

PUBLIC MEETING – Thursday, December 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, December 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 – absent
Council Member Surrago – present
Council Member Nogara – absent**

2. FLAG SALUTE/ANNOUNCEMENTS

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

Mayor van Keuren read a note from the Ambulance Corps. thanking the Borough for their support with the passing of Paul Herlett.

At this time, trustees of the Yaw Paw Foundation presented a \$3500 donation to DARE. Accepting the donation was Officer Matt Stanislawo, primary DARE officer.

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 (11/4/10)

**Resolution No. 198-10
Offered by Council Member Surrago
Seconded by Council Member Nogara**

BE IT RESOLVED, that the Minutes of:

Meeting of 10/21/10

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 to Award Bid for Portable Asphalt Heating Unit

Resolution No. 207-10

Offered by Council Member Biggs

Seconded by Council Member Orseck

WHEREAS, two (2) bids were received by the Glen Rock Deputy Borough Clerk on November 23, 2010 for the purchase of one (1) new three (3) ton portable diesel asphalt heating unit, with dumping capability;

WHEREAS, the Governing Body has reviewed the recommendations made by the Borough Administrator and Director Department of Public Works on said bids; and

WHEREAS, the Chief Finance Officer has certified that sufficient funds are available for the purchase.

NOW THEREFORE, BE IT

RESOLVED, by the Governing Body of the Borough of Glen Rock that the contract for one (1) new three (3) ton portable diesel asphalt heating unit, with dumping capability. (including the dual burner recycling capability option) and the same is hereby awarded to Trius, Inc., on their total bid of \$19,109.00; and be it further

RESOLVED, that the Mayor and Deputy Borough Clerk are hereby authorized and directed to execute the contract for same; and be it further

RESOLVED, that the Deputy Borough Clerk is hereby authorized and directed to return the certified checks or bid bonds of the successful bidder and the next lowest bidder:

- 1. Trius, Inc.; and**
- 2. McGrath Municipal Equipment, LLC.**

upon the receipt of a fully executed contract and other required documents.

ROLL CALL:

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

Council Member Pazan - absent
Council Member Surrigo – yes
Council Member Nogara - absent

3. Resolution to Award Tree Planting Bid to Louis Barbato Landscaping

Resolution No. 208-10

Offered by Council Member Biggs

Seconded by Council Member Orseck

**RESOLUTION TO AWARD TREE PLANTING BID TO
LOUIS BARBATO LANDSCAPING, INC.**

WHEREAS, Nine (9) bids were received by the Glen Rock Deputy Borough Clerk on November 29, 2010 for the 2010 Tree Planting Bid;

WHEREAS, the Governing Body has reviewed the recommendations made by the Borough Administrator and Director Department of Public Works on said bids; and

WHEREAS, the Chief Finance Officer has determined sufficient funds are available for the project.

NOW THEREFORE, BE IT

RESOLVED, by the Governing Body of the Borough of Glen Rock that the contract for the 2010 Tree Planting bid be and the same is hereby awarded to Louis Barbato Landscaping, Inc. on their bid of \$10,959.00; and be it further

RESOLVED, that the Mayor and Deputy Borough Clerk are hereby authorized and directed to execute the contract for same; and be it further

RESOLVED, that the Deputy Borough Clerk is hereby authorized and directed to return the certified checks or bid bonds of the following unsuccessful bidders:

1. Andy-Matt, Inc.
2. D'Onofrio & Son, Inc.
3. Fredrickson Landscaping, Inc.
4. High Tech Landscapes, Inc.
5. Ascape Landscape & Construction, Corp.
6. Pat Scanlan, Landscaping, Inc.
7. Aspen Landscaping, Inc.

and the certified checks or bid bonds of the successful bidder and the next lowest bidder:

1. Louis Barbato Landscaping, Inc..
2. Solicito & Son Contracting Corp.

to be returned upon the receipt of a fully executed contract and other required documents.

ROLL CALL:

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

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

4. Resolution for Payment of Bills

Resolution No. 209-10

Offered by Council Member Biggs

Seconded by Council Member Orseck

BE IT RESOLVED, that the following bills of the Borough of Glen Rock be paid in the amount of \$15,576,857.31.

Board of Education	\$ 6,709,722.00
Class NJ	5,000,000.00
Payroll	838,010.60
PSE&G	25,418.26
Veolia Environmental	20,313.60
Hess Corporation	14,836.41
General Capital	950,000.00
Rachele's/Michele's	21,808.92
Unemployment Acct	12,051.13
Garibaldi	16,854.75
GRVAC	75,550.00
Bergen Cty Dept of Health	16,210.32
County of Bergen	1,300,821.00
NJSHBP	142,622.11
Subtotal	\$ 15,144,219.10
Miscellaneous	198,946.93
Capital	233,691.28
Total Payment of Bills	\$ 15,576,857.31

ROLL CALL:

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

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

5. Resolution for Transfer in 2010 Budget

Resolution No. 210-10

Offered by Council Member Biggs

Seconded by Council Member Orseck

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

<u>FROM</u>		<u>TO</u>		<u>AMOUNT</u>
Engineering OE	20-1652	Tax Assessor OE	20-1502	\$ 1,100.00
Insurance	23-2252	Unemployment	23-2253	\$ 12,052.00
Insurance	23-2252	Municipal Court OE	43-4902	\$ 2,000.00

Fire Prev OE	25-2682	Municipal Court In	25-2752	\$ 1,155.00
Board of Health OE	27-3302	Pool S/W	28-3751	\$ 8,000.00
Recycling OE	26-3062	Pool S/W	28-3751	\$ 4,500.00
Recycling OE	26-3062	Shuttle Bus OE	28-3772	\$ 1,000.00
Recycling OE	26-3062	Natural Gas	31-4303	\$ 35,000.00
Recycling OE	26-3062	Debt Service – Bond	45-9202	\$ 30,000.00
DPW S/W	26-3062	Debt Service – Bond	45-9202	\$ 20,000.00
DPW S/W	26-3301	Telephone	31-4376	\$ 45,000.00
Total				\$ 159,807.00

ROLL CALL:

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

6. Resolution for Legal Representation with respect to Ridgewood Water – *Pulled and Read Separately*

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

ROLL CALL:

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

Resolution No. 211-10

Offered by Council Member Orseck

Seconded by Council Member Surrago

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT

WHEREAS, on or about December 14, 2009, the Village of Ridgewood adopted Ordinance No. 3236 entitled “an Ordinance to Amend Chapter 269 of the Ridgewood Village Code, Water, at Sections 269-34, 269-35, 269-36, 269-37 to Add a New Subsection 269-36A and to Amend Chapter 145, Fees, of the Ridgewood Village Code at Section 145-6 to Incorporate New Rates and Charges for Water Usage (the “Water Rate Ordinance”); and

WHEREAS, the Water Rate Ordinance imposes a 21% increase upon residents of the Borough of Glen Rock; and

WHEREAS, there is presently pending an action in the Superior Court of New Jersey, Law Division, Bergen County, entitled Township of Wyckoff v. The Village of Ridgewood, (the “Lawsuit”) which seeks to invalidate the Water Rate Ordinance; and

WHEREAS, a Preliminary Report has been prepared in connection with the Lawsuit which supports the Plaintiff’s position in the Lawsuit that Ridgewood has improperly attempted to raise water rates of the residents of the Borough of Glen Rock by 21%, which actions are detrimental to the residents of the Borough of Glen Rock; and

WHEREAS, the Borough of Glen Rock is desirous of joining the Lawsuit as a named Plaintiff in order to protect the Borough of Glen Rock and its residents against the unjustified Water Rate increase.

WHEREAS, legal services are a professional service exempt from public bidding requirements, but notice of this resolution must be published in a legal newspaper as required by the Local Public Contracts Law; and

WHEREAS, the Chief Financial Officer has provided the Governing Body with Certification of the availability of funds requirements in the amount of \$7,500.00.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Glen Rock that Joseph B. Fiorenzo, Esq., of the law firm of Sokol, Behot & Fiorenzo, Esqs., is authorized to represent the Borough of Glen Rock in connection with the challenge to the Water Rate Ordinance and to take such steps necessary to join the Borough of Glen Rock as a Plaintiff in the Lawsuit; and be it further

RESOLVED, by the Borough Council of Glen Rock, that the Mayor is hereby authorized to enter into a contract with Joseph B. Fiorenzo, Esq., of the law firm of Sokol, Behot & Fiorenzo, Esqs. as declared herein; and be it further

RESOLVED, by the Borough Council that the sum of \$7,500.00 is hereby authorized to be expended for the legal services anticipated to be rendered in connection the Lawsuit; and be it further

RESOLVED, that the Deputy 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 - absent

Council Member Orseck – yes

Council Member Surrago – yes

Council Member Biggs – yes

Council Member Nogara - absent

4. MOTIONS

Departmental Reports

Council member Orseck (*Parks & Recreation*) - Turf Field Committee has met and broken up into smaller groups with fund raising meeting this evening for the first time.

Council member Surrago (*Public Works*) – New sanitation compactor truck has arrived. Leaves have been picked up once throughout town with a second sweep beginning this week. The website is updated daily with which district leaf pick-up is happening in. During November 16,000 feet of sewer line were treated with root control chemicals.

Council member Biggs (*Building*) – The website now has the survey summary with comments being posted in the next few days. The Building Department continues to be busy with activity picking up.

Council member O'Hagan (*Public Safety*) – Received numerous e-mails from concerned residents regarding excessive speed throughout town.

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

ROLL CALL:

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

5. ORDINANCES

Ordinance Procedure: # 1630 (Non-Resident Parking Permit Fees)

Date of Final Reading: December 2, 2010

Date of Introduction: November 4, 2010

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

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

Council Resolution #212-10

Introduced: Council Member Surrago

Seconded Council Member Orseck

AN ORDINANCE TO AMEND CHAPTER 101 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK - 1971 AS AMENDED ENTITLED "FEES" BEING AN ORDINANCE COVERING FEES CHARGED BY VARIOUS AGENCIES, BUREAUS AND DEPARTMENTS WITHIN THE BOROUGH; TO MODIFY NONRESIDENT PARKING PERMIT FEES

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 - absent
Council Member Orseck – yes	Council Member Surrago - yes
Council Member Biggs - yes	Council Member Nogara - absent

**BOROUGH OF GLEN ROCK
ORDINANCE NO. 1630**

AN ORDINANCE TO AMEND CHAPTER 101 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF GLEN ROCK - 1971 AS AMENDED ENTITLED "FEES" BEING AN ORDINANCE COVERING FEES CHARGED BY VARIOUS AGENCIES, BUREAUS AND DEPARTMENTS WITHIN THE BOROUGH; TO MODIFY NONRESIDENT PARKING PERMIT FEES

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

Section I - Chapter 101 of the Revised General Ordinances of the Borough of Glen Rock 1971 as amended being an Ordinance entitled "Fees" is hereby amended as to the following section(s):

1. Subsection 101-14 entitled "Parking Fees" is hereby amended as to the following subsections:

i. Subsection (B) entitled "Meter Parking" is hereby deleted in its entirety and replaced with the following:

"B. Meter parking: \$6.00 per day."

ii. Subsection (D) entitled "Non-Resident Commuter Parking" is deleted in its entirety and replaced with the following:

"D. Non-Resident Commuter Parking: \$100 per month. The monthly fee is non-refundable".

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 on January 1, 2011.

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

Doris Ciaramella – 15 Austin Place – Mrs. Ciaramella commended the Chamber of Commerce for the recent tree lighting and Christmas festivities. Mrs. Ciaramella noted that there are many senior citizens who do not have access to a computer so consequently they cannot view the survey results. Council member Biggs commented if need be we can make hard copies of the results, which will be available at Borough Hall.

Francesca Ball – 8 Abbington Terrace – Ms. Ball proposed two positions within the Borough. First, a culture chair who's sole purpose would be to organize and coordinate information regarding cultural ongoings. Secondly, create a town historian with the borough's archives. Francesca was unaware of the Arts Council and Historical Society and was given information regarding both. Francesca suggested a representative from each group visit the school to increase their awareness.

Jim Seaton – Ferndale Avenue – Mr. Seaton commented he has noticed a lot of drivers using their cell phone while driving as well as people making illegal left hand turns into parking spaces. Mr. Seaton suggested using the lighted portable marquis to inform people of the fine they could incur for these two infractions.

Ed Pucci – 64 Gibson Place – Mr. Pucci does not feel we should have the new recycling bins in the downtown portion of town and wonders who will clean them. Mr. Pucci stated these cans are covered in graffiti and look despicable. Council member Surrago clarified that these “cans” are for recycling and have been well received. They were tested out in a pilot program, which was successful. They were a gift from the Chamber of Commerce and allow the town to separate recyclables more efficiently. Mr. Pucci continued saying he finds the “graffiti” on these recycling cans offensive and wants to know how much the Borough is receiving from these companies. Lenora Benjamin commented that the bins are on loan from the company and they collect any revenue.

Sally Killeen – Doremus Avenue – Mrs. Killeen asked if there is any way to control people who come on rubbish night and disperse rubbish everywhere. Mayor van Keuren commented this is a difficult problem; however if she sees this happening she should call Central Dispatch.

7. ADJOURNMENT

Motion to adjourn the meeting and reopen the closed session was made by Council member O’Hagan

Seconded by Council member Biggs

Meeting adjourned at 9:00 p.m.

Paula A. Fleming, Deputy Borough Clerk