

BOROUGH OF GLEN ROCK
PUBLIC MEETING – Wednesday, December 29, 2010 at 4:00 p.m.

There will be a Public Meeting of the Mayor and Council of the Borough of Glen Rock on Wednesday, December 29, 2010, at 4:00 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 O’Hagan led the Council and audience in the flag salute.

3. CONSENT AGENDA

All items listed are considered to be routine and non-controversial by the Borough Council and will be approved by one motion. There will be no separate discussion on these items unless a Council member(s) so request it, in which case the item(s) will be removed from the Consent Agenda and considered in its normal sequence on the agenda. The one motion signifies adoption of all resolutions, received and filed letters, correspondence, reports and approval of applications and minutes.

Resolutions:

1. Resolution Approval of Minutes (12/16/10)

Resolution No. 221-10
Offered by Council Member Biggs
Seconded by Council Member Surrago

BE IT RESOLVED, that the Minutes of:

Meeting of 12/16/10

Be accepted as submitted.

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 - absent

2. Resolution Authorizing Tax Overpayment Refund (167/12)

Resolution No. 222-10

Offered by Council Member Biggs

Seconded by Council Member Surrago

RESOLUTION AUTHORIZING TAX OVERPAYMENT REFUND

WHEREAS, it has been determined by the Tax Collector that the 4th Quarter, 2010 on Block 167 Lot 12 the owner Barbara Sanders made a payment of \$2,695.30 and the 4th quarter was also paid by her mortgage company through the tax paying service Corelogic;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Glen Rock hereby reimburses Barbara Sanders for the tax overpayment in the amount of \$2,695.30.

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 - absent

3. Resolution Authorizing Tax Overpayment Refund (196/2)

Resolution No. 223-10

Offered by Council Member Biggs

Seconded by Council Member Surrago

RESOLUTION AUTHORIZING TAX OVERPAYMENT REFUND

WHEREAS, it has been determined by the Tax Collector that through a State Tax Court Appeal on Block 196 Lot 2 located at 21 Harristown Road, there is an agreed Settlement on a change in the assessed value in 2007 from \$8,227,900.00 to \$7,300,000.00 and in 2008 from \$6,651,100.00 to \$6,475,000.00 and in 2009 from \$6,651,100.00 to \$6,375,000.00,

THEREFORE, the amount of taxes overpaid by Financial Services Inc. was \$31,422.13 with accrued interest in the amount of \$536.79 totaling \$31,958.92,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Glen Rock hereby reimburses Financial Services Inc. \$31,958.92.

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 - absent

4. Resolution for Payment of Bills

Resolution No. 224-10

Offered by Council Member Biggs

Seconded by Council Member Surrago

BE IT RESOLVED, that the following bills of the Borough of Glen Rock be paid in the amount of \$2,215,129.99.

Board of Education	\$ 1,530,692.00
GR Payroll	577,367.67
Iron Mountain	14,248.00
Subtotal	\$ 2,122,304.67
Miscellaneous	48,287.33
Capital	28,676.25
State & Federal Grant Fund	15,861.74
Total Payment of Bills	\$ 2,215,129.99

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 - absent

5. Resolution Cancel Stale Payroll Checks

Resolution No. 225-10

Offered by Council Member Biggs

Seconded by Council Member Surrago

Cancellation of Stale Dated Payroll Checks

WHEREAS, the Chief Financial Officer of the Borough of Glen Rock has identified the following checks to be stale, and;

WHEREAS, the Chief Financial Officer has been deemed to cancel of record the following checks which are dated prior to December 31, 2010;

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Glen Rock, County of Bergen that all balances as per attached list shall be treated as Miscellaneous Revenue Not Anticipated, as to the Tax Collector’s bank statement reconciliation.

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 - absent

8. Resolution to Appoint Interim Prosecutor

**Resolution No.: 228-10
Offered by Council Member: Biggs
Seconded by: Surrago**

RESOLUTION AUTHORIZING INTERIM PROSECUTOR

WHEREAS, within Borough Ordinance §4-25, the office of Borough Prosecutor has been created pursuant to the authority established within NJSA 2B:25-1 et seq.; and

WHEREAS, a vacancy will exist in the position of Borough Prosecutor effective January 1, 2011.

NOW, THEREFORE, BE IT

RESOLVED, by the Governing Body of the Borough of Glen Rock that Richard M. Rosa, Esq. Of the firm of Hartmann, Doherty, Rosa, Bermna & Bulbulia, LLC, is hereby appointed as interim Borough Prosecutor for the Borough of Glen Rock effective January 1, 2011.

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 - absent

9. Resolution for Inter-local Agreement with Midland Park – *Read Separately*

10. Resolution to Cancel Unexpended Funds

**Resolution No. 230-10
Offered by Council Member Biggs
Seconded by Council Member Surrago**

Cancellation of Unexpended Current Fund Appropriations

WHEREAS, the Chief Financial Officer of the Borough of Glen Rock has identified the following Current Fund Appropriations remain unexpended:

Fire Department – Other Expense \$10,000.00

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Fund Balance;

NOW THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Glen Rock, County of Bergen hereby cancel the above listed unexpended Fire Department Appropriation to Fund Balance.

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 - absent

11. Resolution for Transfer Within 2010 Municipal Budget

Resolution No. 231-10

Offered by Council Member Biggs

Seconded by Council Member Surrago

BE IT RESOLVED by the Mayor and Council that the following transfers be made within the 2010 Municipal Budget:

FROM		TO		AMOUNT
A & E OE	20-1202	A & E S & W	20-1201	\$ 4,510.00
A & E OE	20-1202	Finance OE	20-1352	\$ 2,000.00
A & E OE	20-1202	Municipal Court S & W	43-4901	\$ 1,505.00
A & E OE	20-1202	Municipal Court OE	43-4902	\$ 1,100.00
Public B & G OE	20-3102	Public B & G S & W	20-3101	\$ 2,000.00
Fire Prev OE	25-2682	Fire Prev S & W	25-2681	\$ 185.00
DPW OE	26-3302	Shuttle Bus S & W	28-3771	\$ 5,000.00
DPW OE	26-3302	Library	29-3902	\$ 5,000.00
Police OE	25-2402	Police S & W	25-2401	\$ 10,000.00
Insurance	23-2252	Police S & W	25-2401	\$ 42,000.00
Gasoline	31-4460	Water	31-4372	\$ 6,650.00
Planning Board OE	21-1802	Legal	20-1552	\$ 5,000.00
Zoning Board OE	21-1852	Legal	20-1552	\$ 1,000.00
Tax Collector OE	20-1452	Legal	20-1552	\$ 1,000.00
DPW S & W	26-3301	Sanitation S & W	26-3051	\$ 23,500.00
DPW OE	26-3302	Sanitation S & W	26-3051	\$ 20,000.00
Sanitation OE	26-3052	Recycling OE	26-3062	\$ 12,000.00
Total				\$ 142,450.00

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 - absent

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

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 - absent

Resolution 9. Resolution for Inter-local Agreement with Midland Park

Resolution No. 229-10

Offered by Council Member Pazan

Seconded by Council Member Surrago

**A RESOLUTION AUTHORIZING THE BOROUGH OF GLEN ROCK TO
 ENTER INTO A SHARED SERVICES AGREEMENT WITH THE BOROUGH
 OF MIDLAND PARK RELATIVE TO THE SERVICES OF A TAX**

**COLLECTOR AND CERTIFIED MUNICIPAL FINANCE OFFICER FOR THE
BOROUGH OF MIDLAND PARK**

WHEREAS, the Borough of Midland Park has an immediate need for the services of a Certified Tax Collector and Certified Municipal Finance Officer as required by State statute, from an individual(s) with the required expertise as well as the time and ability to immediately carry out the responsibilities of the position; and

WHEREAS, the Borough of Glen Rock has in its employ Patricia McCormick, who is a Certified Tax Collector in the State of New Jersey, and Kelly Lombardi, who is a Certified Municipal Finance Officer, who are available to provide the needed services; and

WHEREAS, representatives of each Borough have come to agreement on a mutually beneficial arrangement to provide the services of Patricia McCormick as Midland Park's Tax Collector and Kelly Lombardi as Midland Park's Finance Officer on a part-time basis, subject to adjustments as provided during the initial one (1) year term of the Shared Services Agreement, a copy of which is attached; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq) permits two local units to enter into a contract for any service which any party to the agreement is empowered to render within its jurisdiction; and

WHEREAS, the Governing Body has determined that it is in the best interests of the Borough of Glen Rock to enter into a Shared Services agreement with the Borough of Midland Park to provide such services.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Glen Rock, as follows:

1. That the Mayor and Deputy Borough Clerk are authorized to execute the aforementioned Shared Services Agreement with the Borough of Midland Park in the form annexed hereto;
2. That Patricia McCormick is hereby approved to serve as Tax Collector for the Borough of Midland Park effective January 1, 2011, based on the attached Shared Services agreement; and
3. That Kelly Lombardi is hereby approved to serve as Finance Officer for the Borough of Midland Park effective January 1, 2011, based on the attached Shared Services agreement; and
4. That the Division of Local Government Services be notified of these appointments and that it be governed by their requirements.

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 - absent

4. ORDINANCES

Ordinance Procedure: # 1631
Date of Final Reading: December 29, 2010
Date of Introduction: December 16, 2010

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

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

Council Resolution #232-10

Introduced: Council Member O'Hagan

Seconded Council Member Biggs

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 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 Surrago - yes

Council Member Nogara - absent

Borough Attorney Garibaldi noted that according to State statutes the Planning Board was provided with this ordinance and has approved the contents on file with the Borough Clerk.

**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 #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

This ordinance was presented to the Planning Board for review to which modifications were made. Consequently, this ordinance will need to be reintroduced in 2011 (as this is the last meeting of 2010 and cannot be carried over).

A motion was made to withdraw Ordinance #1632 to be reintroduced on January 12, 2011 by Council member O'Hagan, seconded by Council member Pazan.

ROLL CALL:

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

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

Jeanne Rey – 153 Winslow Terrace – Mrs. Rey thanked the Police and Ambulance for their efficiency as well as the follow-up provided after a recent fall. Mrs. Rey also thanked the Public Works for their pick up of cardboard before Christmas.

Hannah Jurek – Doremus Avenue – Mrs. Jurek expressed her ideas on the proposed recycling center configuration.

Mayor van Keuren closed the open portion of the meeting and proceeded with what would normally be considered the Council's work session.

Mayor van Keuren expressed concern with problems encountered with communication during the recent corrugated pick-up schedule change. Mayor van Keuren proposed another device that could be used for communication would be a marquis installed in front of the Municipal Building, similar to what is in front of the Library. This marquis would be used as an announcement board.

Council member Surrago commented that another means of communication is always helpful.

Council member Biggs suggested a "Communication Plan" be developed. A more formal plan of what we currently use and what we could add could be developed.

Mayor van Keuren distributed Council liaison responsibilities for the Council members.

Council member Pazan requested the flag at Veterans' Park be replaced as it is becoming tattered. Council member Pazan also encouraged all residents to shovel out any nearby fire hydrants.

6. CLOSED SESSION

7. ADJOURNMENT

Motion to adjourn the meeting was made by Council member Pazan and seconded by Council member Nogara. Meeting adjourned at 4:30 p.m.

Paula A. Fleming, Deputy Borough Clerk