

Regular Session Meeting
Mayor and Council
October 9, 2014

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 October 9, 2014. The meeting was called to order at 8:00 p.m. by Mayor Barra, who announced that the requirements of the Open Public Meeting Act were met by the required posting and notices of publications.

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

The following individuals answered roll call: Councilmembers Bernstein, McSwiggan, Sasso, White, and Wilczynski, as well as Mayor Barra. Councilman Strauch was absent. Mr. Valenzuela, Mrs. Mayer and Mr. Bole were also present.

Approval of Minutes:

July 24 Work Session and Regular Meeting
August 5 Special Session
August 14 Work Session and Regular Meeting

Councilwoman McSwiggan made a motion to approve the Work and Regular Session Minutes of July 24, 2014 as submitted; seconded by Councilwoman White.

On Roll Call: Aye – McSwiggan, Sasso, White, Wilczynski. Abstain – Bernstein

Councilwoman White made a motion to approve the August 5th Special Session Minutes of August 5, 2014 as submitted; seconded by Councilwoman Wilczynski.

On Roll Call: Aye – McSwiggan, Sasso, White, Wilczynski. Abstain – Bernstein

Councilwoman White made a motion to approve the Work and Regular Session Minutes of August 14, 2014 as submitted; seconded by Councilwoman White.

On Roll Call: Aye – Bernstein, McSwiggan, Sasso, White, Wilczynski.

PUBLIC HEARINGS FOR ADVERTISED ORDINANCES

Resolution 14-282: Introduction of Ordinance 14-20

Be It Resolved that Ordinance 14-20, **AN ORDINANCE TO AMEND AND SUPPLEMENT THE 2014 SALARY ORDINANCE, ORDINANCE 14-01 ENTITLED “AN ORDINANCE TO AMEND CHAPTER 53 OF THE CODE OF THE BOROUGH OF ALLENDALE TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF ALLENDALE FOR THE YEAR 2014”** is introduced, and now passes on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 23rd day of October, 2014, at 8:00 p.m., or as soon thereafter,

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at Allendale Borough Hall, and that at such time and place, all persons interested be given an opportunity to be heard concerning said ordinance.

Councilwoman White made a motion to approve the Resolution 14-282; seconded by Councilwoman McSwiggan.

On Roll Call: Aye – Bernstein, McSwiggan, Sasso, White, Wilczynski.

Resolution 14-294: Ordinance 14-21
Introduction of Amendment to Allendale
Tree Ordinance

Be It Resolved that Ordinance 14-21 **AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 244 OF THE CODE ENTITLED “TREES”**, is introduced, and now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 23rd day of October, 2014, at 8:00 p.m. or as soon thereafter, at Allendale Borough Hall, Council Chambers, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance.

Councilwoman McSwiggan made a motion to approve resolution 14-294; seconded by Councilman Sasso.

On Roll Call: Aye – Bernstein, McSwiggan, Sasso, White, Wilczynski.

Public Comment on Agenda Items- There were no public comments.

CONSENT AGENDA

Resolution 14-283: 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 the Bill List dated October 9, 2014 is approved.

Resolution 14-284: Authorizing approval of Tax Appeal Shi 12 Eroid Court

WHEREAS, the tax payers, Chu Hong Shi and Chan Li Shi appealed the assessment levied on the subject property for the year 2013; and

WHEREAS, the subject property is located on Block 2103, Lot 27.02 (12 Eroid Court); and

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WHEREAS, the Plaintiffs were represented by counsel and provided an appraisal report; and

WHEREAS, the Borough's expert residential appraiser reviewed the report and his own comparable sales data and issued a preliminary opinion of value; and

WHEREAS, the appraiser and the assessor agreed to compromise the appeal for the following items: for tax year 2013, the assessment reduced from \$720,000 to \$710,000; and

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

WHEREAS, the assessor believes 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 Shi 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 14-285: Approval of County Board Adjustments reduction of 2014 Tax Levy

COUNTY BOARD JUDGEMENTS

BE IT RESOLVED, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to reduce the 2014 tax levy due to County Board Judgments as follows:

301/4	Fenton, Timothy & Regina	\$ 285.96
301/23	Badiali, John & Jacqueline	\$ 1,646.65
301/44	Banks, James & Open	\$ 1,877.80
406/19	Minicucci, Michael & Amanda	\$ 1,763.42
509/7	Hegy, Andrew & Lauren	\$ 607.67
509/11	Cardone, Renee	\$ 1,100.95
601/4.05 C0004	Allendale Properties LLC	\$11,319.25
701/14	Chorba, Thomas & Manfredini, C	\$ 448.00
801/38	Braun, Jeff & Dina	\$ 1,191.50
910/8	Villanova Mortgage Co LLC	\$ 1,077.12
1005/2	Bilmar Property LLC	\$ 2,978.75
1203/12	Vedam, Krishna & Soumya	\$ 2,156.62
1204/16	Shih, Andrew & Kari	\$ 1,265.37

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1706/7	Saviello, Thomas & Betty Ann	\$ 476.60
2007/3	Castaneda, Joselito & Michelle	\$ 238.30
2103/24	Sarwar, Nasima	\$ 910.31
2206/3	Fortune, Kent & M. Elizabeth	\$ 509.96
TOTAL		\$ 29,854.23

Resolution 14-286: Approval of County Board Adjustment for reduction of 2014 Tax Levy for Allendale Properties, LLC.

OVERPAYMENT

BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue the following check on the property listed below and charge same to Overpayment of 2014 Taxes due to County Board Judgment:

<u>Block/ Lot</u>	<u>Name</u>	<u>Property Location</u>	<u>Amount</u>
601/4.05 C0004	Wells, Jaworksi & Liebman LLP Attorney Trust Account 12 Route 17 North PO Box 1827 Paramus, NJ 07653-1827 Allendale Properties LLC	4 Pearl Ct, Unit D	\$3,228.46

Resolution 14-287: Transfer of Tax Overpayments from tax years 2014 to 2015.
TRANSFER OF OVERPAYMENT

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 Overpayment of 2014 Taxes to Taxes Receivable for 2015:

<u>Block/ Lot</u>	<u>Name</u>	<u>Property Location</u>	<u>Amount</u>
303/3	Myers, Garry & Rose Mary	73 Bonnie Way	\$159.12
1205/4	Holdefehr, Daniel & Christine	22 Colonial Drive	\$25.09
1404/2	Miller, Jamie & Loren	7 Newton Place	\$25.94

Resolution 14-288: Acceptance of Resignation of Shafeq Zarif

BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the resignation of Shafeq Zarif from the position of Police Dispatcher, that he currently holds, is effective on October 18, 2014.

Resolution 14-289: Appointment of a per-diem Police Dispatcher.

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BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Shafeq Zarif be hired as a per-diem Police dispatcher at the hourly rate of \$15.30 effective October 19, 2014.

Resolution 14-290: Appointment of Full-Time Police Dispatcher, and appointment of Christopher Formisano as Full-Time Police Dispatcher.

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 and Public Safety Committee, that Christopher Formisano is hereby appointed as Full-Time Dispatcher of the Allendale Police Department effective October 20, 2014 at the annual salary of \$32,432.00; and,

BE IT FURTHER RESOLVED that accompanying hourly pay rate is set at \$15.59 per hour.

Resolution 14-291: Accept resignation of James Birmingham

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 James Birmingham from the position of School Crossing Guard that he currently holds for the Borough of Allendale effective October 1, 2014.

Resolution 14-292: Approval of Salary adjustment for TA to Director of Operations/Borough Engineer

BE IT RESOLVED by the Governing Body of the Borough of Allendale that Melissa Daly be granted an increase in pay to \$25 per hour effective October 23, 2014

Resolution 14-293: Approval of Amendment to Agreement with United Water for Operation and Maintenance

WHEREAS, the Borough of Allendale and United Water Operations, Inc., entered into a certain operation and maintenance agreement as of August 1, 2013 for the operation and management of Allendale's water system; and

WHEREAS, it is necessary to amend a certain subsection of the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body, that a First Amendment to the agreement substantially, in the form currently on file with the office of the Acting Municipal Clerk, is authorized; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to execute said First Amendment following legal review.

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Resolution 14-295: Approval of the 2014/15 Flu/Pneumococcal Program

WHEREAS, there is a need for a flu program in the Borough of Allendale; and,

WHEREAS, the County of Bergen will provide this program under the Department of Health Services; and,

WHEREAS, the County of Bergen provided flu vaccine at a cost of \$175.00 per ten dose vial; and,

WHEREAS, the Allendale Board of Health had a need for ten vials of flu vaccine; and,

WHEREAS, the Chief Financial Officer has certified that there are funds for this agreement;

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 the Approved Agreement between the Borough of Allendale and the County of Bergen for the flu vaccination program.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign said agreement.

Councilwoman McSwiggan made a motion to approve the Consent Agenda; seconded by Councilman Sasso.

On Roll Call: Aye – Bernstein, McSwiggan, Sasso, White, Wilczynski.

Unfinished Business: There was no unfinished business.

New Business: There was no new business.

Committee Reports and Comments:

- Councilwoman McSwiggan: The Water, Sewer and Public Utilities Committee will be meeting next week.
- Councilman Bernstein: The Public Safety Committee is meeting next Monday at 11:00 a.m. at the Police Station.
- Councilwoman White: The Administration, Finance and Human Resources committee is scheduled to meet on Tuesday morning at 8:00 a.m.
- Councilwoman Wilczynski – Facilities, Parks and Recreation Committee received the Bronze Level of Certification for recycling. The achievement will

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be recognized at the State of NJ luncheon in Atlantic City on November 18th. This award makes the Borough eligible for grant money. Mayor Barra and Councilwoman Sasso thanked Councilwoman Wilczynski and the Green Team.

- Councilman Sasso – The Public Works Committee met last Friday at 7:30 a.m. to discuss recycling.

Councilwoman White and Councilman Sasso toured the Public Works facility to assess the equipment and ascertain what assets there are, what can be utilized more efficiently, and what needs to be sold or thrown out. Councilman Sasso was praised for the wonderful job he does.

Staff Reports:

Mr. Bole: Nothing to report.

Mr. Valenzuela: Nothing to report.

Public Comments:

- James Thomas, 30 Arlton Avenue.
Mr. Thomas read a short statement for the record.

Mr. Thomas – The Council's July 24 meeting, during a discussion initiated by the Mayor, Mayor Barra made statements which I deemed to be defamatory, injurious to my reputation; which have caused distress and concern of my family and fellow residents of Allendale. The Mayor's assertion that I made fraudulent statements before this council is one of two most egregious accusations. The second is his intimating that my conduct in 2009 while with the planning board violated ethical standards. The two charges are baseless. Both are repudiated. They cannot be allowed to stand. They cannot have your passive endorsement through your silence. It is advisable therefore for you council members to disassociate yourselves from the Mayor's statements both publicly and on the record. A transcription of the entire discussion is available if you need to read those comments in context. A recording on disk is also available as it is in the Borough Hall. I want to thank you very much and good evening.

- Mark Savistano, 22 Vreeland Place
Mr. Savistano shared information about a company in Springfield that accepts large pieces of Styrofoam for recycling. He will send the information to Councilman Sasso.

Mr. Savistano asked if the DPW Committee Meeting keeps minutes that may be available to the public. Councilman Sasso said that no minutes are taken at the committee meeting, but a summary report of the meeting is presented at every Regular Session Meeting of the Mayor and Council.

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- Craig Cinelli, 60 Burtwood Court
Mr. Cinelli asked about school taxes. He felt that market prices of the higher-end houses in town were being negatively impacted by regional school taxes. Mr. Cinelli was interested in an explanation of these school taxes.

Mayor Barra explained that this was a question for the Board of Education, and then explained that the high school is made up of a partnership of two towns, Allendale and Upper Saddle River. The amount paid per student is based on property assessments. It varies year to year. Because the location of Northern Highlands is in Allendale, the Borough of Allendale provides the police, fire, etc. services. Ho-Ho-Kus is not a partner but has a contract with Northern Highlands and they pay on a per student basis. Ho-Ho-Kus pays for its own busses for its students. The contract between the Board of Education and Ho-Ho-Kus is almost up.

Mayor Barra and Councilwoman White counseled Mr. Cinelli to get a copy of the Ho-Ho-Kus contract from the Board of Education. Mr. Cinelli and all who are interested in the re-negotiation of that contract should go to the Board of Education Meetings.

On a motion to by Councilwoman White, the Council voted unanimously to adjourn the meeting at 9:20 p.m.

Respectfully submitted,


Frank Valenzuela
Acting Municipal Clerk