

March 22, 2012

A regular meeting of the Borough Council was held in the Municipal Building on March 22, 2012. The meeting was called to order at 8:05 p.m. by Mr. Barra who announced that the requirements of the Open Public Meetings Act were met by the required posting and notice of publications.

The Mayor led those present in a salute to the flag.

The following Council members answered roll call: Mr. Bernstein, Mrs. McSwiggan, Mr. Strauch, Mrs. White, Mrs. Wilczynski and Mayor Barra. Ms. LaMonica was absent. Also present were Mrs. McCarthy and Mr. Bole.

Minutes

Mrs. White moved, seconded by Mrs. McSwiggan, to approve the Work and Regular Session minutes of February 23, 2012. On roll call Mrs. McSwiggan, Mr. Bernstein, Mrs. White and Mrs. Wilczynski voted in favor. Mr. Strauch abstained.

Mr. Strauch moved, seconded by Mrs. White, to remove the minutes of March 8, 2012 from the agenda for approval due to the lack of a quorum for those minutes. On roll call Mrs. McSwiggan, Mr. Bernstein, Mr. Strauch, Mrs. White and Mrs. Wilczynski voted in favor.

Adoption of Ordinances

Ordinance 12-04 – Refunding Bond Ordinances

Mayor Barra opened the meeting to the public for questions. There were none.

Resolution 12-102 – Introduced by Mrs. White, seconded by Mrs. Wilczynski

Be It Resolved that an Ordinance entitled 12-04, “Refunding Bond Ordinance“ be passed upon second and final reading and that the Borough Clerk be and she is hereby authorized and directed to advertise the same according to law.

On roll call, all Council members voted in favor.

(See copy of Ordinance 12-04 attached and made a part hereof.)

Ordinance 12-05 – Multi-Purpose Bond Ordinance

Mayor Barra opened the meeting to the public for questions. There were none.

Resolution 12-103 – Introduced by Mrs. White, seconded by Mrs. Wilczynski

Be It Resolved that an Ordinance entitled 12-05, “Multi-Purpose Bond Ordinance“ be passed upon second and final reading and that the Borough Clerk be and she is hereby authorized and directed to advertise the same according to law.

On roll call, all Council members voted in favor.

(See copy of Ordinance 12-05 attached and made a part hereof.)

Ordinance 12-06 – Water Utility Bond Ordinance

Mayor Barra opened the meeting to the public for questions. There were none.

Resolution 12-104 – Introduced by Mrs. McSwiggan, seconded by Mrs. White

Be It Resolved that an Ordinance entitled 12-06, “Water Utility Bond Ordinance“ be passed upon second and final reading and that the Borough Clerk be and she is hereby authorized and directed to advertise the same according to law.

On roll call, all Council members voted in favor.

(See copy of Ordinance 12-06 attached and made a part hereof.)

Public Comment

Mr. Barra opened the meeting to the public for comments on agenda items. There were none.

Presentation of Proclamations, Petitions and Other Communications

Mr. Art Caughlan, the Borough’s Risk Management Consultant was present to award a 2011 JIF Safety Gold Award to the Borough of Allendale.

Mr. Caughlan said the Joint Insurance Fund began in 1985 when the accident rate for one hundred hours work was approximately six. Over time, that number has been reduced to less than three, which has resulted in a savings of millions of dollars. The Joint Insurance Fund has given back millions of dollars to municipalities as a result.

Mr. Caughlan said that each quarter it is mandatory for every municipality to have a Safety Meeting of all major departments. Mr. Caughlan complimented Allendale’s department heads for being cooperative in attending the meetings and taking safety seriously. In 2011, Allendale’s rate for accidents for one hundred hours of work was zero. In addition, out of one hundred possible points that could be achieved toward this award, Allendale scored one hundred and eight because they participated in additional items that weren’t required.

Mr. Caughlan commented that after thirty years in this business, it is a difficult issue to generate enthusiasm for safety, which is why awards are so important. With thirty eight towns in the Bergen JIF, only three received the Gold Award for 2011. In addition to the plaque, the Borough will receive a \$1500 check.

Mrs. White thanked Mr. Caughlan and Mr. Picinich, our Safety Coordinator. She also thanked the DPW, the Police and the Water Department for making safety as a top priority.

As the Chair of the Public Safety Committee, Mr. Bernstein thanked the Police, Fire and Ambulance Corps for their emphasis on safety. They commented that they strive to improve safety every day.

Mayor Barra commented that the DPW Department is the most dangerous department to work in any municipality. He acknowledged Mr. Cauwenberghs and Mr. Picinich for the safety guidance they offer their employees.

Mrs. White said the \$1500 that is received will be put back into safety related purchases for the Borough.

Introduction of Ordinances

Ordinance 12-07 – Solid Waste

Resolution 12-105 – Introduced by Mrs. White, seconded by Mr. Strauch

Be It Resolved that an Ordinance entitled 12-07, “An Ordinance to Amend Chapter 228 of the Code of the Borough of Allendale Entitled ‘Solid Waste’ ” heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 12th day of April, 2012, at 8:00 p.m. or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, 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 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.

On roll call, all Council members voted in favor.

(See copy of Ordinance 12-07 attached and made a part hereof.)

Consent Agenda

Resolution 12-106 – Introduced by Mr. Strauch, seconded by Mrs. Wilczynski

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves the Bill List dated March 22, 2012.

On roll call, all Council members voted in favor.

Resolution 12-107 – Introduced by Mr. Strauch, seconded by Mrs. Wilczynski

Whereas, the Borough of Allendale, from time to time, authorizes use of public facilities for certain non-profit organizations which do not have insurance coverage; and

Whereas, the Borough is willing to permit use of its public facilities to such organizations provided that such use is consistent with the underwriting guidelines of the Borough's insurer;

Now, Therefore, Be It Resolved by the Governing Body that it does hereby agree to waive insurance for the following not-for-profit organization:

Allendale Civic Association

Be It Further Resolved that the waiver of insurance herein shall extend for a period of one (1) year only and must be renewed annually.

On roll call, all Council members voted in favor.

Resolution 12-108 – Introduced by Mr. Strauch, seconded by Mrs. Wilczynski

Whereas, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

Whereas, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

Whereas, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

Whereas, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

Whereas, a resolution authorizing this municipality to apply for the 2011 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to

indicate the assent of the Mayor and Council of the Borough of Allendale to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

Whereas, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale that they hereby endorse the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and that they designate Keith Cauwenberghs to ensure that the application is properly filed; and

Be It Further Resolved that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

On roll call, all Council members voted in favor.

Resolution 12-109 – Introduced by Mr. Strauch, seconded by Mrs. Wilczynski

WHEREAS, an emergent condition has arisen with respect to certain budget appropriations and no adequate provision has been made in the 2012 Temporary Budget, and N.J.S.A. 40A: 4-20 provides for the creation of emergency temporary appropriations for said purpose; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that in accordance with the provisions of N.J.S.A. 40A: 4-20;

1. An emergency temporary appropriation be and the same is hereby made in the total amount of \$2,365,204;
2. That said emergency temporary appropriation will be provided in the 2012 budget;
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

General Administration	
Salaries and Wages	\$ 10,500
Other Expenses	\$ 13,775
Mayor and Council	
Other Expenses	\$ 1,025
Borough Clerk	
Salaries and Wages	\$ 22,938
Other Expenses	\$ 7,400
Finance	
Salaries and Wages	\$ 31,809
Other Expenses	\$ 7,050
Annual Audit	\$ 6,900

Tax Collection	
Salaries and Wages	\$ 13,823
Other Expenses	\$ 800
Assessment of Taxes	
Salaries and Wages	\$ 10,549
Other Expenses	\$ 8,050
Legal Service and Costs	
Other Expenses	\$ 50,000
Engineering Services	
Other Expenses	\$ 29,500
Planning Board	
Salaries and Wages	\$ 5,000
Other Expenses	\$ 17,850
Uniform Construction Code	
Salaries and Wages	\$ 17,398
Other Expenses	\$ 450
Electrical Inspector	
Salaries and Wages	\$ 2,953
Plumbing Inspector	
Salaries and Wages	\$ 498
Zoning Officer/Property Maintenance	
Salaries and Wages	\$ 2,533
Fire Sub-code Official	
Salaries and Wages	\$ 209
Insurance (NJSA 40A:4-45.3)	
Group Insurance Employees	\$261,138
Police Department	
Salaries and Wages	\$469,326
Other Expenses	\$ 45,500
Emergency Management Services	
Salaries and Wages	\$ 500
Other Expenses	\$ 1,250
Fire	
Other Expenses	\$ 23,525
Uniform Fire Safety Act	
Salaries and Wages	\$ 4,650
Other Expenses	\$ 500
Radio Equipment Maintenance	\$ 1,700
Municipal Prosecutor	
Salaries and Wages	\$ 1,206
Road Repairs and Maintenance	
Salaries and Wages	\$231,897
Other Expenses	\$ 5,500
Shade Tree Commission	
Other Expenses	\$ 18,000
Sewer System	

Salaries and Wages	\$ 2,759
Other Expenses	\$ 12,000
Garbage and Trash Collection	
Other Expenses	\$ 77,500
Recycling	
Other Expenses	\$ 11,750
Buildings and Grounds	
Other Expenses	\$ 6,500
Board of Health	
Salaries and Wages	\$ 11,755
Other Expenses	\$ 13,391
Animal Control Services	
Other Expenses	\$ 700
Parks and Playgrounds	
Other Expenses	\$ 11,500
Crestwood Lake	
Salaries and Wages	\$ 20,000
Other Expenses	\$ 54,250
Utility and Bulk Purchases	
Electricity	\$ 40,500
Street Lighting	\$ 38,000
Telephones	\$ 7,000
Gas Heat	\$ 9,000
Contingent	\$ 12,000
Social Security System	\$ 70,000
Maintenance of Free Public Library	\$143,445
Northwest Bergen Sewer Authority	\$433,384
Interlocal Municipal Service Agreements	
Midland Park	
• Construction Code Official	
Salaries and Wages	\$ 10,941
Other Expenses	\$ 6,006
Midland Park	
• Electrical Inspector	
Salaries and Wages	\$ 2,853
Other Expenses	\$ 748
Borough of Waldwick	
• Well Baby	
Other Expenses	\$ 200
Borough of Ho-Ho-Kus	
• Municipal Court	
Other Expenses	\$ 15,000
Borough of Mahwah	
• 911 Dispatching	
Other Expenses	\$ 1,500
Municipal Court	

Salaries and Wages	\$ 3,241
Other Expenses	\$ 800
Public Defender	
Other Expenses	\$ 500
Debt Service	
Interest on Notes	\$ 22,284
Total Additional Appropriations	\$2,365,204

On roll call, all Council members voted in favor.

Resolution 12-10 – Introduced by Mr. Strauch, seconded by Mrs. Wilczynski

Be It Resolved by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to transfer the following overpayments listed below from overpayments of 2011 Taxes to Taxes Receivable for 2012:

<u>Block/ Lot</u>	<u>Name</u>	<u>Property Location</u>	<u>Amount</u>
1805/6	Matrone, Patricia	50 Cottage Place Allendale, NJ 07401	\$50.20
2201.01/2	Gianfredi, Richard	847 W Crescent Allendale, NJ 07401	\$475.56
2205/2	Kellar, Christopher & Susan	189 Dale Avenue Allendale, NJ 07401	\$114.99

On roll call, all Council members voted in favor.

Resolution 12-11 – Introduced by Mr. Strauch, seconded by Mrs. Wilczynski

Be It Resolved by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue the following checks on the properties listed below and charge same to Overpayment of 2012 and 2011 Taxes:

2012

Block/ Lot	Name	Property Location	Amount
1407/9			Kudelka, Lioudmila
454 Brookside Ave			\$440.88
			454 Brookside Avenue
			Allendale, NJ 07401

2011

103/3	Everhome Mortgage C/O Lereta, LLC 1123 S. Parkview Covina, CA 91724 Stravitz	340 Hillside Ave	\$1070.01
406/14	Frankel, Aaron & Maria 19 Montrose Terrace Allendale, NJ 07401	19 Montrose Terr	\$3,554.41
509/17	Russo, John & Lisa 19 Wilton Drive Allendale, NJ 07401	19 Wilton Dr	\$333.50
506/9	Martini, Jeffrey & Dianne 63 Arlton Avenue Allendale, NJ 07401	63 Arlton Ave	\$500.00
605/15	DiMiceli, Anthony & Anna 47 Gloria Drive Allendale, NJ 07401	47 Gloria Dr	\$287.98
905/8	Diaz, Jose & Curbelo, Carolina 95 Myrtle Avenue Allendale, NJ 07401	95 Myrtle Ave	\$1,879.28
1103/1	Reeves, Susan 215 Hillside Avenue Allendale, NJ 07401	215 Hillside Ave	\$344.70
1407/6	Arcasoy, Selim & Elizabeth 404 Brookside Ave Allendale, NJ 07401	404 Brookside Ave	\$4,385.89
1407/9	Kudelka, Lioudmila 454 Brookside Avenue Allendale, NJ 07401	454 Brookside Ave	\$2,554.80
1501/4	Gill, Timothy 28 Scott Court Allendale, NJ 07401	28 Scott Ct	\$138.75
1904/7	Kelley, Sean & Gross, Heidi 51 Berkshire Place Allendale, NJ 07401	51 Berkshire Pl	\$3,552.52
1906/2	Rinaldi, Joseph & Lisa 78 Powell Road Allendale, NJ 07401	78 Powell Rd	\$315.56

1907/19	Goddard, James & Anne 179 Powell Road Allendale, NJ 07401	179 Powell Rd	\$4,051.35
2009/6	Central Mortgage C/O Lereta, LLC 1123 S. Parkview Covina, CA 91724	83 Elmwood Ave	\$2,726.31
2101/1.2001	McGinnis, James Jr. & Petrassi, Gina 2001 Whitney Lane Allendale, NJ 07401	2001 Whitney Lane	\$1,107.80
2101/9 C0030	Chang, Sang Hoon & Kyung Ok 30 Trotters Lane Allendale, NJ 07401	30 Trotters Lane	\$395.65
2101/9 C0122	Sang Chin Yom, Attorney Trust 1580 Lemoine Avenue Suite 9 Fort Lee, NJ 07024 Lim/Lee	122 Carriage Ct	\$2,686.12
2205/4	Ayala, Antonio & Irma 71 New Street Allendale, NJ 07401	71 New St	\$2,962.69
2206/8	Seterus C/O Lereta, LLC 1123 S. Parkview Covina, CA 91724 Pena	242 Park Ave	\$2,522.15
2011 TOTAL			\$35,369.47

On roll call, all Council members voted in favor.

Resolution 12-112 – Introduced by Mr. Strauch, seconded by Mrs. Wilczynski

Be It Resolved that the following rates be and are hereby approved for Crestwood Lake for the 2012 season.

Resident Rates

Adult (age 18-61)	\$ 90
Caregiver	\$ 90

Child (age 3-17)	\$ 50
Teen individual membership (age 13 and over)	\$100
Allendale Special Needs Housing	\$ 60
Senior (age 62 and over)	\$ 60
Maximum Family	\$350

Non Resident Rates

Adult (age 18-61)	\$200
Caregiver	\$200
Child (age 3-17)	\$ 75
Teen individual membership (age 13 and over)	\$100
Senior (age 62 and over)	\$ 75
No Maximum Family	

Guest Fees for Residents and Non-Residents

Daily	\$ 10
Guest Books (10 passes)	\$ 90
Guest Books on Crestwood Lake Day only 10 a.m. to 3 p.m.	\$ 50

Beach Party Rental

West Beach (4-7 p.m. Monday thru Friday)	\$175
West Beach (12 to 7 p.m. Saturday and Sunday)	\$350
Playground Beach (1 to 20 people)	\$100
Playground Beach (21 to 40 people)	\$150
Playground Beach (41+ people)	\$200

Red Barn

All rates are non-refundable

Allendale Families	\$250
Allendale Businesses	\$500

Non-profit organizations are allowed to pay the family rate.

On roll call, all Council members voted in favor.

Committee Reports

Water Committee

Mrs. McSwiggan announced the Water Committee met on March 22nd. The Water Department is currently repairing damaged hydrants in town. They will continue to take care of whatever issues arise to keep the town's water system safe for its residents.

Public Safety

Mr. Bernstein said this month's Public Safety meeting will include only the Public Safety Committee and the Police Department. A date for the meeting has not yet been set. The following month's meeting will be held with all the Public Safety related departments.

Land Use and Construction Code

Mr. Strauch stated that the next meeting of the Land Use Committee will be Friday, May 4th. He has had difficulty scheduling a meeting during the month of April.

Public Works

Mrs. White said she met with the New Jersey Department of Transportation Commissioner, Jim Simpson on Wednesday. This invitation was extended by our 40th District Assemblymen Russo and Rumana as well as Senator O'Toole. Mrs. White spoke directly with Mr. Simpson's staff members and was able to bring up several Allendale issues for discussion.

In addition Mrs. White has been in contact with the New Jersey League of Municipalities concerning recent OPRA legislation. She has asked that Allendale be kept in the forefront of any changes in this legislation. She looks forward to having good discussions with the League on this issue.

Mrs. White said the DPW Committee met on Tuesday and they are looking forward to some great projects this year. Approximately ten streets will be paved this year. Sixty streets will be paved in six years and on this schedule the Borough will be completely repaved in fourteen or fifteen years.

The next meeting of the DPW Committee will be on April 19th.

Facilities, Parks and Recreation

Mrs. Wilczynski said that opening day for Recreation teams will be this weekend. A maintenance clinic is scheduled for Saturday. Fields have technically been open since March 12th which is unprecedented. She thanked the DPW and particularly Dan Davis for all the work they have done.

Mrs. Wilczynski said she and Mrs. White went to a Mayor's awareness meeting for Meals on Wheels. Mrs. Wilczynski enjoyed the opportunity to attend this event and she and Mrs. White delivered hot and cold meals to seniors in the area.

Administration, Finance and Human Resources

Ms. LaMonica was absent.

Mayor's Report

Mr. Barra said he was at a Bergen County Mayor's meeting last week and one of the topics was OPRA. The proposed new legislation will give a judge some discretion on awarding Counsel fees on OPRA litigation.

Mr. Barra said the Bergen County Mayors are very upset about new legislation that is calling for forfeiture of a town's housing trust funds on July 1st if the money has not been spent on affordable housing. Allendale is ahead of the curve and has spent \$1.1 million for Crescent Commons. Mr. Barra was asked to present a position paper to the Senate Judiciary Committee which is having hearings on this issue. Mr. Barra will also testify because Allendale is considered a great example of Special Needs housing. He will take a couple of Orchard Commons residents with him when he testifies.

Mayor Barra stated that several municipalities are considering pooling their money to build housing in one of the towns.

Mr. Barra said he, Mrs. White and Mrs. McSwiggan had a Personal meeting with the County Executive and the County Administrator last week. Several of Allendale's projects were discussed including the Elm Street Culvert and the intersection of Myrtle and West Crescent. Allendale was asked to draft a letter concerning the status of those projects and that letter went out this afternoon. Mr. Barra said it is unusual for Mayors to be invited to meet individually with the County Executive, and Mr. Barra commended Ms. Donovan for scheduling this meeting. He expects there will be a follow up with the head of the Bergen County Public Works Department to get specific timelines on these projects in the future.

Municipal Clerk

Mrs. McCarthy added her compliments to Mr. Picinich for his contributions to the Borough receiving the JIF Gold Award. He did extra projects to earn points for Allendale which is why the Borough earned 108 points out of 100 possible.

Mr. Barra said Mr. Picinich deserves most of the credit for moving Allendale toward getting the Gold Award.

Mr. Barra opened the meeting to the public for general comments.

There were no comments from the public.

Respectfully submitted,

Gwen McCarthy
Municipal Clerk