

PUBLIC MEETING – Wednesday, September 30, 2015 at 8:00 p.m.

There will be a Public Meeting of the Mayor and Council of the Borough of Glen Rock on Wednesday, September 30, 2015, at 8:00 p.m. in the Council Chambers of the Municipal Building.

On behalf of the Council, Mayor van Keuren had kind words and expressed condolences to the family of Chris Taylor of Taylormade Jewelers. He was an exceptional man and pillar of the Central Business District.

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 Nogara – present**

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

2. FLAG SALUTE/ANNOUNCEMENTS

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

3. CONSENT AGENDA

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

Correspondence:

Resolutions:

- 1. Resolution Approval of Minutes - Executive Session 8/10/15, 8/24/15 & 8/26/15; Closed Session 8/10, 8/17 & 8/24; Public Meeting 8/26/15**

**Resolution No. 192-15
Offered by Council Member
Seconded by Council Member Martin**

BE IT RESOLVED, that the Minutes of:

**Executive Session –8/10, 8/24 & 8/26/15
Closed Session –8/10, 8/17 & 8/24/15
Public Meeting 8/24/15**

Be accepted as submitted.

ROLL CALL:

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

2. Resolution for Payment of Bills

Resolution No.193-15

Offered by Council Member Nogara

Seconded by Council Member Martin

BE IT RESOLVED, that the following bills of the Borough of Glen Rock be paid in the amount of \$ 9,003,333.92

GRBOE	\$ 5,686,850.00
GR Payroll	659,665.41
GR Library	33,708.75
NJSHBP	192,976.17
PSE&G	73,909.02
Garibaldi	29,699.75
Rachles/Michele’s	10,889.41
Miscellaneous	137,390.03
Total Current Fund	\$ 6,825,088.54
General Capital	\$ 590,973.71
Trust/Other	59,581.18
Animal Control	1,100.00
Developer’s Fees	1,368.00
Unemployment	396.00
Payroll	1,524,826.49
Total Payment of Bills	\$ 9,003,333.92

ROLL CALL:

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

3. Resolution Authorizing Grant Agreement with Bergen County (Handicapped Accessibility Main Line Train Station)

Resolution No. 194-15

Offered by Council Member Nogara

Seconded by Council Member Martin

RESOLUTION TO ENTER INTO A GRANT AGREEMENT WITH BERGEN COUNTY FOR HANDICAPPED ACCESSIBLE IMPROVEMENTS AT THE MAIN LINE TRAIN STATION

BE IT RESOLVED, that the Mayor and Council of the Borough of Glen Rock wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$30,000 in 2015 Community Development Block Grant for Handicapped Accessible Improvements at the Main Line Train Station Rock Road, Glen Rock, New Jersey.

BE IT RESOLVED, that the Mayor and Council hereby authorizes Lenora Benjamin, Borough Administrator, to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Lenora Benjamin, Borough Administrator, to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of Glen Rock is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

ROLL CALL:

Council Member O’Hagan – yes

Council Member Pazan - yes

Council Member Orseck – yes

Council Member Surrago - yes

Council Member Nogara - yes

Council Member Martin - yes

4. Resolution for Bergen County Community Development Block Grant

Resolution No. 195-15

Offered by Council Member Nogara

Seconded by Council Member Martin

**BOROUGH OF GLEN ROCK
ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT
UPDATE OF HANDICAP ACCESSIBLE RESTROOM AT MAIN LINE STATION**

WHEREAS, a Bergen County Community Development grant of \$40,000 has been proposed by the Mayor and Council of the Borough of Glen Rock, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of Glen Rock, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Glen Rock hereby confirms endorsement of the aforesaid projects, and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

ROLL CALL:

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

Council Member Pazan - yes
Council Member Surrago - yes
Council Member Martin - yes

5. Resolution Adding Historical Society as a Quasi Member to BCJIF

Resolution No. 196-15

Offered by Council Member Nogara

Seconded by Council Member Martin

RESOLUTION ADDING A QUASI MEMBER TO THE BMJIF
Glen Rock Historical Society

WHEREAS, the Borough of Glen Rock is a participating member of the Bergen Municipal Joint Insurance Fund relative to General Liabilities and other overages; and

WHEREAS, the “FUND” has adopted certain criteria to distinguish between bona fide municipal activities and other quasi-public entities not sponsored by the municipality and therefore, not subject to coverage by the “FUND”; and

WHEREAS, it has been determined that in order to be covered by the “FUND” and organization or activity meet the test that’s its function is of the type that historically municipalities have undertaken themselves or have provided with insurance coverage and/or is one which advances a bona fide local public purpose on a non-profit basis typically met by local government the benefits of which are available to the municipality in general; and

WHEREAS, the Borough has asked the “FUND” to extend General Liability and Non-Owned Automobile Liability Coverage to the following Entities:

CLASS III – General

Historical Society

Non-Profit Entity

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

It is certified that the above listed organization exist with the Borough of Glen Rock as the

bona fide charitable, educational or recreational activities of the municipality and are, in fact, organization that supports and/or provides services to the municipality in general and as such are sponsored or subsidized directly or indirectly by the municipality.

The Borough of Glen Rock does hereby request that this organization described herein be named as additional named Insured for General Liability and Non-Owned Automobile Liability Coverage in accordance with the applicable limits and restrictions.

ROLL CALL:

Council Member O'Hagan - yes	Council Member Pazan - yes
Council Member Orseck - yes	Council Member Surrago - yes
Council Member Nogara - yes	Council Member Martin - yes

6. Resolution to Award Banking Services Contract

Resolution No. 197-15

Offered by Council Member Nogara
Seconded by Council Member Martin

WHEREAS, the Borough of Glen Rock advertised a request for proposals on 9/2/15 for banking services; and

WHEREAS, the Borough received three responses to the request for proposals to provide banking services for the Borough of Glen Rock; and

WHEREAS after review by Borough staff and the Borough Attorney, Valley National Bank met the requirements necessary to initiate a change in banking services for the Borough of Glen Rock.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Glen Rock in the County of Bergen, State of New Jersey to award the Borough's banking services to Valley National Bank.

ROLL CALL:

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

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

ROLL CALL:

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

7. Resolution to Authorize Agreement with United Way for Housing Project - READ SEPARATELY

Resolution No. 198-15

Offered by Council Member Orseck
Seconded by Council Member Surrago

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
GLEN ROCK AUTHORIZING THE EXECUTION OF A DEVELOPMENT
AGREEMENT BETWEEN THE BOROUGH OF GLEN ROCK AND
BCUW/MADELINE HOUSING PARTNERS, LLC**

WHEREAS, the New Jersey Supreme Court, through its rulings in *South Burlington County NAACP v. Mount Laurel*, 67 N.J. 151 (1975) and *South Burlington County NAACP v. Mount Laurel*, 92 N.J. 158 (1983), (“the Mt. Laurel Doctrine”), has determined that every municipality has a constitutional obligation to provide through its land use regulations a realistic opportunity for the creation of a fair share of its region's present and prospective need for low and moderate income housing (“the affordable housing obligation”); and

WHEREAS, pursuant to the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., as amended, (“the Fair Housing Act” or FHA”), the Legislature has provided a statutory mechanism for municipalities to address their affordable housing obligation under the Mt. Laurel Doctrine; and

WHEREAS, the Borough seeks to address its Third Round Obligation, which includes any remaining Prior Round Obligation, as set forth in its Spending Plan; and

WHEREAS, under the FHA the Borough may provide for the acquisition, construction and maintenance of buildings, structures or other improvements necessary or useful for the provision of low and moderate income housing, see, N.J.S.A. 52:27D-325 and may further utilize various techniques for providing low and moderate income housing, including utilizing municipally-generated funds, see, N.J.S.A. 52:27D-311a(8), and making donations, grants or loans of public funds for the provision of new affordable housing, see, N.J.S.A. 52:27D-311f; and

WHEREAS, BCUW/Madeline Housing Partners, LLC¹ (hereinafter referred to as the “Developer”), is a limited liability company formed between the Bergen County United Way and Madeline Corporation, a developer of affordable housing, has experience in the construction of public and private development projects, and is the contract purchaser of property located within the Borough, known as 15 Bradford Street, Glen Rock, New Jersey and designated as Block 101, Lot 2, on the Borough Tax Map, (“the “Property”); and

WHEREAS, the Developer has proposed to undertake a housing project on the Property consisting of a “special needs” with an estimated 4 to 8 rental units, which shall give rise to “credit” units, as those terms are defined under the FHA or implementing regulations, dedicated towards the Borough’s affordable housing obligation (collectively, the “Project”); and

WHEREAS, the special needs units of the Project, as the case may be, shall be reserved and set-aside in accordance with all requirements of the FHA or implementing regulations, including without limitation affordability controls. In the event that the uses described herein are abandoned by the Developer, then and in such event a call provision shall be provided to the Borough to allow the municipality to assume ownership/control of the Project to continue the uses in compliance with Council on Affordable Housing (“COAH”) and FHA regulations of the use(s) as set for above for the Property. Such controls to be set forth in a Deed Restriction/Covenant running with the land, subject to the reasonable satisfaction of the Borough and the Borough Attorney; and

¹ IRC 503(c) (3) tax exempt status pending.

WHEREAS, the Developer's proposal is in accordance with the Borough's Spending plan, submitted to the COAH and the New Jersey Department of Community Affairs, to address its Third Round affordable housing obligation, including the construction of an affordable and supportive housing project for persons with disabilities upon the Site; and; and

WHEREAS, the Developer has requested that the Borough assist in providing funding for the Project in the amount of Three Hundred Twenty Five Thousand Dollars (\$325,000.00) for construction of special needs units in the Project as set forth in the Development Agreement and provided that the Borough is authorized to expend such funds in accordance with an unappealable COAH approved spending plan or Third Round approval; and

WHEREAS, the Developer represents herein that it is committed to develop the Project and to obtain private or other financing necessary and will otherwise undertake and do all things necessary for the development of the Project; and

WHEREAS, the Borough has determined that the Developer is qualified to provide services for the Project because its team of professionals has the capacity and expertise to supervise the Project from inception through financing, construction, and marketing of the housing units to full occupancy and subsequent operation; and

WHEREAS, the Borough and Developer agree to execute the annexed Developer Agreement for the purpose of setting forth their respective undertakings, rights and obligations in connection with the construction of the Project, all in accordance with applicable law and the terms and conditions of this Resolution.

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

1. That the Mayor and Borough Clerk are hereby authorized, on behalf of the Borough of Glen Rock, to execute the Developer Agreement with BC UW/Madeline Housing Partners, LLC in a form and content which is subject to the review and approval of the Borough Attorney to provide for among other things, the financing of Three Hundred Twenty Five Thousand Dollars (\$325,000.00) for the Project.

2. The execution of the Development Agreement between the Borough and BC UW/Madeline Housing Partners, LLC shall be subject to:

(a) The Borough obtaining appropriate authorization or approval from COAH or the Superior Court of NJ, if necessary, for the expenditure of Affordable Housing Trust Funds for the financing noted above, either by way of an amendment to the Borough's Spending Plan, or pursuant to a waiver of COAH rules, or to otherwise determine to fund the Loan. Upon satisfaction of this condition the distribution or release of funding shall be authorized; and

(b) The Glen Rock Planning Board having granted all development approvals necessary for the Project, and the Developer having obtained the approvals required of any other State, county or local agency with jurisdiction over the Project, and the Developer having fulfilled all conditions of such approvals; and

(c) The special needs units/Property having been made subject to a Deed Restriction and/or Restrictive Covenant establishing affordability controls required under COAH, FHA and

implementing regulations, together with the call provision/rights to be afforded to the Borough upon retirement of the Property for the uses and purposes set forth above; and
(d) The Developer satisfying all duties, representations and warranties in the Development Agreement.

ROLL CALL:

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

Council Member Pazan - yes
Council Member Surrago – yes
Council Member Martin – yes

8. Resolution for Tax Reward Program - *READ SEPARATELY*

Resolution No. 199-15
Offered by Council Member O’Hagan
Seconded by Council Member Pazan

WHEREAS, the Borough Council of the Borough of Glen Rock desires to stimulate local commerce in Glen Rock by encouraging the patronage of Glen Rock Borough based businesses by local residents; and

WHEREAS, the Borough Council has determined it is appropriate to permit “reward” type programs that act as enhancement which will give Glen Rock Borough taxpayers a financial incentive to patronize participating Glen Rock Borough based businesses through the payment of residential property taxes; and

WHEREAS, the Borough Council of the Borough of Glen Rock believes that the implementation of this system will benefit Glen Rock Borough based businesses and resident taxpayers.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Glen Rock in the County of Bergen, State of New Jersey as follows:

- 1. The Borough Council supports the implementation of the Property Tax Reward Program and hereby authorizes the Borough Administrator to coordinate the implementation.**
- 2. The program shall be administered solely by the vendor who shall undertake to register interested taxpayers and Glen Rock based businesses.**
- 3. The Borough shall establish the necessary reporting requirements for any payment of taxes made to the Borough by the vendor. The Borough shall not be responsible for any impact of program participation on mortgage escrow calculations. The Borough shall not be responsible for any changes in property ownership.**

ROLL CALL:

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

Council Member Pazan - yes
Council Member Surrago – yes
Council Member Martin – yes

4. DEPARTMENTAL REPORTS

Council member Surrago (*Public Works*) - Leaf pick-up will begin October 19th through December 31st, beginning with District 1. The schedule will be on the website and Facebook. Residents are reminded only leaves are to be placed at the curb. Branches, mums, pumpkins, plastic bags and shrubs should not be put at the curb. There will be a Community Showcase on October 7th in the High School cafeteria. This event is a co-sponsored event between the Board of Education and Borough. Community based organizations will be present to answer any questions. The Borough will be hosting a Senior Services Website Launch which will take place in the Municipal Building on October 6th at 9:00 a.m.

Council member Nogara (*Finance*) - Monday, October 5th, 6 p.m. will be our first Finance meeting for 2016. There will be other meetings with staggered times and days.

Council member Orseck (*Parks & Recreation*) - The pool had over 4200 memberships for 2015. The next Recreation Advisory Board is Tuesday, October 13th, 8 p.m. The Arboretum is holding a Story Walk on October 4th, 2 p.m. The Arboretum and Parks & Recreation will both have tables at the Community Showcase. October 18th there will be a Fall Festival at the Arboretum. There will be a Twilight Walk on October 24th and bulb planting on October 25th.

Council member Pazan (*Library*) - Live bats will be at the Library October 18th. Friday, October 16th the Library will host a Halloween Murder Mystery. There will be a talk on Cuba October 27th at 7 p.m. The Library is now operating under winter hours, Saturday hours are now 9-5 p.m. and Sunday 1-5 p.m.

Council member O'Hagan (*Public Safety*) - On October 7th the Bergen County 200 Club will be honoring three of our officers; Greg Carter, Robert Surdyka and Frank Riggio for their work on a house fire in December. A thank you goes out to our Police, Fire, Ambulance and OEM for their participation and planning with the Fall Street Fair this weekend. This type of event does not just happen, it requires a lot of planning. We are in the process of developing an Inter-local Agreement with Hawthorne to use their training facility.

Council member Martin (*Licenses & Franchises*) - No activity this month.

Mayor van Keuren announced that the S-2 zone continues to be discussed with good progress. This discussion will continue at Monday's work session, October 5th.

Secondly, the Borough has received Judge Carver's report which the Council will be discussing at Monday's work session as well.

Motion to accept reports as filed:

Motion by Council Member Surrago
Seconded by Council Member Orseck

ROLL CALL:

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

5. ORDINANCES

Ordinance Procedure: # 1723 (Emerson Road)
Date of Final Reading: September 30, 2015
Date of Introduction: September 16, 2015

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

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

Council Resolution # 200-15
Introduced: Council Member Martin
Seconded Council Member O'Hagan

AN ORDINANCE TO AMEND CHAPTER 216 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK - 1971 AS AMENDED ENTITLED "VEHICLES AND TRAFFIC" BEING AN ORDINANCE REGULATING THE PARKING AND OPERATION OF VEHICLES WITHIN THE BOROUGH; TO RESTRICT PARKING ON CERTAIN STREETS WITHIN THE BOROUGH

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 Nogara - yes

Council Member Pazan - yes
Council Member Surrago - yes
Council Member Martin - yes

BOROUGH OF GLEN ROCK
ORDINANCE NO. 1723

AN ORDINANCE TO AMEND CHAPTER 216 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK - 1971 AS AMENDED ENTITLED "VEHICLES AND TRAFFIC" BEING AN ORDINANCE REGULATING THE PARKING AND OPERATION OF VEHICLES WITHIN THE BOROUGH; TO RESTRICT PARKING ON CERTAIN STREETS WITHIN THE BOROUGH

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

Section I - Chapter 216 of the Revised General Ordinances of the Borough of Glen Rock 1971 as amended being an Ordinance entitled "**Vehicles and Traffic**" is hereby amended as to the following section:

1. Section 216-30 entitled "Schedule II: "**Parking Prohibited Certain Hours**" is hereby amended by adding thereto the following:

Name of Street Side	Hours	Location
Emerson Road North	During School	Between Berkeley

	Session Hours	and Belmont
Emerson Road South	Any Time	Inclusive

Section II. VALIDITY-SEVERABILITY. If the provisions of any section, sub-section, 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)

Gino Reina, 461 Prospect Street - Mr. Reina thanked the Mayor and Council for their time last evening regarding the Tax Reward Program. Council member O'Hagan commented we need 15 businesses to commit to the program, otherwise the program stalls. Mr. Reina expressed concern

that any businesses that do not support this program are not portrayed as not supporting the town. Mr. Reina commented that the vast majority of the program is borne by the merchants. There is minimal cost to the town and the residents. If the program is good enough for the merchants to put the dollars into it, it should be good enough for the Borough to monetarily support as well.

Skip Huisking, 65 Andover Terrace - Mr. Huisking thanked the Mayor for announcing that Judge Carver's report has been received. Mr. Huisking asked when the report would be released to the public. Borough Attorney Garibaldi replied first the Council has to accept the report, then it will be given to the PBA and then it will be released to the public; possibly in the latter part of the week.

Tom Jennings, GR Fire Chief - Mr. Jennings clarified that the GRFD was never told not to attend certain meetings regarding the S-2 ordinance.

J. R. Collins, Oxford Place - Thanked the Mayor for entertaining the suggestion of discussing the pool hours.

Sue Tryforos, 11 Forest Road - President of the Historical Society. Mrs. Tryforos thanked the Mayor and Council for their support. The Main Line Train Station is being visited quite frequently, just recently during the Fall Street Fair 80 visitors visited the station.

6. ADJOURNMENT

Motion to adjourn the public meeting made by Council member Orseck

Seconded by Council member O'Hagan

Meeting adjourned at 8:40 p.m.