

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

DATE: 12/08/2016

RESOLUTION# 16-277

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 December 8, 2016 in the amounts of:

Current Fund	\$1,521,353.01
General Capital	\$9,160.07
COAH/Housing Trust	\$972.87
Water Operating	\$209,819.64
Water Capital	\$30,130.84
Trust Fund	\$8,147.33
Payroll	\$400,052.81
Improvement & Beautification	\$0.00
Animal Fund	\$5.40
Unemployment Fund	\$0.00
Total	\$2,179,641.97

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.

Anne Dodd, RMC
Municipal Clerk

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BERGEN COUNTY, NJ**

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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 2016 Budget Appropriations:

DEPARTMENT	ACCOUNT NUMBER	FROM	TO
Health Benefits	6-01-23-220-227	\$2,600	
H.B. Waiver	6-01-23-221-000		\$2,600
Totals		\$2,600	\$2,600

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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 issue the following check on the property listed below and charge same to Overpayment of 2016 Taxes:

Block/ Lot	Name	Property Location	Amount
2101/1.207	Investors Bank Investors Bank Operations Center 101 Wood Avenue South Iselin, NJ 08830	207 Whitney Lane	\$2,787.19

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.

Anne Dodd, RMC
Municipal Clerk

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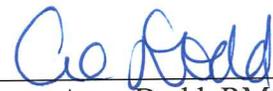
Council	Motion	Second	Yes	No	Abstain	Absent
Bernstein			✓			
Homan			✓			
McSwiggan			✓			
Sasso		✓	✓			
Strauch	✓		✓			
Wilczynski			✓			
Mayor White	---	---				

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 2016. The properties are as follows:

BLOCK / LOT	ADDRESS	AMOUNT
301 / 45	Rear Farley Place	\$201.61
2204 / 15	New Street	\$ 34.37

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.



Anne Dodd, RMC
Municipal Clerk

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

Approval of Tax Appeal Alexander & Lisa Mirante v. Allendale

WHEREAS, the tax payers, Alexander & Lisa Mirante, appealed the assessment levied on the residential property he owned for the tax years 2015 & 2016; and

WHEREAS, the subject property is located at 28 Linda Drive (Block 1206, Lot 15); and

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

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

WHEREAS, the parties have agreed to compromise the appeal on the following terms: the assessment for the 2015 tax year has been withdrawn; for 2016 the assessment shall be reduced from \$1,083,200 to \$1,025,000; 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 Mirante 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 December 8, 2016.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 12/8/2016

RESOLUTION# 16-282

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

Release of Escrow & Cash Guaranty

Whereas, the applicant, Trinity Episcopal Church, with an address at 55 George Street, Block 1604, Lot 15 in the Borough of Allendale, County of Bergen, State of New Jersey has requested a bond release; and

Whereas, Borough Engineer issued a memo dated November 28, 2016 which has also been reviewed by the Chief Financial Officer regarding Trinity Episcopal Church’s plan entitled “Final AsBuilt Survey of, Tax Lot Lot 15 – Block 1604, Borough of Allendale, Bergen County, New Jersey”; and

Whereas, the Borough Engineer had previously issued a memo dated March 24, 2016 relating to the applicant’s bond release request and the aforementioned plan and made comments; and

Whereas, the Chief Financial Officer of the Borough of Allendale reports the following accounts posted with the Borough for this application:

Church of the Epiphany Legal & Engineering Escrow	\$530.00
Trinity Church Legal & Engineering Escrow	\$6,286.70
Cash Guaranty	\$6,349.00

Whereas, the Borough Engineer has reviewed the project file and performed a follow up visit on November 21, 2016 and found that the applicant has addressed all previous comments; and

Whereas, the Borough Engineer has no objection to releasing the Cash Guaranty and Church of the Epiphany Legal and Engineering Escrow as requested by applicant; and

Whereas, the Trinity Church Legal and Engineering Escrow will remain in place until final invoices are processed; and

Whereas, the Governing Body has reviewed the memo, a copy of which is attached hereto and incorporated herein;

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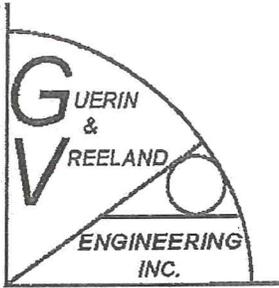
Now, Therefore, Be It Resolved by the Governing Body that the Church of the Epiphany Legal & Engineering Escrow in the amount of \$530.00 and the Cash Guaranty in the amount of \$6,349.00 be released to Trinity Episcopal Church at this time.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.



Anne Dodd, RMC
Municipal Clerk

#16-282



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Flanders, NJ 07836-9081
Tel (973) 252-9340
Fax (973) 252-3069
www.guerinvreeland.com

ROBERT P. GUERIN, P.E., P.P.
bguerin@guerinvreeland.com

MICHAEL G. VREELAND, P.E., P.P.
mvreeland@guerinvreeland.com

MEMORANDUM

TO: Mayor and Council

FROM: Michael Vreeland, Borough Engineer *MV*

CC: A. Dodd, Borough Clerk / M. A. Mayer, CFO / R. Kistner, Director of Operations / R. Wiss, Borough Attorney / K. Burnette, Construction Official / M. Remo, P.E. / M. Cifone, L.S. / K. Roy / A. Baglino

RE: Trinity Episcopal Church
Lot 15 in Block 1604 / 55 George Street
Allendale Borough

DATE: November 28, 2016

We issued a memo dated March 24, 2016 relating to the applicant's bond release request along with the following document:

- A. Plan entitled, "Final AsBuilt Survey of, Tax Lot 15 - Block 1604, 55 George Street, Borough of Allendale, Bergen County, New Jersey". The plan, prepared by Lakeland Surveying, is signed and sealed by Marc J. Cifone, PLS, and is dated October 25, 2011 with a latest revision date May 20, 2016 (stamped received 5/23/16).

Subsequently, we received the following additional document on November 14, 2016:

- B. Plan entitled, "Final AsBuilt Survey of, Tax Lot 15 - Block 1604, 55 George Street, Borough of Allendale, Bergen County, New Jersey". The plan, prepared by Lakeland Surveying, is signed and sealed by Marc J. Cifone, PLS, and is dated October 25, 2011 with a latest revision date May 20, 2016 (stamped received 11/14/16).

The Allendale Chief Financial Officer (CFO) reports the following accounts posted with the Borough for this Application:

- | | |
|---|------------|
| • Church of the Epiphany Legal and Engineering Escrow | \$530.00 |
| • Trinity Church Legal and Engineering Escrow | \$6,286.70 |
| • Cash Guaranty | \$6,349.00 |

We have reviewed the aforementioned information along with the project file and performed a follow up site visit on November 21st. Based on this review and visit we find that the Applicant has addressed our previous comments

We therefore have no objection to the Borough releasing the Cash Guaranty and Church of the Epiphany Escrow. The remaining Legal and Engineering Escrow should remain in place until final invoices are processed.

Please contact me should you have any questions.

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

DATE: 12/8/2016

RESOLUTION# 16-283

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

Approval of Interlocal Court Agreement &
Authorization for Mayor to Sign
Interlocal Service Agreement

Whereas, there is a need for a Municipal Court Administrator in the Borough of Allendale; and

Whereas, N.J.S.A. 40:8-A-1 et seq., the Interlocal Services Act, authorizes agreements between municipalities for the provision of services by one to the other; and

Whereas, N.J.S.A. 2B-12-1c authorizes two or more municipalities to provide jointly for supplies and employees for their municipal courts without establishing a joint municipal court; and

Whereas, the Borough of Allendale seeks the services of a Municipal Court Administrator through the Municipal Court of Ho-Ho-Kus as set forth in the Interlocal Service Agreement; and

Whereas, the Chief Financial Officer has certified that sufficient funds will be available in the 2017 budget for this contract as set forth in the Interlocal Service Agreement;

Now, Therefore, Be It Resolved that the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, approve the Interlocal Service Agreement for Municipal Court Administrator services effective January 1, 2017 through December 31, 2017; and

Be It Further Resolved that the Mayor and Municipal Clerk be and are hereby authorized to sign said contract.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.



Anne Dodd, RMC
Municipal Clerk

Certification of Availability of Funds

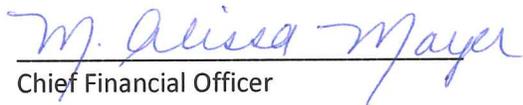
This is to certify to the Borough of Allendale that funds for the following resolutions will be available in the 2017 Budget.

Resolution Date: 12/8/2016
Resolution Number: 16-283

Vendor: Borough of Ho-Ho-Kus

Contract: Interlocal Municipal Court Agreement

Account Number: 7-01-42-490-099
Amount: \$\$42,000


Chief Financial Officer

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

DATE: 12/8/2016

RESOLUTION# 16-284

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

WHEREAS, Pilgrim Pipeline Company (“Pilgrim”) is proposing to build a new bi-directional pipeline (“pipeline”) with one pipeline that would transport crude oil southbound, and a second pipeline carrying refined petroleum products northbound, between Albany, New York and Linden, New Jersey; and

WHEREAS, the pipeline will carry oil extracted from North Dakota’s Bakken shale through the process of hydraulic fracturing or fracking; and

WHEREAS, in 2014 the *Wall Street Journal* compared oil from 86 locations around the world and found Bakken crude oil to be the most explosive; and

WHEREAS, according to Public Employees for Environmental Responsibility, the Pipeline and Hazardous Materials Administration (PHMSA) only has 135 inspectors to oversee 2.6 million miles of pipeline, and only a fifth of that pipeline system has been inspected by PHMSA or its state partners since 2006; and

WHEREAS, the pipeline would traverse Bergen County towns including Mahwah, Franklin Lakes and Oakland and possibly affect the Borough of Allendale; and

WHEREAS, pipelines spill more oil, due to explosions and leaks, than all the other modes of transport combined because, while incidents on pipelines may be less frequent, they are far more significant due to the volume of oil being transported; and

WHEREAS, the project poses a major hazard due to the nature and volume of the highly flammable oil flowing through the pipeline, and due to its proposed route, which crosses through residential neighborhoods. These communities will be in the “impact radius” should an explosion and or spill occur; and

WHEREAS, such a pipeline explosion could harm hundreds of people, and negatively affect the health, safety and welfare of the citizens who live near the pipeline route and the first responders who would be called from neighboring municipalities to assist; and

WHEREAS, the state has the authority to direct the Borough of Allendale to supplement the water supply of towns affected by any pipeline disaster, and therefore its resources would be negatively impacted for years to come, in the event that neighboring towns in Bergen County experienced a water supply crisis as a result of a pipeline disaster; and

WHEREAS, the wise stewardship of our natural resources involves protection of all of the Borough of Allendale’s water supplies and other natural resources for generations to come; and

**RESOLUTION
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BERGEN COUNTY, NJ**

DATE: 12/8/2016

RESOLUTION# 16-284

WHEREAS, protection of the Borough of Allendale's water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restore degraded environments after the fact; and

WHEREAS, the pipeline would also traverse the New Jersey Highlands region; and

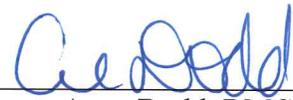
WHEREAS, the New Jersey Legislature has afforded special protection to the Highlands region via the New Jersey Highlands Water Protection and Planning Act of 2004 because the region supplies drinking water to 5.4 million state residents; and

WHEREAS, the United States Congress has also recognized "the importance of the water, forest, agricultural, wildlife, recreational, and cultural resources of the Highlands region, and the national significance of the Highlands region to the United States" via the Highlands Conservation Act of 2004.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Allendale in the County of Bergen, the following recitals are incorporated as of December 8, 2016:

- 1- The Council opposes the proposed Pilgrim Pipeline.
- 2- The Council calls for a moratorium on any and all planning, proposal, surveying, or construction of the Pilgrim pipeline.
- 3- Because this project will traverse and negatively impact numerous significant natural areas, and could negatively impact Borough resources and the Highlands region, the Council requests a full environmental review, including a Highlands Act review, be conducted by the DEP to assess the myriad environmental consequences of the project.
- 4- The Council seeks the cooperation of other similarly located and affected townships, asking that all nearby affected towns adopt a similar resolution.
- 5- The Council adopts, and calls upon similarly situated municipalities to adopt, a resolution authorizing each town to join together to enter their appearance in any proceeding before the New Jersey Department of Environmental Protection, New Jersey Board of Public Utilities, and any other regulatory authority, so that by their strength of numbers they may successfully oppose the Pilgrim Pipeline project and have the ability to cause the relocation or termination of the project so as to prevent environmental degradation and to protect the public health and safety.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.



Anne Dodd, RMC
Municipal Clerk

**RESOLUTION
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BERGEN COUNTY, NJ**

DATE: 12/08/2016

RESOLUTION# 16-286

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

Amend Planning Board Alternate No. 2 Term Expiration

Whereas, Matt O'Toole was appointed to the Planning Board as Alternate No. 2 via Resolution #16-207; and

Whereas, said the term expiration for said appointment was specified as December 31, 2017 in error.

Now, Therefore, Be It Resolved that the term expiration for Matt O'Toole as Alternate No. 2 to the Planning Board is hereby amended to December 31, 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 December 8, 2016.



Anne Dodd, RMC
Municipal Clerk

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

DATE: 12/08/2016

RESOLUTION# 16-287

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

Appointment of an Hourly Seasonal Intern

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Elizabeth Davis be appointed as an hourly, part-time, seasonal intern effective December 15, 2016 at a rate of \$14.00 per hour.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.


 Anne Dodd, RMC
 Municipal Clerk

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

DATE: 12/08/2016

RESOLUTION# 16-288

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

State Tax Board Judgment

BE IT RESOLVED, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to reduce the 2016 tax levy and issue the following overpayment check due to State Board Judgments for the Tax Years 2015 & 2016:

Block/Lot	Name	Property Location	Amount
2015			
1808/12	Bruce J. Stavitsky, Esq. for 418 Main Street Associates LLC 350 Passaic Avenue Fairfield, NJ 07004	385 Franklin Turnpike	\$2,245.00
2016			
1808/12	Bruce J. Stavitsky, Esq. for 418 Main Street Associates LLC 350 Passaic Avenue Fairfield, NJ 07004	385 Franklin Turnpike	\$2,291.00

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.



Anne Dodd, RMC
Municipal Clerk

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

DATE: 12/08/2016

RESOLUTION# 16-289

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

Award Contract for Fairhaven Booster Station Improvements Project

Whereas, five (5) sealed bids were received on November 23, 2016 for the project known as Fairhaven Booster Station Improvements for the Borough of Allendale;

Whereas, the bid documents have been reviewed and it is determined that the bid of Fred Devens Construction is the lowest responsible, responsive bidder with a total base bid in the amount of \$122,000; and

Whereas, the Chief Financial Officer has attached hereto a Certification that adequate funds are or will be, duly budgeted to pay for the contract for the above project.

Now, Therefore, Be It Resolved by the Governing Body that it hereby does award a contract for Fairhaven Booster Station Improvements Project to Fred Devens Construction of Ringwood, NJ in the amount of \$122, 000 on such further terms and conditions set forth in the contract to be prepared as are acceptable to the Borough and Borough Counsel; and

Be It Further Resolved that the Mayor and Municipal Clerk are authorized to sign such contract with Fred Devens Construction following legal review and approval.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 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: 12/08/16
Resolution Number: 16-289

Vendor: F0180 FRED DEVENS CONSTRUCTION
403 STONETOWN ROAD
RINGWOOD, NJ 07456

Contract: C1600013 FAIRHAVEN BOOSTER STATION

Account Number	Amount	Department Description
W-06-55-909-001	99,176.77	ORD. 11-02 VARIOUS PUBLIC IMPROVEMENTS
W-06-55-912-302	22,823.23	ORD 15-05 VARIOUS PUBLIC IMPROVEMENTS
Total	122,000.00	

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

Change Order Number Two – 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, an increase of \$34,633.93 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 \$34,633.93, representing a net increase of 18.72% 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 \$267,355.56.

Be It Further Resolved that Change Order Number Two in the amount of \$34,633.93 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 December 8, 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: 12/08/16
Resolution Number: 16-290

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	29,828.37	CAPITAL IMPROVEMENT FUND
C-04-55-925-101	4,805.56	ORDINANCE 16-04
Total	34,633.93	

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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BERGEN COUNTY, NJ**

DATE: 12/08/2016

RESOLUTION# 16-291

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

PERSON-TO-PERSON LIQUOR LICENSE TRANSFER

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Distribution License Number 0201-44-005-004, heretofore issued to The Great Atlantic & Pacific Tea Company t/a A&P Fresh for premises located at 45 West Allendale Avenue, Allendale, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE, BE IT RESOLVED that the Allendale Mayor and Council do hereby approve the transfer of the aforesaid Plenary Retail Distribution License to Acme Markets, Inc. t/a Acme effective nun pro tunc to June 30, 2016 and does hereby direct the Municipal Clerk/A.B.C. Board Secretary to endorse the license certificate to the new ownership as follows: This license, subject to all its terms and conditions, is hereby transferred to Acme Markets, Inc, t/ Acme., effective nunc pro tunc to June 30, 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 December 8, 2016.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 12/08/2016

RESOLUTION# 16-292

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

Renewal of ABC Liquor Licenses for 2016-2017

Whereas, all Plenary Retail Consumption, Retail Distribution, Limited Distribution and Club Licenses expired on June 30, 2016; and,

Whereas, the following applicants have complied with the provisions of the Act of the Legislature entitled, "An Act Concerning Alcoholic Beverages", being Chapter 436 of the Laws of 1933, its supplements and amendments, and with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control applicable.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the Borough Clerk be and is hereby authorized to issue licenses to expire June 30, 2017, to the following:

PLENARY RETAIL DISTRIBUTION LICENSES - \$2,500.00

<u>LICENSE#</u>	<u>LICENSEE</u>	<u>LICENSED PREMISES</u>
0201-44-005-004	Acme Markets, Inc. t/a Acme 250 Parkcenter Boulevard PO Box 20 Boise, ID 83726	Pocket

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 12/08/2016

RESOLUTION# 16-293

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

Approval of Workplace Alcohol & Drug Testing Contract

Whereas, there is a need for a Workplace Alcohol & Drug Testing Contract; and

Whereas, Valley Medical Group has provided the Borough with satisfactory service in 2016; and

Whereas, Valley Medical Group has provided the Borough with a proposal for 2017.

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 2017 contract between the Borough of Allendale and the Valley Medical Group for services related to workplace alcohol and drug testing; and

Be It Further Resolved, that the Mayor and Municipal Clerk be and they are hereby authorized to sign said contract.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.



Anne Dodd, RMC
Municipal Clerk

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

DATE: 12/8/2016

RESOLUTION# 16-294

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

WHEREAS, an emergency has arisen with respect to the need to fund the acquisition by the Borough of Allendale of certain property commonly known and designated as 220 & 230 West Crescent Avenue, Allendale, New Jersey, and no adequate provision was made in the 2016 Current Budget for the aforesaid purpose, and N.J.S. 40A:4-49 provides for the purpose above mentioned, and

WHEREAS, the total amount of emergency appropriation created including the appropriation to be created by this resolution is \$14,000,000 and three percent of the total operating appropriations in the budget for the year 2015 is \$315,503.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S. 40A:4-49,

1. An emergency appropriation be and the same is hereby made for \$14,000,000.
2. That said emergency appropriation shall be provided for in full in the 2017 Budget Outside of Caps, unless otherwise cancelled by a bonding ordinance.
3. That two certified copies of this resolution be filed with the Director of Local Government Services.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.



Anne Dodd, RMC
Municipal Clerk

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

DATE: 12/8/2016

RESOLUTION# 16-295

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

WHEREAS, balances exist in variances funded by Bonds and;

WHEREAS, these improvements have been completed and;

WHEREAS, the Borough Council wishes to cancel said ordinances to the General Capital Fund Balance;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Allendale, that the following ordinances by hereby cancelled.

<u>Ordinance Number</u>	<u>Description</u>	<u>Amount</u>
09-09B	Crestwood Swim Docks	\$3,660.58
09-09D	Police – Miscellaneous	2,450.00
09-09G	Sewer – Improvements	7,924.00
09-09G	Sewer – Miscellaneous	1,000.00
10-04	Miscellaneous	10,491.59
10-04B	Police – Portable Radios	0.01
10-04D	Sewer – Lateral Camera	600.00
10-04D	Sewer – Screener	40,000.00
10-04D	Sewer – Scada Upgrades	5,000.00
10-04E	P&R – ADA Pathway/Backstop	9,367.70
11-01	Miscellaneous	11,578.41
11-01B	Police – Radios	44.60
11-01C	Fire – Turnout Gear	4.43
11-01D	DPW – Truck	150.00
11-01D	DPW – Pick-Up	17.37
11-01E	Sewer – Light Tower	2,495.26
11-01F	P&R – Garbage Bins	287.65
11-06	Crestwood Improvements	302.14
11-07	Road Improvements	2,938.42
11-14	Improvements Parks/Fields	13.54
12-05	Miscellaneous	28,217.31
12-05B	Police – Dispatch Equipment	1,584.37
12-05C	Fire – Turnout Gear	17.89

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

DATE: 12/8/2016

RESOLUTION# 16-295

<u>Ordinance Number</u>	<u>Description</u>	<u>Amount</u>
12-05E	DPW - Dump Body	\$1,743.20
12-05F	Public Improvements - Boro Hall	31,001.27
12-05F	Public Improvements - Flag Pole	4,653.80
12-20	Improvements to Buildings	10,011.17
13-09A	Road Improvements	1,255.90
13-09B	Park Improvements - Water Slide	2,118.00
13-09D	Fire - Breathing Apparatus	215.42
13-09E	Police - Weapons	117.80
13-09F	Police - UHF Radio Upgrade	18,000.00
13-09F	Police - Speed Monitor/Trailer	1,190.00
13-09H	Public Improvements - Furniture	1,000.02
13-09H	Public Improvements - Crestwood Lake	5,000.00
13-09H	Public Improvements - Diagnostic Comp DPW	305.00
13-09H	Miscellaneous	
14-03B	DPW - Plows	5,336.00
14-03C	Fire - Pumper	
14-03D	Fire - SCBA	174.19
14-03E	Police - UHF Radio Upgrade	<u>567.90</u>
		<u>\$217,597.15</u> =====

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.



Anne Dodd, RMC
Municipal Clerk

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

DATE: 12/8/2016

RESOLUTION# 16-296

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

WHEREAS, there exists a reserve for the Purchase of a Fire truck of \$125,000 in the Capital Fund from prior years and;

WHEREAS, the Borough Council desires to cancel this reserve;

NOW, THEREFORE, BE IT RESOLVED that the above reserve is hereby cancelled to the General Capital Fund Balance.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.



Anne Dodd, RMC
Municipal Clerk

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

DATE: 12/8/2016

RESOLUTION# 16-297

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

WHEREAS, the Borough of Allendale has on hand funds from the 2016 budget for the Purchase of DPW Equipment of \$45,000; and where such funds are no longer needed;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Allendale transfer the balance of \$45,000 to the Reserve for Municipal Improvements in the General Capital Fund.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.



Anne Dodd, RMC
Municipal Clerk

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

DATE: 12/8/16

RESOLUTION# 16-298

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

WHEREAS, the Borough of Allendale (the “Borough”) has previously established an affordable housing trust fund (the “trust fund”) as a dedicated source for affordable housing pursuant to the Mt. Laurel series of court decisions and the Council on Affordable Housing (“COAH”); and

WHEREAS, on October 5, 2009, COAH approved the Borough’s third round spending plan; and

WHEREAS, on April 15, 2010, the Borough adopted an amendment to its COAH-approved third round spending plan which amended spending plan was approved by COAH on October 6, 2010; and

WHEREAS, on August 25, 2016, the Borough adopted a second amendment to its COAH-approved third round spending plan, which Third Round Second Amended Spending Plan was approved by a September 20, 2016 Order of the Superior Court of New Jersey.

WHEREAS, at this time, the trust fund has a current balance of approximately \$406,000 and the Borough desires to expend an estimated \$345,000 of such balance toward fulfilling its affordable housing obligations as set forth in the amended/updated spending plan dated on or about December 2, 2016 prepared by the Borough’s consultants, Clarke Caton Hintz (the “third amended spending plan”); and

WHEREAS, COAH’s rules at *N.J.A.C. 5:97-8.11* “Consideration for Mechanisms not in the Adopted Fair Share Plan” anticipate municipalities funding such emergent affordable housing opportunities and, although COAH's third round rules were invalidated, these rules provide the best guidance for municipalities desiring to continue to address their fair share obligations. Thus, these rules are as follows:

- (a) A municipality may request authorization for expenditure of affordable housing trust funds on emergent affordable housing mechanisms not included in the municipal Fair Share Plan, in the form of an amendment to the spending plan.
- (b) In addition to the requirements for approval of a spending plan or amendment to an approved spending plan set forth at *N.J.A.C. 5:96-5*, the resolution submitted by the municipality shall include a certification that the affordable housing opportunity addresses the Council’s [COAH’s] criteria set forth in *N.J.A.C. 5:97-6*, and the municipality shall submit information regarding the proposed mechanism in a format to be provided by the Council.

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

DATE: 12/8/16

RESOLUTION# 16-298

- (c) The municipality shall submit an amendment to its Fair Share Plan to include the mechanism at the earlier of two years after the Council's [COAH's] approval of the spending plan amendment or the next planned amendment to the Fair Share Plan resulting from plan evaluation pursuant to *N.J.A.C. 5:96-10*.
- (d) The municipality shall submit monitoring pursuant to *N.J.A.C. 5:96-11* relating to the affordable units created using affordable housing trust funds; and

WHEREAS, the governing body hereby adopts the third amended spending plan; and

WHEREAS, the Borough, in this resolution, desires to request the approval of the Superior Court of New Jersey of the third amended spending plan prior to spending of funds pursuant to the amended spending plan.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, that the Borough hereby requests that the Superior Court of New Jersey, Bergen County, review and approve the third amended spending plan; and

BE IT FURTHER RESOLVED that the Borough's proposed emergent affordable housing opportunities for a group home for developmentally disabled adults at 200 West Crescent Avenue and for age-restricted affordable rentals at 220 West Crescent Avenue address COAH's criteria set forth in *N.J.A.C. 5:93-5.3, 5.5, and 5.8*. See attached Third Amended Spending Plan, dated December 2, 2016; and

BE IT FURTHER RESOLVED that the Borough of Allendale shall submit an amendment to its Fair Share Plan to include the new affordable housing opportunities outlined in the third amended spending plan and accompanying certification at the earlier of two years after the Court's approval of the third amended spending plan or the next planned amendment to the Fair Share Plan; and

BE IT FURTHER RESOLVED that the Borough of Allendale shall submit monitoring reports relating to the use of trust funds to create affordable housing units through the mechanisms described in the third amended spending plan and accompanying certification; and

BE IT FURTHER RESOLVED, that the Mayor, Borough Clerk and Borough Attorney be and hereby are directed to take all necessary and desirable actions to submit and present the third amended spending plan, which has hereby been approved by the Borough, to the Superior Court of New Jersey, Bergen County, for the review and approval of said Court.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.



Anne Dodd, RMC
Municipal Clerk



#16-298

ALLEDALE BOROUGH | SPENDING PLAN

Clarke Caton Hintz

Introduction

Allendale Borough's ("Borough") Third Round Housing Element and Fair Share Plan was certified by the Council on Affordable Housing ("COAH") on October 14, 2009 in accordance with the Fair Housing Act and the regulations of COAH. Although the Borough awaits the Court's determination of its regional fair share of the affordable housing need, the Borough prepared a court-required affordable housing plan summary on December 10, 2015 (resubmitted on January 27, 2016) and received temporary immunity from the Honorable Menelaos W. Toskos on March 24, 2016. Judge Toskos has subsequently extended Allendale's immunity until January 31, 2017 pursuant to an order dated September 14, 2016.

The Borough's Third Round Spending Plan was approved by COAH in 2009 and a spending plan amendment was approved by COAH in 2010, and a further second amendment was recently approved by the Superior Court on September 20, 2016. A development fee ordinance creating a dedicated revenue source for affordable housing was adopted on December 9, 1992, and amended and approved by COAH in December of 2008. The ordinance establishes the Borough's affordable housing trust fund for which this spending plan is prepared, and sets development fees at 1.5% and 2.5% of equalized assessed property value, for residential development and non-residential development, respectively.

As of November 2016, the Borough has collected a total of \$3,685,679.96 in development fees, payments in lieu of construction, interest, and other income. It has spent a total of \$3,279,026, leaving a balance of \$406,653.96. All development fees, payments in lieu of constructing affordable units on site, "other" income, and interest generated by the fees are deposited in separate interest-bearing affordable housing trust fund accounts in Bank of America and New Jersey Community Bank for affordable housing purposes. These funds shall be spent in accordance with N.J.A.C. 5:93-8.16, as described in the sections that follow.

This updated spending plan ("Third Amended Spending Plan") is submitted to the Superior Court for approval to expend an additional \$345,000 of Affordable Housing Trust Fund monies to acquire and develop two sites for of affordable housing. Of that amount, the Borough desires to expend \$325,000 to purchase a portion of the site



known as the Black Millworks property for the creation of age-restricted affordable rental units on the portion of the property located at 220 West Crescent Avenue. The remaining \$20,000 will be used to subsidize the purchase of the property at 200 West Crescent Avenue by Eastern Christian Children's Retreat ("Eastern Christian") for the creation of a new five-bedroom (5) group home. These units will help the Borough satisfy its yet to be determined third round fair share obligation.

Revenues for Certification Period

To calculate a projection of revenue anticipated during the period of third round Judgement of Repose ("JoR"), the Borough considered the following:

- (a) Development fees:
 - 1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
 - 2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
 - 3. Future development that is likely to occur based on historical rates of development.

- (b) Payment in lieu ("PIL"): \$0
Actual and committed payments-in-lieu ("PIL") of construction from developers. The Borough received \$2,542,486 from Garden Homes (aka The Whitney), Allendale Glen Estates, and other developments. No additional revenues from PILs are expected over the JoR period.

- (c) Other funding sources: \$0
The Borough has previously collected funds from other sources, but does not anticipate future funds from this category at this time. Funds from other



sources, include, but are not limited to the sale of units with extinguished controls, repayment of affordable housing program loans, rental income, and proceeds from the sale of affordable units. All monies in the Affordable Housing Trust fund are anticipated to come from development fees and interest.

(d) Projected interest: \$3,550

Based on the current average interest rate, interest earned in recent years, and projected rates of development fee revenue, the Borough anticipates collecting \$3,550 in interest through 2025.



ALLEDALE BOROUGH | SPENDING PLAN

Clarke Caton Hintz

Source of Funds – Housing Trust Fund 2016 through 2025

Year	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2016-2025 Total
Source of Funds											
Projected Residential Development	\$7.6k	\$55k	\$40k	\$30k	\$35k	\$35k	\$55k	\$50k	\$40k	\$60k	\$407.6k
Projected Non-Residential Development	0	0	0	\$5k	0	0	0	\$5k	0	0	\$10k
Interest	\$350	\$400	\$400	\$350	\$200	\$200	\$400	\$400	\$300	\$500	\$3.5k
Total	\$8k	\$55.4k	\$40.4k	\$35.4k	\$35.2k	\$35.2k	\$55.4k	\$55.4k	\$40.3k	\$60.5k	\$421.1k



The Borough projects a total of \$421,106 in revenue to be collected between December 2016 and 2025, from residential and non-residential development fees and accrued interest. Development fees are projected based on historic development fee receipts, expected development patterns, and recently approved residential subdivisions. Nearly all development fees received over the life of the trust fund have come from residential developments and additions. The Borough expects future fee generating development to come in the form of additions and tear downs. One project, Couch Court, is a three-unit subdivision that is valued at approximately \$900,000 per unit. Although the Borough is not aware of any non-residential subdivision, and although no non-residential development fees have been received for over a decade, the spending plan assumes that at least one non-residential improvement might occur which would generate development fees.

Administrative Mechanism to Collect and Distribute Funds

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the Borough:

(a) Collection of development fee revenues:

All collection of development fee revenues will be consistent with local regulations which follow COAH administrative models for both residential and non-residential developments and in accordance with N.J.S.A. 40:55D-8.1 through 8.7.

(b) Distribution of development fee revenues:

The Planning Board adopts and forwards a resolution to the governing body recommending the expenditure of development fee revenues as set forth in this spending plan. The governing body reviews the request for consistency with the spending plan and adopts the recommendation by resolution.

The release of funds requires the adoption of the governing body resolution. Once a request is approved by resolution, the Chief Financial Officer releases the requested revenue from the trust fund for the specific use approved in the governing body's resolution.



Description of Anticipated Use of Affordable Housing Funds

(a) **Affordability Assistance (N.J.A.C. 5:93-8.16(c))**

The Borough is required to spend a minimum of 30 percent of development fee revenue to render existing affordable units more affordable and at least one-third of that amount must be dedicated to very low-income households or to create very-low income units (i.e. households earning less than 30 percent of the regional median income). The actual affordability assistance minimums are calculated on an ongoing basis in COAH's on-line monitoring system known as the CTM system based on actual revenues.

Projected minimum affordability assistance requirement

Actual development fees since 7/17/2008		\$482,652
Actual interest earned since 7/17/2008	+	\$14,156
Development fees projected Dec. 2016 - 2025	+	\$417,606
Interest projected Dec. 2016 - 2025	+	\$3,500
Total	=	\$917,914
30 percent requirement	x 0.30 =	\$275,374
Less Affordability assistance expenditures to date	-	\$375,374
PROJECTED MINIMUM Affordability Assistance Requirement	=	\$0
PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement	÷ 3 =	\$0

Based on fees and interest collected since July 17, 2008, and projected revenues, the Borough must dedicate at least \$275,374 from the affordable housing trust fund to render units more affordable, including \$91,791.33 to render units more affordable to households earning 30 percent or less of median income by region. It may use a variety of vehicles to do this, including but not limited to the following:



- Down-payment assistance;
- Rental assistance;
- Security deposit assistance;
- Low interest loans;
- Assistance with homeowners association or condominium fees and special assessments; and/or
- Converting low-income units to very-low-income units or creating new very-low income units, etc.

The Borough has expended, and will expend, more than the minimum required affordability assistance amount through the creation of very-low income units, including the eight (8) very-low income units at Crescent Commons and 10 total very-low income units from the Eastern Christian Children's Retreat sites at 135 and 200 West Crescent Avenue. As such, it has no additional affordability assistance requirement for the remainder of the Third Round JoR period.

200 West Crescent Avenue – Eastern Christian Group Home: \$20,000

Eastern Christian has received approval from the New Jersey Department of Health and Human Services, Division of Developmental Disabilities to develop and operate a five bedroom (5) group home at 200 West Crescent for adults with disabilities. Eastern Christian will spend \$400,000 of its own funds to acquire the site, for which the asking price is set at \$420,000. The Borough desires to contribute an amount of \$20,000 to assist with the acquisition and the creation of very-low income units.

(b) Administrative Expenses (*N.J.A.C. 5:93-8.16(e)*)

The Borough may use affordable housing trust fund revenue for related administrative costs up to a 20 percent limitation pending funding availability after programmatic and affordability assistance expenditures. The actual administrative expense maximum is calculated on an ongoing basis in the CTM system based on actual revenues.



Projected Administrative Expenses

Development fees/interest collected to date		\$988,757
Payment-in-lieu of construction through July 17, 2008		\$1,842,486
Development fees projected 2016-2025		\$417,606
Interest projected 2016-2025	+	\$3,500
Total	=	\$3,252,349
20 percent maximum permitted administrative expenses	x 0.20 =	\$650,470
Less administrative expenditures through 11/31/2016	-	\$394,625
Projected allowed administrative expenditures	=	\$255,845

The Borough projects that \$255,845 may be available from the affordable housing trust fund to be used for administrative purposes. It does not expect to spend nearly that much. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

- Borough Attorney, Engineer, and Planner fees related to plan preparation and implementation;
- Rehabilitation program administration fees, if required.

(c) New Construction Project: \$325,000

220 West Crescent Avenue: \$325,000

The Borough is amending its spending plan to spend \$325,000 to acquire the 220 West Crescent Avenue portion of the Black Millwork site for the creation of age-restricted affordable rental units, including the creation of very-low income units. No determination has been made as to how many units will be developed on this site.

The Black Millwork property is comprised of three separate tax parcels, including one parcel which is undeveloped and environmentally constrained. The Borough reserves the right to use a portion of this property for municipal purposes other than affordable housing, including the relocation of municipal offices, the construction of a senior center, and the creation of public open space, but will only utilize affordable housing trust funds for the acquisition of the affordable housing portion and the creation of affordable housing.



Expenditure Schedule

The Borough intends to use affordable housing trust fund revenues for the creation of affordable senior rental units and very-low income special needs units. Where applicable, the funding schedule below will parallel the implementation schedule to be set forth in the Housing Element and Fair Share Plan and is summarized as follows.

Projected Expenditure Schedule 2016 Through 2025

Program	Units/ Bedrooms	2016- 2017	2018- 2019	2020- 2021	2022- 2023	2024- 2025	Total
Affordability Assistance							
<i>200 West Crescent Avenue</i>	5	\$20k	\$0k	\$0k	\$0k	\$0k	\$20k
New Construction							
<i>Black Millworks / 220 West Crescent Avenue</i>		\$325k	\$0k	\$0k	\$0k	\$0k	\$325k
Administration		\$80k	\$20k	\$10k	\$10k	\$50k	\$170k
TOTAL		\$425k	\$20k	\$10k	\$10k	\$50k	\$515k

Excess or Shortfall of Funds

The Borough has sufficient funds for the cumulative \$345,000 expenditure toward the acquisition and development of the 200 and 220 West Crescent Avenue sites. No shortfall of funds is anticipated.

Summary

The Borough intends to spend affordable housing trust fund revenues pursuant to the extant regulations governing such funds and consistent with the housing program outlined in the December 2, 2016 certification of Daniel Hauben, PP, AICP, to address COAH's rules at N.J.A.C. 5:97-8.11 "Consideration for Mechanisms not in the Adopted Fair Share Plan". The Borough had a balance of \$406,654 as of November 2016. The



Borough anticipates an additional \$421,106 in revenues before the expiration of a Third Round Judgement of Repose for a total of \$827,760 . The Borough has exceeded its affordability assistance expenditure requirement through previous spending toward the creation of very-low income units (including five (5) units at the Eastern Christian group home at 135 West Crescent Avenue, approved in September 2016). The Borough may also expend up to \$255,845 of trust funds on administrative costs during the period of repose, but it anticipates spending no more than \$170,000 for administrative functions. At this time, the Borough desires to spend \$325,000 of trust fund money to acquire the 220 West Crescent Avenue portion of the Black Millwork site for the creation of affordable age-restricted senior rentals, and \$20,000 to subsidize Eastern Christian's acquisition of the property at 200 West Crescent Avenue for the creation of a five-bedroom (5) very-low income group home.

Spending Plan Summary

Revenues	
Balance as of November, 2016	\$406,654
Projected Revenue from December 2016 through 2025	\$421,106
1. Development fees	+ \$417,606
2. Payments in lieu of construction	+ \$0
3. Other funds	+ \$0
Interest	+ \$3,500
Total Projected Revenue	= \$827,760
Expenditures	
Funds used for Rehabilitation	- \$0
Affordability Assistance	- \$20,000
New Construction	- \$325,000
Administration	- \$170,000
Total Projected Expenditures	= \$515,000
POTENTIAL SURPLUS	= \$312,760

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

DATE: 12/08/2016

RESOLUTION# 16-299

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

**Borough of Allendale
Resolution Authorizing Execution of Agreement of Sale and Purchase for
220 & 230 West Crescent Avenue, Allendale, New Jersey**

WHEREAS, as of October 31, 2016, the Borough of Allendale (“Borough”), executed a Letter of Intent (“LOI”) with West Crescent Realty, LLC (“Seller”) regarding the purchase by the Borough from the Seller of those premises commonly known as 220 West Crescent Avenue and 230 West Crescent Avenue, Allendale, New Jersey (collectively, the “Property”); and

WHEREAS, the Borough and the Seller, subsequent to execution of the LOI, entered into negotiations regarding the terms of an Agreement of Sale and Purchase (the “Agreement”) regarding the Property; and

WHEREAS, the Borough and Seller have mutually agreed on the terms of the Agreement, the terms of which are incorporated herein; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor Elizabeth White be and hereby is authorized to execute and to enter into on behalf of the Borough, the Agreement with the Seller for the purchase of the Property; and

BE IT FURTHER RESOLVED that the Mayor, the Borough Attorney, the Chief Financial Officer, and such other members of the Borough’s professional and administrative staff as may be designated by the Mayor, are authorized to take any and all appropriate actions to implement the terms of the 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 December 8, 2016.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 12/08/2016

RESOLUTION# 16-300

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

Resolution Appointing PK Environmental

WHEREAS, the Borough of Allendale (“Borough”) has entered into an Agreement of Sale and Purchase (the “Agreement”) with West Crescent Realty, LLC for the purchase of those premises commonly known as 220 West Crescent Avenue and 230 West Crescent Avenue, Allendale, New Jersey (collectively, the “Property”); and

WHEREAS, conjunction with the anticipated acquisition by the Borough of the Property, there exists a need on the part of the Borough to engage the services of an environmental assessment, planning and remediation firm; and

WHEREAS, the Borough has determined that PK Environmental of Chatham, New Jersey is qualified and experienced to provide the foregoing services; and

WHEREAS, the Borough, by adoption of this Resolution, wishes to appoint PK Environmental as its environmental consultant in connection with its anticipated acquisition of the Property, upon such terms as are recited in a letter proposal dated November 1, 2016, the terms of which are incorporated by reference herein; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that PK Environmental be and hereby is appointed as the Borough’s environmental consultant, to provide such environmental assessment, planning and remediation services to the Borough in connection with the matters set forth hereinabove; and

BE IT FURTHER RESOLVED that the Mayor, CFO, Borough Clerk and Borough Attorney are authorized to take such actions as may be required to implement this 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 December 8, 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 will be available in the 2017 Budget.

Resolution Date: 12/8/2016

Resolution Number: 16-300

Vendor: PK Environmental
Planning & Engineering
205 Main Street
Chatham, NJ 07928

Contract: Preliminary Assessment/Phase 1 Environmental Site Assessment
B 1005 Lots 3, 11, 20

Amount: Not to exceed \$4,500


Chief Financial Officer

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

DATE: 12/08/2016

RESOLUTION# 16-301

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

Confirm Endorsement of Community Development Project

Whereas, a Bergen County HOME Investment Partnerships application of \$100,000 has been proposed by the Hamilton Home for the Eastern Christian Children's Retreat in the municipality of Allendale; and

Whereas, pursuant to the State Interlocal Services Act, HOME funds may not be spent in a municipality without authorization by the Mayor and Council; and

Whereas, the aforesaid project in the best interest of the people of the Borough of Allendale; and

Whereas, the Borough of Allendale does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid HOME application.

Now, Therefore, Be It Resolved that the Mayor and Council of the Borough of Allendale hereby confirm endorsement of aforesaid project; and

Be It Further Resolved, that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development so that implementation of the aforesaid project may be expedited.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 8, 2016.



Anne Dodd, RMC
Municipal Clerk