

PUBLIC MEETING – Wednesday, January 25, 2017 at 8:00 p.m.

There will be a Public Meeting of the Mayor and Council of the Borough of Glen Rock on Wednesday, January 25, 2017, 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 December, 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 – absent
Council Member Martin – present
Council Member Morieko – present**

**Council Member Pazan – present
Council Member Huisking - present
Council Member Leonard - absent**

2. FLAG SALUTE/ANNOUNCEMENTS - Chief Ackermann

Council Member Morieko led the Council and audience in the flag salute.

Chief Ackermann commented on the recent passing of Lawrence Hotchkiss, a former Detective for the Glen Rock Police Department. Chief Ackermann noted his personnel file was full of letters of commendation, awards and letters from citizens praising his actions. Condolences were extended to the Hotchkiss Family. A moment of silence was observed in his memory.

Mayor Packer announced that the joint Board of Education/Borough meetings have resumed looking for cost-saving measures through shared services.

3. CONSENT AGENDA

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

Resolutions:

- 1. Resolution for Payment of Bills**

Resolution No. 55-17

Offered by Council Member Huisking

Seconded by Council Member Pazan

BE IT RESOLVED, that the following bills of the Borough of Glen Rock be paid in the amount of \$4,062,388.91

Extra Space Storage	\$ 11,280.00
Northwest Berne Central Dispatch	79,658.18
Bergen County JIF	236,119.88
BCUA	23,305.64
GR Library	35,095.75
Passaic Valley	132,595.40
PSE&G	33,072.22
Village of Ridgewood	18,002.98
Payroll	595,627.88
BOE	1,761,503.00
Balance Point	2,810.66
Chase	817,156.25
NJSHB	209,795.01
Werner, Suarez & Moran	22,025.00
MISC.	77,729.86
Total Current	\$ 4,055,777.71
Total Capital Fund	5,580.00
Total Animal Control (Dog)	1,031.20
Grand Total	\$ 4,062,388.91

ROLL CALL:

Council Member O'Hagan – absent	Council Member Pazan - yes
Council Member Martin - yes	Council Member Huisking - yes
Council Member Morieko - yes	Council Member Leonard - absent

2. Resolution Authorizing Refund of Redemption Monies to Lienholders

Resolution No. 56-17

Offered by Council Member Huisking

Seconded by Council Member Pazan

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER

WHEREAS, on Block 85 Lot 24 also known as 145 Boulevard in Glen Rock, NJ at the following municipal tax sale on December 3, 2015 a lien, (Certificate #2015-002 in amount of \$4,438.13) was sold to US Bank Customer for PC6, LLC Sterling is being redeemed by

the homeowner Mary Ann Jordan,

To Redeem the TAX SALE CERTIFICATE #2015-002 with interest, penalty, filing fees and subsequent taxes, the amount due is \$39,941.11

THEREFORE, TOTAL TO REDEEM is \$ 39,941.11

NOW THEREFORE BE IT RESOLVED, The CFO is authorized to issue a check for \$39,941.11 to US Bank Customer for PC6, LLC Sterling

ROLL CALL:

Council Member O'Hagan – absent

Council Member Pazan - yes

Council Member Martin - yes

Council Member Huisking - yes

Council Member Morieko - yes

Council Member Leonard – absent

3. Resolution to Extend Contract with Ciel Power (Energy Audit)

Resolution No: 57-17

Offered by Council Member Huisking

Seconded by Council Member Pazan

**A RESOLUTION AUTHORIZING THE EXTENSION OF CONTRACT TO
CIEL POWER FOR THE BOROUGH OF GLEN ROCK
HOME ENERGY AUDIT SERVICES**

WHEREAS, Ciel Power LLC entered into an Agreement with the Borough on January 25, 2017 to render home energy audit services to Borough residents in an amount that shall not exceed the amount of \$49.00 per home; and

WHEREAS, the Contract terminates on January 29, 2018 and it is the recommendation of the Environmental Commission to extend these services to the Borough Residents for an additional term of one (1) year, provided all terms and conditions of the original contract remains in full force and effect.

NOW, THEREFORE, BE IT

RESOLVED, by the Borough Council of the Borough of Glen Rock as follows:

1. The preamble to this Resolution is hereby incorporated as if more fully set forth herein.

2. The extension to the contract for home energy audit services with Ciel Power LLC, is hereby authorized for an additional term of one (1) year.

3. The Mayor and Clerk are hereby authorized to execute a contract with Ciel Power LLC (or extension addendum), the form and substance of which shall be reviewed by and deemed acceptable to the Borough Attorney.

4. The Borough Administrator, Clerk, Environmental Committee and Borough Attorney and other appropriate staff and officials are hereby authorized and directed to

undertake any and all other acts as may be proper and necessary to effectuate the terms of this Resolution.

5. A copy of this resolution and the Agreement shall be placed on file in the Office of the Borough Clerk, and shall be available for public inspection.

ROLL CALL:

Council Member O’Hagan – absent	Council Member Pazan - yes
Council Member Martin - yes	Council Member Huisking - yes
Council Member Morieko - yes	Council Member Leonard - absent

4. Resolution to Submit DOT Grant for Resurfacing Boulevard Phase I

Resolution No. 58-17

Offered by Council Member Huisking
Seconded by Council Member Pazan

**Resolution approving the submission of a 2017 New Jersey Department of Transportation –
Municipal Aid grant application and execution of a grant agreement for the Boulevard
Resurfacing (Phase I) project**

WHEREAS, the Borough of Glen Rock wishes to apply for and obtain funding through the New Jersey Department of Transportation – Municipal Aid grant program for the completion of the Boulevard Resurfacing (Phase I) project.

NOW THEREFORE BE IT RESOLVED, that the Municipal Council of the Borough of Glen Rock do hereby authorize the submission of such a grant application, for the said project, titled *MA-2017-Boulevard Resurfacing (Phase I)-00532*.

BE IT FURTHER RESOLVED, that upon the receipt of a grant award the Mayor and Borough Clerk are hereby authorized to sign the grant agreement and that their signatures constitute acceptance of the terms and conditions of the grant agreement.

ROLL CALL:

Council Member O’Hagan –absent	Council Member Pazan - yes
Council Member Martin - yes	Council Member Huisking - yes
Council Member Morieko – yes	Council Member Leonard - absent

5. Resolution to Submit DOT Grant for Downtown Pedestrian Safety Improvements

Resolution No. 59-17

Offered by Council Member Huisking
Seconded by Council Member Pazan

**Resolution approving the submission of a 2017 New Jersey Department of Transportation –
Safe Streets to Transit Grant application and execution of a grant agreement for the
Downtown Pedestrian Safety Improvements project**

WHEREAS, the Borough of Glen Rock wishes to apply for and obtain funding through the New Jersey Department of Transportation – Safe Streets to Transit grant program for the completion of the Downtown Pedestrian Safety Improvements project.

NOW THEREFORE BE IT RESOLVED, that the Municipal Council of the Borough of Glen Rock do hereby authorize the submission of such a grant application, for the said project, titled *SST-2017-Downtown Pedestrian Safety Improvem-00038*.

BE IT FURTHER RESOLVED, that upon the receipt of a grant award the Mayor and Borough Clerk are hereby authorized to sign the grant agreement and that their signatures constitute acceptance of the terms and conditions of the grant agreement.

ROLL CALL:

Council Member O’Hagan – absent	Council Member Pazan - yes
Council Member Martin - yes	Council Member Huisking - yes
Council Member Morieko - yes	Council Member Leonard - absent

6. Resolution to Award Bid (Truck Chassis & Equipment – Cliffside Body)

Resolution No: 60-17

Offered by Council Member Huisking

Seconded by Council Member Pazan

A RESOLUTION AWARDING BID TO CLIFFSIDE BODY CORPORATION FOR A NEW HOOK LIFT AND ADDITIONAL EQUIPMENT with RELATED ACCESSORIES

WHEREAS, the Borough of Glen Rock authorized the advertising for the solicitation of bids for New Hook Lift and Additional Equipment with Related Accessories; and

WHEREAS, a notice to bidders was duly advertised and one (1) bid was received from Cliffside Body Corporation; and

WHEREAS, the Borough attorney has reviewed the bid submissions and has determined that the lowest bid of Cliffside Body Corporation substantially conform to the bid specifications; and

WHEREFORE, the Chief Financial Officer has provided the Governing Body with Certification of the availability of funds requirements.

NOW, THEREFORE, BE IT RESOLVED, that the bid of Cliffside Body Corporation, in the total amount of \$106,902.00 for a New Hook Lift and Additional

Equipment with related Accessories be accepted by the Borough of Glen Rock, subject to the execution of a form of Contract to be approved by the Borough Attorney; and be it further

RESOLVED, that the Mayor be and is permitted to execute the said contract upon separation of same by the Borough Attorney.

ROLL CALL:

Council Member O’Hagan – absent	Council Member Pazan - yes
Council Member Martin - yes	Council Member Huisking - yes
Council Member Morieko – yes	Council Member Leonard - absent

**Motion to accept consent agenda by Council Member Huisking
Seconded by Council Member Pazan**

ROLL CALL:

Council Member O’Hagan – absent	Council Member Pazan - yes
Council Member Martin - yes	Council Member Huisking - yes
Council Member Morieko – yes	Council Member Leonard - absent

4. MOTIONS

Departmental Reports

Council member Morieko (*Fire Dept/Library*) - The Fire Department recently held their Installation Dinner. Council member Morieko announced Director Betsy Wald will be retiring in February. The Borough appreciates her five years of devoted service and wish her the best. Council member Morieko listed some of the upcoming Library programs.

Council member Pazan (*Sr. Citizens/Finance*) - The Sr. Citizen Advisory Committee meets the second Tuesday of the month. The Finance Committee met January 11th and 23rd. Various departments are in the process of presenting their budgets. The next meetings will be February 6th, 8th and 11th.

Council member Martin (*Public Works*) - League of Women Voters will be hosting a forum tomorrow night along with Ridgewood Water with the primary focus being water conservation. Ridgewood Water is also spearheading a water conservation ordinance, which the Borough hopes to follow. DPW has given the Finance Committee their capital budget requests for 2017. Director Toro has many exciting ideas that have been presented which will benefit the Borough.

Council member Huisking (*Public Safety*) - Council member Huisking encouraged residents not to be afraid about reporting dog bites to the Police.

**Motion to accept reports as filed:
Motion by Council Member Martin
Seconded by Council Member Morieko**

ROLL CALL:

Council Member O’Hagan – absent	Council Member Pazan - yes
Council Member Martin - yes	Council Member Huisking - yes
Council Member Morieko – yes	Council Member Leonard - absent

5. ORDINANCES

**Ordinance Procedure # 1756 (Police Department Promotions)
Date of Introduction: January 25, 2017**

**Council Resolution #61-17
Introduced by Council Member Huisking
Seconded by Council Member Pazan**

Be It Resolved by the Borough Council of the Borough of Glen Rock that AN ORDINANCE AMENDING THE BOROUGH CODE OF THE BOROUGH OF GLEN ROCK, CHAPTER 40 ENTITLED “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 February 8, 2017 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 – absent	Council Member Pazan - yes
Council Member Martin - yes	Council Member Huisking– yes
Council Member Morieko - yes	Council Member Leonard – absent

**BOROUGH OF GLEN ROCK
ORDINANCE #1756**

AN ORDINANCE AMENDING THE BOROUGH CODE OF THE BOROUGH OF GLEN ROCK, CHAPTER 40 ENTITLED “POLICE DEPARTMENT”

WHEREAS, the Mayor and Council of the Borough of Glen Rock recognize the need to amend the Chapter 40-5, “Promotional Procedures” of the Borough Ordinance as follows:

Now, therefore, be it ordained as follows:

SECTION 1.

Chapter 40-5 is amended and supplemented as set forth below:

Procedure.

- A. Scope:** Covers all Police Department promotions, except promotion to Chief of Police.
- B. Eligibility:** Only officers who are currently members of the Glen Rock Police Department at the time of the promotional process are eligible for consideration consistent with New Jersey law. The Chief of Police, or his/her designated representative, shall be responsible for coordinating the promotional process.
- C. Prequalification.**
 - (1) **Sergeant:** Shall have served as a full-time police officer with the Glen Rock Police Department for a minimum of five continuous years prior to the date of vacancy announcement.
 - (2) **Detective Sergeant:** Shall have served as a full-time police officer with the Glen Rock Police Department for a minimum of five continuous years, further have served in the position of Detective for no less than one year prior to the date of vacancy announcement.
 - a) Candidates who qualify for both a Sergeant and Detective Sergeant Positions may apply for one or both positions. The candidate's intention must be stated in his/her letter of intention.*
 - b) A Sergeant having previously served as a Detective may be considered for the position of Detective Sergeant at the discretion of the Chief of Police and without a written examination.*
 - (3) **Lieutenant:** Shall have held the rank of Sergeant for a minimum of two years prior to the date vacancy announcement.
 - (4) **Captain:** Shall have held the rank of Lieutenant for at least one year or Sergeant for four years.
- B. Promotional announcement.** Whenever a vacancy occurs for the filling of a position, a written announcement shall be made at least 30 days before the start of the process. The announcement will include eligibility requirements, position title and a brief description of the promotional process.
- C. Promotion criteria.** The following factors will be considered in the evaluation and recommendation of candidates for promotion:
 - (1) Resume and position paper which will be scored as part of the personnel review.
 - (2) Written examination which will count for a maximum of 55 points.
 - (3) Length of service – Seniority which will count for a maximum of 10 point
 - (4) Personnel review – Merit of Service, Education and Professional Development which will count for a maximum of 15 points.
 - (5) Interview by Public Safety Committee which will count for a maximum of 20 points.
- D. Procedure.**
 - (1) **Resume and position paper.**
 - (a) Each officer intending to participate in the process must submit a resume

and letter of intent no later than 10 calendar days after the announcement to the Chief of Police.

- (b) Within 20 calendar days thereafter each candidate shall submit to the Chief of Police a position paper of no less than 750 nor more than 1000 words. The subject of the position paper will be established by the Chief of Police and be contained in the promotional announcement. The paper must be produced in Microsoft word or other similar format similar to those available to all department members. Handwritten documents will be not acceptable.
 - (c) Each candidate shall have the prior right to examine his/her personnel file both written and electronic. The personnel file review shall consist of, but not be limited to, work habits, initiative, job skills, enforcement activities, availability, attendance, performance evaluations, disciplinary actions, letters of commendation, citations and awards, educational and professional development (elective in-service training) history, leadership abilities, management skills, productivity, reliability and adherence to policy.
- (2) **Written examination.**
- (a) Each candidate for promotion shall be required to take a written examination, which shall be administered by the New Jersey State Association of Chiefs of Police.
 - (b) The testing organization shall assign each candidate an identification number, which shall be the only identification used when the examination is graded and results are posted. Each participating candidate will be provided a printed notice of the examination results. Only the Chief of Police will be provided with the list of candidates and their identification numbers for tabulation purposes as provided in section (d) below.
 - (c) Those applicants receiving a grade of 70 percent or above shall be eligible to move on with the process. Candidates who do not achieve a passing grade are ineligible to move on with the process.
 - (d) **Scoring of passing examinations for purposes of final evaluation.**
 - [1] The maximum number of points a candidate shall receive on the written examination shall be 55.
 - [2] The highest grade for each rank shall receive the maximum allowable points. Each other passing candidate shall be ranked in succession with candidates having equal scores receiving equal ranking. Scoring shall be accurate to two decimal places.
 - [3] The results of the written examination, including all candidate identification numbers, shall be sealed in and held by the Chief of Police until the interviews by the Public Safety Committed have been completed and scored.
- (3) **Length of service.**
- (a) One-half point shall be awarded to a candidate for each year of service

completed as a member of the Glen Rock Police Department. Credit will be given only for fully completed years of service; no partial credit will be granted.

- (b) The maximum allowable points will be 10.
- (4) Personnel review.
- (a) The Chief of police shall review the candidate's qualifications. A maximum grade of 15 points may be awarded based upon this review.
 - (b) This review shall include, but not be limited to, work habits, initiative, job skills, enforcement activities, availability, attendance, performance evaluations, disciplinary actions, letters of commendation, citations and awards, educational and professional development (elective in-service training) history, leadership abilities, management skills, productivity, reliability and adherence to policy.
 - (c) The candidate's position paper will also be reviewed and considered by the Chief of Police towards this assessment. Credit will be given for both content as well as manner of presentation.
 - (d) No disciplinary action more than 6 years in the past, nor reprimands more than 6 months in the past will be counted against any candidate as part of this assessment unless there has been a repeated infraction.
 - (c) The personnel review shall take place before the written exam. A complete master list of the results shall be placed under seal and retained in the office of the Borough Administrator before the written examination is administered. The results shall be submitted to the Public Safety Committee sitting as the appropriate authority along with the results of the written exam only after completion of the Public Safety Interview scoring.
- (9) Interview by Public Safety Committee - 20 points
- The governing body's public safety committee shall interview each successful candidate for promotion. The committee will prepare questions related to the community as well as the Glen Rock Police Department, with each candidate being asked the same questions. The Chief of Police may be present for advice and counsel only, all scoring of candidates for this phase will be completed by the committee.
- (8) Approval of Appropriate Authority.
- (a) The Public Safety Committee and Chief of Police shall tabulate the scores of all the candidates only after scoring of the Public Safety Committee Interview has been completed.
 - (b) After scores are tabulated, the Public Safety Committee and Chief of Police shall review all scores and compile a list of candidates in order of point standing, together with any mutually derived comments as to the suitability of each candidate for promotion.
 - (c) The appropriate authority shall have the final decision on all promotions.
- (10) Within ten (10) days of the posting of the final ranking of candidates a candidate

may file a written letter of redress. Said letter must contain the reason(s) or justification(s) for a redress and must be submitted to the Chief of Police. 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. Such requests may address the following areas of the promotional process:

- (a) Review and re-tabulation of the scored elements of the selection process.
- (b) Review any evaluation or internal document that was used in the selection process related to the candidate.
- (c) If the issue of redress impacts upon the results of the promotional ranking as determined by the Chief of Police, the candidate may be permitted to be re-evaluated.

Subsequent Promotions.

- A. Results from the promotional exam shall be valid for three (3) years from the day following the written examination.
- B. In the event that a vacancy occurs within the three (3) years that examination scores are valid, the Public Safety Committee and Chief of Police shall meet and compile a new list of finalists from among the highest scoring candidates, using the scores of the last evaluation process. The list submitted to the Mayor shall be compiled using the same procedures contained herein.
- C. In the event that the list of successful candidates has been exhausted a new examination process will be conducted.

SECTION 2.

All other parts, portions and provisions of the Borough Code of the Borough of Glen Rock, be and the same, are hereby ratified and confirmed, except where inconsistent with the terms thereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

SECTION 3.

The terms of this Ordinance are hereby declared to be severable; should any part, portion or provision hereof be declared invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

SECTION 4.

This Ordinance shall take effect immediately upon final passage and publication according to law.

Ordinance Procedure: # 1754 (Pay to Play)
Date of Final Reading: January 25, 2017
Date of Introduction: January 11, 2017

A motion to open public discussion on Ordinance 1754 was made by Council member Morieko,

seconded by Council member Martin. All were in favor.

Alan Bronner, 522 Doremus Avenue - Mr. Bronner commented that the phrase “Pay-to-Play” does not make the Council look good and should not be allowed at all.

A motion to close public discussion on Ordinance 1754 was made by Council member Morieko, seconded by Council member Martin. All were in favor.

Council Resolution No: 62-17
Introduced by Council Member Morieko
Seconded by Council Member Martin

AN ORDINANCE ESTABLISHING CHAPTER 20 CONTRACTS OF THE CODE ENTITLED “AN ORDINANCE ESTABLISHING THAT A BUSINESS ENTITY WHICH MAKES POLITICAL CONTRIBUTIONS TO MUNICIPAL CANDIDATES AND MUNICIPAL AND COUNTY POLITICAL PARTIES IN EXCESS OF CERTAIN THRESHOLDS SHALL BE LIMITED IN ITS ABILITY TO RECEIVE PUBLIC CONTRACTS FROM THE BOROUGH OF GLEN ROCK IN THE COUNTY OF BERGEN

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 - absent	Council Member Pazan - yes
Council Member Martin– yes	Council Member Huisking - yes
Council Member Morieko - yes	Council Member Leonard - absent

BOROUGH OF GLEN ROCK
ORDINANCE #1754

An Ordinance Establishing Chapter 20 CONTRACTS of the Code Entitled “An Ordinance Establishing That a Business Entity Which Makes Political Contributions To Municipal Candidates and Municipal and County Political Parties in Excess of Certain Thresholds Shall Be Limited In Its Ability to Receive Public Contracts From the Borough of Glen Rock in the County of Bergen

The Mayor and Council of the Borough of Glen Rock does hereby Ordain:

WHEREAS, large political contributions from those seeking or performing contracts with a municipality raise reasonable concerns on the part of taxpayers and residents as to their trust in government and its business practices; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality is authorized to adopt such ordinances, regulations, rules and by-laws as necessary and proper for good government, as well as the public health, safety and welfare; and

WHEREAS, pursuant to P.L.2005, c.271 (codified at N.J.S.A. 40A:11-51) a municipality is authorized to adopt by ordinance, measures limiting the awarding of public contracts

to business entities that have made political contributions , and limiting the contributions that the recipient of such a contract can make during the term of the contract; and

WHEREAS, in the interest of good government, the people and the government of the Borough of Glen Rock desire to establish a policy that will avoid the perception of improper influence in public contracting and local elections;

NOW, THEREFORE, BE IT RESOLVED, it shall be the policy of the Bough of Glen Rock to create such a regulation which states that a Business Entity which makes political contributions to municipal candidates and municipal and county political parties in excess of certain thresholds shall be limited in its ability to receive public contracts from the Borough of Glen Rock, and

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

DEFINITIONS 20-1

As used in this Ordinance:

(a) "Campaign Committee" means (i) every candidate for the Borough of Glen Rock elective municipal office; (ii) every candidate committee established by or for the benefit of a candidate for Borough of Glen Rock elective municipal office; (iii) every joint candidate committee established in whole or in part by or for the benefit of a candidate for Borough of Glen Rock elective municipal office; (iv) every political party committee of the Borough of Glen Rock; (v) every political party committee of Bergen County; (vi) every political committee, continuing political committee, or other form of association or organization that regularly engages in the support of candidates for the Borough of Glen Rock municipal or Bergen County elective offices or Borough of Glen Rock municipal or Bergen County political parties or political party committees. The terms in the foregoing paragraphs have the meaning prescribed in N.J.A.C. 19:25-1.7.

(b) "Contribution" has the meaning prescribed in N.J.A.C. 19-25-1.7. By way of illustration and not limitation, this definition includes pledges, loans and in-kind contributions.

(c) a "contract for professional or extraordinary services" means all contracts for "professional services" and "extraordinary unspecifiable services" as such term is used in N.J.S.A. 40A:11-5

(d) for purposes of this Ordinance only, a "Business Entity" whose contributions are regulated by this ordinance means: (i) an individual including the individual's spouse, and any child/children; (ii) a firm; corporation; professional corporation; partnership; limited liability company; organization; association; and any other manner and kind of business entity; (iii) any person who owns 10% or more of the equity or ownership or income interests in a person or entity as defined in sections (i) and (ii) above and their spouses and child/children; (iv) all partners or officers of such an entity, in the aggregate, and their spouses and child/children; (v) any person, subcontractor, subsidiary, corporation, firm, partnership, limited liability company, organization or association who has received or indefeasibly acquired the right to receive, from a person described in subparagraph (i) above, more than \$100,000.00 in compensation or income of any kind (including, by way of illustration, and not limitation; wages, salaries, sums paid to independent contractors, benefits, dividends, profit-sharing, pension contributions, deferred contributions, stock, stock options or gifts, in any twelve (12) month period prior to the award of, or during the term of, a contract subject to this ordinance; and (vi) all persons who are an "affiliate" of a Business Entity as defined in sections (i), (ii) and (v) above, as such term is used in U.S.C. 101(2).

SECTION 20-2 PROHIBITION OF AWARDING PUBLIC CONTRACTS TO CERTAIN

CONTRIBUTORS

(a) To the extent that it is not inconsistent with state or federal law, the Borough of Glen Rock and any of its departments, instrumentalities or purchasing agents shall not enter into any agreement or otherwise contract to procure “professional services” as such term is defined at N.J.S.A. 40A:11-2(6) and used at N.J.S.A. 40A:11-5(1)(a)(i) and/or banking, insurance or other consulting services (hereinafter “Professional Services”), nor “extraordinary unspecified services” as such term is defined at N.J.S.A. 40A:11-2(7) and used at N.J.S.A. 40A:11-5(1)(a)(ii) and/or media, public relations, lobbying, parking garage management or other consulting and/or management service (hereinafter “Extraordinary Unspecified Services”) from any Business Entity if such Business Entity has solicited or made any Contribution to (i) a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in the Borough of Glen Rock or a holder of public office having ultimate responsibility for the award of a contract, or (ii) to any Borough of Glen Rock or Bergen County political committee or political party committee, or (iii) to any continuing political committee or political action committee that regularly engages in the support of the Borough of Glen Rock municipal or Bergen County elections and/or Borough of Glen Rock municipal or Bergen County candidates , candidate committees, joint candidate committees, political committees, political parties, political party committees, (hereinafter “PAC”), in excess of the threshold specified in subsection (g) within one calendar year immediately preceding the date of the contract or agreement.

(b) No Business Entity who submits a proposal for, enters into negotiations for, or agrees to any contract or agreement with the Borough of Glen Rock or any of its departments or instrumentalities, the rendition of Professional Services or Extraordinary Unspecified Services shall knowingly solicit or make a Contribution to, (i) a candidate, candidate committee or joint candidates committee or any candidate for elective municipal office in Borough of Glen Rock , or a holder of public office having ultimate responsibility for the award of a contract, or (ii) to any Borough of Glen Rock or Bergen County Political committee or political party committee, or (iii) any PAC between the time of first communications with the Business Entity and the municipality regarding a specific agreement for Professional Services or Extraordinary Unspecified Services , and the later or the termination of negotiations or rejection of any proposal, or the completion of the performance or specified time period of that contract agreement.

(c) The monetary thresholds of the Ordinance are: (i) a maximum of \$300 per calendar year each for any purpose to any candidate or candidate committee for mayor or governing body, or \$500 per calendar year to any joint candidates committees for mayor or governing body, or \$300 per calendar year to a political committee or political party committee of the Borough of Glen Rock; (ii) \$500 maximum per calendar year to a Bergen County political committee or a political party committee; and (iii) \$500 maximum per calendar year to any PAC. However, for each Business Entity party to a contract for Professional or Extraordinary Unspecified Services as defined in subparagraph (a), or engaged in negotiations for a contract defined in subparagraph (a), when such Business Entity’s Contribution is aggregated with all “persons” defined in subparagraph (d) of “Definitions” above, by virtue of their affiliation to that Business Entity party, a maximum of \$2,500 to all Borough of Glen Rock candidates, candidate committees, joint candidate committees, and holders of public office having ultimate responsibility for the award of a contract, all Borough of Glen Rock or Bergen County political committees and political party committees as described herein combined, without violating subsection (a) of this section.

(d) For purposes of this section, the office that is considered to have ultimate responsibility for the award of the contract shall be (i) the Borough of Glen Rock Mayor or Governing Body, if the contract requires approval or appropriation from the Mayor or Governing body, or (ii) the Mayor of the Borough of Glen Rock if the contract requires approval of the Mayor, or if a public officer who is responsible for the award of a contract is appointed by the Mayor.

(e) Rules regarding subcontractors. No person may be awarded a subcontract to perform under a contract subject to this Ordinance, if the subcontractor would be disqualified by paragraph (a) from receiving the contract at the time that the subcontract is awarded. Nor may any person who would be disqualified by paragraph (a) from receiving the contract perform substantially all of the obligations described in a contract for professional or extraordinary services that is subject to this Ordinance.

SECTION 20-3 – CONTRIBUTIONS MADE PRIOR TO THE EFFECTIVE DATE

No contribution of money or any other thing of value, including in-kind contributions, made by a professional business entity to any municipal candidate for Mayor or Council, or municipal or county party committee or PAC referenced in this chapter shall be deemed a violation of this section, nor shall an agreement for property, goods or services of any kind whatsoever be disqualified thereby, if that contribution was made by the professional business entity prior to the effective date of this section.

SECTION 20-4 – CONTRACT RENEWAL

No contract subject to this Ordinance may be renewed, extended, or materially modified unless the resulting renewal, extension, or modification would be allowable under the provisions of this Ordinance if it were an initial contract.

SECTION 20-5 – CONTRIBUTION STATEMENT BY BUSINESS ENTITY

(a) Prior to awarding any contract or agreement to procure “Professional Services” or “Extraordinary Unspecified Services” from any Business Entity, the Borough of Glen Rock or its purchasing agents and departments, as the case may be, shall receive a sworn statement from said Business Entity which is the intended recipient of said contract, made under penalty of perjury, that he/she/it has not made a Contribution in violation of Section 20-2 of this Ordinance. The Borough of Glen Rock its purchasing agents and departments shall be responsible for informing the Council of the Borough of Glen Rock that the aforementioned sworn statement has been received and that the Business Entity is not in violation of this Ordinance, prior to awarding the contract or agreement.

(b) A Business Entity shall have a continuing duty to report to the Borough of Glen Rock any Contributions that constitute a violation of this Ordinance that are made during the negotiation, proposal process or the duration of a contract. The Borough of Glen Rock its purchasing agents and departments shall be responsible for informing the governing body within ten (10) business days after receipt of said report from the Business Entity, or at the next Council meeting following receipt of said report from the Business Entity, or whichever comes first.

(c) The certification required under this subsection shall be made prior to entry into the contract or agreement with the Borough of Glen Rock or prior to the provision of services or goods, as the case may be, and shall be in addition to any other certification that may be required by any other provision of law.

SECTION 20-6 – RETURN OF EXCESS CONTRIBUTIONS

A Business Entity that is party to a contract for Professional Services or Extraordinary Unspecified Services may cure a violation of Section 20-2 of this Ordinance, if, within thirty (30) days after the date on which the applicable ELEC report is published, said Business Entity notifies the Borough Council in writing and seeks and receives a reimbursement of the Contribution from the Borough Candidate, or municipal or county political party or PAC as

referenced in this Ordinance. Reimbursement must be received within sixty (60) days.

SECTION 20-7 – EXEMPTIONS

The Contribution limitations prior to entering into a contract in Section 20-2(a) do not apply to contracts which (i) are awarded to the lowest responsible bidder after public advertising for bids and bidding therefore within the meaning of N.J.S.A. 40A:11-4, or (ii) are awarded in the case of emergency under N.J.S.A. 40A:11-6. There is no exemption for contracts awarded pursuant to a “Fair and Open Process” under N.J.S.A. 19:44A-20 et seq.

SECTION 20-8 – PENALTY

(a) It shall be a material breach of the terms of a Borough of Glen Rock agreement or contract for Professional Services or Extraordinary Unspecified Services when a Business Entity that is party to such agreement or contract has: (i) made or solicited a Contribution in violation of this Ordinance; (ii) knowingly or concealed or misrepresented a Contribution given or received; (iii) made or solicited Contributions through intermediaries for the purpose of concealing or misrepresenting the source of the Contribution; (iv) made or solicited any Contribution on the condition or with the agreement that it will be re-contributed to a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in the Borough of Glen Rock or a holder of public office having ultimate responsibility for the award of a contract, or any Borough of Glen Rock or Bergen County political committee or political party committee, or any PAC; (v) engaged or employed a lobbyist or consultant with the intent of understanding that such lobbyist or consultant would make or solicit any Contribution , which if made or solicited by the professional Business Entity itself, would subject that entity to the restrictions of this Ordinance; (vi) funded contributions made by third parties, including consultants, attorneys, family members, and employees; (vii) engaged in any exchange of Contributions to circumvent the intent of this Ordinance; or (viii) directly or indirectly, through or by any other person means, done any act of which if done directly would subject that entity to the restrictions of this Ordinance.

(b) Furthermore, any Business Entity that violates Section 20-8(a)(i-viii) shall be disqualified from eligibility for future Borough of Glen Rock contracts for a period of four (4) calendar years from the date of the violation.

(c) Any person who knowingly, purposely, or recklessly violates any provision of this Ordinance, or who conspires with another person to violate any provision of this Ordinance, or who, with the purpose of promoting or facilitating a violation of this Ordinance, solicits another person to commit it, or aids or agrees, or attempts to aid another person in planning or committing it, shall be subject to punishment including fines and/or imprisonment as fixed by law for violations of the Ordinances of the Borough of Glen Rock.

SECTION 20-9 – CITIZENS PRIVATE RIGHT OF ACTION

In addition to any rights that were heretofore available, or which may hereafter be available, to citizens, taxpayers, or associations, to challenge violations of this Ordinance, every person aggrieved by a violation of this Ordinance, or any taxpayer resident of the Borough of Glen Rock has the right, consistent with the Rules of Court, to file charges in a court of competent jurisdiction, and/or to pursue a civil action for the violation of this Ordinance in a court of competent jurisdiction, and to seek and obtain declaratory, injunctive, or other legal or equitable relief, including, but not limited to, attorney’s fees and costs, arising from or related to a violation of this Ordinance.

SECTION 20-10 – SEVERABILITY

If any provision of this Ordinance, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Ordinance to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby, and to this extent the provision of this Ordinance are severable.

SECTION 20-11 – REPEALER

All Ordinances or parts of Ordinances which are inconsistent with any provisions of this ordinance are hereby repealed as to the extent of such inconsistencies.

SECTION 20-12 - EFFECTIVE DATE

This Ordinance shall become effective upon passage and publication as required by law.

**Ordinance Procedure: # 1755 (Building Dept. Fees)
Date of Final Reading: January 25, 2017
Date of Introduction: January 11, 2017**

A motion to open public discussion on Ordinance 1755 was made by Council member Pazan, seconded by Council member Martin. All were in favor.

A motion to close public discussion on Ordinance 1755 was made by Council member Pazan, seconded by Council member Martin. All were in favor.

**Council Resolution No: 63-17
Introduced by Council Member Pazan
Seconded by Council Member Martin**

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 PROVIDE FOR ADDITIONAL FEES FOR BUILDING DEPARTMENT

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 - absent	Council Member Pazan - yes
Council Member Martin – yes	Council Member Huisking - yes
Council Member Morieko - yes	Council Member Leonard - absent

**BOROUGH OF GLEN ROCK
ORDINANCE NO. 1755**

**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 PROVIDE FOR ADDITIONAL FEES FOR
BUILDING DEPARTMENT**

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

I. Chapter 101 of the Revised General Ordinance of the Borough of Glen Rock, 1971 as amended, entitled "Fees", is hereby amended as to the following subsections:

A. Section 101-2 entitled "General Administration" is amended by adding thereto a new subsection "C. Miscellaneous Fees" to read as follows:

"C. Miscellaneous Fees.

(1). Charge for returned checks. For each check returned for insufficient funds or any other reason, payable in cash to the Chief Financial Officer: \$20."

B. Section 101-12 entitled "Building Department" is deleted in its entirety and replaced with the following:

"101-12. Building Department.

1. In accordance with the provisions of Chapter 90, Construction Codes, Uniform, § 90-1 et seq., the following fees are hereby established:

A. Uniform Construction Code fees. The following fees have been established through the New Jersey Uniform Construction Code, as established by the State of New Jersey.

(NOTE: Fees for combinations of renovations and additions shall be computed as the sum of the fees for the additions and renovations computed separately.)

A) Building Subcode Fees.

- | | |
|-----------------------------------------------------------------|-----------------|
| 1. Minimum fees use group(s) R3, R4, R5, U | \$ 75.00 |
| 2. Minimum Fee - all other use groups: | \$150.00 |
| 3. New construction/additions (Buildings and Structures) | |
| A. Per cubic foot of volume: | \$ 0.08 |
| B. Minimum fees: | |

i. Principal building:	\$300.00
ii. Accessory structure(s) (including utility sheds over 100 sq. ft.):	\$150.00
4. Open deck and Raised (over 8" above grade) Patio:	
A. Per 1,000 of estimated cost:	\$ 18.00
5. Alterations/renovation/reconstruction to existing principal and accessory buildings and structures:	
A. Per \$1,000 of estimated cost up to \$100,000.00	\$ 18.00
B. Per \$1,000 of estimates cost over \$100,001.00	\$ 15.00
6. Fences - pool barriers and fences over 6' in height:	\$ 75.00
7. Roofing and siding:	\$ 75.00
8. Fireplaces and stoves (wood/solid fuel):	\$ 75.00
9. Swimming pools.	
A. In-ground pool (including safety fencing):	\$200.00
B. Above-ground pools/hot tubs/spa (including Safety fencing or alternate protection):	\$100.00
10. HVAC ductwork:	\$ 75.00
11. Communication towers and similar open structures:	\$300.00
12. Signs - flat fee per sign:	\$100.00
13. Tents larger than 900 square feet or 30' in diameter:	\$ 75.00
14. Asbestos abatement (Fee set by NJAC 5:23-8.9, as amended)	
A. Administrative fee permit:	\$ 84.00
B. Administrative fee - Certificate of Occupancy	\$ 17.00
15. Lead Abatement:	\$150.00
16. Temporary Structures:	\$150.00
17. Demolition of buildings and structures:	
A. Residential.	
i. Principal structures:	\$200.00
ii. Accessory structure:	\$100.00
iii. Fuel tank:	\$100.00
B. Commercial.	
i. Principal building:	\$400.00
ii. Accessory structure:	\$200.00
iii. Fuel tank:	\$200.00
B) <u>Electrical Subcode Fees.</u>	
1. Minimum fee - use groups, R3, R4, R5, U:	\$ 75.00
2. Minimum fee - all other use groups:	\$150.00
3. First 25 total of lighting fixtures, receptacles, switches, detectors, light poles, motors-fract, H.P., emergency	

and exit lights:	\$ 75.00
A. Each additional total of 25 units	\$ 50.00
4. Swimming Pool:	
A. In-ground:	
\$100.00	
B. Above ground/spa/hot tub	\$ 75.00
5. Electric Appliance - range, oven, water heater, dryer, dishwasher, garbage disposal, baseboard heat (each):	\$ 25.00
6. HVAC equipment-central ac/and central heat:	\$100.00
7. Alarm System - burglar/fire	\$ 75.00
8. Transformers/Generator:	
A. 100 KVA or less (each	\$100.00
B. Over 100 KVA	\$500.00
9. Service/Subpanel:	
A. 200 amps or less:	\$100.00
B. 200 to less than 300 amps:	\$300.00
C. Over 300 amps:	\$500.00
C) <u>Fire Subcode Fees:</u>	
1. Minimum fee - use groups, R3, R4, R5, U:	\$ 75.00
2. Minimum fee - all other use groups:	\$150.00
3. Storage tank installation - flammable/combustible liquid:	
A. Residential:	\$ 75.00
B. Commercial:	\$150.00
4. Alarm Systems - new installation:	
A. Residential:	\$ 75.00
B. Commercial - up to 20 combined devices:	\$150.00
5. Alarm systems, supervisory devices, signaling devices, (each), changes to existing systems and additional commercial devices:	\$ 15.00
6. Suppression systems - per head:	\$ 10.00
7. Stand pipes, wall hydrants, hose stations/fire pumps:	\$100.00
8. Pre-engineered system:	\$150.00
9. Kitchen hood exhaust systems:	\$150.00
10. Gas/oil fired appliances:	\$100.00
11. B Vent:	\$ 75.00
D) <u>Plumbing Subcode Fees.</u>	
1. Minimum fee - use groups, R3, R4, R5, U:	\$ 75.00
2. Minimum fee - all other use groups:	\$150.00
3. Fixtures/devices: water closets, urinal/bidet/bathtub, lavatory, shower, floor drain/sink, dishwasher, washing machine, hose bib, stack, disposal, drinking fountain, water softener, roof drain, condensate drain, back flow device (each):	\$ 25.00

4. Water heaters:	\$ 75.00
5. Boiler:	\$100.00
6. Gas piping/fuel oil piping (each connection):	\$ 50.00
7. Sewer pump:	\$ 50.00
8. Interception/separator:	\$ 50.00
9. Grease trap:	\$100.00
10. Sewer connection:	\$ 75.00
11. Water service connection:	\$ 75.00
12. Swimming Pool Suction Drain	\$ 75.00
13. Chimney Liner	\$ 75.00
E) Mechanical Subcode Fees	

1. Minimum fee – use groups R-3, R-4, R-5 only	\$ 75.00
2. Water Heater	\$ 75.00
3. Installation or replacement of heating and cooling Equipment or other mechanical equipment in existing buildings of R-3, R-4, and R-5 Use Groups.	\$100.00
4. Standby power generators in existing buildings of R-3, R-4,	\$100.00
5. R-5 Use Groups	

F) Elevator subcode Fees

In Accordance with NJ Department of Community Affairs, N.J.A.C. 5:23-12, as Amended.

G) Certificate Fees - Uniform Construction Code.

1. Certificate of occupancy.	
A. Residential:	
i. New single-family detached/attached dwellings:	
\$150.00	
ii. Other than single-family dwellings:	\$150.00
plus \$50 per additional dwelling units.	
iii. Residential additions:	\$100.00
iv. Change of use: residential to residential:	\$150.00
B. Non-residential:	
i. New non-residential buildings and additions:	\$300.00
Plus \$100 per additional tenant space.	
ii. Change in use:	\$300.00
2. Certificate of continued occupancy.	
A. Residential.	
i. Single-Family Dwellings:	\$100.00
ii. Other than Single-Family Dwellings:	\$100.00
Plus \$100.00 per additional dwelling unit	
B. Non-Residential	

- i. Single tenancy non-residential building: \$300.00
 - ii. Multiple-tenancy spaces and/or mixed use buildings: \$300.00
- Plus \$100 per additional non-residential tenant space and/or \$50 per additional residential dwelling unit.

3. Certificates of Approval, Compliance and Clearance (Lead Abatement): No fee

4. Temporary certificates of occupancy.
 A. Up to a sixty (60) day period - initial issuance: \$ 50.00

H) Plan Review Fees.
 Twenty percent (20%) of the total construction permit fee.
 Plan review fees are not refundable.

I) Variation fees.
 i. Residential: \$ 75.00
 ii. Non-Residential: \$150.00

J) Construction Board of Appeals Fees.

Fees set by Bergen County Construction Board of Appeals located at One Bergen County Plaza, Fifth Floor, Freeholder’s Public Meeting Room, Hackensack, NJ 07601.

K) DCA training Fees.
 Fees set by pursuant to NJAC 5:23-4.19 as amended

L) Site Work Fees.
 A. Minimum fee - residential: \$ 75.00
 B. Minimum fee - non residential: \$150.00
 C. Per \$1,000 of estimated costs: \$ 18.00

M) Borough Engineering Escrow - New construction and additions to existing buildings with a footprint increase of 100 sq. foot or larger, non-residential sitework and individual unit not part of an approved subdivision consisting of two or more single - family residential regrading and/or drainage work: \$500 Initial Deposit. All outstanding fees are to be paid, in full, prior to the issuance of a certificate of occupancy.

N) Residential Resale, Re-occupancy or Rental Certificate issued pursuant to Borough Ordinance 230-96B(2):

1. Certificate of continued occupancy per dwelling unit: \$100.00
 2. Temporary Certificate of Continued Occupancy per dwelling unit: \$100.00

O) Miscellaneous.
 1. Change of contractor – fee per subcode: \$ 50.00

Section II. VALIDITY-SEVERABILITY If the provisions of any section, subsection, paragraph, subdivisions, 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 provisions hereof are hereby repealed.

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

6. **MEETING OPEN TO THE PUBLIC:** (Before speaking at the meeting, each person must state their name and address. 3-minute limit)

Jim Seaton, 42 Ferndale Avenue - Mr. Seaton commented the roads are in bad shape.

Council member Huisking noted at the Finance meeting, DPW Director Toro came prepared to the meeting with a program which assesses every street in town based on ten criteria. This program will allow the Borough to attack the streets in a qualitative and quantitative approach.

Gabe Bullaro, Doremus Avenue - Mr. Bullaro asked the Council to postpone any vote by the Council on the Arboretum. Mr. Bullaro based this opinion on the recent application before the Zoning Board for Prospect Street. Mr. Bullaro believes this application will be denied and consequently end in litigation, which will be costly to the Borough. Mr. Bullaro commented there is no urgency with the Arboretum and advises to wait until the outcome of Prospect Street is determined.

Alan Bronner, 522 Doremus Avenue - Mr. Bronner disagreed that there were more dog bites than Council member Huisking reported. Council member Huisking commented to this point that residents need to report any animal bites. Mr. Bronner continued asking how many summonses have been issued by the Police to owners whose dogs are not on leashes. Secondly, Mr. Bronner commented the new proposed Prospect Street complex will use approximately 8-10 million gallons of water. This would take away the right of a citizen to use water.

Mayor Packer encouraged residents to approach the Council, either through an e-mail or Council meeting, and express any concerns they may have. To air concerns on social media only adds to misinformation being disseminated.

7. **ADJOURNMENT**

Motion to adjourn the meeting was made by Council member Moreiko

Seconded by Council member Huisking

Meeting adjourned at 9:05 p.m.