

**PUBLIC MEETING – Wednesday, February 29, 2012 at 8:00 p.m.**

**There will be a Public Meeting of the Mayor and Council of the Borough of Glen Rock on Wednesday, February 29, 2012, at 8:00 p.m. in the Council Chambers of the Municipal Building.**

**Agenda: (May be subject to change)**

**1. CALL TO ORDER /ROLL CALL**

**This meeting is called pursuant to the provisions of the Open Public Meeting Law. This Meeting was included in a list of meeting notices sent to the Bergen Record and advertised in said newspaper in January, posted on the bulletin board in the Municipal Building, and has remained continuously posted as the required notices under the Statue. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.**

**In accordance with the New Jersey State Fire & Safety Code I call your attention to the lighted exit signs. In the event the alarm sounds, move in an orderly manner toward the exit nearest you and leave the building.**

**Council Member O’Hagan – present  
Council Member Orseck – present  
Council Member Biggs – present**

**Council Member Pazan – present  
Council Member Surrago – present  
Council Member Nogara - present**

**2. FLAG SALUTE/ANNOUNCEMENTS**

**Neil Sarno led the Council and audience in the flag salute.**

**At this time Rob Saydah and Bob Shumacher, representatives from the Yaw Paw Foundation, presented a \$3,500 check to the DARE Foundation. Officer Matt Stanislaos accepted the check on DARE’s behalf.**

**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**

**Resolution No. 58-12  
Offered by Council Member Surrago  
Seconded by Council Member Orseck**

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

**January 25, 2012  
February 8, 2012**

**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 – yes**

**2. Resolution for Payment of Bills**

**Resolution No. 59-12**

**Offered by Council Member Surrago**

**Seconded by Council Member Orseck**

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**BE IT RESOLVED, that the following bills of the Borough of Glen Rock be paid in the amount of \$8,450,924.83.**

<b>Board of Education</b>	<b>\$ 4,937,465.00</b>
<b>GR Payroll</b>	<b>552,968.11</b>
<b>NJSHBP</b>	<b>161,846.16</b>
<b>Chase Bank</b>	<b>539,308.13</b>
<b>E Plus Group</b>	<b>19,420.71</b>
<b>County of Bergen</b>	<b>1,285,500.00</b>
<b>GR Library</b>	<b>49,176.25</b>
<b>County Open Space</b>	<b>15,700.00</b>
<b>Iron Mtn. Mulch</b>	<b>10,867.00</b>
<b>P.S.E.&amp;G.</b>	<b>21,362.58</b>
<b>Rachles/Michele’s</b>	<b>26,619.29</b>
<b>Veolia Environmental</b>	<b>45,606.08</b>
<b>Village of Ridgewood</b>	<b>17,042.40</b>
<b>NW Central Disp.</b>	<b>82,827.41</b>
<b>SUBTOTAL</b>	<b>\$ 7,765,709.12</b>
<b>Miscellaneous</b>	<b>141,673.46</b>
<b>D.D.E.F.</b>	<b>497.17</b>
<b>Animal Control</b>	<b>1,040.80</b>
<b>Escrow</b>	<b>8,985.00</b>
<b>Payroll Account</b>	<b>533,019.28</b>
<b>Total Payment of Bills</b>	<b>\$ 8,450,924.83</b>

**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 –

**3. Resolution Authorizing Agreement with NJDEP**

**Resolution No. 60-12**

**Offered by Council Member Surrago**

**Seconded by Council Member Orseck**

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**RESOLUTION AUTHORIZING THE BOROUGH OF GLEN ROCK TO ENTER INTO A  
GRANT AGREEMENT WITH NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Governing body of the Borough of Glen Rock desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$1,500.00 to fund the following project:

**2012 Green Communities Grant  
Community Forestry Management Plan**

Therefore, the governing body resolves that or the successor to the office of is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$1,500.00 and not more than \$1,500.00, and (c) to execute any amendments thereto which do not increase the Grantee's obligations.

This authorizes the Borough of Glen Rock and hereby agrees to match 50% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 100% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).

The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules and regulations in its performance pursuant to the agreement.

**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 Authorizing Professional Service Contract (Stantec)**

**Resolution No.: 61-12**

**Offered by Council Member: Surrago**

**Seconded by Council Member: Orseck**

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**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT**

**WHEREAS, the Borough of Glen Rock is in need of professional engineering services for the year 2012 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, Stantec Consulting Services has submitted a proposal dated January 5, 2012, setting forth the anticipated hourly charges/costs to be assessed to the Borough of Glen Rock for the 2012 contract term; and**

**WHEREAS, pursuant to the provisions of the New Jersey Campaign Contribution and Expenditures Reporting Act, specifically N.J.S.A. 19:44A-205, the Borough has determined and certified in writing that the value of the services will exceed \$17,500.00; and**

**WHEREAS, Stantec Consulting Services has completed and submitted a Business Entity Disclosure Certification which certifies that Stantec Consulting Services 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 Stantec Consulting Services from making any reportable contributions through the term of the contract; and**

**WHEREAS, the Governing Body has determined that Stantec Consulting Services to be the most qualified firm to assist the Borough in its engineering needs for 2012; and**

**WHEREAS, engineering 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 Stantec Consulting Services as declared herein to provide engineering services to the Borough for 2012; 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 - yes  
Council Member Nogara - yes**

**5. Resolution Appointing Auxiliary Police Members**

**Resolution No: 62-12  
Offered by Council Member Surrago  
Seconded by Council Member Orseck**

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**RESOLUTION APPOINTING AUXILIARY POLICE MEMBERS**

**WHEREAS, the Borough of Glen Rock has established an Auxiliary Police Department that acts as an arm of the Glen Rock Police Department; and**

**WHEREAS, the Auxiliary Police is name up of volunteer members, who trained for 52 hours at the Bergen County Police Academy and received training in first aid, motor vehicle laws, criminal laws, parking and traffic enforcement and supplementing police presence; and**

**WHEREAS, the Auxiliary Police will abide by the guidelines of the State of New Jersey;**

**NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby appoint the following and thank them for volunteering to serve with the Glen Rock Auxiliary Police Department:**

**Omar Hernandez  
Samatha Lupano  
Kurt Schoenig  
Ryan Zarewski  
Mike Teegan  
Atalay Akat  
Thomas Husthouse  
Christopher Schmitt**

**ROLL CALL:**

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

**6. Resolution Appointing Crossing Guards and Park Enforcement Officer**

**Resolution No: 63-12  
Offered by Council Member Surrago  
Seconded by Council Member Orseck**

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**COMMUNICATION FROM THE MAYOR:**

**Ladies and Gentlemen of the Council: With your advice and consent I hereby make the following appointments for School Crossing Guards and Parking Enforcement Office for one year to the next**

re-organization meeting in 2013.

Crossing Guard	Howard Baker
Crossing Guard	Ed Brown
Crossing Guard	George Erlich
Crossing Guard	Janice Doot
Crossing Guard	Mary Carides
Crossing Guard	Howard Perkins
Crossing Guard	Frank Kabrel
Crossing Guard	Marion Kuchar
Crossing Guard	Howard Perkins
Crossing Guard	Cynthia Mani
Crossing Guard	Thomas Mulligan
Crossing Guard	Leonard Sapherstein
Crossing Guard	Sheldon Schwartz
Crossing Guard	Len Minnichino
Crossing Guard	Louis Volkomer
Crossing Guard	Noreen Egan
Crossing Guard	Harry Orr
Crossing Guard	John Mckenna
Crossing Guard	Bill Lautermilch
Crossing Guard	Leonard Minnichino
Crossing Guard	Kenneth Kolstad
Crossing Guard	Mark Barone
Crossing Guard	Tom Mcree
Parking Enforcement Officer	Dan Carter

**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

**7. Resolution for Recycling Tonnage Grant**

**Resolution No. 64-12**

**Offered by Council Member Surrago**

**Seconded by Council Member Orseck**

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**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L., 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, A resolution authorizing this municipality to apply for such tonnage grants for calendar year 2012 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough Council of Glen Rock to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Glen Rock the Glen Rock hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Craig Hemkes to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED**, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

**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

**8. Resolution for Tax Overpayment Refund**

Resolution No. 65-12

Offered by Council Member Surrago

Seconded by Council Member Orseck

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**RESOLUTION AUTHORIZING TAX OVERPAYMENT REFUND**

**WHEREAS**, it has been determined by the Tax Collector that in the 1st Quarter 2012 Saxon Mortgage made duplicate payments on the following block 228 lot 3 \$2768.87, block 50 lot 6 \$7369.16, block 94 lot 17 \$3559.05 and block 244 lot 36 \$2495.75, totaling \$16,192.83,

Now, therefore be it resolved that the Borough of Glen Rock reimburses Saxon Mortgage in the amount of \$16,192.83,

**AND WHEREAS** the Tax Collector has determined that in the 1<sup>st</sup> quarter 2012 the following homeowners overpaid their taxes: John O’Brien block 54 lot 7 in amount \$500.00, Eileen Armengol block 66 lot 3 in amount \$952.28, Alex Saavedra in amount \$2,990.74, Den Boer block 159 lot 19 in amount \$500.00, Bryan English block 161 lot 1 in amount \$3,099.73, Eleanor Serafini block 180 lot 16 in amount \$1,000.00, William Tluczek block 249 lot 16 in amount \$500.00, Stephen Cooney block

80 lot 3 in amount \$1,000.00,

AND WHEREAS the Tax Collector has determined that in 2011 the following homeowners overpaid their taxes: Christopher Mele block 2 lot 2 in amount \$1,149.58, Brian Cassin block 28 lot 5 in amount \$762.34, Frederick Mangione block 55 lot 18 in amount \$4,600.00, Joseph Mastrocola block 75 lot 3 in amount \$4,800.45, Alexander Geykhman block 134 lot 3 in amount 2,741.78, Michael Crowley block 149 lot 16 in amount \$3,822.98, Paul Nuzzo block 165 lot 16 in amount \$1,858.23, Roe Bashan block 222 lot 8 in amount \$317.89, and Linda Wojtecki block 226 lot 27 in amount \$287.01,

Now, therefore be it resolved that the Borough of Glen Rock reimburse the above Glen Rock homeowners.

**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

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

**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. MOTIONS**

**Departmental Reports**

Council member Biggs (*Communications*) – There continue to be improvements to the Borough website. Residents can also sign up for daily communications from the Borough.

Council member O'Hagan (*Public Safety*) – Once again our fire and emergency personnel experienced a devastating house fire. Their expertise and professionalism continues to be amazing and deserving of our thanks.

Council member Orseck (*Parks & Recreation*) – Winter sports are running smoothly with spring sports right around the corner. Thanks to all the coaches for their understanding and scheduling with the high school fields closing for the season.

Council member Pazan (*Finance*) – The Finance Committee continues to put in long hours to establish this year's budget. Many thanks to the Council, department heads, Lenora Benjamin, CFO and Kelly Lombardi, AFO. The Library is still accepting gently used books for the Book Sale. The Library continues to be well used, day and night.

Council member Surrago (*Public Works*) – Due to the mild winter, Public Works has been able to get a jump on the fields in preparation for spring sports, pot holes have been patched, leaf clean-up

in the parks and painting/fixing equipment. Unfortunately, Wilde Park continues to be the center of vandalism. Also, a reminder to residents concerning cardboard pick-up to take a few extra minutes and tie the cardboard together to prevent blowing everywhere.

Council member Nogara (*Licenses & Franchises*) – Encouraged residents to sign up for the electronic updates.

Mayor van Keuren commented on a recent Ridgewood Water publication concerning arsenic in our drinking water. The Borough undertook a private sampling of the water to which Borough Administrator Benjamin will report the findings.

Mrs. Benjamin reported that ten locations were selected for sampling. Nine of the ten locations were tested (the tenth was not accessible) and the results showed no arsenic was detected in any of the sites.

Motion to accept reports as filed:  
Motion by Council Member Nogara  
Seconded by Council Member Biggs

**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

**5. ORDINANCES**

**Ordinance Procedure # 1653 (Bond Ordinance)**  
**Date of Introduction: February 29, 2012**

**Council Resolution # 66-12**  
**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 A BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF GLEN ROCK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,210,800 TO PAY THE COST THEREOF, TO APPROPRIATE A COUNTY GRANT, TO MAKE A DOWN PAYMENT OR FULLY OR PARTIALLY FUND APPROPRIATIONS FROM THE CAPITAL IMPROVEMENT FUND, TO APPROPRIATE CAPITAL SURPLUS, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

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 March 14, 2012 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 Surrigo - yes

Council Member Nogara - yes

**BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF GLEN ROCK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,210,800 TO PAY THE COST THEREOF, TO APPROPRIATE A COUNTY GRANT, TO MAKE A DOWN PAYMENT OR FULLY OR PARTIALLY FUND APPROPRIATIONS FROM THE CAPITAL IMPROVEMENT FUND, TO APPROPRIATE CAPITAL SURPLUS, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

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

**Section 1.** The Borough of Glen Rock, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery, new communication and signal systems equipment, new information technology equipment and a new automotive vehicle, including original apparatus and equipment, in, by and for said Borough, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

**Section 2.** There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the County grant, the Capital Improvement Fund moneys (either to make a down payment or to fully or partially fund appropriations) and Capital Surplus appropriated, by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

**Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.**

**Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the County grant hereinafter appropriated, and (3) the amount of each sum which is to be provided by the appropriation from the Capital Improvement Fund hereinafter made to either fully or partially fund the appropriation or to provide a down payment, and (4) the amount of each sum which is to be provided by Capital Surplus of the Borough hereinafter appropriated, and (5) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (6) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:**

**SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS**

**A. Undertaking of the 2012 Street Resurfacing Program at various locations in the Borough. It is hereby determined and stated that said streets being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").**

<b>Appropriation and Estimated Cost</b>	<b>\$ 120,000</b>
<b>Down Payment Appropriated</b>	<b>\$ 115,300</b>
<b>Bonds and Notes Authorized</b>	<b>\$ 4,700</b>
<b>Period of Usefulness</b>	<b>10 years</b>

**B. (i) Acquisition of new additional or replacement equipment and machinery consisting of a front end loader for the use of the Department of Public Works and (ii) undertaking of the following public improvements: (a) installation of exterior and interior signs at the Municipal Building and (b) undertaking drainage improvements at various locations.**

<b>Appropriation and Estimated Cost</b>	<b>\$270,000</b>
<b>Down Payment Appropriated</b>	<b>\$ 12,900</b>
<b>Bonds and Notes Authorized</b>	<b>\$257,100</b>
<b>Period of Usefulness</b>	<b>15 years</b>

**C. Upgrading and repair of various sewer pump stations.**

<b>Appropriation and Estimated Cost</b>	<b>\$ 70,000</b>
<b>Down Payment Appropriated</b>	<b>\$ 3,350</b>
<b>Bonds and Notes Authorized</b>	<b>\$ 66,650</b>
<b>Period of Usefulness</b>	<b>40 years</b>

**D. Acquisition of new additional or replacement equipment and machinery and a new automotive vehicle, including original apparatus and equipment, for the use of the Police Department consisting of (i) in-vehicle cameras and (ii) an SUV.**

<b>Appropriation and Estimated Cost</b>	<b>\$ 75,000</b>
<b>Capital Surplus Appropriated</b>	<b>\$ 75,000</b>
<b>Period of Usefulness</b>	<b>5 years</b>

**E. Acquisition of new information technology equipment consisting of a computer server for the use of the Administration.**

<b>Appropriation and Estimated Cost</b>	<b>\$ 5,400</b>
<b>Capital Surplus Appropriated</b>	<b>\$ 5,400</b>
<b>Period of Usefulness</b>	<b>7 years</b>

**F. Acquisition of new additional or replacement equipment and machinery, new information technology equipment and new communication and signal systems equipment for the use of the Fire Department consisting of (i) turnout gear, (ii) mapping technology equipment, (iii) self-contained breathing apparatus bottles, (iv) a mobile radio, (v) pagers, (vi) portable radios and (vii) cots.**

<b>Appropriation and Estimated Cost</b>	<b>\$ 35,400</b>
<b>Capital Surplus Appropriated</b>	<b>\$ 19,600</b>
<b>Capital Improvement Fund Appropriated</b>	<b>\$ 15,800</b>
<b>Period of Usefulness</b>	<b>5 years</b>

**G. Undertaking of the following improvements at the Municipal Pool: (i) upgrading of the Women's Shower and (ii) replacement of the shade canopy.**

<b>Appropriation and Estimated Cost</b>	<b>\$ 25,000</b>
<b>Capital Improvement Fund Appropriated</b>	<b>\$ 25,000</b>
<b>Period of Usefulness</b>	<b>10 years</b>

**H. Renovation of Wilde Park.**

<b>Appropriation and Estimated Cost</b>	<b>\$ 60,000</b>
<b>County Grant Appropriated</b>	<b>\$ 30,000</b>
<b>Down Payment Appropriated</b>	<b>\$ 1,450</b>
<b>Bonds and Notes Authorized</b>	<b>\$ 28,550</b>
<b>Period of Usefulness</b>	<b>15 years</b>

**I. Supplemental funding for the undertaking of parking improvements at Faber Field Complex and construction of a joint Recreation/Recycling Building on Doremus Avenue. It is hereby determined and stated that the Borough has heretofore appropriated the sum of \$400,000 for such improvement pursuant to Ord. No. 1602 adopted on June 10, 2009.**

<b>Appropriation and Estimated Cost</b>	<b>\$ 550,000</b>
<b>Down Payment Appropriated</b>	<b>\$ 26,200</b>
<b>Bonds and Notes Authorized</b>	<b>\$ 523,800</b>
<b>Period of Usefulness</b>	<b>15 years</b>

Aggregate Appropriation and Estimated Cost	\$1,210,800
County Grant Appropriated	\$ 30,000
Aggregate Capital Surplus Appropriated	\$ 100,000
Aggregate Capital Improvement Fund Appropriated either as a Down Payment or to Fully or Partially Fund Appropriations	\$ 200,000
Aggregate Amount of Bonds and Notes Authorized	\$ 880,800

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$75,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. The sum of \$30,000 received or to be received as a grant from the County of Bergen Open Space, Recreation, Farmland and Historic Preservation Trust Fund is hereby appropriated to the payment of the cost of the Wilde Park improvements authorized in Section 4.H hereof.

Section 7. The sum of \$100,000 is hereby appropriated from Capital Surplus of the Borough to the payment of the cost of the improvements authorized in Sections 4.D, 4.E and 4.F hereof.

Section 8. It is hereby determined and stated that moneys exceeding \$200,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$200,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 9. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$880,800 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 10. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$880,800 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 11. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the

**Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.**

**Section 12. It is hereby determined and declared that the average period of usefulness of the purposes to be financed with bonds or notes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 16.86 years computed from the date of said bonds.**

**Section 13.** It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$880,800 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 14.** Any private contributions, any funds received from the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes (other than the County grant hereinbefore appropriated which shall be applied to the cost of such purposes, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

**Section 15.** The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 4.A, 4.B, 4.C, 4.H and 4.I of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

**Section 16.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

**Section 17.** The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

**Section 18.** This ordinance shall take effect twenty days after the first publication thereof after final passage.

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**Ordinance Procedure # 1654 (Pool Fees)**

**Date of Introduction: February 29, 2012**

**Council Resolution # 67-12**

**Introduced by Council Member Orseck**

**Seconded by Council Member Biggs**

**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 March 14, 2012 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 - yes  
 Council Member Nogara - yes

**BOROUGH OF GLEN ROCK  
 ORDINANCE NO. 1654**

**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 Badge**" is deleted in its entirety and replaced with the following:  
 "A. **Pool Membership.**

1. **General Membership:**

**Badge Issued before May 16    Badge Issued after May 16**

A. Non-Walking Toddler	Free	Free
B Walking to 5 years Old	\$35	\$40
C Age 6 to 11 (adult supervision required)	\$60	\$70
D Age 12 to 17	\$70	\$80
E Age 18 to 61	\$100	\$110
F Senior Age 62+	\$20	\$25

G	Family Membership Cap (does not include nonresident care giver)	\$340	\$380
H	Care Giver	\$150	\$175
I	Adult Resident Daily Fee (w/ Res. ID card)	\$25	\$25
<b>2.</b>	<b>Lap Swimming - Resident:</b>	<b>Badge Issued before May 16</b>	<b>Badge Issued after May 16</b>
A	Early Morning Club (18 - 61 yrs. old)	\$50	\$50
B	Early Morning Club (62 yrs. and older)	\$20	\$20
<b>3.</b>	<b>Lap Swimming - Non-Resident:</b>	<b>Badge Issued before May 16</b>	<b>Badge Issued after May 16</b>
A	Early Morning Club/General Lap (All ages)	\$325	\$325
B	10 Trip Lap Swimming Coupon Book	\$100	\$100
C	Per Diem (All Ages)	\$12	\$12
<b>4.</b>	<b>Non Resident Daily Guests:<sup>1</sup></b>	<b>Badge Issued before May 16</b>	<b>Badge Issued after May 16</b>
A	Adult (18-61 years old)	\$10	\$10
B	Senior Citizens (62 years old and over)	\$5	\$5
C	Child (5-17 years old)	\$5	\$5
<b>5.</b>	<b>General conditions for issuance of badge.</b>		
a.	Two forms of proof of residency are required to obtain a badge, consisting of a driver's license and either a tax or utility bill.		
b.	Glen Rock employees are permitted to purchase pool memberships at resident rates.		
c.	Nonresident taxpayers will be eligible to purchase pool memberships at resident rates, with proper identification consisting of a current year tax bill and a driver's license. Pool memberships will be limited to immediate family only (spouse/children).		

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<sup>1</sup>[Must be accompanied by a Resident Member](#)

- d. "Care giver" is defined as someone who cares for a resident badge holder, whether it be a child or a senior citizen.
- e. Fire and ambulance volunteers, spouses and resident children only: free.
- f. Guests must be accompanied by a resident with membership badge or ID card, even with the booklet guest passes. A booklet pass will be presented at the gate with the badge holder present and exchanged for a wristband. The badge holder must accompany the guest in the pool at all times, as they are the responsible party. A badge holder must be 11 years old to purchase a daily guest badge.
- g. The cutoff date for age is July 15 of the pool year.
- h. Lost badges may be replaced for a fee of \$5."

B. Section B entitled "**Pool shack, child summer program**" is deleted in its entirety and replaced with the following:

**"B. General Programs:**

**1. Shack Summer Day Camp (Residents Only):**

a. 1 Camper -	\$100
b. 2 Campers -	\$200
c. Three or more campers -	\$250

**2. Swim Team (Residents Only):**

a. 1 Swimmer	\$40
b. 2 Swimmers	\$65
c. 3 Swimmers	\$90
d. 4 Swimmers	\$110

**3. Kindergarten Swim (Residents Only).**

a. Per swimmer	\$30
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**4. Initial Lifeguard Certification Course**  
(Includes CPR, AED, LG and FA)

a. Staff Registration	\$250
b. General Public Registration	\$325

**5. Lifeguard Re-Certification Course**  
(Includes CPR, AED, LG and FA)

- a. Staff Registration \$50
  - b. General Public Registration \$125
- 6. CPR, AED, LG and FA Re-Certification Course:**
- a. Staff Registration \$25
  - b. General Public Registration \$50
- 7. Rutgers S.A.F.E.T.Y. Coaches Certification Course**
- a. General Public Registration \$30
- 8. Pool Pavilion Rental Fee**
- a. Initial fee/deposit \$150  
\$50 refund if no violation of Borough Rules and Regulations.
- 9. Memorial Park Picnic Area Rental Fee**  
(50 or more people only)
- a. Initial fee/deposit \$150  
\$50 refund if no violation of Borough Rules and Regulations.
- 10. HSA Entire School Parties/Private Parties**  
(400 person maximum)
- a. Rental Fee/Party \$750
- 11. HSA Graduation Pool Parties/Private Parties**  
(Main Pool Open - Children Pool Closed)
- a. Rental Fee/hour \$125
- 12. Athletic Field Rental Fee**  
(Third Party Organizations)
- a. Rental Fee/hour/field \$75

**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.**

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**Ordinance Procedure # 1655 (Parking Violations and Penalties)**

**Date of Introduction: February 29, 2012**

**Council Resolution # 68-12**

**Introduced by Council Member Surrago**

**Seconded by Council Member Nogara**

**Be It Resolved by the Borough Council of the Borough of Glen Rock that AN ORDINANCE TO AMEND CHAPTER 150 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK - 1971 AS AMENDED, ENTITLED "PARKING" BEING AN ORDINANCE ESTABLISHING REGULATIONS FOR PARKING ON PUBLIC OR PRIVATE PROPERTY WITHIN THE BOROUGH; TO PROVIDE FOR MODIFICATIONS TO PARKING VIOLATIONS AND PENALTIES AND TO ESTABLISH PROCEDURES TO IMPOUND VEHICLES WITH OUTSTANDING WARRANTS**

**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 March 14, 2012 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 - yes**

**Council Member Biggs - yes**

**Council Member Nogara - yes**

**BOROUGH OF GLEN ROCK  
ORDINANCE NO. 1655**

**AN ORDINANCE TO AMEND CHAPTER 150 OF THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK -  
1971 AS AMENDED, ENTITLED "PARKING" BEING AN ORDINANCE  
ESTABLISHING REGULATIONS FOR PARKING ON PUBLIC OR  
PRIVATE PROPERTY WITHIN THE BOROUGH;  
TO PROVIDE FOR MODIFICATIONS TO PARKING VIOLATIONS AND PENALTIES AND  
TO ESTABLISH PROCEDURES TO IMPOUND VEHICLES WITH OUTSTANDING  
WARRANTS**

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

**Section I** - Chapter 150, of the Revised General Ordinances of the Borough of Glen Rock 1971,

as amended, entitled "Parking" is hereby amended being an Ordinance entitled "Parking" is hereby amended as to the following subsections:

1. Subsection §150-4 entitled “**Violations and Penalties**” is hereby deleted in its entirety and replaced with the following:

“§150-4. **Violations and penalties.**

**Violations and penalties.** Unless another penalty is expressly provided by statute, every individual in violation of this article, shall be liable to the following penalties:

- A. For the first five (5) violations within any calendar year: \$50.00 per violations; and
- B. For any subsequent violation within the same calendar year: \$100 per violation.”

2. Subsection §150-7 entitled “**Employee Parking**” is hereby amended by deleting article E. “Violations” in its entirety to be replaced with the following:

“E. **Violations.**

Every individual in violation of any provision of this section shall be liable for the following:

1. The applicant/employer, employee or transferee, where applicable, shall be liable for the following penalties:
  - (a) Every employer who shall fail to register any full-time employee, as defined and as required herein, shall be liable for a penalty of not less than \$50.00 nor greater than \$250.00 per offense.
  - (b) Every employer or employee who shall fail to obtain an employee parking permit shall be liable for a penalty of not less than \$50 nor greater than \$500 per offense.
  - (c) Every individual who shall illegally use an employee parking identification marker for his or her vehicle shall be liable for a penalty of not less than \$100 nor greater than \$250 per offense.
  - (d) Every individual who shall knowingly and intentionally transfer an employee identification marker to a non-employee shall be liable for a penalty not less than \$100 nor greater than \$250 per offense.
  - (e) Every employee who shall fail to park his/her/their vehicle in the designated employee parking areas as set forth in Schedule A, as required herein, shall be liable for a penalty of not less than \$50 nor greater than \$250 per offense.
2. Separate violations: Each violation of any of the provisions of this article and each day that each such violations shall continue shall be deemed to be a separate and distinct offense.”

3. Subsection §150-8 entitled “**Resident Parking Area**” is hereby amended by deleting article E “Violations” to be replaced with the following:

**“E. Violations.**

Every individual in violation of any provision of this section shall be liable for the following:

1. The individual shall be subject to the following penalties:
  - (a) Every individual who shall illegally affix a resident parking identification marker to his or her vehicle shall be liable for a penalty of not less than \$100.00 nor greater than \$250 or per offense.
  - (b) Every individual who shall knowingly and intentionally transfer a resident identification marker to a nonresident shall be liable for a penalty of not less than \$100 nor greater than \$250 per offense.
2. Separate violations: Each violation of any of the provision of this sections and each day that each such violation shall continue shall be deemed to be a separate and distinct offence.”
4. Subsection §150-9 entitled “**Metered Parking**” is hereby amended by deleting article F “Violations” to be replaced with the following:

**“F. Violations.** Every individual person in violation of any provision of this section (hours of parking) shall be liable for a penalty in accordance with the following schedule:

- (a) First through fifth violation in one calendar year: \$25 each.
- (b) Sixth through 10<sup>th</sup> violation in one calendar year: \$50 each.
- (c) Eleventh through 15<sup>th</sup> violation in one calendar year: \$70 each.
- (d) Sixteenth and each succeeding violation in one calendar year: \$100 each.
2. **Maximum Penalties:**
  - (a) For a violation of any provision of this section, the maximum penalty shall be a penalty not exceeding \$1,000.00, and/or a period of community service not exceeding 90 days.
  - (b) Application. The maximum penalty is not intended to state an appropriate penalty for each and every violation. Any lesser penalty, including a nominal penalty, may be appropriate for a particular case or a particular violation.
3. Separate violations: Each violation of any of the provisions of this section and each day that each such violation shall continue shall be deemed to be a separate and distinct offense.”
5. Subsection 150-10 “**Hourly Parking**” is hereby amended by deleting articles A and B to be replaced with the following:

“A. Every individual in violation of any provision of this sections shall be liable for penalties in accordance with the following schedule:

- (1) First through fifth violation in one calendar year: \$25 each.
- (2) Sixth through 10<sup>th</sup> violation in one calendar year: \$50 each.
- (3) Eleventh through 15<sup>th</sup> violation in one calendar year: \$70 each.
- (4) Sixteenth and each succeeding violation in one calendar year: \$100 each.

(B) **Maximum Penalties.**

- (1) For a violation of any provision of this section, the maximum penalty shall be a penalty not exceeding \$1,000 and/or a period of community service not exceeding 90 days.
- (2) Application. The maximum penalty is not intended to state an appropriate penalty for each and every violation. Any lesser penalty, including a nominal penalty, may be appropriate for a particular case or a particular violation.

6. Subsection §150-11 entitled “**Dedicated Resident-Non Resident Parking Area**” is amended by deleting article G “Violations” to be replaced with the following:

“G. Violations. For violation of any provision of this section, the penalty shall be as follows:

- (1) Every individual shall be subject to the following penalties:
  - (a) Every individual who shall illegally park in a dedicated parking space shall have his/her vehicle towed, at his or her sole cost and expense, and shall be liable for a penalty of not less than \$100, nor greater than \$250, per offense.
  - (b) Any individual who shall fail to display a parking permit placard shall be liable for a penalty not less than \$50, nor greater than \$500, per offense.
- (2) Separate violations. Each violation of any of the provision of this section and each day that each such violation shall continue shall be deemed to be as a separate and distinct offence.”

7. There are added thereto a new sections 150-13 and 150-14 to read as follows:

**“150-13. Impoundment or immobilization of vehicles with outstanding warrants.**

A. Pursuant to the provisions of N.J.S.A. 39:4-139.13, as amended and supplemented, the Police Department is hereby authorized to impound or immobilize any vehicle found within the Borough of Glen Rock in the event that there is an outstanding warrant issued against the vehicle.

B. Except for vehicles owned by lessors who have complied with the provisions of N.J.S.A. 39:4-139.5, as amended and supplemented, if the outstanding warrants(s) are not paid by midnight on the 30th day following the day on which the vehicle was impounded or immobilized, the vehicle may be sold at a public auction. The Police Department shall give notice of the sale by certified mail to the owner, if the name and address are known, and to the holder of any security interest filed with the Director and by publication in a form to be prescribed by the Director by one insertion, at least five days before the date of the sale, in one or more newspapers published in this state and circulating in the Borough of Glen Rock.

C. At any time prior to the sale, the owner of the motor vehicle or other person entitled to the motor vehicle may claim possession of the motor vehicle upon payment of the reasonable costs of removal and storage of the motor vehicle, any fine or penalty and court costs assessed against him for a violation that gave rise to the impoundment or immobilization of the motor vehicle and any outstanding warrants against the vehicle; however, the owner-lessor of a motor vehicle who has complied with the provisions of N.J.S.A. 39:4-139.5, as amended and supplemented, shall be entitled to reclaim possession without payment and the lessee shall be liable for any fine, penalty, court costs and outstanding warrants against the vehicle.

D. Any proceeds obtained from the sale of a vehicle at a public auction pursuant to this section in excess of the amount owed to the Borough for the reasonable costs of removal and storage of the motor vehicle, any fine or penalty and court costs assessed for any violation that gave rise to the impoundment or immobilization of the vehicle and any outstanding warrants against the vehicle shall be returned to the owner of the vehicle, if his name and address are known.

**150-14. Right to Hearing.**

A. **Right to hearing.** As to any vehicle impounded pursuant to the Glen Rock Code or to state statutes, by or at the request of the Borough of Glen Rock, its agents or employees, a person who has a legal entitlement to possession of the vehicle has a right to a post-seizure administrative hearing to determine whether there was probable cause to impound the vehicle, if such person files a written demand with the Borough Administrator within the (10) days after such person has learned such vehicle has been impounded or within ten (10) days after the mailing of the notice of stored vehicle, whichever occurs first. The notice of stored vehicle shall be sent in the mail to the legal and registered owner and to the garage where the vehicle is stored within 48 hours, excluding weekends and holidays, after impounding and storage of the vehicle.

**B. Conduct of the hearing.**

A hearing shall be conducted before a hearing officer designated by the Borough Administrator within 48 hours of receipt of a written demand therefor from the person seeking the hearing, unless such person waives the right to a speedy hearing. Saturdays, Sundays and state holidays are to be excluded from the calculation of the forty-eight-hour period. The hearing officer shall be someone other than the person who directed the impounding and storage of the vehicle. The sole question before the hearing officer shall be whether there was probable cause to impound the vehicle in question. The phrase

"probable cause to impound" shall mean such a state of facts as would lead a person of ordinary care and prudence to believe that there was sufficient breach of local, state or federal law to grant legal authority for the removal of the vehicle.

C. **Hearing Procedure.** The hearing officer shall conduct the hearing in an informal manner and shall not be bound by technical rules of evidence. The person demanding the hearing shall carry the burden of establishing that such person has the right to possession of the vehicle. The Borough shall carry the burden of establishing that there was probable cause to impound the vehicle in question. At the conclusion of the hearing, the hearing officer shall prepare a written decision. A copy of such decision shall be provided to the person demanding the hearing and the registered owner of the vehicle (if not the person requesting the hearing). The hearing officer's decision in no way affects any criminal or motor vehicle proceeding in connection with the impounding question and any criminal or motor vehicle charges involved in such proceeding may only be challenged in the appropriate court. The decision of the hearing officer is final. Failure of the registered or legal owner or his agent to request a hearing within the provisions of this section or to attend a scheduled post-seizure hearing shall be deemed a waiver of the right to such hearing.

D. **Decisions of the hearing officers and their effect.** The hearing officer shall only determine that, as to the vehicle in issue, either there was probable cause to impound the vehicle or there was no such probable cause. In the event that the hearing officer determines that there was no probable cause, the hearing officer shall prepare and date a certificate of no probable cause, copies of which shall be given to the possessor (owner or other person entitled to possession) of the vehicle and the Borough. Upon receipt of the possessor's copy of such certificate, the custodian, towing company, or such, of the vehicle shall release the vehicle to its possessor. Upon a finding of no probable cause, towing and storage fees shall be paid by the Borough. If the possessor fails to present such certificate to the person having custody of the vehicle within 24 hours of its receipt, excluding such days when the custodian of the vehicle is not open for business, the possessor shall assume liability for all subsequent storage charges. Such certificate shall advise the possessor of such requirement.”

**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)**

**At this time Mayor van Keuren read the qualifications and background to “The Good Egg Award”. Mayor van Keuren asked Council President Carmine Nogara to read the winner of this year’s award.**

**The recipient of this year’s award is .... Paul Herrlett.**

**On behalf of Paul, Diane Herrlett accepted the award. Members of the Council and audience all gave congratulatory remarks of a very, very deserving, generous individual.**

**Mayor van Keuren read comments from Jean Baker Wunder who was unable to attend this evening; however is present in spirit.**

**Jim Seaton – Mr. Seaton commented he has received a property assessment advertisement from a company from Seattle and asked how this company would get his property information. Mayor van Keuren stated the Borough is aware of this correspondence and noted this information is a public record.**

#### **6. ADJOURNMENT**

**Motion to adjourn the meeting was made by Council member Pazan**

**Seconded by Council member Surrago**

**Meeting adjourned at 8:40 p.m.**