

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
June 9, 2016

PRESENT: Council members Ari Bernstein, Liz Homan, Steve Sasso, Jim Strauch, and Amy Wilczynski

ABSENT: Mayor Elizabeth White and Council member Jackie McSwiggan

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 June 9, 2016. The meeting was called to order at 8:01 p.m. by Councilwoman Wilczynski 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."

Councilwoman Wilczynski led those present in a salute to the flag.

Approval of Minutes:

Motion by Councilman Bernstein, second by Councilman Strauch, that the Minutes of May 26, 2016 Work Session, May 26, 2016 Regular Session, and May 26, 2016 Closed Executive Session (not to be released) are approved.

Councilwoman Homan noted that as she came late to the Work Session, she is only voting on the portion for which she was present.

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

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

Public Comment

No one came forward

Introduction of Ordinances

Motion by Councilman Strauch that the following ordinance be introduced and passed on first reading and setting July 14, 2016 at 8:00 p.m. or as soon thereafter as the as the matter can be heard as the date and time and the Council Chambers of the Allendale Municipal Building as the place for a hearing on said ordinances. Second by Councilman Bernstein.

The Municipal Clerk read the title of the ordinance into the record:

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ORDINANCE 16-20 – BOND ORDINANCE TO AMEND SECTIONS 4.B AND 4.C OF THE BOND ORDINANCE (ORD. NO. 15-05) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$479,000 TO PAY THE COST THEREOF, TO FULLY OR PARTIALLY FUND APPROPRIATIONS FROM THE RESERVE FOR WATER CAPITAL INFRASTRUCTURE, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS," ADOPTED ON MARCH 12, 2015.

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

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

(See Ordinance 16-20, attached and made a part hereof.)

Consent Agenda

- A. **16-168**/Approval of Bill List
- B. **16-169**/ Authorize Bergen County Trust Fund Project Contract – Tennis Court Rehabilitation Phase II
- C. **16-170**/Authorize Tax Collector to Prepare & Mail Estimated Tax Bills
- D. **16-171**/Approve 2016 July 4th Celebration
- E. **16-172**/Authorize Liquor License Renewals – 2016-2017 Term
- F. **16-173**/Appoint Seasonal Interns – Allendale Police Department
- G. **16-174**/Approve Tax Appeal Settlement – Paulius v. Borough of Allendale
- H. **16-175**/Authorize Salaries – Crestwood Lake Swim Club 2016 Season
- I. **16-176**/ Approve Crestwood Lake Rules & Regulations
- J. **16-177**/Authorize Subsidiary Contract – Purchase of Fuel Oils
- K. **16-178**/Accept Resignation – Lee Memorial Library Board
- L. **16-179**/Appoint Lee Memorial Library Board Trustee
- M. **16-180**/Appoint Real Estate Appraisal Consultant – Real Property Valuation Services
- N. **16-181**/Appoint Part-Time Dispatcher – Allendale Police Department

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

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

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

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

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 June 9, 2016 in the amounts of:

Current Fund	\$884,477.65
Payroll	\$158,544.38
General Capital	\$126,282.37
Animal Fund	\$16.20
COAH/Housing Trust	\$1,287.96
Recycling	\$2,539.00
Trust Fund	\$4,800.00
Total	\$1,177,947.56

Resolution 16-169

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 \$39,000 matching grant award from the 2015 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled “Tennis Court Rehabilitation Phase II” located in Crestwood 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 May 18, 2018; 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 such documents as may be required by the County in accordance with the Trust Fund’s requirements; and,

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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 in accordance with the Trust Fund's requirements.

Resolution 16-170

RESOLUTION AUTHORIZING THE BOROUGH OF ALLENDALE
TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX
BILLS IN ACCORDANCE WITH P.L. 1994, C.72

WHEREAS, due to the County Board of Taxation unable to certify a tax rate due to various issues at the state level and the Municipal Tax Collector will be unable to mail the tax bills on a timely basis, it has become necessary to issue estimated tax bills for the 3rd Quarter of 2016 and;

WHEREAS, the Municipal Tax Collector in consultation with the Municipal Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated levies;

NOW, THEREFORE BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY ON 9TH DAY OF JUNE 2016 AS FOLLOWS:

1. The Borough of Allendale Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough for the third installment of 2016 taxes. The Tax Collector shall proceed and take such actions as necessary.
2. The entire estimated levy for 2016 is hereby set at \$ 38,154,865.00 for an estimated tax rate of \$ 2.288.
3. In accordance with law the third installment of 2016 shall not be subject to interest until the later of August 10, 2016. Any payment received after August 10, 2016 shall have interest calculated from August 1, 2016.

Resolution 16-171

Appointment of an Hourly Seasonal Intern

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Olivia Callaghan be appointed as an hourly, part-time, seasonal intern effective May 16, 2016 at a rate of \$12.00 per hour; and,

Be It Further Resolved that this appointment shall expire September 5, 2016.

Resolution 16-172

Renewal of ABC Liquor Licenses for 2016-2017

Whereas, all Plenary Retail Consumption, Retail Distribution, Limited Distribution and Club Licenses will expire on June 30, 2016; and,

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Whereas, the following applicants have complied with the provisions of the Act of the Legislature entitled, "An Act Concerning Alcoholic Beverages", being Chapter 436 of the Laws of 1933, its supplements and amendments, and with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control applicable.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the Borough Clerk be and is hereby authorized to issue licenses to expire June 30, 2017, to the following:

PLENARY RETAIL DISTRIBUTION LICENSES - \$2,500.00

0201-44-003-005	Allendale Liquors, Inc. t/a Allendale Wine Shoppe	101 West Allendale Avenue Allendale, NJ 07401
0201-44-004-003	Thrift Drug, Inc. t/a Rite Aid #10404	44 West Allendale Avenue Allendale, NJ 07401

Resolution 16-173

Appointment of Unpaid Seasonal Interns

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Rishi Jain and Connor Walsh be appointed as unpaid seasonal interns in the Allendale Police Department effective June 10, 2016.

Be It Further Resolved that this appointment shall expire September 5, 2016.

Resolution 16-174

**Approval of Tax Appeal
Robert & Sigita Paulius v. Allendale**

WHEREAS, the tax payers, Robert & Sigita Paulius, appealed the assessment levied on residential property they owned for the tax years 2015 & 2016; and

WHEREAS, the subject property is located at 684 W. Crescent Ave. (Block 1503.01, Lot 9);
and

WHEREAS, the Plaintiffs were represented by counsel in this matter; and

WHEREAS, the assessor reviewed the comparable sales submitted by Plaintiffs and other data on this property and determined that a minor adjustment was warranted; and

WHEREAS, the parties have agreed to compromise the appeal on the following terms: the assessment for the 2015 tax year shall be reduced from \$1,494,900 to \$1,400,000 and for 2016 the assessment shall be reduced from \$1,494,900 to \$1,450,000; and

WHEREAS, there are sufficient funds available in the reserve for tax appeals account to satisfy the tax refund; and

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WHEREAS, the assessor is of the opinion that the valuation of the subject property is consistent with true value of the property.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that:

The proposed settlement for the tax appeal encaptioned Paulius v. Borough of Allendale as hereinbefore set forth is approved and the Borough Tax Attorney or a member of his firm is authorized to execute all documents necessary to effectuate its terms.

Resolution 16-175

2016 Crestwood Lake Salary Resolution – Supplement Two

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 hires Margaret Mulder as a Lifeguard at a rate of \$9.00 per hour for the Crestwood Lake Swim Club 2016 Season effective May 28 2016.

Resolution 16-176

Adoption of Rules and Regulations for Crestwood Lake

WHEREAS, the Borough of Allendale (“Borough”) is the owner and operator of Crestwood Lake, and

WHEREAS, the Governing Body has determined that it is desirable for the safe and efficient operation of Crestwood Lake to adopt various rules and regulations regarding admission to Crestwood Lake, the duties and authority of the Lake Director and lifeguards as well as other rules of conducts and operation concerning Crestwood Lake;

NOW, THEREFORE, BE IT RESOLVED that the Borough hereby adopts, effective immediately, the “Crestwood Lake Rules and Regulations” in the form attached to this Resolution, and

BE IT FURTHER RESOLVED, that such Rules and Regulations shall govern and control the operations at Crestwood Lake, and be enforced accordingly.

Resolution 16-177

**Resolution Authorizing Entering Into Subsidiary Contract
With Rachles/Michele’s Oil, Inc. Through the
Bergen County Cooperative Contract Purchasing System**

WHEREAS, the Borough of Allendale (“Borough”) by Resolution No. 14-263 dated September 8, 2014 previously authorized the Borough to enter into a Cooperative Pricing Agreement with the County of Bergen whereby the Borough would participate in a Cooperative Pricing System relating to the procurement of electricity generation and/or natural gas supply services; and

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WHEREAS, on September 11, 2014, the Borough pursuant to said Resolution No. 14-263 entered into a “Cooperative Pricing System Membership Agreement” with the County of Bergen for participation in the Bergen County Aggregate Energy Procurement Cooperative Pricing System; and

WHEREAS, the Bergen County Cooperative Pricing System solicited bids, through the open competitive bidding process and in accordance with N.J.S.A. 40A:11-1, et seq., Local Public Contracts Law, for the purchase of diesel fuel; and

WHEREAS, the County approved and awarded Bid #15-64-PROVIDE DIESEL FUEL (1st OPTION) to said Rachles/Michele’s Oil, Inc. for the period of September 21, 2015 through September 20, 2016; and

WHEREAS, said contract establishes specifications for the Borough, being a member of the Bergen County Cooperative Pricing System to participate for the purchase of fuel oil for the Borough of Allendale vehicles; and

WHEREAS, on June 9, 2016, the Borough approved Resolution #16-177 authorizing the purchase of fuel oil through the Bergen County Cooperative Pricing System, in an amount not to exceed \$100,000; and

WHEREAS, the Chief Financial Officer has certified available funds for these purchases.

NOW, THEREFORE, BE IT RESOLVED that the Borough be, and hereby is, authorized to enter into a subsidiary contract with Rachles/Michele’s Oil, Co., in substantially the form attached hereto, for the purchase of the foregoing fuel oil as set forth herein above; and

BE IT FURTHER RESOLVED, that the Mayor, Borough Clerk and Borough Counsel are authorized to take such other actions necessary to effectuate the foregoing.

Resolution 16-178

Accepting the Resignation from the
Lee Memorial Library Board of Trustees

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that it hereby accepts the resignation of Suzanne Meehan from the Lee Memorial Library Board of Trustees effective June 9, 2016.

Resolution 16-179

Board Appointment

Be It Resolved that the following individual is appointed to the Lee Memorial Library Board for the period specified:

<u>Library Board</u>	<u>Term Expires</u>
Sandra Desmond	12/31/2020 (Unexpired Meehan)

Appointment of Stack, Coolahan, & Stack, LLC

Whereas, the Borough of Allendale has a need to retain a real estate appraisal consultant to provide real property valuation services for the Borough in the proposed acquisition of (1) 220 West Crescent Avenue Block 1005, Lot 20; (2) 230 West Crescent Avenue and designated on the Allendale Tax Map as Block 1005, Lot 3; and (3) 200 West Crescent Avenue and designated on the Allendale Tax Map as Block 1005, Lot 4;

Whereas, the Chief Financial Officer has attached hereto a certification that adequate funds have been or will be duly budgeted and appropriated to pay for the contract;

Now, Therefore, Be It Resolved by the Governing Body of the Borough of Allendale that Maurice Stack of Stack, Coolahan & Stack LLC of Hoboken, New Jersey is hereby appointed as Real Estate Appraisal Consultant;

Be It Further Resolved that the fee for such services shall be in accordance with the proposal attached hereto;

Be It Further Resolved that the services set forth herein shall not exceed the sum of \$15,000.00 unless further approved by resolution of the Governing Body;

Be It Further Resolved that the Mayor and Municipal Clerk are authorized to execute a contract or a proposal with Stack, Coolahan & Stack, LLC for the services to be rendered;

Be It Further Resolved that the foregoing appointment is made without competitive bidding as a professional service, which is exempt from such requirements pursuant to law;

Be It Further Resolved that a copy of this Resolution be filed with the Municipal Clerk and be made available for inspection.

Appointment of Part-Time Police Dispatcher

Whereas, there is a need for a part-time Dispatcher in the Allendale Police Department.

Now, Therefore Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, upon recommendation of the Chief of Police, that Ryan John Berger is hereby appointed as part-time Dispatcher of the Allendale Police Department effective June 10, 2016 at a rate of \$15.00 per hour; and

Be It Further Resolved that the Mayor, the Chief Financial Officer, Municipal Clerk and the Borough Attorney are authorized to take all appropriate actions so as to implement this Resolution.

Unfinished Business:

There was no unfinished business.

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New Business:

There was no new business.

Council Committee Reports and Comments

This agenda item was addressed during the Work Session.

Staff Reports:

This agenda item was addressed during the Work Session.

Public Comment on any issue:

Councilman Sasso announced that the Borough of Allendale has a distinguished guest from Japan in the audience. He welcomed him and noted that he is a reporter for a nationally circulated newspaper in Japan.

Hiroki Fukuda, Japan, explained that he is visiting the United States to witness the U.S. Presidential Election from the point of view of a small town. He noted that Japan will have its own national election and the results of the U.S. election will have an effect on Japan. He further explained that he learned of Allendale as it has been a sister city to Omachi in Japan since 1996. He thanked the Mayor and Council for accepting his request, commenting that Allendale is a beautiful town.

Adjournment:

There being no further business to come before the Mayor and Council, on a motion by Councilman Strauch, second by Councilman Bernstein, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:11p.m.

Respectfully submitted,

Anne Dodd, RMC
Municipal Clerk