

PUBLIC MEETING – Thursday, December 16, 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, December 16, 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 Statute. 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 Nogara led the Council and audience in the flag salute.

Mayor van Keuren read a letter which was received by a Council member regarding leaf pick-up. This resident was concerned that the leaf pick-up program creates early morning noise and they wonder why they have to pick-up in the early morning. Mayor van Keuren explained the process and stated the multi-step process begins in the early morning to “get a jump” on the day but also when leaves are picked up around schools and main roads there is a safety issue involved. The resident did not accept this explanation and accused the DPW of being vengeful to any resident that complains. Mayor van Keuren stated if it means picking up leaves (or snow) at 4:00 a.m. to ensure safety to the residents then that is what will be done.

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 (12/2/10)

Resolution No. 214-10
Offered by Council Member Orseck
Seconded by Council Member Surrago

BE IT RESOLVED, that the Minutes of:

Meeting of 12/02/10

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 for PBA Memorandum of Agreement

Resolution No. 215-10
Offered by Council Member Orseck
Seconded by Council Member Surrago

RESOLUTION AUTHORIZING EXECUTION OF PBA CONTRACT

WHEREAS, Borough of Glen Rock and PBA officials have successfully negotiated a labor agreement to cover the period January 1, 2011 through December 31, 2013, with both sides having signed a memorandum of agreement, subject to ratification by both the Borough Council and PBA membership; and

WHEREAS, this contract was developed after numerous negotiating sessions that started in the late summer of 2010 and concluded in December 2010, with the memorandum of agreement recommended by the Borough’s Labor Counsel, Chief of Police and Borough Administrator; now therefore

BE IT RESOLVED, by the Borough Council of Glen Rock, that the Mayor and Borough Clerk are hereby authorized to sign and attest a labor agreement with PBA Local No. 110 for the years 2011, 2012, and 2013, subject to approval by the Labor Counsel and Benefits Coordinator.

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 Authorizing Use of State Contract Vendors

Resolution No. 216-10
Offered by Council Member Orseck
Seconded by Council Member Surrago

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE
CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a**

WHEREAS, the Borough of Glen Rock, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State Contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the Borough of Glen Rock has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Borough of Glen Rock intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Glen Rock authorizes the purchase certain goods and services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Glen Rock pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough of Glen Rock and the Referenced State Contract Vendors shall be from January 1st to December 31st 2010.

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. Resolution for Payment of Bills

Resolution No. 217-10

Offered by Council Member Orseck

Seconded by Council Member Surrago

BE IT RESOLVED, that the following bills of the Borough of Glen Rock be paid in the amount of \$1,671,195.73.

Board of Education	\$ 1,412,947.00
NJSHBP	129,255.72
Robert M. Jacobs, Esq/ Financial Services, Inc.	31,958.92
Subtotal	\$ 1,574,161.64
Miscellaneous	46,418.80
Capital	39,939.49

State & Federal Grant Fund 10,675.80
Total Payment of Bills \$ 1,671,195.93

ROLL CALL:

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

5. Resolution Authorizing Construction Change Directive No. 005 with Merchants Bonding Company

Resolution No. 218-10
Offered by Council Member Orseck
Seconded by Council Member Surrago

**A RESOLUTION AUTHORIZING CONSTRUCTION CHANGE DIRECTIVE
NO. 005 WITH MERCHANTS BONDING COMPANY**

WHEREAS, Arcari & Iovino Architects, PC, the architect for the renovation to the Municipal Building, has recommended the Borough of Glen Rock (the “Borough”) authorize the execution of Construction Change Directive No. 005 to direct that Merchants Bonding Company (the “Surety”) change the construction contact dated June 9, 2008 to substitute a stained red oak door for a painted hollow metal door and frame consistent to the email prepared by Fasano Acchione & Associates dated 12/08/10, a copy of which is on file with the Borough Clerk; and

WHEREAS, the Governing Body concurs with the recommendation of its architect.

NOW, THEREFORE, BE IT

RESOLVED, that the Mayor and Council hereby approve Construction Change Directive No. 005 as proposed by Arcari & Iovino Architects, PC and do hereby authorize Lenora Benjamin, Borough Administrator, to execute the Construction Change Directive No 005 on behalf of the Borough of Glen Rock.

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 Orseck
Seconded by Council Member Surrago

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. ORDINANCES

Ordinance Procedure # 1631 (Zoning Definitions)
Date of Introduction: December 16, 2010

**Council Resolution #219
Introduced by Council Member Pazan
Seconded by Council Member O’Hagan**

Be It Resolved by the Borough Council of the Borough of Glen Rock that AN ORDINANCE TO AMEND CHAPTER 230 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK, 1971 ENTITLED “ZONING” BEING AN ORDINANCE ESTABLISHING A UNIFORM SET OF ZONING REQUIREMENTS; TO MODIFY ZONING DEFINITIONS

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 December 29, 2010 at 4:00 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 - yes
Council Member Biggs - yes	Council Member Nogara - yes

**BOROUGH OF GLEN ROCK
ORDINANCE NO. 1631**

**AN ORDINANCE TO AMEND CHAPTER 230 OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH OF
GLEN ROCK, 1971 ENTITLED “ZONING” BEING AN
ORDINANCE ESTABLISHING A UNIFORM SET OF ZONING
REQUIREMENTS; TO MODIFY ZONING DEFINITIONS**

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

Section I - Chapter 230 of the Revised General Ordinances of the Borough of Glen Rock 1971, as amended, being an Ordinance entitled "Zoning" is hereby amended as to the following section(s):

1. Section 230-4 entitled “Definitions” is hereby amended by deleting “Medical Office” in its entirety to be replaced with the following:

“Medical Office. A premise where patients, whether humans or animals, are treated by one(1) person or a group of licensed or certified medical professionals practicing any form of healing or health building services to humans or animals, whether the

practitioners are physicians (ie medical doctors), veterinarians, chiropractors, dentists, osteopaths, podiatrists, nutritionists, psychologists and counselors, psychiatrists, nurse practitioners, or any similar medical profession, the practice of which is regulated by New Jersey law. Medical laboratories or pharmaceutical dispensaries are excluded.”

2. Section 230-4 entitled “Definitions”, is hereby amended by adding thereto the following new definitions:

“Educational Use. Is a use providing a student with knowledge and instruction through a course or group of courses. Educational uses are divided into the following subclasses:

A. Elementary and Secondary Schools. Elementary and secondary schools are uses providing primary and secondary education for grades kindergarten through twelve, as regulated by the State of New Jersey Department of Education or the Borough of Glen Rock Board of Education. Typical uses include elementary, middle, and high school.

B. Post-secondary institution. A Post-secondary institution is a use providing academic, professional, business technical or industrial education beyond the twelfth grade, leading to a degree or entry into a paid occupation. Typical uses include universities, community colleges, and business, career, beauty, or trade schools. These institutions can be either for-profit or non-profit.

C. Instructional school. An instructional school is a use providing domestic, recreational, and other types of instruction for all age groups. Typical uses include schools for dance, cooking, music, martial arts, or handicraft instruction. These institutions are exclusively for-profit.

Child Care Facility. A facility, other than a private residence, receiving 1 or more infant to preschool age children for care for periods less than 24 hours a day, and where the parents or guardians are not immediately available to the child. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, after school program, or a “before and after” center associated with religious institution uses.

Professional Office. An establishment primarily engaged in providing professional business services to other individuals and businesses, not including any form of healing or health building services to humans or animals. Professional office uses are generally categorized into professional business establishments that customarily occupy standard office space, do not require outdoor storage of supplies or use of vehicles other than automobiles and small vans, and the practice of which may or may not be regulated and/or licensed by New Jersey law. Examples of these business establishments include, but are not limited to, the offices of accountants, appraisers, architects, attorneys, engineers (but not including laboratories or facilities involving testing or treatment of products of instruments), real estate, insurance, and investment brokers, consultants, and agents, the offices of advertising agencies and consultants, business and management consultants, administrative services, and

travel agents. It may also include shared office space for any of the aforementioned business establishments and headquarter and satellite office space.”

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 # 1632 (Permitted Parking Uses)
Date of Introduction: December 16, 2010**

**Council Resolution #220-10
Introduced by Council Member Pazan
Seconded by Council Member O’Hagan**

Be It Resolved by the Borough Council of the Borough of Glen Rock that AN ORDINANCE TO AMEND CHAPTER 230 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK, 1971 ENTITLED “ZONING” BEING AN ORDINANCE ESTABLISHING A UNIFORM SET OF ZONING REQUIREMENTS; TO MODIFY PERMITTED USES AND PARKING REQUIREMENTS

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 December 29, 2010 at 4:00 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 - yes
Council Member Biggs - yes	Council Member Nogara - yes

**BOROUGH OF GLEN ROCK
ORDINANCE NO. 1632**

**AN ORDINANCE TO AMEND CHAPTER 230 OF THE
REVISED GENERAL ORDINANCES OF THE
BOROUGH OF GLEN ROCK, 1971 ENTITLED "ZONING"
BEING AN ORDINANCE ESTABLISHING A UNIFORM
SET OF ZONING REQUIREMENTS; TO MODIFY PERMITTED USES AND PARKING
REQUIREMENTS**

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

Section I - Chapter 230 of the Revised General Ordinances of the Borough of Glen Rock 1971, as amended, being an Ordinance entitled "Zoning" is hereby amended as to the following section(s):

1. Section 230.34 entitled "**Off-Street Parking in Nonresidential Districts**" is hereby amended by deleting subsection "27 Schools:" in its entirety to be replaced with the following:

"(27) Educational Uses:

- a. **Elementary: two per classroom, but not less than 1.5 per teacher and staff.**
- b. **Intermediate: 1.5 per classroom, but not less than 1.5 per teacher and staff.**
- c. **Secondary:2.5 per classroom, but not less than 1.5 per teacher and staff.**
- d. **Adult educational and vocational: one per staff, plus one per 1.5 students.**
- e. **Instructional Schools: 1 space for every 250 square feet of space."**

2. Section 230-60 entitled "**Permitted uses**" is hereby amended by deleting subsection D to be replaced with the following:

"D. Professional Offices of up to 10% of the floor area per structure, provided that off-street parking facilities are made available in accordance with the requirements of 230-34."

3. Section 230.63 entitled "**Permitted uses**" is hereby amended by deleting subsection D to be replaced with the following:

"D. Professional office use."

4. Section 230. 67 entitled "**Permitted uses**" is hereby amended by deleting subsection H to be replaced with the following:

“H. Professional Offices.”

5. Section 230.70 entitled **“Permitted uses”** is hereby amended by deleting the subsection to be replaced with the following:

“This zone district shall be intended for limited industrial and manufacturing uses, office for professional, executive or administrative purposes, scientific or research laboratories, hotels and motels, all of which shall be conducted within the confines of a building. Partial use may be permitted of a building primarily designed for hotel or motel usage by offices for professional, executive, or administrative purposes. Retail sales shall be permitted within this zone district, provided that the merchandise sold is manufactured by the occupant of the building wherein such retail sales are conducted.”

6. Section 230.83 entitled **“OT- Office Transitional District”** is hereby amended by deleting the subsection B to be replaced with the following:

“B. Permitted uses. This district shall permit office for the following professional trades:”

7. Section 230.84 entitled **“OB-1 Office Building District”** is hereby amended by deleting the subsection B and C to be replaced with the following:

“B. Other professional persons and activities limited to the following:”

“C. Such other professional services as the Board of Adjustment may determine are of a character similar to those uses listed in Subsections A and B above.”

8. Section 230.87 entitled **“Permitted uses”** is hereby amended by deleting the subsection to be replaced with the following:

“This district is intended for office building for executive, professional and administrative purposes and computer and data processing centers and facilities.”

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.

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

Council member O'Hagan publicly thanked the GRFD for the expeditious response they gave to the O'Hagan family during a recent fire incident at their home.

Ed Pucci – 64 Gibson Place – Questioned who enforces signs placed on lawns and asked why there has been a sign for months advertising swimming lessons at Maple and Harristown. Mr. Pucci asked again why the Borough installed recycling bins in town. Mayor van Keuren stated these bins started with the Environmental Commission suggested them to promote recycling. Mr. Pucci believes the town has received a donation for these bins. Lenora Benjamin clarified that the bins downtown the Chamber of Commerce paid for them, with no advertising. The bins with advertising were placed for free with the bin company (Greener Corners) selling the advertising located on them. Mr. Pucci asked who on the Council is affiliated with Greener Corners. No one is affiliated with them and there is no “deal” with the Council. Council member O'Hagan corrected Mr. Pucci and stated his offense at Mr. Pucci's innuendo that the Council has a deal with Greener Corners. Mr. Pucci stated it is illegal for companies to advertising on these recycling bins. Mr. Pucci stated everyone agrees that the advertising on the bins is disgusting and demanded it be removed. Mr. Pucci continued argumentatively asking the Council's intention of the recycling bins. Mayor van Keuren stated the bins are good for the town, they cost no money and the bins are staying. Council member Orseck requested Mr. Pucci to be respectful to the Mayor and Council.

Mike Bogart – 375 Doremus Avenue – Mr. Bogart lives across from the Recycling Center. Mr. Bogart expressed concern with the proposed renovation of the center and asked for reconsideration. Mayor van Keuren stated the Council is reconsidering where the bins will be placed within the center as well as ways the noise from the glass bin could be reduced. The smell comes from the leaves, rather than the recycling center. The leaves are ground and removed as quickly as possible; however there are times the weather delays the process as well as the sharing of the tub grinder with Ridgewood. Council member Surrago added there will be a three foot berm with six foot trees to increase the screening between the residents and the center. Concerns were heard from the residents and the parking is also being reconsidered to screen the bins as well. With the proposed changes Mr. Bogart should actually see less than he currently does of the Recycling Center. Council member Surrago noted that 100+ cars will be taken off of the road and be able to park behind the center. The current “dirt road” will be used for emergency purposes and DPW vehicles. Hopefully, construction will begin in the spring.

Jimmy Hill – 339 Doremus Avenue – Mr. Hill expressed concern with the second exit to the center. The combination of traffic coming around the corner and pitch of the road create a safety hazard. Mayor van Keuren stated they will raise this concern with the engineer. Mr. Hill believes the bins could be relocated to the compost area which would reduce the noise and create additional parking.

Sally Killeen – Doremus Avenue – Mrs. Killen does not believe a three foot berm is going to be high enough; additionally it should be extended further lengthwise.

Michael Jurek – 343 Doremus Avenue – Mr. Jurek expressed strong opposition to the proposed reconfiguration of the recycling center. Mr. Jurek stated the bins are approximately 320' from the road and with the new configuration the bins will be 70' from the road. Mr. Jurek added many people are allergic to bee stings, which are attracted to the bins; consequently moving them closer

to the street would be more hazardous to the public. Mr. Jurek stated this proposed plan has been “in the works” since 1998, yet no one was aware of it. Mr. Jurek added the 128 parking spaces proposed for parking will create a traffic flow hazard. Mayor van Keuren reiterated Mr. Jurek’s comments concerning moving the bins closer to the street, making them more evident to the resident’s and reassured him that the Council will consider the many comments expressed. The public safety needs to be improved at this location and the Council will do what they feel is appropriate with a strong effort made to accommodate resident concerns. Mr. Jurek suggested moving the parking spaces further back. (unfortunately wetlands property becomes involved)

Hannah Jurek – 343 Doremus Avenue – Mrs. Jurek stated the parking spaces that are being built will be vacant six months of the year; yet the noise from the center is constant.

Mayor van Keuren stated the Council has heard the concerns of the residents and will listen to and accommodate them to the best of their ability.

Mark McCullough – Stonefield Road (formerly Prospect) – Mr. McCullough stated truck traffic on Prospect turning into the Ridgewood Water Treatment facility. Mr. McCullough asked that the Council consider suspending left turns into the facility (off Prospect). Mr. McCullough stated he believes the use of the treatment property is not following proper zoning.

6. ADJOURNMENT

Motion to adjourn the meeting and reopen the closed session was made by Council member Surrago

Seconded by Council member Biggs

Meeting adjourned at 9:05 p.m.

Paula A. Fleming, Deputy Borough Clerk