

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

DATE: 10/13/2016

RESOLUTION# 16-254

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 October 13, 2016 in the amounts of:

Current Fund	\$891,658.34
General Capital	\$1,929.80
COAH/Housing Trust	\$0.00
Water Operating	\$0.00
Water Capital	\$25,790.00
Trust Fund	\$0.00
Payroll	\$154,449.55
Improvement & Beautification	\$0.00
Animal Fund	\$4,168.60
Unemployment Fund	\$0.00
Total	\$1,077,996.29

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 13, 2016.

Anne Dodd, RMC
Municipal Clerk

**RESOLUTION
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BERGEN COUNTY, NJ**

DATE: 10/13/2016

RESOLUTION# 16-255

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

**Approval of Tax Appeal
418 Main Street Associates, LLC v. Allendale**

WHEREAS, the tax payers, 418 Main Street Associates, LLC, appealed the assessment levied on commercial property it owned for the tax years 2015 & 2016; and

WHEREAS, the subject property is located at 385 Franklin Turnpike (Block 1808, Lot 12); 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 was warranted; and

WHEREAS, the parties have agreed to compromise the appeal on the following terms: the assessment for the 2015 & 2016 tax years shall be reduced from \$680,000 to \$580,000; 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 418 Main Street Associates, LLC 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.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 13, 2016.

Anne Dodd, RMC
Municipal Clerk

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Bernstein			✓			
Homan		✓	✓			
McSwiggan	✓		✓			
Sasso			✓			
Strauch						✓
Wilczynski			✓			
Mayor White	---	---				

**Borough of Allendale
Resolution Authorizing Payment to
Eastern Christian Children’s Retreat**

WHEREAS, the Borough of Allendale (“Borough”), pursuant to its obligations under the provisions of the New Jersey Fair Housing Act and rules, regulations and other laws relating to same (the “FSHA”), and pursuant to Borough Resolution 16-78 dated January 28, 2016, entered into a February 1, 2016 agreement (the “Agreement”) with Eastern Christian Children’s Retreat (“Eastern Christian”) to provide very low income housing for those with developmental disabilities through an alternate living arrangement affordable housing program, specifically a group home at the property within the Borough known as Block 910, Lot 3 (the “Project”); and

WHEREAS, the Agreement provides, *inter alia*, that the Borough is to aid Eastern Christian financially in the amount of \$50,000 in the development of the Project provided all of the following have occurred: (a) the Superior Court of New Jersey enters an order approving the Agreement, and a Fair Share Housing Spending Plan which includes such expenditure; (b) the time to appeal from such order passed; (c) a certificate of occupancy for such group home has been issued; and

WHEREAS, on September 20, 2016, the Superior Court of New Jersey entered an order (the “September 20, 2016 order”) approving (1) the Agreement; (2) the Borough’s Third Round Second Amended Spending Plan dated August 18, 2016 (“Amended Spending Plan”) which Amended Spending Plan included the payment of \$50,000 to Eastern Christian pursuant to the Agreement and (3) the Borough’s payment of \$50,000 to Eastern Christian from the Borough’s affordable housing trust funds pursuant to the Amended Spending Plan; and

WHEREAS, the twenty (20) days within which to file an interlocutory appeal from the September 20, 2016 order expired on October 13, 2016, and the Borough having no knowledge as of the passage of this Resolution that any interlocutory appeal from the September 20, 2016 order has been filed; and

WHEREAS, a Certificate of Occupancy for such group home as heretofore been issued by the Borough to Eastern Christian; and

WHEREAS, all the requirements and conditions in the Agreement for payment of \$50,000 by the Borough to Eastern Christian having been satisfied; and

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

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RESOLUTION# 16-256

NOW, THEREFORE, BE IT RESOLVED that payment of said \$50,000 by the Borough to Eastern Christian from the Borough's affordable housing trust funds be made, and that the Mayor, the Borough Clerk and the Chief Financial Officer be and hereby are authorized to take any and all necessary and proper actions to effectuate such payment.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 13, 2016.



Anne Dodd, RMC
Municipal Clerk

Certification of Availability of Funds

This is to certify to the Borough of Allendale that funds for the following resolution is available in the COAH/Housing Trust Fund

Resolution Date: October 13, 2016

Resolution Number: 16-256

Vendor: Eastern Christian Children's Retreat
700 Mountain Avenue
Wyckoff, NJ 07481

Contract: Financial aid for low income housing

Amount: \$50,000



Chief Financial Officer

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

DATE: 10/13/2016

RESOLUTION# 16-257

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

Return of Water Overpayment

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the Water Collector is hereby authorized to issue the following check on the account listed below and charge same to Water Rents for 2016 in connection with an overpayment:

Account Number	Name	Amount
311 7912481065	Edward Schultz 8505 E. Temple Drive Unit 439 Denver, CO 80237	\$28.58

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 13, 2016.


 Anne Dodd, RMC
 Municipal Clerk

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

DATE: 10/13/2016

RESOLUTION# 16-258

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

Authorization for Mayor to Sign
Treatment Works Approval Application

Now, Therefore, Be It Resolved that the Mayor is hereby authorized to execute the Statements of Consent Form (WQM-003) and any other application forms supplementing the NJDEP Treatment Works Approval Permit Application (Form TWA-1) for Allendale Heights of Allendale, New Jersey, Block 506, Lot 4.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 13, 2016.



Anne Dodd, RMC
Municipal Clerk

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

DATE: 10/13/2016

RESOLUTION# 16-259

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

Change Order Number One – 2016 Road Resurfacing Program
NW Bergen Cooperative Program

Whereas, the Borough Engineer has requested that certain changes are needed in the 2016 Road Resurfacing Program NW Bergen Cooperative Program contract; and

Whereas, a net increase of \$7,526.43 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 \$7,526.43, a 3.23% increase in the original contracted amount, be approved for the 2016 Road Resurfacing Program NW Bergen Cooperative Pricing program, resulting in a new contract amount of \$232,721.63.

Be It Further Resolved that Change Order Number One in the amount of \$7,526.43 be approved for performance by D & L Contractors, Inc., 681 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 October 13, 2016.

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.

Resolution Date: 10/13/16
Resolution Number: 16-259

Vendor: D0083 D & L PAVING CONTRACTORS
 681 FRANKLIN AVENUE
 NUTLEY, NJ 07110

Contract: C1600003 2016 Paving Program

Account Number	Amount	Department Description
6-01-44-900-006	7,526.43	CAPITAL IMPROVEMENT FUND
Total	7,526.43	

Only amounts for the 2016 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.



Chief Financial Officer

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DATE: 10/13/2016

RESOLUTION# 16-260

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

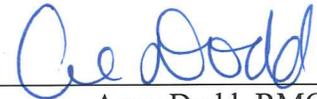
Halloween Curfew

Whereas, the Police Chief has requested a Halloween Curfew for children under the age of eighteen for the purpose of maintaining order beginning October 30th and extending through October 31st, 2016 to be put into effect starting at 8:00 p.m. until sunrise.

Whereas, the Governing Body believes that this curfew is in the best interest of the Borough.

Now, Therefore, Be It Resolved that a curfew shall be in place from October 30th through October 31st, 2016.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 13, 2016.



Anne Dodd, RMC
Municipal Clerk

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

DATE: 10/13/2016

RESOLUTION# 16-261

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

Closed Session

BE IT RESOLVED in compliance with N.J.S.A. 10:4-12, the Mayor and Council of the Borough of Allendale entered into Closed Executive Session to discuss the following matters:

- A. Pending & Prospective Litigation

Minutes will be taken of the meeting and released to the public at the time that the matter is resolved.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 13, 2016.



Anne Dodd, RMC
Municipal Clerk