Digital Medium”), the Requestor shall supply to the Prosecutor or his/her designee, the appropriate digital medium to be used for reproduction.

v. Photographs will be photocopied at the actual cost of reproduction.

vi. If the requestor requests an electronic record (1) in a medium or format not routinely used by the Prosecutor, (2) not routinely developed or maintained by the Prosecutor; or (3) requiring a substantial amount of manipulation or programming of information technology, the Prosecutor may charge, in addition to the actual costs of duplication, a special charge that shall be reasonable and shall be based on the cost for any extensive use of information technology, or the labor cost of personnel providing the service that is actually incurred by the Prosecutor, or the clerical or supervisory assistance required. The requestor shall have the opportunity to review and object to the charge prior to the charge being incurred.

Section II. VALIDITY-SEVERABILITY If the provisions of any section, subsection, paragraph, subdivisions, 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 provisions hereof are hereby repealed.

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

Ordinance Procedure: # 1693 (Hours of Operation)

Date of Final Reading: January 29, 2014

Date of Introduction: January 15, 2014

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

Rinaldo D’Argenio, 12 Keith Place – Mr. D’Argenio thanked the Council for this ordinance and believes it is crafted properly.

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

Council Resolution # 59-14
Introduced: Council Member Pazan
Seconded Council Member Biggs

AN ORDINANCE TO AMEND CHAPTER 146 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK - 1971 AS AMENDED ENTITLED "NOISE" BEING AN ORDINANCE CONTROLLING LOUD, DISTURBING AND UNNECESSARY NOISE WITHIN THE BOROUGH OF GLEN ROCK: TO AMEND THE STANDARDS AND REGULATIONS RELATING THERETO

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

ROLL CALL:

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

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

BOROUGH OF GLEN ROCK
ORDINANCE NO. 1693

AN ORDINANCE TO AMEND CHAPTER 146 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK - 1971 AS AMENDED ENTITLED "NOISE" BEING AN ORDINANCE CONTROLLING LOUD, DISTURBING AND UNNECESSARY NOISE WITHIN THE BOROUGH OF GLEN ROCK: TO AMEND THE STANDARDS AND REGULATIONS RELATING THERETO.

WHEREAS, excessive noise is a serious hazard and detriment to the public health, welfare, safety, and the quality of life of the Borough's residents; and

WHEREAS, the residents who reside in residential neighborhoods have a right to, and should be ensured of, an environment free from excessive sound and other disturbances, in particular during the evening hours; and

WHEREAS, pursuant to its police powers, Governing Body may adopt any ordinance for the public health, safety and welfare of the Borough and its inhabitants, which powers include the authority to restrict hours of operation of business establishments; and

WHEREAS, the Governing Body finds that a business establishment that operates twenty four (24) hours a day and that is located in close proximity to a residential neighborhood will interfere with the quality of life and the residential character of such neighborhoods; and

WHEREAS, the Governing Body finds that reasonable restrictions on the hours of operation of businesses located in close proximity to a residential neighborhood will eliminate the evening noise intrusions on said neighborhoods and its residents and that such restrictions will thereby benefit the public health, safety and general welfare, and quality of life of the Borough's residents.

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

Section I - Chapter 146 of the Revised General Ordinances of the Borough of Glen Rock 1971 as amended being an Ordinance entitled "Noise" is hereby amended as to the following subsection:

A. Subsection 146-6 entitled "Restricted Uses and Activities" is amended by adding thereto the following new activity under subsection B:

"11. Any business establishment that is located within one hundred (100) feet of any of the Borough's residential zoning districts shall not be permitted to conduct business between the hours of 12:00 midnight and 5 a.m. of the next day. This prohibition shall apply prospectively only and shall not be applicable to any business that at the time of the adoption of this subsection has hours of operation between 12:00 midnight and 5:00 a.m. This prohibition shall also not be applicable to any Food Service Establishment or Liquor Service Establishment.

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.

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

There was no one wishing to speak at this time.

7. **ADJOURNMENT**

Motion to adjourn the public meeting made by Council member O'Hagan

Seconded by Council member Orseck

Meeting adjourned at 8:52 p.m.