

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
November 30, 2017

PRESENT: Mayor Elizabeth White and Councilmembers Ari Bernstein, Liz Homan
Jackie McSwiggan, Steve Sasso, Jim Strauch, and Amy Wilczynski

ABSENT: None

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 November 30, 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 Councilman Strauch, second by Councilwoman Wilczynski, that the Minutes of November 16, 2017 Work Session and November 16, 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:	aye
Councilwoman McSwiggan:	abstain	Councilwoman Wilczynski:	aye

Public Comment

No one came forward.

Public Hearings for Advertised Ordinances:

Ordinance 17-16

The Municipal Clerk read into the record:

The following ordinance published herewith was first read by title only on November 16, 2017 and posted on the bulletin board of the municipal building.

ORDINANCE 17-16 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, SOLID WASTE, CHAPTER 228

Public Comments on Ordinance 17-16

No one came forward.

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Motion by Councilman Sasso, second Councilwoman McSwiggan, that Ordinance 17-16 be passed on second and final reading and is 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:	aye
Councilwoman McSwiggan:	aye	Councilwoman Wilczynski:	aye

(See Ordinance 17-16, attached and made a part hereof.)

Introduction of Ordinances:

Ordinances 17-18 – 17-20

Motion by Councilman Sasso that the following ordinances be introduced and passed on first reading and setting December 14, 2017 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 Councilwoman Wilczynski.

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

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

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

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

Consent Agenda

- A. **17-278**/Approval of Bill List
- B. **17-279**/Authorize Change Order No. 1 – 2017 Paving Program
- C. **17-280**/Cancel 2017 Taxes – Uncollectible Properties – Block 301 Lot 45 & Block 2204 Lot 15
- D. **17-281**/Authorize Refund – 2017 Veteran Deduction/Surviving Spouse Deductions – Block 1710 Lot 1.01 C0218 & Block 2101 Lot 1.2006
- E. **17-282**/Authorize Budget Transfers
- F. **17-283**/Approve Water Bill Adjustments
- G. **17-284**/Authorize Amendments to Athletic Fields & Recreational Facilities Use Policy & Rules & Regulations for Allendale Field & Facility Use

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Motion by Councilman Strauch, second by Councilwoman McSwiggan, 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
Councilwoman Homan:	aye	Councilman Strauch:	aye
Councilwoman McSwiggan:	aye	Councilwoman Wilczynski:	aye

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

Resolution 17-278

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 November 30, 2017 in the amounts of:

Current Fund	\$1,394,776.29
Payroll Account	\$0.00
General Capital	\$147,467.99
Animal Fund	\$0.00
Grant Fund	\$0.00
COAH/Housing Trust	\$468.75
Improvement & Beautification	\$0.00
Unemployment Fund	\$11,804.00
Trust Fund	\$2,375.25
Water Operating	\$190,432.41
Water Capital	\$10,896.00
Total	\$1,758,220.69

Resolution 17-279

Change Order Number One – 2017 Paving Program
Northwest Bergen Cooperative Pricing Program

Whereas, the Borough Engineer has requested that certain changes are needed in the 2017 Paving Program contract; and

Whereas, a net increase of \$314.62 will result from the actual quantities of work measured and performed; and

Whereas, the CFO has certified that sufficient funds are available.

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Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Change Order Number One resulting in a increase of \$314.62, a 0.14% increase in the original contracted amount, be approved for the 2017 Paving Program, resulting in a new contract amount of \$217,385.64.

Be It Further Resolved that Change Order Number One in the increased amount of \$314.62 be approved for performance by Crossroads Pavement Maintenance, LLC, 81 Franklin Avenue, Nutley, NJ 07110.

Resolution 17-280

UNCOLLECTIBLE PROPERTIES

BE IT RESOLVED, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to cancel the taxes owed on the following list of uncollectible properties for 2017. The properties are as follows:

<u>BLOCK / LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
301 / 45	Rear Farley Place	\$201.34
2204 / 15	New Street	\$ 34.32

Resolution 17-281

OVERPAYMENT

BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to reduce the 2017 levy and issue the following overpayment checks due to a veteran deduction/surviving spouse deduction for the tax year 2017:

Block/ Lot	Name	Property Location	Amount
1710/1.01 C0218	Dunn, Ann 218 Orchard Park Allendale, NJ 07401	218 Orchard Park	\$250.00
2101/1.2006	DeSanto, Frank T. 2006 Whitney Lane Allendale, NJ 07401	2006 Whitney Lane	\$250.00

Resolution 17-282

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

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Budget Appropriations:

DEPARTMENT	FROM	TO
Electrical Inspector, S&W		\$100
Property Maintenance Inspector, S&W		\$2,000
Municipal Prosecutor, S&W		\$1
PERS		\$440
PFRS		\$207
DCRP		\$5,000
Municipal Court, S&W		\$1
Salary & Wage Adjustment	\$7,749	
Totals	\$7,749	\$7,749

Resolution 17-283

Water Adjustment

Whereas, the utility payer listed below has been found to have their utility bill reduced by the amount shown, and

Whereas, this adjustment is due to an estimated bill, incorrectly reported water usage or incorrect readings,

Now, Therefore, Be It Resolved by the Council of the Borough of Allendale that these adjustments be granted, with a credit, to the following utility bill payer:

Name	Account Number	Amount
Peter Miros	3118935070538	\$841.36
Jay Richards	3117601785373	\$122.84
Wayne Nash	3111675357924	\$1,940.22
Lawrence Stephen	3119767037455	\$109.44

Resolution 17-284

Field Use Policy

WHEREAS, Section 203-20 of the Borough Code addresses the use of recreational facilities; fees; rules and regulations;

WHEREAS, the Allendale Athletic Fields and Recreational Facilities Use Policy, as well as Rules and Regulations for Athletic Field and Facility Use, were prepared and recommended for implementation; and

WHEREAS, by Resolution 08-389, the Borough of Allendale did authorize and approve the aforesaid Athletic Fields and Recreational Facilities Use Policy, as well as Rules and Regulations for Allendale Field and Facility Use to be effective January 1, 2009; and

WHEREAS, modifications to the foregoing have been prepared and recommended for implementation.

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NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Allendale, County of Bergen, State of New Jersey, that it does hereby authorize and approve the amendments to aforesaid Athletic Fields and Recreational Facilities Use Policy, as well as Rules and Regulations for Allendale Field and Facility Use, to be effective upon adoption of this Resolution, or until further order of the Borough Council by appropriate resolution;

Unfinished Business:

There was no unfinished business.

New Business:

There was no new business.

Council Committee Reports and Comments:

Councilman Strauch – Public Works

Councilman Strauch provided his report during the Work Session.

Councilwoman Homan – Public Safety

Councilwoman Homan reported that the Public Safety Committee met on November 17th. She advised that CERT has participated in several training activities and she thanked them for devoting their time to the community. The Allendale Volunteer Ambulance Corps held a successful beefsteak dinner. Mayor White commented that it was a great night with 240 people in attendance. Councilwoman Homan advised that AVAC's anniversary celebration will be held in January. She thanked all of the volunteers and the Allendale Police Department members who will be working the Holiday Walk. Public safety initiatives are continually being reviewed such as speeding concerns as well as streets that in need of additional oversight on Halloween. A second meeting to discuss contract negotiations with the PBA was held and a third meeting is scheduled. Councilwoman Homan commented that they have been very pleased with the tone of these meetings and are hopeful that negotiations will be complete by the end of the year.

Councilwoman Wilczynski – Facilities, Parks & Recreation

Councilwoman Wilczynski advised that she attended an ASA meeting and all involved were very pleased with the DPW and the condition of the fields. She explained that the field use policy was revised which included more clearly defining the role of the ASA. The fields are being prepared for next year with soil being placed on the multipurpose field as well as the football field. The water is being drained from the sprinkler systems. The new compactors should be online on December 12th which help will with efficiency and save on labor. Councilwoman Wilczynski advised that she is working with Tatiana Marquis, Administrative Assistant in the DPW, on the Recycling Newsletter. She thanked the residents for recycling as the numbers and revenues have increased. The next Facilities, Parks and Recreation Committee meeting is scheduled on December 5th and grants will be discussed.

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Councilwoman McSwiggan – Water, Sewer & Public Utilities

Councilwoman McSwiggan reported that she attended Allendale Housing, Inc's Thanksgiving dinner which was hosted by one of the parents. She commented that it was a great community event and expressed her opinion that this event was ratification of Allendale's reputation as a welcoming community as well as how wonderful the special needs residents are and the positive impact that they continue to have on this community.

She advised that she attended the Fairness Hearing in which the Borough's low-income housing plan was presented to the judge, noting that Borough Attorney Wiss will provide further details in his report.

The cleaning and relining of the water main on Colonial, Surrey, and Dogwood is nearly complete. The system is scheduled to be pressurized tomorrow and is hoped to be back online next week. There was a water main break on Arcadia and Suez made the necessary repairs right away. Councilwoman McSwiggan noted that Suez has been very responsive whenever there has been an issue. The Northwest Bergen Utilities Authority is in the process of inspecting a third of the sewer system which will complete a full cycle of inspections. She commented that these inspections have proved very helpful in assisting the Borough with completing preventative maintenance repairs. She requested that residents check their water bills to ensure that they are being billed correctly as they are finding that some batteries on the water meters are in need of replacement. She asked that residents contact Suez if they are being billed the minimum amount. A notice will also be placed in the newsletter regarding this matter. The next Water, Sewer and Public Utilities Committee meeting is scheduled on December 18th.

Councilman Sasso – Land Use and Construction Code

Councilman Sasso announced that the next Land Use and Construction Code Committee meeting is scheduled on Monday at 8 a.m.

Councilman Bernstein – Administration, Finance, and Human Resources

Councilman Bernstein advised that there has not been an Administration, Finance and Human Resources Committee meeting since the last Mayor and Council meeting. As budget requests were due to the CFO on November 27th, he reminded everyone that these requests need to be reviewed with Department Heads if they have not already done so. The next Administration, Finance and Human Resources Committee meeting to review the budget is scheduled on December 7th and full committee meeting is scheduled on December 19th.

Staff Reports:

Ray Wiss, Municipal Attorney, advised that he participated in a Fairness Hearing to review the provisions of settlement agreement entered into with the Fair Share Housing Center regarding the municipality's affordable housing plan. He noted that the court-appointed master gave a very favorable recommendation for the Borough's plan, praising the Borough's history of compliance and commenting that Allendale is a model for Bergen County. Judge Toskos approved the Borough's plan as constitutionally compliant which is the first step in the process. The next step is a Compliance Hearing. The Borough will have 120 days beginning in the new year to adopt the appropriate ordinances and take other appropriate action to implement the plan. A hearing will then take place with Judge Toskos and the court-appointed master to demonstrate that the

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provisions of the plan have been implemented. Should the judge approve, the Borough would then be granted immunity from lawsuits through 2025.

Mayor White added that the Borough currently has immunity as it has gone through the Fairness Hearing. Borough Attorney Wiss confirmed that he will be preparing an order to memorialize the Borough's judge's approval and the Borough's immunity will extend for 120 days beyond January 1st at which time they will be back before the court for final approval.

Councilwoman McSwiggan commented that the court-appointed master went out of her way to acknowledge Allendale's commitment to provide low-income housing. She noted that she was gratified to hear the representative from the Fair Share Housing Center comment that Allendale has been a leader. She thanked Borough Attorney Wiss for the masterful job that he has done in leading the Borough through this process and expressed her gratitude for his expertise and patience.

Borough Attorney Wiss noted that many municipalities are spending large amounts of money on litigation that the Borough was able to resolve through a series of negotiations, noting that the Borough was afforded the maximum discount of a 40% reduction in the number originally proposed by the Fair Share Housing Center.

Anne Dodd, Municipal Clerk, reported that pet licensing will begin tomorrow. She provided an update with respect to OPRA requests, noting that 28 requests were received this month and a total of 269 requests have been received to date this year.

Mayor White thanked Ms. Dodd for her professionalism in handling these requests.

Ron Kistner, Administrative Officer/Director of Operations, advised that he is the Northwest Bergen region chairman for the Community Development grant and he will be taking a tour tomorrow to look at the projects that had been awarded funds last year. As he is not going to be in the office tomorrow, he contacted Suez Water this morning and they were able to pressurize the system on Colonial, Surrey and Dogwood today. Cleanup will begin tomorrow and the project should be completed by next week. With respect to the compactors, the electrical inspection was completed. Orange & Rockland will be coming Tuesday to complete their work and the compactors should be operational the following week.

Public Comment on any issue:

Mark Savastano, 22 Vreeland Place, commended the governing body for its work with regard to affordable housing. He inquired as to the status of his request for the Festival Day cost information.

Mayor White advised that she will have this information to him by Monday.

Mr. Savastano noted that he had requested a meeting with Mayor White and Chief Scherb to discuss public safety concerns in the center of town.

Mayor White advised that there has been a lot of enforcement targeted in this area over the past month.

Councilwoman Homan noted that there is a two-pronged approach as not only is speeding an issue, but pedestrians not using the crosswalk is another problem. Mayor White added that the Police Department did look at crosswalk enforcement as the contention was that drivers were not stopping

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for people crossing in the crosswalk. The outcome of the research was that people were not using the crosswalk to cross.

Mr. Savastano expressed that he is happy to hear that wildlife management is being addressed. He inquired whether deer are the focal point.

Councilman Sasso responded that they are looking at addressing wildlife issues in general.

Mr. Savastano commented that he is interested to hear the details of this program.

Mayor White noted that it is an ongoing process and the public will be kept apprised. She explained that the public hearing for the ordinances that have been introduced this evening will take place at the next meeting. The governing body may also request that representatives from the NJ DEP attend a Council meeting to discuss a possible wildlife management program at some point in the future.

Adjournment:

There being no further business to come before the Mayor and Council, on a motion by Councilman Strauch, second by Councilwoman McSwiggan, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:37 p.m.

Respectfully submitted,

Anne Dodd, RMC
Municipal Clerk