

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
December 14, 2017

PRESENT: Mayor Elizabeth White and Council members Ari Bernstein, Liz Homan
Jackie McSwiggan, Steve Sasso, and Amy Wilczynski

ABSENT: Council member Jim Strauch

ALSO PRESENT: Borough Attorney Ray Wiss
Municipal Clerk Anne Dodd

A Regular Session Meeting of the Mayor and Council of the Borough of Allendale was held in the Municipal Building at 500 West Crescent Avenue, Allendale, NJ on December 14, 2017. The meeting was called to order at 8:01 p.m. by Mayor White who asked that the Municipal Clerk read the open public meetings statement: "In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. The meeting dates for the year are confirmed at the Annual Meeting, are posted on the public bulletin board in the Municipal Building, published in the Record within the first 10 days of the New Year, and copies are sent to the Ridgewood News and Star Ledger."

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

Approval of Minutes:

Motion by Councilwoman McSwiggan, second by Councilman Sasso, that the Minutes of November 30, 2017 Work Session and November 30, 2017 Regular Session are approved.

On a roll call, the vote was recorded as follows:

Councilman Bernstein:	aye	Councilman Sasso:	aye
Councilwoman Homan:	aye	Councilman Strauch:	absent
Councilwoman McSwiggan:	aye	Councilwoman Wilczynski:	aye

Public Comment

Michael Buckley, 49 Dale Avenue, expressed that he is happy to see that the Borough is moving forward with respect to wildlife management. He commented that he is open to the idea of controlled hunting but expressed concern about how it will be handled.

Mayor White noted that the three ordinances listed for adoption do not allow for wildlife management program but instead make provisions for a wildlife management to be implemented in the future should the governing body give approval. She advised that a town hall meeting will be scheduled with the NJ DEP to present on the impacts that wildlife is having on the ecosystem. She noted that no action will be taken by the Mayor and Council that evening. She further advised that a letter was sent to the Bergen County Executive requesting that the County consider implementing a wildlife management program as Allendale solely implementing a program will not have an impact.

Mr. Buckley requested a copy of this letter. He expressed his opinion that it is important for Allendale to take the lead on addressing this issue.

Mayor White advised that she will have the Borough Clerk email a copy of this letter along with contact information for the County Executive staff. She further advised that a copy of the letter may be posted

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to the Borough website together with the contact information for the County.

Councilman Sasso suggested that Mr. Buckley reference the governing body's letter when he writes to the County.

Mark Savastano, 22 Vreeland Place, commented that it would be great if a copy of the letter could be posted to the website. He stated that he is not against hunting but expressed concern about how it would be controlled.

Mayor White advised that hunting is not being permitted as a wildlife management program has not been authorized at this time. A wildlife management program would need to first be adopted by an ordinance or resolution of the governing body. Councilman Sasso noted that the Borough still has a no discharge ordinance. Mayor White added that NJ is a hunting State where hunting by both firearms and bow are permitted with the proper licenses.

Councilman Sasso commented that the ordinances listed for adoption this evening were suggested by the NJ DEP. Mayor White added that these ordinances were also reviewed by the Borough Attorney, Police Chief, and Public Safety and Land Use Committees.

Mr. Savastano questioned the reason that firearms would be used as a scare tactic.

Councilman Sasso explained that New Jersey has a very broad definition of a firearm and any device that fires a projectile by ammunition, gas or air is considered a firearm. As the Borough Code is currently written, a tranquilizer would not be permitted to be used. Mayor White added that the way that the proposed ordinance is written, it would give the Police Chief or his designee the ability to use a tactic to scare an animal away if necessary.

Public Hearings for Advertised Ordinances:

Ordinance 17-18 – 17-20

The Municipal Clerk read into the record:

The following ordinances published herewith was first read by title only on November 30, 2017 and posted on the bulletin board of the municipal building.

ORDINANCE 17-18 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, FIREARMS, CHAPTER 125

ORDINANCE 17-19 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, PUBLIC PLACES, CHAPTER 203

ORDINANCE 17-20 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, PUBLIC PLACES, CHAPTER 203

Public Comments on Ordinances 17-18 through 17-20

No one came forward.

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Motion by Councilman Sasso, second Councilwoman McSwiggan, that Ordinances 17-18 through 17-20 be passed on second and final reading and are hereby adopted and notice of same shall be published according to law.

On a roll call, the vote was recorded as follows:

Councilman Bernstein:	aye	Councilman Sasso:	aye
Councilwoman Homan:	aye	Councilman Strauch:	absent
Councilwoman McSwiggan:	aye	Councilwoman Wilczynski:	aye

(See Ordinances 17-18 through 17-20, attached and made a part hereof.)

Consent Agenda

- A. **17-285**/Approval of Bill List
- B. **17-286**/Schedule 2018 Reorganization Meeting
- C. **17-287**/Appoint Municipal Housing Liaison – Anne Dodd
- D. **17-288**/Approve Municipal Court Administrator Interlocal Service Agreement – Borough of Ho-Ho-Kus
- E. **17-289**/Authorize Service Agreement – Bergen County Utilities Authority – Certified Recycling Professional Services
- F. **17-290**/Approve Notice of Intent to Award a Contract Under a National Cooperative Purchasing Agreement – Purchase of Gator Utility Vehicle
- G. **17-291**/Waive Water & Sewer Connection Fees – Allendale Heights Veteran Housing
- H. **17-292**/Waive Building Permit Fees – 221 & 223 E. Crescent Avenue – Allendale Heights Veteran Housing
- I. **17-293**/Authorize Contract – Workplace Alcohol & Drug Testing
- J. **17-294**/Authorize Budget Transfers
- K. **17-295**/Authorize Bergen County Trust Fund Project Contract – Crestwood Park/Allendale Rec Park Improvements
- L. **17-296**/Authorize Consent Letter – Equipment Modification – Sprint PCS

Motion by Councilwoman Wilczynski, second by Councilwoman Homan, that the Consent Agenda be approved.

On a roll call, the vote on the Consent Agenda was recorded as follows:

Councilman Bernstein:	aye	Councilman Sasso:	aye, #17-296 abstain
Councilwoman Homan:	aye	Councilman Strauch:	absent
Councilwoman McSwiggan:	aye	Councilwoman Wilczynski:	aye

All members present voting in favor, the Consent Agenda was approved.

Resolution 17-285

List of Bills

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 December 14, 2017 in the amounts of:

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Current Fund	\$888,015.29
Payroll Account	\$433,930.76
General Capital	\$25,738.00
Animal Fund	\$0.00
Grant Fund	\$0.00
COAH/Housing Trust	\$62.50
Improvement & Beautification	\$195.00
Unemployment Fund	\$0.00
Trust Fund	\$17,204.98
Water Operating	\$0.00
Water Capital	\$0.00
Total	\$1,365,146.53

Resolution 17-286

BE IT RESOLVED that the 2018 Reorganization Meeting will be scheduled for Thursday, January 4, 2018 at 7:30 p.m. in Council Chambers of the Municipal Building located at 500 West Crescent Avenue, Allendale, NJ 07401.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to The Record, Star Ledger, and Ridgewood News, as well as be posted on the Borough Hall Bulletin Board and Borough Website.

Resolution 17-287

WHEREAS, on November 29, 2017 the Superior Court (“Court”) held a fairness hearing and approved the Settlement Agreement between the Borough of Allendale (“Borough”) and Fair Share Housing Center (“FSHC”), which included the Borough’s Third Round fair share obligation and preliminary compliance measures; and

WHEREAS, the Borough will be filing with the Court an Amended Housing Element and Fair Share Plan in order to secure a Judgment of Compliance and Repose approving said Plan to protect the Borough from any Mount Laurel lawsuits; and

WHEREAS, pursuant to N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:80-26.1, et seq., Allendale is required to appoint a Municipal Housing Liaison for the administration of Allendale’s Affordable Housing Program to enforce the requirements of N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:80-26.1, et seq.; and

WHEREAS, Article XI, entitled “Municipal Housing Liaison”, of Chapter 53 of the Borough’s Code, entitled “Officers and Employees”, adopted on July 27, 2006, provides for the appointment of a Municipal Housing Liaison to administer Allendale’s Affordable Housing Program; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Allendale, County of Bergen, State of New Jersey, that Anne Dodd is hereby appointed by the Governing Body as the Municipal Housing Liaison for the administration of the Affordable Housing Program, pursuant to and in accordance with Chapter 53, Article XI of Allendale’s Code.

Approval of Interlocal Court Agreement &
Authorization for Mayor to Sign
Interlocal Service Agreement

Whereas, there is a need for a Municipal Court Administrator in the Borough of Allendale; and

Whereas, N.J.S.A. 40:8-A-1 et seq., the Interlocal Services Act, authorizes agreements between municipalities for the provision of services by one to the other; and

Whereas, N.J.S.A. 2B-12-1c authorizes two or more municipalities to provide jointly for supplies and employees for their municipal courts without establishing a joint municipal court; and

Whereas, the Borough of Allendale seeks the services of a Municipal Court Administrator through the Municipal Court of Ho-Ho-Kus as set forth in the Interlocal Service Agreement; and

Whereas, the Chief Financial Officer has certified that sufficient funds will be available in the 2018 budget for this contract as set forth in the Interlocal Service Agreement;

Now, Therefore, Be It Resolved that the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, approve the Interlocal Service Agreement for Municipal Court Administrator services effective January 1, 2018 through December 31, 2018; and

Be It Further Resolved that the Mayor and Municipal Clerk be and are hereby authorized to sign said contract.

Authorize Service Agreement with BCUA for CRP Services

WHEREAS, commencing in 2012, the Borough of Allendale is required by the New Jersey Recycling Enhancement Act, P.L. 2008, Chapter 6, to have a mandatory Annual Recycling Tonnage Report approved by a Certified Recycling Professional ("CRP"); and

WHEREAS, the annual Recycling Tonnage Report must be submitted to the New Jersey Department of Environmental Protection on or before April 30th of each year;

WHEREAS, pursuant to N.J.S.A. 40A:11-1, the Borough is authorized and permitted to enter into a Service Agreement with the Bergen County Utilities Authority for services without bidding pursuant to N.J.S.A. 40A:11-5(2); and

WHEREAS, the Borough of Allendale desires to enter into a Service Agreement for retaining and providing CRP services from the BCUA for signing of the Annual Recycling Tonnage Report; and

WHEREAS, the Director of Operations has reviewed the Service Agreement for a Certified Recycling Professional to prepare the Annual Recycling Tonnage Report between the Borough of Allendale and the Bergen County Utilities Authority attached hereto and incorporated herein by reference and approves of same; and

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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Allendale, County of Bergen, and State of New Jersey that the Service Agreement for a Certified Recycling Professional to prepare the Annual Recycling Tonnage Report between the Borough of Allendale and the Bergen County Utilities Authority attached hereto and incorporated herein by reference be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Director of Operations is hereby authorized and directed to execute the attached Service Agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Director of Operations be and he is hereby authorized and directed to forward the attached Service Agreement to the Bergen County Utilities Authority for signature.

Resolution 17-290

Approving Notice of Intent to Award a Contract
Under a National Cooperative Purchasing Agreement

Whereas, the Borough of Allendale intends to participate in the Houston-Galveston Area Council (H-GAC) Cooperative contract to purchase a Gator Utility Vehicle for Allendale Volunteer Ambulance Corps; and,

Whereas, information regarding the contract may be found at Allendale Borough Hall during regular business hours, as well as on the Borough of Allendale's website at: www.allendalenj.gov; and,

Whereas, the Borough of Allendale is a member of H-GAC; and,

Whereas, the H-GAC contract term is January 1, 2017 through December 31, 2017; and,

Whereas, it is the intent of the Borough of Allendale to make a contract award to Deer & Company pursuant to the proposal submitted in response to the Borough's specifications; and;

Whereas, the Borough of Allendale is permitted to join nation cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3).

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the Municipal Clerk is hereby directed to publish the forgoing, enumerated "Notice of Intent to Award a Contract Under a National Cooperative Purchasing Agreement" in the legal newspaper of the Borough of Allendale with a comment period to end at the close of business hours on Tuesday, December 26, 2017.

Resolution 17-291

WHEREAS, BCUW Madeline Housing Partners, LLC is the developer of certain affordable veterans housing located at Lot 4.07 and 4.08, in Block 506 on the Tax Map of the Borough; and

WHEREAS, BCUW Madeline Housing Partners operates on a non-profit basis and has as its principal uses as the development of affordable veterans housing in the Borough of Allendale; and

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WHEREAS, due to the status of BCUW Madeline Housing Partners, the Water Committee has recommended that charges for water and sewer hookups be waived; and

WHEREAS, the Governing Body has reviewed the recommendation and concurs;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the following Water and Sewer fees relating to Allendale Heights Veteran Housing are hereby waived;

<u>Fee Description</u>	<u>Code Section</u>
New Water Service Connection Fee	262-14C(2)
Inspection Fee (water)	262-20A
Water Main Extension Fee	262-20B
Sewer Capacity Charge	220-29C
Sewer Permits and Inspection Fee for new dwellings	220-20B

Resolution 17-292

Waiver of Building Permit Fees
for BCUW Madeline Housing Partners

WHEREAS, BCUW Madeline Housing Partners has applied for a building permit to construct veteran housing at its property located at Block 506, Lot 4.07 and 4.08 on the Tax Map of the Borough of Allendale; and

WHEREAS, due to the status and use of the property as veteran housing, the Land Use Committee has recommended that the fees for building permits be waived; and

WHEREAS, the Governing Body has reviewed the recommendation and concurs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that all local building fees relating to the proposed construction at BCUW Madeline Housing Partners site are hereby waived; and

BE IT FURTHER RESOLVED that the State UCC fees shall remain payable and are not waived.

Resolution 17-293

Approval of Workplace Alcohol & Drug Testing Contract

Whereas, there is a need for a Workplace Alcohol & Drug Testing Contract; and

Whereas, Valley Medical Group has provided the Borough with satisfactory service in 2017; and

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Whereas, Valley Medical Group has provided the Borough with a proposal for 2018.

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 2018 contract between the Borough of Allendale and the Valley Medical Group for services related to workplace alcohol and drug testing; and

Be It Further Resolved, that the Mayor and Municipal Clerk be and they are hereby authorized to sign said contract.

Resolution 17-294

BUDGET TRANSFERS

WHEREAS, Budget Transfers are permitted during the last two months of the current year and the first three months of the following year;

NOW THEREFORE, BE IT RESOLVED, BY THE Mayor & Council of the Borough of Allendale that the following transfers be made between the following 2017 Budget Appropriations:

DEPARTMENT	FROM	TO
Garbage & Trash Removal, Other Expenses		\$14,000
Crestwood, Other Expenses	\$14,000	
Totals	\$14,000	\$14,000

Resolution 17-295

Grantee Authorizing Resolution

BE IT RESOLVED, that the Mayor and Council of the Borough of Allendale, wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$33,000 matching grant award from the 2016 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled “Crestwood Park/Allendale Recreation Park Improvements” located in Crestwood Park & Allendale Recreation Park at 300 West Crescent Avenue, Block 201, Lot 9 on the tax maps of the Borough of Allendale;

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Mayor Elizabeth White to be a signatory on the aforesaid contract; and,

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about August 9, 2019; and,

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund Payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other

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such documents as may be required by the County in accordance with the Trust Fund's requirements; and,

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified on the aforesaid Contract on accordance with the Trust Fund's requirements.

BE IT FURTHER RESOLVED, that should there be an unexpended balance at the completion of the project, Professional Service Costs will be reimbursed from grant award's unexpended balance in accordance with the Municipal Park Improvement Program Rules & Procedures Manual.

Resolution 17-296

WHEREAS, the Borough of Allendale (the "Borough") and Crown Atlantic Company, LLC, ("Crown Atlantic") previously executed a Lease Agreement dated August 31, 1995 (the Lease), pursuant to which property was leased from the Borough located at 300 West Crescent Avenue, Allendale, New Jersey and being described as a portion of the property known as Lot 6, Block 1003 and Lots 9 and 10 of Block 201 (the property) for the construction of a monopole and installation/maintenance of utility wires, poles, cable, conduits and pipes; and

WHEREAS four (4) Amendments to the Lease Agreement have been signed; and

WHEREAS, Crown Atlantic, on behalf of Sprint PCS, seeks to modify Sprint PCS's equipment on the monopole by (A) adding three (3) antennas; (B) adding three (3) RRH's and (1) cable; (C) other work associated with same as more specifically referenced in the October 30, 2017 letter (and attachments thereto) from Crown Castle to the Borough; and

WHEREAS, Crown Atlantic, on behalf of Sprint PCS, seeks the Borough's consent under the terms and conditions of the Lease;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that it does hereby consent to the foregoing modification and the Mayor is hereby authorized to execute a consent letter for modification subject, however, to the following conditions:

1. Crown Atlantic or Sprint PCS, shall make application for appropriate building permits and shall pay all fees in connection with those permits;
2. Crown Atlantic or Sprint PCS, shall comply with any and all land use requirements and pay any fees associated therewith;
3. Crown Atlantic or Sprint PCS, shall provide for a professional escrow deposit, if required, for review of its application in accordance with law.

Unfinished Business:

There was no unfinished business.

New Business:

There was no new business.

Council Committee Reports and Comments:

Councilwoman McSwiggan – Water, Sewer & Public Utilities

Councilwoman McSwiggan advised that the next Water, Sewer and Public Utilities Committee meeting is scheduled on Monday. She advised that the Northwest Bergen County Utilities Authority completed the jetting of one-third of the Borough which completes a full cycle of jetting. She commented that it was successful, noting that there have been no reports of a main sewer line backup this year. The cleaning and relining of the water line on Surrey, Dogwood and Colonial has been completed. Water service has been restored to all of the affected residents and the contractor will be returning to replace four hydrants. She thanked Mr. Kistner for overseeing this project and ensuring that it went smoothly. There was a water main break near the intersection of West Crescent and Brookside Avenue which required overnight repair. She advised that Mr. Kistner believes that this rupture may have been caused by the PSE&G gas line replacement project, and if so, reimbursement will be sought. She requested that residents continue to look at their water bills to ensure that they are not being billed the minimum amount. If the bill is estimated, she urged residents to contact SUEZ as their battery is most likely in need of replacement.

Mayor's Report:

Mayor White expressed her appreciation to Michelle Ryan and Tatiana Marquis for their time and effort with respect to the Recycling Newsletter.

She advised that she attended the Holiday Walk as well as the Menorah Lighting, commenting that it is wonderful to celebrate the holidays in Allendale and see all of the young children participating in the festivities. She expressed a sincere thank you to the Chamber of Commerce for putting on the Holiday Walk for the community as well as to the Fire Department for bringing Santa in on a lit sled this year.

She announced that Tom Smith, former Councilman and past president and life member of the Holiday Observers as well as a valuable member of the Allendale Senior Housing Board, passed away. On behalf of the governing body, she expressed her sincere condolences to his family and commented that he will be truly missed as he was such a huge asset to the Borough of Allendale.

The Upper Saddle River/Allendale Coalition held its second meeting. Jean Manus, Board of Health Secretary, attended this meeting on behalf of the Board of Health. Mayor white noted that they are offering some great programs and the website has gone live. A link will be placed on the Borough website to this website.

Mayor White stated that she had a great time spending the day with the Mayor for a Day, Lillian Day. She thanked Chris Kunisch from the Allendale Bar & Grill who had a table reserved for the Mayor for a Day.

The DPW Committee conducted its annual street road trip and determined which streets are in need of paving. Mayor White advised that they will try to address as many streets as they can during the upcoming year.

The second meeting of the Vision Committee was held and Mayor White noted that they are doing a great job. The committee will be coming to the Council in the near future to provide an update.

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Staff Reports:

Ray Wiss, Municipal Attorney, reported that he prepared the order to memorialize the outcome of the Fairness Hearing that took place on November 29th. The order was sent to the Fair Share Housing Center as well as the court-appointed master. Provided all goes well, the order will be entered next week and the Borough will have an extension of the immunity to builders' remedy lawsuits. The Borough will then have 120 days from the new year to adhere to the compliance plan at the end of which a Compliance Hearing would take place, and after which, the Borough would be safeguarded until 2025.

Anne Dodd, Municipal Clerk, advised that pet licensing began on December 1st and is going well. She provided an update on OPRA requests and advised that 17 OPRA requests have been received to date this month, making a total of 286 requests that have been received so far this year.

Councilwoman Homan inquired whether an estimate of time can be provided for handling these requests.

Borough Clerk Dodd responded that a good portion of her time is spent on fulfilling OPRA requests. She explained that, although some requests are more routine and can be easily answered, other requests are more extensive and require time to pull the records. She further advised that some requests require redactions and work with the Borough Attorney to ensure that the requests are being handled properly.

Councilwoman Wilczynski questioned how many different people are submitting requests.

Borough Clerk Dodd noted that the requests come from a number of different sources with some people requesting more frequently than others. She advised that she has received approximately 45 requests from one particular source over the course of this year.

Borough Attorney Wiss stated that Borough Clerk Dodd is very nicely understating the volume of requests that she confronts. He explained that handling an OPRA request does not simply entail composing a response. He advised that it also entails accumulating the documents that are responsive to the request which involves outreach to virtually every department in the Borough and then reviewing the documents to determine whether redactions are required by law to be made as well as scanning or copying the documents. He further advised that responding to these requests may also involve legal questions which requires interface with his office. He commented that, while everyone endorses the notion of transparency and responsiveness, these requests have become a burden for municipal clerks everywhere.

Ron Kistner, Administrative Officer/Director of Operations, reported that PSE&G is putting down the plates on W. Crescent Avenue. Pressure testing was completed and valves were installed today. Backfilling will take place tomorrow. Laterals and tie-ins will be completed on Tuesday on Park Avenue and paving will be completed in the spring.

Mayor White thanked Mr. Kistner for his time and effort in overseeing this project to ensure that it is progressing. She explained that the compounding issue was the poor condition of the culvert which was not known until construction began. She advised that it has been repaired to the point that construction was able to be completed.

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Public Comment on any issue:

James Thomas, 30 Arlton Avenue, noted that although the Developer's Agreement with 165 LLC is undated, he expressed his belief that the two-year period will have elapsed on either January 12th or 13th of this coming year. He advised that the project is currently stalled and expressed concern over drainage work that has not been started. He stated that he spoke to the Engineering office to inquire whether the developer had requested an extension as is required or if the Borough has initiated action to take over completion of the project.

Mayor White responded that she has been working with Mike Vreeland, Borough Engineer, to see the best way that the Borough can address this issue. Although the Borough has a performance and maintenance bond, she explained that the Borough taking over the project does not appear to be the best option as the amount of money in said bonds would not be enough to cover the cost to complete this project. Mr. Vreeland has been asked to continue to contact the developer to keep this project progressing.

Borough Attorney Wiss advised that he would review the Developer's Agreement to determine whether the Borough has any recourse.

Adjournment:

There being no further business to come before the Mayor and Council, on a motion by Councilwoman McSwiggan, second by Councilwoman Homan, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:33 p.m.

Respectfully submitted,

Anne Dodd, RMC
Municipal Clerk