

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

DATE: 01/12/2017

RESOLUTION# 17-61

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>	✓		✓			
<b>Homan</b>			✓			
<b>McSwiggan</b>			✓			
<b>Sasso</b>			✓			
<b>Strauch</b>			✓			
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

WHEREAS, the Borough of Allendale desires to constitute the 2017 Temporary Capital Budget of said municipality by inserting therein the following projects.

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Allendale as follows:

Section 1. The 2017 Temporary Capital Budget of the Borough of Allendale is hereby constituted by the adoption of the schedule to read as follows:

Temporary Capital Budget of the

Borough of Allendale

County of Bergen, New Jersey

Project Scheduled for 2017

Method of Financing

<u>Project</u>	<u>Est. Costs</u>	<u>Grants</u>	<u>Other. Funds</u>	<u>Capital Imp. Fund</u>	<u>Debt Authorized</u>
Acquisition of 220 & 230 West Crescent Ave	14,350,000			700,000	13,650,000

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2017 Temporary Capital

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Budget, to be included in the 2017 Permanent Capital Budget as adopted.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 12, 2017.



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Anne Dodd, RMC  
Municipal Clerk

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

DATE: 01/12/2017

RESOLUTION# 17-62

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>			✓			
<b>Homan</b>			✓			
<b>McSwiggan</b>			✓			
<b>Sasso</b>					✓	
<b>Strauch</b>	✓		✓			
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>						

**WHEREAS**, New York SMSA Limited Partnership d/b/a Verizon Wireless, (“Verizon Wireless”), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

**WHEREAS**, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may use such poles erected within the public right-of-way in the Borough of Allendale; and

**WHEREAS**, New Jersey law permits such use provided that there is the consent of the relevant municipality.

**NOW, THEREFORE, BE IT RESOLVED**, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY THAT:

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to use poled erected by parties that have the lawful right to maintain poles within the public right-of-way in the Borough of Allendale, subject to the following:
  - A. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws requiring permits prior to beginning safety requirements related to the use of the public right-of-way.
  - B. Verizon Wireless, and its successors assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Borough of Allendale.
  - C. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Borough of Allendale, its officers, agents, and servant, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles

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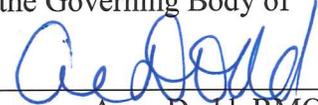
**RESOLUTION# 17-62**

located within the public right-of-way, except to the extent resulting from the acts or omissions of the Borough of Allendale.

- D. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Borough of Allendale as additional insured.
- E. Verizon Wireless shall be responsible for the repair of any damage to paving existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
- F. Notwithstanding any provision contained herein, neither the Borough of Allendale nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.
- G. This instrument shall be adopted on behalf of the Borough of Allendale by the Borough Council of the Borough of Allendale and attested to by the Borough of Allendale who shall affix the Borough of Allendale seal thereto.
- H. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is using.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 12, 2017.



Anne Dodd, RMC  
Municipal Clerk

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

**DATE: 01/12/2017**

**RESOLUTION# 17-63**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>			✓			
<b>Homan</b>			✓			
<b>McSwiggan</b>			✓			
<b>Sasso</b>			✓			
<b>Strauch</b>	✓		✓			
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

**Bergen County Law Enforcement Mutual Aid Resolution**

**WHEREAS**, the police departments in Bergen County have a day to day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order, and

**WHEREAS**, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil unrest, and civil disobedience such as riot, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies, and

**WHEREAS**, the Bergen County Police Chief's Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies, and

**WHEREAS**, this Plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. App. A:9-40.6, and

**WHEREAS**, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property, and

**WHEREAS**, it is also recognized that the Allendale Chief of Police, in accordance with the provisions of N.J.S.A. 40A:14-118 and under the authority of the Bergen County Prosecutor, has the authority to assign officers to a Task Force, Rapid Deployment Team, or Regional SWAT Team operated in conjunction with the Bergen County Prosecutor's Office, and

**WHEREAS**, it is the desire of the Mayor and Council of the Borough of Allendale to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chief's Association.

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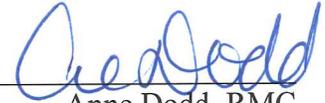
**RESOLUTION# 17-63**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Allendale that the police Department of the Borough of Allendale under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force, and

**BE IT FURTHER RESOLVED** that a copy of the Resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, and all municipalities in the County of Bergen.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 12, 2017.

  
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Anne Dodd, RMC  
Municipal Clerk

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

**DATE: 01/12/2017**

**RESOLUTION# 17-64**

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

**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

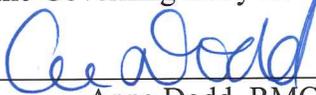
**WHEREAS**, Crown Atlantic, on behalf of Verizon Wireless, seeks to modify Verizon Wireless’s equipment on the monopole by (A) removing the existing nine (9) antennas and replacing them with eight (8) new antenna total of eight (8) antenna; (B) adding six (6) RRH’s and (1) hybrid cable; (C) remove all TMAs; and (D) other work associated with same as more specifically referenced in the October 13, 2016 letter (and attachments thereto) from Crown Castle to the Borough; and

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

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 12, 2017.

  
 Anne Dodd, RMC  
 Municipal Clerk

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Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>			✓			
<b>Homan</b>			✓			
<b>McSwiggan</b>			✓			
<b>Sasso</b>			✓			
<b>Strauch</b>	✓		✓			
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

**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 2016 Budget Appropriations:

<b>DEPARTMENT</b>	<b>FROM</b>	<b>TO</b>
Police, S&W		\$25,000
Electrical Inspector		\$1
Salary & Wage Adjustment	\$25,001	
<b>Totals</b>	<b>\$25,001</b>	<b>\$25,001</b>

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 12, 2017.



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Anne Dodd, RMC  
Municipal Clerk

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**DATE: 01/12/2017**

**RESOLUTION# 17-66**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>			✓			
<b>Homan</b>			✓			
<b>McSwiggan</b>			✓			
<b>Sasso</b>			✓			
<b>Strauch</b>	✓		✓			
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that application is made to the Commissioner of Transportation for aid under the 2017 (MA) Municipal Aid program for:

**2017 Municipal Aid Project-MA-2017-Donny Brook Drive (Section 2) and  
Safety Improvements on Franklin Turnpike and East Allendale Avenue-00052**

WHEREAS, the Council has determined that such application(s) should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the borough for assistance in such matters.

RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble, and submit the necessary documentation on behalf of the Borough of Allendale for the stated project(s).

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 12, 2017.

  
 Anne Dodd, RMC  
 Municipal Clerk

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

**DATE: 01/12/2017**

**RESOLUTION# 17-67**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>			✓			
<b>Homan</b>			✓			
<b>McSwiggan</b>			✓			
<b>Sasso</b>			✓			
<b>Strauch</b>	✓		✓			
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

Water Adjustments

**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,

**Now, Therefore, Be It Resolved** by the Council of the Borough of Allendale that this adjustment be granted, with no money refunded, to the following utility bill payer:

<b>Name</b>	<b>Account Number</b>	<b>Amount</b>
Garry & Rosemary Myers	8265681166	\$95.44

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 12, 2017.

Anne Dodd, RMC  
Municipal Clerk

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

**DATE: 01/12/2017**

**RESOLUTION# 17-68**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>			✓			
<b>Homan</b>			✓			
<b>McSwiggan</b>			✓			
<b>Sasso</b>			✓			
<b>Strauch</b>	✓		✓			
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

**Approval to submit a grant application and execute a grant agreement with the  
New Jersey Department of Transportation for the Donny Brook Drive (Section 2)  
and Safety Improvements on Franklin Turnpike and East Allendale Avenue project**

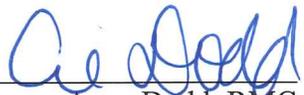
WHEREAS, the Borough of Allendale is requesting funding from the New Jersey Department of Transportation Municipal Aid Program.

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Allendale formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-Donny Brook Drive (Section 2) and Safety Improvements on Franklin Turnpike and East Allendale Avenue-00052 to the New Jersey Department of Transportation on behalf of the Borough of Allendale.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Allendale and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 12, 2017.

  
 Anne Dodd, RMC  
 Municipal Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

  
 Anne Dodd, RMC  
 Municipal Clerk

  
 Elizabeth White, Mayor

**RESOLUTION  
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**RESOLUTION# 17-69**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>			✓			
<b>Homan</b>			✓			
<b>McSwiggan</b>			✓			
<b>Sasso</b>			✓			
<b>Strauch</b>	✓		✓			
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

**Approval of Tax Appeal Ronaldo L.L.C.**

**WHEREAS**, the tax payers, Ronaldo L.L.C., appealed the assessment levied on the commercial property they owned for the tax years 2013, 2015 & 2016; and

**WHEREAS**, the subject property is located at 168 W Crescent Ave. (Block 1005, Lot 19); and

**WHEREAS**, the Plaintiff was represented by counsel in this matter; and

**WHEREAS**, the assessor and appraiser reviewed the documents submitted by Plaintiff and other data on this property and determined that an adjustment for 2015 & 2016 was warranted; and

**WHEREAS**, the parties have agreed to compromise the appeal on the following terms: the appeal for the 2013 tax year has been withdrawn; for 2015 assessment shall be reduced from \$2,330,000 to 2,165,000 and for 2016 the assessment shall be reduced to \$2,125,000; and

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

**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 Ronaldo L.L. C. 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.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 12, 2017.

  
 Anne Dodd, RMC  
 Municipal Clerk