

BOROUGH OF GLEN ROCK

PUBLIC MEETING – Wednesday, August 28, 2013 at 8:00 p.m.

There will be a Public Meeting of the Mayor and Council of the Borough of Glen Rock on Wednesday, August 28, 2013 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 – absent**

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

2. FLAG SALUTE/ANNOUNCEMENTS

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

Mayor van Keuren introduced Dave Hollenbeck from PSE&G. Mr. Hollenbeck was present at a previous meeting wherein it was stated an EMF expert could be available for a future meeting. Mr. Hollenbeck stated PSE&G has an employee, Greg Olson, who will go to customers homes and answer any questions or concerns they may have regarding EMF. Additionally, PSE&G has hired someone independently, Kyle King, who is not an employee, who is available this evening to answer any questions.

Mr. King, K&R Consulting which is an electrical engineering power consulting company. Mr. King holds a bachelor’s and master’s degree in electrical engineering and has testified on electrical engineering issues associated with power lines and electro-magnetic fields (EMF’s).

Mr. King began by stating EMF’s are electric and magnetic fields, two different items. The electric field is caused by the voltage on the wires. The electric current creates a magnetic field and the voltage creates an electric field. This is true for any electric line. The electric field is regulated by the State of New Jersey, which states it must be below 3. The lines PSE&G has installed will be below .1 (voltage).

Mr. King stated the 69kv line is an upgrade of an existing 26kv circuit bringing power from one substation to another. Mr. King noted that with an increase in voltage it is easier to move power, which actually decreases the current (which is associated with the magnetic field). Mr. King stated that although it sounds scary to have an increase from 26kv to 69kv the true affects of this are more efficient power transfer.

Mr. King stated magnetic field readings will vary minute by minute based on the amount of power that is flowing through the line. The reading will be the same regardless of it being 26kv or 69kv line.

Mayor van Keuren asked Mr. King to address any harmful effects that may be associated with EMF's.

Mr. King replied no link has ever been found between magnetic fields and human health issues. Wide ranges of electric and magnetic fields have been studied since the 1960's. Mr. King noted studies will continue. Mr. King added studies continue on population groups that are exposed to excessive levels on a daily basis and at much higher levels than the average resident. Nothing new is being done here that will change the electric or magnetic parameters.

Mr. King referenced the World Health Organization as well as the Center for Disease Control are only two of the many groups studying this issue.

Council member O'Hagan asked if Mr. King has worked for anyone other than PSE&G.

Mr. King replied he has worked with National Grid out of Massachusetts as well as numerous engineering firms in CA, GA, TX, OH. Mr. King added he has worked with 30+ power companies nationwide.

Council member Nogara asked if Mr. King is aware of any other possible health concerns.

Mr. King replied there are none that he is aware of.

Mr. King noted the height of the pole is determined by the number of utilities that are located on that pole. The higher voltage circuit is at the top with lightening protection. The new poles are also much stronger than the old.

Mayor van Keuren clarified that even through there is 69kv at the top of the pole the electrical reading at the bottom of the pole will not increase.

Mr. King agreed noting there may be different number at different locations but overall because the voltage is increasing the current is decreasing on that circuit.

At this point, Mayor van Keuren asked if there were any questions from the audience members.

Jim Seaton, Ferndale Avenue – Mr. Seaton asked when the secondary poles will be removed.

Mr. Hollenbeck replied there is a joint pole agreement with the other utilities. PSE&G has spoken

with the other utilities and are trying to expedite the process so the secondary pole can be removed.

Sandra Gougousis, Fairmount Avenue – (I think) Ms. Gougousis asked if studies have been done concerning cancer clusters in relation to electro-magnetic fields.

Mr. King replied studies are constantly being conducted over periods of years. Mr. King stated electric fields can be shielded from trees with magnetic fields being everywhere. Mr. King understands there is a concern with an increase in voltage having some health affects; however an increase in voltage affects the electric which will be a very, very low number. Mr. King also noted the further you go from the power line (or any source of electricity) the lower the numbers drop.

Ms. Gougousis asked if it is safe for children to play near the poles.

Mr. King replied it is completely safe.

Mr. King suggested the NJ Board of Public Utilities website which reviews any health concerns and studies that have been conducted.

Amanda Robinson asked what technology is present to determine any fluctuations in the lines.

Mr. King replied there is a circuit breaker located at the substation.

Ms. Robinson asked what if the substation has no power.

Mr. King explained power is received from another station; however if that substation is not “live” it cannot receive power.

Ms. Robinson clarified how many lines will be on the new poles.

Mr. King explained there will be a 4kv, 26kv and 69kv line.

Naomi Gamorra, 50 Kent Road – Ms. Gamorra thanked Mr. King for attending the meeting. Ms. Gamorra asked why the lines weren’t installed along the PSE&G power lines.

Isabelle Rooney, PSE&G explained that the right-of-way was initially looked at. Unfortunately, due to the tight congestion and the two poles already located there it is not feasible. There is a constructability and maintainability issue due to the amount of infrastructure already there.

Ms. Gamorra asked if the right-of-way lines are doing the same job as the new ones will do.

Ms. Rooney replied yes, noting that these lines will continue to serve this area.

Allison Cassin – Ms. Cassin asked if Mr. King could address the variety of websites that don’t agree with his statements, i.e. 100’ safety clearance from the wires.

Mr. King replied it is impossible to give a “safe” distance number as it depends on the current in the wire.

Ms. Cassin noted the homes on Maple Avenue already have poles in their front yard and with the addition of a 69kv line the current will increase.

Mr. King stated unfortunately it isn't that simple. If the pole is already generating "X" in terms of electricity and another line is added it isn't X+X as the levels continually vary. The addition of a 69kv circuit is not going to change the magnetic field that exists.

Ms. Cassin asked if States have different regulations.

Mr. King stated that are no health based standards, Federal or State, for magnetic fields. There are two transmission line standards, New York and Florida.

Ms. Cassin asked about the toxicity of the poles and is it transmitted by proximity, soil or "if the pole is licked".

Ms. Rooney replied the chemical ("penta") that is used does not leach from the pole into the ground. There is no special protection that is used by PSE&G employees who are handling these poles. Ms. Rooney noted that the odor that emanates from the poles is not caused by penta, but rather a petroleum based chemical that is used to penetrate the penta into the pole, which will dissipate over time.

At this time there were no further comments or questions from the audience.

3. ORDINANCE

Ordinance Procedure: # 1686 (Qualified Purchasing Agent)

Date of Final Reading: August 28, 2013

Date of Introduction: August 12, 2013

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

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

Council Resolution # 150-13

Introduced: Council Member Surrago

Seconded Council Member O'Hagan

AN ORDINANCE TO AMEND CHAPTER 4 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK - 1971, AS AMENDED, ENTITLED "ADMINISTRATION OF GOVERNMENT; BEING AN ORDINANCE ESTABLISHING A POSITION OF QUALIFIED PURCHASING AGENT

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 - absent

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

**BOROUGH OF GLEN ROCK
ORDINANCE NO. 1686**

**AN ORDINANCE TO AMEND CHAPTER 4 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK - 1971, AS
AMENDED, ENTITLED "ADMINISTRATION OF GOVERNMENT; BEING AN
ORDINANCE ESTABLISHING A POSITION OF QUALIFIED PURCHASING
AGENT**

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

Section I - Chapter 4 of the Revised General Ordinances of the Borough of Glen Rock 1971, as amended, being an Ordinance entitled "Administration of Government" is hereby amended as to the following section(s):

A. There is added that a new Article 4-84 entitled "Purchasing Agent" to read as follows:

"4-84. Purchasing Agent.

A. Position Established. There is created the position of Purchasing Agent for the Borough of Glen Rock.

B. Appointing Position. The Purchasing Agent shall be appointed by the Mayor with the advice and consent of the Council for a term of one (1) calendar year or the unexpired portion thereof at a salary to be fixed by the salary Ordinance.

C. Requirements. The Purchasing Agent to require to process a valid Qualified Purchasing Agent certificate, as issued by the New Jersey Division of Local Government Services, Department of Community Affairs.

D. Function and Duties. The Qualified Purchasing Agent shall have the following functions, duties and responsibilities:

(i) The Purchasing Agent shall have, on behalf of the Borough of Glen Rock, the authority, responsibility and accountability for the purchasing activity pursuant to the local public contracts law (N.J.S.A. 40A:11-1 et seq.) as amended; to prepare public advertising for and to receive bids and requests for proposals for the performance of services; goods and construction contracts; to amend contracts pursuant to New Jersey law in accordance with the regulations, forms and procedures promulgated by state regulatory agencies and conduct any activities as may be necessary or appropriate to the purchasing function of the Borough

of Glen Rock.

(ii) Coordinate the purchase, in accordance with the provisions of the applicable statutes and sound purchasing practices, of goods and services for the various departments, agencies, boards and other offices of the Borough.

(iii) Exercise the authority to join with other units of government, including state, County Board of Education and other contracting units in cooperative purchasing plans as permitted by statute and when authorized by resolution of the Borough Council.

(iv) Recommend to the Borough Council rules and regulation governing the requisition and purchase of all goods and services, consistent with the provisions of this section and governing statutes and Administrative Code regulations.

E. Bid Threshold. The bid threshold for the Borough of Glen Rock is hereby established at \$36,000.00 and the quotation threshold shall be \$5,400.00 as permitted by law.

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.

4. 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 Authorizing Award of Non-Fair and Open Contract (Library Renovations)

Resolution No.: 151-13

Offered by Council Member: Orseck

Seconded by Council Member: Nogara

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LIBRARY CONCRETE SIDEWALK and PAVER RECONSTRUCTION

WHEREAS, the Borough of Glen Rock has a need to acquire concrete sidewalk and paver reconstruction for the Library as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and

WHEREAS, Kelly A. Lombardi, QPA and the Library representative has determined and certified in writing that the value of the acquisition will exceed \$17,500; and;

WHEREAS, the Borough of Glen Rock has received sealed bids for the Library Concrete Sidewalk and Paver Reconstruction on June 25, 2013, and the lowest bid was from Marini Bros. Construction Co., Inc, 9 Lafayette Street, Hackensack, NJ in the amount of \$31,875.00 and;

WHEREAS, Marini Bros. Construction Co., Inc has completed and submitted a Business Entity Disclosure Certification which certifies that Marini Bros. Construction Co., Inc. 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 Marini Bros. construction Co., Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, Lenora Benjamin, CFO has certified that funds are provided for in the 2013 Capital Budget pursuant to N.J.A.C. 5:30-5.4; and

**NOW THEREFOR BE IT RESOLVED, by the Borough Council of Glen Rock as follows:
1. that the Qualified Purchasing Agent is hereby authorized to issue a contract and purchase order with Marini Bros. Construction Co., Inc. in the amount of \$31,875.00 in accordance with the bid specifications, bid proposal and related bid submissions; 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 Non-Fair and Open Contract as required by the Local Public Contracts Law.

ROLL CALL:

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

2. Resolution Amending Rules and Regulations (GRPD)

**Resolution No.: 152-13
Offered by Council Member: Orseck
Seconded by Council Member: Nogara**

WHEREAS, the Council, as the Appropriate Authority designated under Borough Ordinance §40-10, is empowered to adopt the Rules and Regulations as proposed by the Chief of Police; and

WHEREAS, pursuant to the PBA Collective Bargaining Agreement, Article III - Management Rights, subsection (A)(4), the Borough retains the right to establish a code of Rules and Regulations for the operation of the Police Department; and

WHEREAS, the Chief of Police has proposed certain revisions to the existing Rules and Regulations and has requested approval of the Governing Body, as the Appropriate Authority, to the revisions and amendments thereto; and

WHEREAS, the Public Safety Committee has reviewed the purposed revisions to the Rules and Regulations and has recommended their adoption by the Council;

WHEREAS, the Council, as the Appropriate Authority, has reviewed the revisions to the Rules and Regulations as proposed by the Chief of Police and had found them to be acceptable.

NOW, THEREBY, BE IT RESOLVED by the Council that the revised Rules and Regulations of the Glen Rock Police Department, a copy of which is on file with the office of the Borough Clerk, as proposed by the Chief of Police, are, effective immediately, approved and adopted by the Appropriate Authority pursuant to N.J.S.A. 40A:14-118 and Borough Ordinance §40-10(B); and be it further

RESOLVED, that the amended rules and regulations shall apply to all members and civilian employees of the Glen Rock Police Department. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these rules and regulations shall prevail.

ROLL CALL:

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

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

3. Resolution for Payment of Bills

Resolution No. 153-13

Offered by Council Member Orseck

Seconded by Council Member Nogara

BE IT RESOLVED, that the following bills of the Borough of Glen Rock be paid in the amount of \$12,246,784.32 .

GR Payroll	\$ 698,742.65
GRBOE	7,641,983.00
GR Library	41,935.25
GR Unemployment	10,000.00
NJSHBP	360,154.38
PERS	11,690.31
DTC/Chase	811,920.63
Lincoln Financial	67,776.00
P.S.E. & G.	38,644.22
County of Bergen	1,452,172.22
County Open Space	14,959.90
B.C.U.A.	21,874.61
Rachles/Michele's	10,959.60
SUBTOTAL	\$ 11,182,812.77
Miscellaneous	79,585.36
General Capital	6,121.00
Parking Meters	6,160.09
Trust/Other	65,055.07
Payroll	785,249.89
Escrow	3,715.00
Dog Trust	42.60
Developer's Escrow	17.00
Unemployment	405.00
Off-Duty Police Officers	117,620.54

Total Payment of Bills \$ 12,246,784.32

ROLL CALL:

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

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

4. Resolution for Approval of Fire Department Member (G. Frangipane)

Resolution No. 154-13

Offered by Council Member Orseck

Seconded by Council Member Nogara

WHEREAS, the Fire Department wishes to have the Council pass a resolution approving this member; and

WHEREAS, the Fire Department has recommended that this applicant:

Gene Frangipane

is a qualified candidate and thereby recommend to the governing body for ratification of this appointment,

NOW, THEREFORE, IT IS HEREBY RESOLVED, that in accordance with the bylaws of the Glen Rock Fire Department the Borough Council of the Borough of Glen Rock does hereby accept the recommendation of the Fire Department and accepts the application for membership of:

Gene Frangipane

ROLL CALL:

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

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

5. Resolution for Approval of Minutes (7/24/13)

Resolution No. 155-13

Offered by Council Member Orseck

Seconded by Council Member Nogara

BE IT RESOLVED, that the Minutes of:

Council Meeting – July 24, 2013

Be accepted as submitted.

ROLL CALL:

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

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

**6. Resolution Authorizing the Borough to Execute Site Access Agreement
(2nd Addendum Exxon/Mobil)**

Resolution No. 156-13

Offered by Council Member Orseck

Seconded by Council Member Nogara

**RESOLUTION AUTHORIZING THE BOROUGH OF GLEN ROCK TO EXECUTE THE
SECOND ADDENDUM TO SITE ACCESS AGREEMENT**

WHEREAS, the Borough of Glen Rock (“Borough”) and Exxon/Mobil Corporation entered into an Access Agreement on March 8, 2006, which was amended by Addendum dated March 7, 2007 (collectively the “Access Agreement”), copies of which are on file with the Borough Clerk, for the purposes of conducting environmental investigations on property owned by the Borough located at Block 104, Lot 1 (the “Property”); and

WHEREAS, Exxon/Mobil Corporation now seeks to update the Access Agreement to amend the scope of work to be conducted on the Property; and

WHEREAS, the Borough Engineers, Stantec, have indicated their non-objection to the amendment to the scope of work, including installation of the additional monitoring wells as contemplated in the Second Addendum to the Site Access Agreement.

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

1. The Mayor and Borough Clerk are hereby authorized to enter into the Second Addendum to Site Access Agreement with Exxon/Mobil Corporation;

2. The form of the Contract hereby authorized is on file with the Borough Clerk and open to public inspection immediately upon introduction of this Resolution.

ROLL CALL:

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

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

7. Resolution Authorizing Capital Alternative to Submit Grant Application (BCOS – Upper Faber Field) - *Pulled*

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

ROLL CALL:

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

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

5. ORDINANCES:

Ordinance Procedure # 1687 (Police Duties of Management)
Date of Introduction: August 28, 2013

Council Resolution #157-13
Introduced by Council Member O'Hagan
Seconded by Council Member Pazan

Be It Resolved by the Borough Council of the Borough of Glen Rock that AN ORDINANCE TO AMEND CHAPTER 40 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK - 1971 AS AMENDED ENTITLED "POLICE DEPARTMENT"; BEING AN ORDINANCE ESTABLISHING THE OPERATION OF THE POLICE DEPARTMENT; TO AMEND AND SUPPLEMENT PROCEDURES AND REGULATIONS

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 September 11, 2013 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 - absent

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

**BOROUGH OF GLEN ROCK
ORDINANCE NO. 1687**

**AN ORDINANCE TO AMEND CHAPTER 40 OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF GLEN ROCK - 1971 AS AMENDED
ENTITLED "POLICE DEPARTMENT"; BEING AN ORDINANCE
ESTABLISHING THE OPERATION OF THE POLICE DEPARTMENT; TO
AMEND AND SUPPLEMENT PROCEDURES AND REGULATIONS**

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

Section I - Chapter 40 of the Revised General Ordinances of the Borough of Glen Rock 1971 as amended being an Ordinance entitled "Police Department" is hereby amended as to the following:

I. Section 40-3 entitled "Chief of Police; Members of Department" is deleted in its entirety and replaced with the following:

“40-3 Chief of Police; Members of Department.

A. Powers and duties of Chief of Police. The Chief of Police shall:

1. Be the executive head of the Police Department, subject to the direction and supervision of the Appropriate Authority and shall be responsible for the proper and efficient operation of the Department and the supervision of its activities.
2. Be responsible for the observation and enforcement of all laws of the state and ordinances within the jurisdiction of the Police Department and shall perform such other duties as shall be prescribed by ordinance of the Council.
3. Prescribe the duties and assignments of all subordinates and other personnel.
4. Develop, administer and recommend to the Appropriate Authority for its approval and to enforce rules and regulations for the governance of the Police Department and directives (“Written Directive System”) for the disposition and discipline of the Department personnel.

5. Have under his/her control all records and property of the Police Department and designate any member of the Department to prepare these reports and keep the records in such manner as he/she may prescribe, as well as take charge of such property and any other property coming into the custody of the Department.
6. Furnish to the Appropriate Authority complete monthly and yearly reports regarding the operation of the Police Department and make such other reports as may be requested by the Appropriate Authority.
7. Exercise and discharge the powers and duties of the Department.
8. Delegate such authority as may be necessary for the efficient operation of the Department, the exercise of which will be under his/her control and supervision.

B. Qualifications for Sworn Personnel

1. General Qualifications Sworn Personnel

a. The general qualifications for employment with the Glen Rock Police Department shall be:

i. Must be a resident of New Jersey and a citizen of the United States;

ii. Must be at least 21 and less than 35 years of age. In addition, each applicant shall possess a two (2) year college degree from an accredited institutions or an honorable discharge from the Armed Forces of the United States;

iii. Must be of good moral character and must not have been convicted of any crime involving moral turpitude, including those matters set forth within Section 6, Background Investigation.

iv. Must possess a valid New Jersey driver's license; and

v. Must not have an indictable criminal history conviction.

b. All applicants for the position of Police Officer shall make written application to the Chief of Police and, at the same time, submit such proof as shall be requested with respect to the qualifications set forth in Paragraph (a) above.

c. In accordance with N.J.S.A. 52:17B-68, as amended, serve a probationary period pending his/her successful completion of the course in a recognized police training academy.

2. Selection Sworn Officer First Phase - Written Test

a. Eligible applicants will submit to a written test administered by the New Jersey State Association of

Chiefs of Police and must achieve a minimum passing score of 75%.

3. **Selection Sworn Officer Second Phase - Physical Agility Test**

a. Eligible applicants will submit to a physical agility test administered by the Bergen County Police Academy and must achieve a minimum score of 80%.

4. **Selection Sworn Officer Third Phase - Oral Interviews**

a. The Chief of Police or his/her designee shall notify those candidates who qualify to advance to the next phase. Notification shall include the date, time, and location of the Command level oral interview.

b. The Command Level Oral interview will be conducted by the Chief of Police and/or Command Staff.

c. Each candidate will be asked the same questions.

d. Each answer to each question asked will be assigned a value for 5 (highest) to 1 (lowest). The score for each candidate will then be totaled.

e. Once the score for each candidate are totaled, the Chief of Police and Command Staff involved in the interview process shall meet to discuss the results.

f. The Chief of Police will make a list of eligible candidates along with his/her recommended ranking of those candidates to the Appropriate Authority who will then select the candidate(s) to be offered a conditional offer of employment.

5. **Exemptions**

a. A candidate for employment may be exempted from the selection process as set forth herein above:

i. If the Chief of Police has an emergent situation that requires the immediate filling of a position(s) and upon the approval of the Appropriate Authority; and

ii. Such candidate has previously been certified by the New Jersey Police Training Commission as a law enforcement officer. Any such candidate will still be subject to the eligibility requirements as set forth in Paragraph (b) below.

b. All eligible candidates must participate in an oral examination as outlined in Paragraph 4 and all other aspects of the selection process in Sections 6, 7 and 8.

6. **Background Investigation**

a. Upon issuance of a conditional offer of employment, a background investigation will be conducted by the Detectives within the Borough Police Department. The

background investigation shall include, but not be limited to, the following:

i. A review of the candidate's application to confirm/verify meeting eligibility requirements for the position applied for;

ii. A check of the applicant's driving history;

iii. A fingerprint check for criminal record;

iv. Candidates for sworn positions shall be checked against the New Jersey Central Drug and Domestic Violence Registries for the following:

1. Acts of domestic violence, sexual abuse, stalking, elder abuse, or child abuse and any prior or active Domestic Restraining Orders.

v. Police Officer candidates shall be interviewed about any history or acts of domestic violence, sexual assault, stalking, elder abuse, or child abuse and past or present restraining orders and their disposition.

vi. Any police officer candidate with a history of acts of domestic violence, sexual assault, stalking, elder abuse or child abuse shall be identified and declared ineligible for employment as police officers.

vii. Any candidate who shall fail to fully and completely disclose any and all violations of law as defined in this Chapter will be immediately disqualified from being eligible for the position of police officer.

viii. Verification of at least three personal references.

ix. All background investigations will comply with the terms of the Fair Credit reporting Act, as amended.

7. **Medical Exam**

a. Upon issuance of a conditional offer of employment, a candidate, as a condition for appointment, must submit to a medical examination, to certify the general health of the candidate.

8. **Psychological Exam**

a. A psychological fitness examination of each candidate for a sworn position will be conducted by a licensed New Jersey professional prior to appointment, but

after being given a conditional offer of employment.

9. **Probationary Period.**

a. Excluding a lateral transfer, no person shall be given or accept a permanent appointment as a Police Officer in the Borough unless such person has first been given a probationary or temporary appointment to such office for a period of one year, and has successfully completed a police training course at a school approved and authorized by the Police Training Commission in the Department of Law and Public Safety of the State of New Jersey, pursuant to the provisions of N.J.S.A. 52:17B-66 et seq., as amended.

b. **Dismissal during probationary period: grounds for dismissal.** On or before the end of the probationary period noted in subsection (a) above, the Appropriate Authority may discontinue the service of any appointee if, in the opinion of the Appropriate Authority, upon recommendation of Chief of Police, the appointee is unable or unwilling to perform the duties of his/her position satisfactorily or is of such reputation, habits and dependability as to not merit continuance in the police service, or is unable to satisfactorily meet the requirements of the Department's Field Training Program.

c. **Grievance Procedure.** During the Probationary period noted above, the Appointee shall have the following due process rights afforded to him/her to address any grievances of the Appointee:

i. **Definition** - The term "grievance" as used herein means any controversy arising over the interpretation, application or violation of this Agreement and of those policies, agreements or administrative decisions which affect the terms and conditions of employment.

ii. **Steps of the Grievance Procedure** - The following constitutes the sole and exclusive method for resolving appointee grievances and shall be followed in its entirety unless any step waived by mutual consent

Step One:

a. An Appointee shall institute action under the provisions hereof within five (5) calendar days of the occurrence of the grievance and an earnest effort shall be made to settle that differences between the Appointee and his immediate Superior, for the purpose of resolving the matter

informally. Failure to act within the said five (5) calendar days shall be deemed to constitute an abandonment of the grievance.

b. The immediate Superior shall render a decision within five (5) calendar days after receipt of grievance.

Step Two:

a. In the event the grievance is not settled through Step One, then the same shall be reduced to writing and filed with the Captain, or his designee, within three (3) calendar days.

b. The Captain, or his designee, shall render a decision in writing within five (5) calendar days.

Step Three:

a. In the event the grievance has not been resolved through Step Two then within three (3) calendar days following the determination of the Captain or his designee, the matter may be submitted, in writing, to the Chief of Police.

b. The Chief, or his designee, shall render a decision in writing within twelve (12) calendar days after the grievance was first presented to him.

Step Four:

a. If the applicant wishes to appeal the decision of the Chief of Police, or his designee, the grievance shall be presented in writing to the Appropriate Authority or its delegated representative, within seven (7) calendar days from the date of the Chief, or his designee's, decision. The Appropriate Authority, or its representative, shall provide a decision in writing within fourteen (14) calendar days of the receipt of the written grievance.

C. Selection Process Non-Sworn Positions

1. All vacancies for non-sworn positions will be selected at the sole discretion of Glen Rock Borough pursuant to Glen Rock Borough policies and procedures.

D. Outside Employment. Each full-time Police Officer appointed to the Police Department may pursue other employment outside of the duty hours as approved by the Chief of Police and subject to the conditions outlined in the Written Directive System and upon written application to the Chief of Police.

E. Powers and duties of Police Department members.

1. The rights, privileges, powers and duties of the members of the Police Department shall be those prescribed by the laws of the State of New Jersey governing municipal Police Departments generally, by the laws of the state and ordinances and resolutions of the Borough and such rules and regulations (including Written Directives of the Chief of Police) which may from time to time be established by the Appropriate Authority.

2. The Police Department, through it's Chief, shall:

a. Preserve the public peace, protect life and property, prevent crime, detect and arrest offenders against the laws and ordinances effective within the Borough.

b. Administer and enforce laws and ordinances of the State of New Jersey and the Borough.

c. Adhere to the Rules and Regulations and Written Directives established for the Glen Rock Police Department and its members.

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 # 1688 (Police Hiring/Promotion Procedures)

Date of Introduction: August 28, 2013

Council Resolution # 158-13

Introduced by Council Member O'Hagan

Seconded by Council Member Pazan

Be It Resolved by the Borough Council of the Borough of Glen Rock that AN ORDINANCE TO AMEND CHAPTER 40 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK - 1971 AS AMENDED ENTITLED "POLICE DEPARTMENT" BEING AN ORDINANCE ESTABLISHING THE OPERATION OF THE POLICE DEPARTMENT; TO ESTABLISH PROCEDURES FOR PROMOTIONS WITHIN THE POLICE DEPARTMENT.

Heretofore introduced and does now pass on first reading, and that the said Ordinance be further considered for final passage at a meeting to be held on September 11, 2013 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 - absent

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

**BOROUGH OF GLEN ROCK
ORDINANCE NO. 1688**

**AN ORDINANCE TO AMEND CHAPTER 40 OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH
OF GLEN ROCK - 1971 AS AMENDED ENTITLED
"POLICE DEPARTMENT" BEING AN ORDINANCE ESTABLISHING THE OPERATION OF
THE POLICE DEPARTMENT; TO ESTABLISH PROCEDURES FOR PROMOTIONS WITHIN
THE POLICE DEPARTMENT.**

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

Section I - Chapter 40 of the Revised General Ordinances of the Borough of Glen Rock 1971 as amended being an Ordinance entitled "Police Department" is hereby amended as to the following:

I. Section 40-5 Entitled "Promotions" is deleted in its entirety and replaced with the following:

"40-5. Promotion Procedures

A. The Chief of Police, or his/her designated representative, shall be responsible for coordinating the promotional process.

B. Promotional Process.

- 1.** Only officers who are members of this Department at the time of the promotional process are eligible for consideration consistent with New Jersey Law.
- 2.** In order to be eligible for promotion in the promotion process, candidates must meet all the criteria established for such promotion on the date of the vacancy announcement.

3. **Sergeants' Eligibility Requirements:** The candidate must have completed a total of five (5) years in the rank of Officer in the Glen Rock Police Department and any officer hired after March 1, 2009 must hold a Bachelor Degree from an accredited College or University. Officers hired prior to March 1, 2009 are exempt from this requirement.
4. **Lieutenants' Eligibility Requirements:** The Candidate must hold the rank of Sergeant with the Glen Rock Police Department for at least one (1) year.
5. **Captains' Eligibility Requirements:**
 - a. The candidate must hold the rank of Lieutenant with the Glen Rock Police Department for at least one (1) year. If no candidates hold the rank of Lieutenant, Sergeants shall be eligible for the position provided they have served one (1) year as a Sergeant.
 - b. If there is an existing Lieutenant(s) who elects not to participate in the promotional process for Captain or if there is only one eligible Lieutenant participating in the promotional process, the Department may consider Sergeants for the position provided they have at least one year of service as a Sergeant.

C. **Evaluation for Promotion**

1. **Candidates for promotion to Sergeant and Lieutenant will submit to the following process:**
 - a. An oral examination provided by the New Jersey State Association of Chiefs' of Police. This portion may be waived by the Chief of Police if all candidates sign a written waiver of examination. If one officer wants a test, there shall be an oral exam.
 - b. Oral examinations shall be on a pass/fail basis with a passing grade of 70%. Candidates who do not achieve a passing grade are ineligible to move on with the process. If an oral exam is taken, those who pass are not ranked in any order. They are to be shown as passed or failed only.
 - c. A review and evaluation of the candidates personnel file by the Chief of Police and the members of the Public Safety Committee. This review shall include a summary report prepared by the Chief including accommodations, Employee reviews, disciplines and early intervention summaries. In any event, no information will be included in the summary report that references a candidates confidential medical information or other protected information.
 - d. Due consideration shall be given to the length and merit of service and seniority in accordance with the provisions of N.J.S.A. 40A:14-129, as amended.
2. **Candidates for promotion to Captain:**
 - a. In accordance with N.J.S.A. 40A:14-129, due consideration shall be given to the length and merit of service and to seniority in accordance with N.J.S.A. 40A:14-129, as amended, to any candidate for promotion to Captain. Due

consideration shall also be given to the recommendation of the Chief of Police, which shall be based on the aforementioned statutory factors, and a review of the performance of the candidate(s) by the Chief of Police and the members of the Public Safety Committee.

D. Promotional Announcement

1. Whenever a vacancy occurs for the filling of a position a written announcement shall be made at least thirty 30 days before the start of the process.
 - a. The announcement shall contain the eligibility requirements;
 - b. The written announcement shall describe the position available;
 - c. The written announcement shall contain a description of the process to be used in selecting personnel for the vacancy; and
 - d. Each officer intending to participate in the process must submit a letter of intent no later than ten (10) days after the announcement to the Chief of Police.

E. Eligibility List

1. The Chief of Police shall submit an eligibility list to the Appropriate Authority following the promotional process. The Appropriate Authority will authorize the Chief of Police to maintain this eligibility list for a period of 24 months, in the event that vacancies fall within that time. The period will start upon the passing of the resolution promoting the officer(s) to the new rank.

F. Approval of Appropriate Authority

1. The Appropriate Authority shall have the final decision on all promotions.

G. Appeal of Process

1. Within ten (10) days of the decision of the Appropriate Authority on a promotion, a candidate may file a written letter of appeal. Said letter must contain the reason(s) or justification(s) for an appeal and must be submitted to the Chief of Police. The Appropriate Authority and the Chief of Police will assess the request, and make a determination of how the request will be addressed on a case-by-case basis.

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 # 1689 (Smoke Free Zones)
Date of Introduction: August 28, 2013**

**Council Resolution # 159-13
Introduced by Council Member Orseck
Seconded by Council Member Surrago**

Be It Resolved by the Borough Council of the Borough of Glen Rock that AN ORDINANCE TO AMEND CHAPTER 32 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK, AS AMENDED, ENTITLED “PARKS AND RECREATION, DIVISION OF”; BEING AN ORDINANCE GOVERNING THE USE OF MUNICIPAL FACILITIES; TO ADD A NEW SECTION ENTITLED “SMOKE FREE ZONES”.

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 September 11, 2013 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 - absent**

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

**BOROUGH OF GLEN ROCK
ORDINANCE No. 1689**

AN ORDINANCE TO AMEND CHAPTER 32 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK, AS AMENDED, ENTITLED “PARKS AND RECREATION, DIVISION OF”; BEING AN ORDINANCE GOVERNING THE USE OF MUNICIPAL FACILITIES; TO ADD A NEW SECTION ENTITLED “SMOKE FREE ZONES”.

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

Section I - Chapter 32 of the Revised General Ordinances of the Borough of Glen Rock 1971, as amended, being an Ordinance entitled "Parks and Recreation, Division of" is hereby amended as to the following section(s):

- A. There is added thereafter a new section 32-9 entitled “Smoke Free Zones” to read as follows:**
- “39-9. Smoke Free Zones.**
 - A. It shall be unlawful for any person to smoke within the boundary of any of the public parks, playgrounds, a recreational areas which are defined within Section 32-1of this Chapter. To the extent possible, “Smoke Free Zone” signs shall be clearly, sufficiently and conspicuously posted at properties**

where smoking is prohibited by this Chapter. The signs shall have the words "Smoke Free Zone" in lettering that is not less than two inches in height and shall contain the international no smoking sign.

- B. Notwithstanding the above, smoking shall not be prohibited within the parking lots or vehicular access lanes to such parks, playgrounds and/or recreational areas unless prohibited by other applicable law.
- C. **Violation and Penalties** - Any person(s) who is found to be in violation of the provisions of this Chapter, the maximum penalty shall, upon conviction of a violation, be any combination of the following:
 - 1. A fine exceeding \$1,000.00 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.

Section II. VALIDITY-SEVERABILITY If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be held invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Ordinance but such judgment shall be confined in its operation to the section, paragraph, subdivision or clause directly involved in the controversy in which said judgment shall have been rendered.

Section III All Ordinances or parts of Ordinances inconsistent with the provisions hereof are hereby repealed.

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

6. PUBLIC HEARING FOR RESOLUTION FOR MUNICIPAL ENDORSEMENT OF TRUST FUND APPLICATION

Resolution No. 160-13
Offered by Council Member Surrago
Seconded by Council Member Nogara

RESOLUTION FOR MUNICIPAL ENDORSEMENT OF TRUST FUND APPLICATION

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and,

WHEREAS, the Municipality of Glen Rock desires to further the public interest by obtaining a matching grant of \$46,450 from the County Trust Fund to fund the following project: ADA Paths at Upper Faber Field; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and

furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body/board received public comments on the proposed park improvements in the application on August 28, 2013; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Municipality of Glen Rock):

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of August 29, 2013, as established by the County; and,

2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, Municipality of Glen Rock has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary ; and,

3. That Municipality of Glen Rock is committed to providing a dollar for dollar cash match for the project; and,

4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.

5. That Municipality of Glen Rock agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,

6. That this resolution shall take effect immediately.

ROLL CALL:

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

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

Motion to Open Public Hearing: Surrago

Jim Seaton, Ferndale Avenue – Mr. Seaton asked what the project entails.

Mayor van Keuren replied this project is to provide ADA paths to access the field from the parking area.

Mr. Seaton is in favor of the project.

Sandra Gougousis – Ms. Gougousis asked how much money the grant writer receives.

Lenora Benjamin replied 10% of any money we are awarded goes to the grant writer, which is a standard grant writing fee.

Motion to Close Public Hearing: Nogara

ROLL CALL:

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

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

Resolution No. 161-13

Offered by Council Member Surrago

Seconded by Council Member Nogara

RESOLUTION AUTHORIZING CAPITAL ALTERNATIVES TO MADE APPLICATION TO NEW JERSEY TRUST FUND AUTHORITY FOR HAMILTON REHAB, SOUTH HIGHWOOD DRAINAGE AND UPPER FABER FIELD REHAB

BE IT RESOLVED by the Mayor and Council of the municipality of **GLEN ROCK** that application is made to the Commissioner of Transportation for aid under the New Jersey Trust Fund Authority Act for:

- (1) Hamilton Avenue Rehab, Final Phase-Municipal Aid program**
- (2) South Highwood Avenue Drainage-Discretionary Aid (LAIF) program**
- (3) Upper Faber Field Rehab-BCOS**

WHEREAS, the Council has determined that such application(s) should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the municipality for assistance in such matters.

RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble, and submit the necessary documentation on behalf of the municipality of **GLEN ROCK** for the stated project(s).

ROLL CALL:

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

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

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

Irene Brown, 675 Lincoln Avenue – Mrs. Brown asked that the pool remain heated.

An identified resident asked what the status is of the litigation with Ridgewood Water.

Borough Attorney Garibaldi replied discovery is ongoing and no trial date has been set. Hopefully this will go to trial in the next several months. It is our hope to receive a rebate for Ridgewood Water customers.

(Inaudible) Two young Silver award residents asked for support of the upcoming Dog-Walk-A-Thon with advertising on the electric sign and borough website. The event will be on September 14th from 10 a.m. – noon.

Council member O’Hagan reminded residents to lock your vehicle, even when they are in your own driveway.

8. ADJOURNMENT

**Motion to adjourn the public meeting made by Council member Nogara
Seconded by Council member Orseck
Meeting adjourned at 9:25 p.m.**

9. CLOSED SESSION