

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
NOVEMBER 30, 2017
8:00 P.M.

- 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

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

X. MAYOR'S REPORT

XI. COMMITTEE REPORTS AND COMMENTS

XII. STAFF REPORTS

XIII. PUBLIC COMMENTS

XIV. ADJOURNMENT

Bulletin Board
Borough Website

****AGENDA & AGENDA MATERIALS SUBJECT TO CHANGE****

**BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE 17-16

**AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE
THE CODE OF THE BOROUGH OF ALLENDALE,
SOLID WASTE, CHAPTER 228**

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Chapter 228 of the Code of the Borough of Allendale, be and hereby is amended and revised as to Section 228-21 through 228-29 as follows:

Article IV. Refuse Containers/Dumpsters

§ 228-21. Purpose.

This article requires dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times, regulates the length of time a dumpster or other bulk container may be placed on property, regulates the type of materials that may be placed in a dumpster, requires a permit for the use of a dumpster, and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Borough of Allendale and/or the waters of the state so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 228-22. Definitions.

For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

DUMPSTER

Any container, temporarily located on any private property, whether rigid or non-rigid in nature, into which any solid waste, as defined in §228-1 or this Chapter, is placed or deposited, including but not limited to construction and demolition debris, as defined in §228-1 of this Chapter. Containers within the scope of this definition shall include dumpster bags. Such containers situated on an ongoing, continuous basis on private commercial property shall not be included within this definition.

DUMPSTER BAG

Any dumpster which is non-rigid and/or expandable in nature or composition.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the Borough of Allendale or other public body, and is designed and used for collecting and conveying stormwater.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

REFUSE CONTAINER

Any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

STORMWATER

Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

WATERS OF THE STATE

The ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

§ 228-23. Prohibited conduct.

- A. Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.
- B. Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Allendale.

§ 228-23.1 Use of Dumpsters/Duration of Placement of Dumpsters/Permits for Dumpsters.

- A. No garbage, refuse or trash, as such terms are defined in §228-17 of this Chapter, recyclable materials which are subject to the provisions of §228-3(B)(1 through 6) and (8 through 11) of this Chapter, or household waste shall be placed in any dumpster.
- B. No dumpster shall remain in place or be situated on any private property for a period in excess of ninety (90) days from the date of the issuance of the permit for same required in this Article, provided however that such period may be extended by the Construction Code Official for good cause. This time limitation(s) in this provision shall not be applicable to dumpster bags, which dumpster bags shall instead be governed by the time limitation in § 228.23.1(C) hereinbelow.
- C. No dumpster bag shall remain in place or be situated on any private property for a period in excess of

two (2) weeks from the date of the issuance of the permit for same required in this Article, provided however, that such time period may be extended by the Construction Code Official for good cause.

D. No dumpster or dumpster bag shall be placed, located or situated on any private property unless and until a permit for same has been issued by the Construction Code Official, or the Borough. The cost of each such permit shall be \$25.00.

§ 228-24. Exceptions to prohibition.

Exceptions are as follows:

- A. Litter receptacles (other than dumpsters or other bulk containers).
- B. Individual homeowner trash and recycling containers.
- C. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.
- D. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).

§ 228-25. Enforcement.

This article shall be enforced by the Construction Code Official or the Property Maintenance Officer of the Borough of Allendale.

§ 228-26. Penalties.

Any person(s) who is found to be in violation of the provisions of this article shall be subject to a fine not to exceed \$1,000 or imprisonment for a term of not more than 90 days or both.

§ 228-27. Severability.

Each section, subsection, sentence, clause and phrase of this article is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this article to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this article.

§ 228-28. Repealer.

All other provisions of this chapter which are not affected by this amendatory Ordinance are hereby ratified and confirmed and shall remain in full force and effect. However, all ordinances or parts of ordinances which are inconsistent with the provisions of this amendatory Ordinance are hereby repealed to the extent of such inconsistency.

§ 228-29. When effective.

This article shall be in full force and effect from and after its adoption and any publication as may be required by law.

BE IT FURTHER ORDAINED that, except as modified herein, all other provisions of Chapter 228 shall remain in full force and effect as previously adopted.

BOROUGH OF ALLENDALE

PUBLIC NOTICE

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

was introduced at a regular meeting of the Mayor and Council of the Borough of Allendale, in the County of Bergen, New Jersey, held on Thursday, November 30, 2017 and will be further considered for final passage after public hearing at a regular meeting of the Mayor and Council to be held in the Council Chambers, Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey on Thursday, December 14, 2017 at 8:00 P.M. prevailing time, or as soon thereafter as the matter can be heard.

A clear and concise statement of this ordinance is to amend §125-3 of the Firearms chapter of the Borough Code to allow for the use of firearms pursuant to a wildlife management program approved by Borough Council, as set forth in the ordinance.

A copy of this ordinance may be obtained without cost between the hours of 9:00 a.m. and 4:30 p.m. at the Office of the Municipal Clerk, 500 West Crescent Avenue, Allendale, New Jersey.

Anne Dodd, RMC
Municipal Clerk

BOROUGH OF ALLENDALE

PUBLIC NOTICE

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

was introduced at a regular meeting of the Mayor and Council of the Borough of Allendale, in the County of Bergen, New Jersey, held on Thursday, November 30, 2017 and will be further considered for final passage after public hearing at a regular meeting of the Mayor and Council to be held in the Council Chambers, Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey on Thursday, December 14, 2017 at 8:00 P.M. prevailing time, or as soon thereafter as the matter can be heard.

A clear and concise statement of this ordinance is to amend §203-29(A) to §203-29(C) under §203-29 entitled Enforcement with respect to the Borough personnel referenced and approval for the means of dispersal or removal of wildlife and to remove §203-29(D) in its entirety under Article V Wildlife Feeding of the Public Places chapter of the Borough Code, as set forth in the ordinance.

A copy of this ordinance may be obtained without cost between the hours of 9:00 a.m. and 4:30 p.m. at the Office of the Municipal Clerk, 500 West Crescent Avenue, Allendale, New Jersey.

Anne Dodd, RMC
Municipal Clerk

BOROUGH OF ALLENDALE

PUBLIC NOTICE

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

was introduced at a regular meeting of the Mayor and Council of the Borough of Allendale, in the County of Bergen, New Jersey, held on Thursday, November 30, 2017 and will be further considered for final passage after public hearing at a regular meeting of the Mayor and Council to be held in the Council Chambers, Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey on Thursday, December 14, 2017 at 8:00 P.M. prevailing time, or as soon thereafter as the matter can be heard.

A clear and concise statement of this ordinance is to amend §203-24 (C) of the Public Places chapter of the Borough Code to allow for use of lands designated in Schedule 1 under Article IV as part of a wildlife management program approved by the Borough Council and to add §203-24.1 entitled Exceptions pertaining to the use, on Municipal lands designated by the Borough Council and pursuant to a wildlife program approved by the Borough Council, of sporting arms legal in New Jersey for regulated hunting under the Public Places chapter of the Borough Code, as set forth in the ordinance.

A copy of this ordinance may be obtained without cost between the hours of 9:00 a.m. and 4:30 p.m. at the Office of the Municipal Clerk, 500 West Crescent Avenue, Allendale, New Jersey.

Anne Dodd, RMC
Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 11/30/2017

RESOLUTION# 17-278

Council	Motion	Second	Yes	No	Abstain	Absent
Bernstein						
Homan						
McSwiggan						
Sasso						
Strauch						
Wilczynski						
Mayor White	---	---				

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

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 30, 2017.

Anne Dodd, RMC
Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 11/30/2017

RESOLUTION# 17-279

Council	Motion	Second	Yes	No	Abstain	Absent
Bernstein						
Homan						
McSwiggan						
Sasso						
Strauch						
Wilczynski						
Mayor White	---	---				

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.

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 an 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.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 30, 2017.

Anne Dodd, RMC
Municipal Clerk

Certification Of Availability of Funds

This is to certify to the of the Borough of Allendale that funds for the following resolutions are available.

Contract Amount: 217,385.64
Resolution Date: 11/30/17
Resolution Number: 17-279

Vendor: C0318 CROSSROADS PAVEMENT
MAINTENANCE LLC
81 FRANKLIN AVENUE
NUTLEY, NJ 07110

Contract: C1700002 2017 PAVING PROGRAM

Account Number	Amount	Department Description
C-04-55-927-101	314.62	ORDINANCE 17-05
Total	314.62	

Only amounts for the 2017 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.



Chief Financial Officer

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 11/30/2017

RESOLUTION# 17-280

Council	Motion	Second	Yes	No	Abstain	Absent
Bernstein						
Homan						
McSwiggan						
Sasso						
Strauch						
Wilczynski						
Mayor White	---	---				

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:

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

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 30, 2017.

Anne Dodd, RMC
Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 11/30/2017

RESOLUTION# 17-281

Council	Motion	Second	Yes	No	Abstain	Absent
Bernstein						
Homan						
McSwiggan						
Sasso						
Strauch						
Wilczynski						
Mayor White	---	---				

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

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 30, 2017.

Anne Dodd, RMC
Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 11/30/2017

RESOLUTION# 17-282

Council	Motion	Second	Yes	No	Abstain	Absent
Bernstein						
Homan						
McSwiggan						
Sasso						
Strauch						
Wilczynski						
Mayor White	---	---				

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
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

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 30, 2017.

Anne Dodd, RMC
Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 11/30/2017

RESOLUTION# 17-283

Council	Motion	Second	Yes	No	Abstain	Absent
Bernstein						
Homan						
McSwiggan						
Sasso						
Strauch						
Wilczynski						
Mayor White	---	---				

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

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 30, 2017.

Anne Dodd, RMC
Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 11/30/2017

RESOLUTION# 17-284

Council	Motion	Second	Yes	No	Abstain	Absent
Bernstein						
Homan						
McSwiggan						
Sasso						
Strauch						
Wilczynski						
Mayor White						

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.

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;

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 30, 2017.

Anne Dodd, RMC
Municipal Clerk