

PUBLIC MEETING – Thursday, September 2, 2010 at 8:00 p.m.

There will be a Public Meeting of the Mayor and Council of the Borough of Glen Rock on Thursday, September 2, 2010, at 8:00 p.m. in the Council Chambers of the Municipal Building.

Agenda: (May be subject to change)

1. CALL TO ORDER /ROLL CALL

This meeting is being called pursuant to the Open Public Meeting Law. Notice of the meeting has been adequately announced, notice of the time, date and place of the meeting was included in a list of meeting notices sent to the Bergen edition of The Record newspaper and advertised in that newspaper. Further a notice of this meeting was posted on the bulletin board in this building and has remained continuously posted as required by Statute. Finally, a notice of this meeting is on file in the office of the Borough Clerk. Accordingly, I declare this to be a properly constituted public meeting of the Mayor and Council.

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

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

**Council Member Pazan – present
Council Member Surrigo – present
Council Member Nogara – present**

2. FLAG SALUTE/ANNOUNCEMENTS

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

Council member O'Hagan read the following proclamation honoring Sgt. Wojtecki.

**A PROCLAMATION OF COMMENDATION TO
SERGEANT ROBERT WOJTECKI**

Whereas the residents of the Borough of Glen Rock have relied on their Police Department to provide service and protection for 92 years, and

Whereas for 92 years, the officers of the Department have responded to that need in all sorts of challenging situations, and

Whereas the training for these situations that those officers receive gives all Glen Rock residents reason for a sense of comfort and personal safety, and

Whereas solid justification for that sense of comfort and safety was provided most recently on June 12, 2010 when Sergeant Robert Wojtecki, while on security detail at a public celebration at Wilde Park, noticed an individual who had a quantity of food firmly lodged in his throat and was choking. Sergeant Wojtecki immediately applied procedures for which he had been trained and, as a direct result, saved the man's life, so

Therefore, the Borough Council and I are delighted to add our voices to those of many Glen Rock residents. Together with them we commend and praise Sergeant Robert Wojtecki for his quick, direct and successful actions that accomplished a life-saving event and designate Friday, September 3, 2010 as Sergeant Robert Wojtecki Day in Glen Rock.

3. CONSENT AGENDA

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

Resolutions:

1. Resolution Approval of Minutes (8/19/10)

Resolution No. 160-10
Offered by Council Member Pazan
Seconded by Council Member Nogara

BE IT RESOLVED, that the Minutes of:

Meeting of 8/19/10

Be accepted as submitted.

ROLL CALL:

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

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

2. Resolution for Corrective Action Plan

Resolution No. 161-10
Offered by Council Member Pazan
Seconded by Council Member Nogara

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2009 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Glen Rock, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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**

CORRECTIVE ACTION PLAN
2009 AUDIT

BOROUGH OF GLEN ROCK

COUNTY OF BERGEN

AUDIT RECEIVED: June 23, 2010

Property, Plant & Equipment:

Finding: The Borough is not maintaining a fixed asset ledger for its property, plant and equipment subsequent to December 31, 1986.

Recommendation: A complete physical inventory should be taken care of all property, plant and equipment. All should be tagged and recorded with an inventory tag. This data should be accumulated and recorded in a ledger at historical and acquisition cost. Periodic physical inventories should be performed to verify location and effective utilization of each asset. Also, all new purchases need to be recorded as part of the fixed asset ledger.

Corrective Action: The Borough of Glen Rock had a complete physical inventory of its property, plant and equipment in 1998 by a professional company. The Borough of Glen Rock has over the past few years with the renovation of the municipal building removed and discarded many of its office furniture components. There have been on a yearly basis updates made on the inventory of equipment/vehicles by the police, fire and public works department.

As of the end of December, 2009, the Borough offices have relocated back to the renovated Municipal Building. A fixed asset inventory with a threshold of \$5,000 was completed on August 20, 2010, and a complete report was received on August 30, 2010, including binder copy and an electronic copy of the report. The Borough will continue to update the report on an annual basis.

Implementation Date: Complete.

General Capital Fund

Finding: The general and subsidiary ledgers of the General Capital Fund were not properly backed up on the network server. When the workstation where the program resided crashed, the electronic data was lost.

Recommendation: All workstations on the network should be properly backed up. The Borough should consider a disaster recovery plan and it be tested at various times during the year.

Corrective Action: The Borough is in the process of discussing the best alternatives in creating a disaster recovery plan. Currently, all workstations on the network are being properly backed up, and the Borough will continue to train and advise the staff the importance of saving data on the network drive.

Implementation Date: In progress; completion date 12/31/10.

Finding: Cash receipts for bid specifications were deposited into the General Capital Fund.

Recommendation: Care should be taken to record in the proper fund.

Corrective Action: A review of the procedures for bid specification receipts was discussed and the staff was advised the proper account for deposit of such funds.

Implementation Date: Complete.

Federal and State Grants:

Finding: There are federal and state grant receivables and reserves that have been unchanged for more than two years.

Recommendation: All older federal and state grant balances should be reviewed for possible collection, disbursement or write-off.

Corrective Action: The Finance Office will review the outstanding federal and state grant receivables and reserves and determine the status of each. The Borough has been in the process of completion of the municipal building project and has been unable to complete the status of several grants until that completion. We now have resolved the grant issues with the municipal building and will review the remaining outstanding grants.

Implementation Date: In progress; completion date 12/31/10.

Municipal Court:

Finding: The bank reconciliations for the Bail account is not accurately completed each month. The cash balance on the Monthly Bail on Account Report does not equal the account balance in the Bail Account.

Recommendation: Reconciliation should be performed accurately and timely each month to maintain adequate control over cash. The Bail account and Monthly Bail on account should be reviewed monthly to ensure the balances agree.

Corrective Action: The Municipal Court Administrator has been advised verbally and in memo form that the Bail Accounting must be in proof at the end of the third quarter of 2010, and remain constant in proof going forward. The Court Administrator has reached out to Bergen County for additional training in this regard and is awaiting sessions to begin this fall. The Court Administrator has been made aware that disciplinary action will be taken if not in compliance.

Implementation Date: The Municipal Court Administrator is currently reviewing the status of the Bail Account and will be presenting the third quarter proof to the finance committee at a meeting in October, 2010. The Bail Account will be monitored and proved on a monthly basis throughout the remainder of the year.

3. Resolution for Pool Cleaning (Aslan)

Resolution No. 162-10

Offered by Council Member Pazan

Seconded by Council Member Nogara

**A RESOLUTION AWARDING BID TO ASLAN CLEANING CONTRACTOR FOR THE
CLEANING OF VARIOUS MUNICIPAL OWNED/CONTROLLED FACILITIES**

WHEREAS, the Borough of Glen Rock authorized the advertising for the solicitation of bids for the cleaning of various owned/controlled municipal facilities;

WHEREAS, a notice to bidders was duly advertised and five (5) bids were received, to wit, Aslan Cleaning Contractor, Cleaning World, VIP Special Services, URU Corp. Maintenance & Contractors, Inc. and Excellent Building Services;

WHEREAS, the lowest responsible bidder, URU Corp. Maintenance & Contractors, Inc., in the amount of \$8,170 was awarded on May 6, 2010;

WHEREAS, the Borough of Glen Rock elected to terminate, for cause, the cleaning contract with URU Corp. Maintenance & Contractors, Inc., effective as of July 27, 2010, thereby leaving the Borough in an emergent situation in providing cleaning services for the general public regarding the pool complex which has approximately 5,000 members;

WHEREAS, the limited time frame precludes the Borough from re-advertising for competitive proposals thereby compounding the emergent situation; and

WHEREAS, the Borough Administrator solicited the prior cleaning service, Aslan Cleaning Contractor, to complete the balance of the season for pool maintenance.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Glen Rock hereby ratify and affirm the retention of Aslan Cleaning Contractor to complete the pool maintenance retroactive from July 27, 2010 to the conclusion of the 2010 pool season.

ROLL CALL:

Council Member O'Hagan - yes

Council Member Pazan - yes

Council Member Orseck - yes

Council Member Surrago - yes

Council Member Biggs - yes

Council Member Nogara - yes

4. Resolution for Chapter 159 Body Armor

Resolution No. 163-10

Offered by Council Member Pazan

Seconded by Council Member Nogara

**Chapter 159 Resolution
Approval of items of Revenue and Appropriation
NJS 40A:4-87**

Whereas, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Glen Rock in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2010 in the amount of \$1,012.28, which is now available from the State of New Jersey Division of Criminal Justice in the amount of \$1,012.28.

BE IT FURTHER RESOLVED that the like sum of \$1,012.28 is hereby appropriated under the caption of 2009 Body Armor Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey Division of Criminal Justice in the amount of \$1,012.78

ROLL CALL:

Council Member O'Hagan – yes

Council Member Pazan - yes

Council Member Orseck - yes

Council Member Surrago - yes

Council Member Biggs - yes

Council Member Nogara - yes

5. Resolution for Chapter 159 Clean Communities

Resolution No. 164-10

Offered by Council Member Pazan

Seconded by Council Member Nogara

**Chapter 159 Resolution
Approval of items of Revenue and Appropriation
NJS 40A:4-87**

Whereas, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Glen Rock in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2010 in the amount of \$5,814.60, which is now available from the State of New Jersey Solid Waste Administration in the amount of \$5,814.60.

BE IT FURTHER RESOLVED that the like sum of \$5,814.60 is hereby appropriated under the caption of Clean Communities Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey Solid Waste Administration in the amount of \$5,814.60.

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

6. Resolution Authorizing Professional Services Contract

Resolution No. 165-10

Offered by Council Member Pazan

Seconded by Council Member Nogara

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT

WHEREAS, the Borough of Glen Rock is in need of certain professional services for the year 2010; and

WHEREAS, the Borough of Glen Rock solicited proposals for auditing services under the fair and open process, received five proposals and interviewed the top two candidates; and

WHEREAS, the Borough has chosen Lerch, Vinci & Higgins, LLP, 17-17- Route 208, Fair Lawn, NJ, as their auditor for the year 2010; 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, Lerch, Vinci & Higgins, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Lerch, Vinci & Higgins, LLP 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 Lerch, Vinci & Higgins, LLP from making any reportable contributions through the term of the contract; and

WHEREAS, it is contemplated that the 2010 budget will contain the necessary appropriations estimated to be reasonably required for each said professional service;

BE IT FURTHER RESOLVED that the aforesaid appointments were made without competitive bidding under the provision of N. J. S. A. 40A:11-5 which excepts from competitive bidding "Professional Services" rendered by persons authorized by law to practice a recognized profession and whose practice is regulated by law;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of Glen Rock that the Borough Administrator is hereby authorized to enter into a contract with Lerch Vinci & Higgins, LLP as declared herein; 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 Pazan - yes
Council Member Orseck - yes	Council Member Surrago - yes
Council Member Biggs - yes	Council Member Nogara - yes

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

ROLL CALL:

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

4. ORDINANCES

Ordinance Procedure: # 1623 (Off-Street Parking, i.e. Medical Offices in Non-Residential Districts)
Date of Final Reading: September 2, 2010
Date of Introduction: August 19, 2010

A motion to open this ordinance for public comment was made by Council member Pazan, seconded by Council member O'Hagan. All were in favor.

A motion to close this ordinance for public comment was made by Council member Pazan, seconded by Council member O'Hagan. All were in favor.

Council Resolution #166-10
Introduced: Council Member Pazan
Seconded Council Member O'Hagan

AN ORDINANCE TO AMEND CHAPTER 230 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK, 1971 ENTITLED "ZONING" BEING AN ORDINANCE ESTABLISHING A UNIFORM SET OF ZONING REQUIREMENTS; TO MODIFY OFF-STREET PARKING REQUIREMENTS IN MEDICAL OFFICES LOCATED IN NON-RESIDENTIAL DISTRICTS

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 Pazan - yes
Council Member Orseck - yes	Council Member Surrago - yes
Council Member Biggs - yes	Council Member Nogara - yes

BOROUGH OF GLEN ROCK

ORDINANCE NO. 1623

AN ORDINANCE TO AMEND CHAPTER 230 OF THE
REVISED GENERAL ORDINANCES OF THE
BOROUGH OF GLEN ROCK, 1971 ENTITLED "ZONING"
BEING AN ORDINANCE ESTABLISHING A UNIFORM
SET OF ZONING REQUIREMENTS; TO MODIFY OFF-STREET PARKING
REQUIREMENTS IN MEDICAL OFFICES LOCATED IN
NON-RESIDENTIAL DISTRICTS

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

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

1. Section 230-34 entitled "Off-street parking in nonresidential districts" is hereby amended as to the following subsections:

A. Subsection A(15) entitled "Medical or dental offices" shall be deleted in its entirety and replaced with the following:

"A(15) Medical offices: one space per 200 square feet of gross floor area".

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: # 1625 (Amending Parking – Hamilton Avenue)

Date of Final Reading: September 2, 2010

Date of Introduction: August 19, 2010

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 PROHIBIT PARKING ON CERTAIN STREETS WITHIN THE BOROUGH

A motion to open this ordinance for public comment was made by Council member O'Hagan, seconded by Council member Nogara. All were in favor.

John Lederer – 109 Hamilton Avenue – Mr. Lederer commented this amendment does not address the underlying issue of speeding on Hamilton Avenue. Mr. Lederer believes if all vehicles are parked on one side of the street it creates a “speedway” down the street. Secondly, he does not see the need for this to be in affect 24/7. Once the speeding is controlled then the need for this ordinance is removed. Mr. Lederer also commented that many of the “speeders” are not residents of Hamilton. Mr. Lederer suggested a stop sign be placed at Hamilton, Harding and Broad which would stop vehicles.

John McGough - 144 Hamilton Avenue – Mr. McGough agreed that vehicles do not adhere to 25 mph. Mr. McGough previously suggested a speed bump be installed, reducing the speed limit to 15 mph or limit parking to only the school side of the street; all of which were deemed not practical for a variety of reasons. Mr. McGough also spoke with the principal who stated he has been trying to get the Police to do something for three years to which he has not received any reply.

Council member O’Hagan responded to Mr. McGough. Residents have asked about a speed hump which was reviewed by the Borough Engineer. Unfortunately, the street is not wide enough to install a speed hump. Secondly, parking on the school side of the street would create a greater safety issue with traffic backing up onto Maple Avenue. Additionally, Council member O’Hagan commented he has never heard of the police waiting three years to respond to anyone; however, he will question this request with the Police. The Police are writing more and more tickets on this street in an attempt to enforce the traffic speed. The narrowness of this street prohibits parking on both sides of the street, primarily for emergency vehicles.

Mr. Lederer responded if vehicles are parked correctly emergency vehicles are able to get through on Hamilton.

Council member Biggs commented she has seen emergency vehicles unable to pass when cars are parked on both sides of the street.

Elizabeth Carr – 231 Hamilton Avenue – Mrs. Carr asked for clarification regarding Clinton Avenue and this ordinance. The Council will review this section of the ordinance regarding parking between Rock and Clinton.

A motion to close this ordinance for public comment was made by Council member O’Hagan, seconded by Council member Nogara. All were in favor.

A motion was made by Council member Biggs to postpone a final vote on this ordinance until the next public meeting. Seconded by Council member O’Hagan. The voice vote was as follows:

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

Ordinance Procedure: # 1626 (Handicapped Parking – Harristown Road)
Date of Final Reading: September 2, 2010
Date of Introduction: August 19, 2010

A motion to open this ordinance for public comment was made by Council member Pazan, seconded by Council member Orseck. All were in favor.

A motion to close this ordinance for public comment was made by Council member Pazan, seconded by Council member Orseck. All were in favor.

Council Resolution #167-10
Introduced: Council Member Pazan
Seconded Council Member Orseck

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 CONTROLLING VEHICLES AND TRAFFIC WITHIN THE BOROUGH OF GLEN ROCK: TO ADD ADDITIONAL HANDICAPPED PARKING LOCATIONS

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 Pazan - yes |
| Council Member Orseck – yes | Council Member Surrigo - yes |
| Council Member Biggs - yes | Council Member Nogara - yes |

**BOROUGH OF GLEN ROCK
ORDINANCE NO. 1626**

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 CONTROLLING VEHICLES AND TRAFFIC WITHIN THE BOROUGH OF GLEN ROCK: TO ADD ADDITIONAL HANDICAPPED PARKING LOCATIONS

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 follows:

A. Section 216-39 entitled "Schedule XII: Handicapped Parking", is hereby amended by adding thereto the following location:

<u>LOCATION</u>	<u>SIDE</u>	<u>LOCATION</u>
Harristown Road.	South	Beginning at a point 244 feet west of westerly curbline of Pinelynn Road and extending to a point 25 feet westerly therefrom.

Harristown Road.

South

Beginning at a point 385 feet west of westerly curbline of Pinelynn Road and extending to a point 25 feet westerly therefrom.

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 # 1627 (Private Alarm Systems)
Date of Introduction: September 2, 2010

Council Resolution #168-10
Introduced by Council Member Orseck
Seconded by Council Member Surrago

Be It Resolved by the Borough Council of the Borough of Glen Rock AN ORDINANCE TO AMEND CHAPTER 63 THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK- 1971, AS AMENDED, ENTITLED "ALARM SYSTEMS"; BEING AN ORDINANCE REGULATING AND CONTROLLING THE INSTALLATION, OPERATIONS AND MAINTENANCE OF PRIVATE ALARMS SYSTEMS INSTALLED IN RESIDENTIAL AND COMMERCIAL BUILDINGS; TO PROVIDE ADDITIONAL REGULATIONS RELATED THERETO

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 16, 2010 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. 1627**

**AN ORDINANCE TO AMEND CHAPTER 63 THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF GLEN ROCK- 1971, AS AMENDED, ENTITLED
“ALARM SYSTEMS”; BEING AN ORDINANCE REGULATING AND CONTROLLING THE
INSTALLATION, OPERATIONS AND MAINTENANCE OF PRIVATE ALARMS SYSTEMS
INSTALLED IN RESIDENTIAL AND COMMERCIAL BUILDINGS; TO PROVIDE TO
ADDITIONAL REGULATIONS RELATED THERETO.**

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

Section 1 - Chapter 63 of the Revised General Ordinances of the Borough of Glen Rock 1971, as amended, being an Ordinance entitled “Alarm Systems” is hereby amended as follows”

1. Section 63-1 entitled “Definitions” is amended by deleting all definitions contained therein and to adding thereto the following:

“As used in this chapter, the following terms shall have the meanings indicated:

ALARMS BUSINESS Any business operated by a person, partnership, corporation or other business entity, for profit, which engages in the activity of altering, installing, leasing, maintaining repairing, replacing, selling, servicing or responding to a fire or burglar alarm system or which causes any of these activities to take place. This definition does not include those retail establishments which only sell alarm devices or alarm systems over the counter.

ALARM DEVICE Any type of alarm-activating equipment which provides warning of burglary, intrusion, fire, flood or other potential for harm to life or property. Medical alert devices, smoke detector and carbon monoxide detectors not integrated/connected into a central alarm receiving station are exempt from the registration provisions of this ordinance.

ALARM SYSTEM The installation in a building or structure of one or more alarm devices for the express purpose of giving visual, audible and/or electronic warning of an emergency such as burglary, intrusion, fire, flood or other potential for harm to life or property.

ALARM USER Any person, partnership, association, corporation, company or organization or authorized agent thereof any kind in control of any building, structure or facility wherein an alarm device or alarm system is operated.

FALSE ALARM An alarm signal eliciting a response by police, fire fighters, other emergency personnel or other public officials when a situation requiring a response by police, fire fighters, other emergency personnel or other public officials does not in fact exist. A false alarm shall not include an alarm signal caused by violent conditions of nature, such as, but not limited to, lightning, tornadoes, hurricanes, windy conditions, power issues or other extraordinary circumstances not reasonably subject to control by the alarm business or alarm user.

ALARM MALFUNCTION An alarm system failing to operate or work properly.

INDEPENDENT SMOKE/FIRE DETECTOR A device giving an audible alarm indicating smoke and/or fire within a structure and not connected to an alarm system or to any external warning device.”

2. Section 63-2 entitled “Permits” is deleted in its entirety and replaced with the following:

“63-2. Registration of alarm device or alarm systems;fees.

- A. No person or business entity shall install, operate or maintain any alarm device or alarm system unless the alarm device or alarm system is annually registered with the Borough of Glen Rock Police Department. An alarm device or alarm system shall be deemed registered at such time as a registration form supplied by the Police Department is completed as to all information requested therein and is returned to the Police Department along with the annual registration fee paid in full. This registration shall take place no later than January 30 or within 30 days of installation of a new system. Among the information to be provided on the registration form is the following:
1. The name, address and telephone number of the owner of the property upon which the alarm device or alarm system is installed.
 2. The name, address and telephone number of the manager of the property upon which the alarm device or alarm system is installed, if applicable.
 3. A list of the names, addresses and telephone numbers of at least three (3) person(s) to be contacted in the event of an alarm or in an emergency situation as determined by the Police Department or Fire Department.
 4. The name, address and telephone number of the installer of the alarm device or alarm system.
 5. The type of alarm device or alarm system.
 6. The name, address and telephone number of the person(s) or company maintaining the alarm device or alarm system.
 7. Subsequent to annual registration period, if there is any material change in the information previously provided during the annual registration with respect to any alarm device or alarm system, it shall be the duty of the property owner or manager to file an amended registration form containing accurate current information within 10 days of the change.
 8. The change in ownership of a property with an alarm system shall be deemed a material change and shall require the filing of a new registration form submitted to the Police Department along with the annual fee.
 9. An annual fee in the amount of \$25 shall accompany each annual registration form.

10. In addition to the penalty noticed in section 63.5 below, any alarm device or alarm system installed prior to January 30 that is not registered with the Police Department by January 30 may be subject to a late fee of \$10 per month.

3. Section 63-3 entitledd "False Alarms" is deleted in its entirety and replaced with the following:

"63-3. False Alarms.

A. The Police Department shall cause a record to be made of all alarms, inclusive of all false alarms in any calendar year. The following penalties shall apply to the person responsible for any alarm device:

- i) For the first through third false alarms and alarm malfunctions, a written warning shall be issued.
- ii) For the fourth and fifth false alarms and alarm malfunctions, there shall be imposed a fine of \$50 for each such false alarm or alarm malfunction.
- iii) For the sixth through ninth false alarms and alarm malfunctions, there shall be imposed a fine of \$150 for each such false alarm or alarm malfunction.
- iv) For the tenth and subsequent false alarms and alarm malfunctions, there shall be imposed a fine of \$250 for each such false alarm or alarm malfunction.
- v) In addition to the penalty noted above, any owner or user of an alarm system (other than a fire alarm system) which experiences more than 12 false alarms in any calendar period may be required to disconnect said alarm system for a period of 90 days unless said system is required by law and provide a statement from those that service the alarm system that the malfunction has been corrected.

B. Fire Alarm Systems. Any owner or user of an alarm device or alarm system which experiences more than four fire false alarms within any twelve-month period shall be required by the Fire Department to modify or improve said system in such a way as to prevent accidental activation and may be subject to penalty by the Fire Prevention Bureau in accordance with the Uniform Fire Code,(N.J.A.C. 5:70-1.1 et seq.) or other applicable law. Prior to modifying any required system, the owner shall submit a construction permit application showing the design and nature of the proposed modifications."

4. Section 63-4 entitled "Rules and Regulations" is deleted in its entirety and replaced with the following:

"63-4. Operation of alarm device or alarm system.

A. All burglar alarm devices or alarm systems must be provided with a device which will automatically shut of the audible alarm function only after 15 minutes of activation.

- B All burglar alarm devices or alarm systems not fitted with an external key switch shall be equipped with a time delay of at least fifteen (15) seconds, which may include an audible signal of the same length of time, said time delay to be designed to prevent accidental activation of the system. The fifteen-second signal, if utilized, shall be audible only within the structure and not externally.
- C In the event that an alarm device or alarm system other than a fire or burglar alarm system is tied into and/or serviced by a central station or answering service, upon activation of said alarm device or alarm system, the central station or answering service shall verify the validity of the alarm prior to notifying the Police Department of the same. Auto-dialing systems, calling E911 or any other public safety phone number with a recorded message are prohibited.
- D The resetting of any transmitted fire alarm shall be done in the presence of the Fire Department. In no case shall an alarm be reset prior to the Fire Departments authorization. In the case of burglar alarms, the Police Department shall not be responsible for resetting the alarm device or alarm system.”

5. Section 63-5 entitled “Violation and Penalties” is deleted in its entirety and replaced with the following:

“63-5 Violations and Penalties.

- A. **Maximum penalty.** For violation of any provision of this chapter, including the failure to register a alarm device or alarm system, the maximum penalty, upon conviction, shall be one or more of the following: a fine not exceeding \$1,000 or imprisonment for a period not exceeding 90 days or a period of community service not exceeding 90 days, at the discretion of the Municipal Court Judge (N.J.S.A 40:49-5, as amended).
- B. **Separate violations.** Except as otherwise provided, every day in which a violation of any provision of this chapter exists shall constitute a separate violation.
- C. **Application.** The maximum penalty stated in this section is not intended to state an appropriate penalty for every violation. Any less penalty, including a nominal penalty or no penalty at all, may be appropriate for a particular case or violation.
- D. **Additional Remedies.** The imposition of a penalty as provided in Section A above, be in addition to any injunctive or remedial relief which is authorized under the laws of the state, with the same force and effect as though provided for in this Code. Such penalty shall not be deemed to be in lieu of any provision for revocation or suspension of any license or permit.”

6. There is added thereto a new Section 63-6 entitled “Exemptions” to read as follows:

“63-6. Exemptions. The provisions of this chapter shall not apply to any alarm device or alarm system installed on property occupied by any Borough, County, State or Federal government agency, office or alarms used for medical emergencies only.”

7. There is added thereto a new Section 63-7 entitled “Response to Alarms” to read as follows:

“63.7 Response to alarms.

- A. In response to any alarm signal indicating panic or medical emergency, as so authorized by the alarm system owner in the permit application, the Police Department and/or Fire Department may enter the premises, by force if necessary, to respond to such signal and the Borough of Glen Rock, its various departments, agencies and officials shall be held harmless from and on account of any and all damages arising out of such entry.

- B. Any panic or medical emergency alarm which has not been properly registered with the Police Department in accordance with this article will be considered a real emergency, and entry will be made to the premises, by force if necessary, in response to such signal. In such cases the Borough and its various departments, agencies, and officials shall be held harmless from and on account of any and all damages arising out of such entry.”

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)

Elizabeth Carr – 231 Hamilton Avenue – Mrs. Carr expressed concern with the crossing guard at Maple and Rock Road. Although there is no problem with the guard personally Mrs. Carr believes a police officer should be at this location and not a crossing guard. Vehicles totally disregard the crossing guard and speeding is a serious problem.

Mayor van Keuren understands the concern however, unfortunately, the Council is under tremendous constraints to maintain a budget with severe State cutbacks. Although this request has considerable merit, preserving a municipal budget under current constraints is a daily challenge for the Council.

Mrs. Carr suggested using parents to help crossing guards, encourage walking to school or a joint letter from the Council and Board of Education.

Council member O’Hagan commented it all comes down to driver courtesy, which is becoming more and more lacking.

Jim Seaton – Ferndale Avenue – Mr. Seaton asked for clarification on the Alarm ordinance introduced tonight.

Doris Ciaramella – 15 Austin Place – Mrs. Ciaramella asked the status of the commuter/senior citizen bus. Lenora Benjamin stated an alternate plan is being worked on and is a high priority. Lenora commented the services are still available and no one has missed an appointment. Mrs. Ciaramella asked if a dog park or skateboard park are still under discussion. Mayor van Keuren stated both of these options are under investigation. Mayor van Keuren stated he has received numerous positive responses in favor.

Robin Scheraga – 24 Rockingham Place – Mrs. Scheraga commented parking on Devonshire has become very dangerous. Many people park on Devonshire to catch the bus at the end of the street. Vehicles are parked on both sides of the street and right up to Rock Road. Mrs. Scheraga asked if the curbs could be painted in yellow to prohibit parking all the way to the end of the street.

6. ADJOURNMENT

Motion to adjourn the meeting was made by Council member Biggs

Seconded by Council member Surrago

Meeting adjourned at 8:30 p.m.

Paula A. Fleming, Deputy Borough Clerk