

Borough of Allendale

June 9, 2011

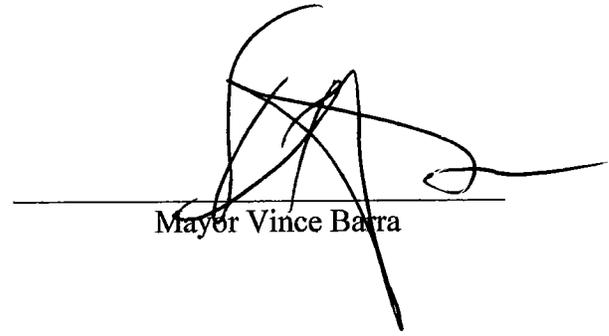
Resolution 11-195

List of Bills

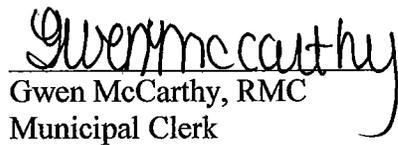
Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves the Bill List dated June 9, 2011.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica					✓	
Schoepflin	✓		✓			
Strauch			✓			
White					✓	
Wilczynski		✓	✓			
Barra						

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 9, 2011



\_\_\_\_\_  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

Borough of Allendale

June 9, 2011

Resolution 11-196

Crestwood Lake Staff Salaries for 2011

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the following salaries are hereby approved for the Crestwood Lake Swim Club 2011 Season as follows:

**Substitute Lifeguards**

Natalie Petrus \$ 8.50  
William Bonifacic \$ 8.50

**Substitute Gate People**

Kyle Wilczynski \$ 8.00  
Erin LaRossa \$ 8.00

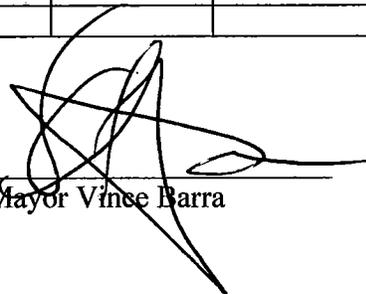
**Security**

Zachary Bascio \$ 8.00

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein						
LaMonica					✓	
Schoepflin	✓					
Strauch						
White					✓	
Wilczynski		✓				
Barra						

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 9, 2011

Gwen McCarthy  
Gwen McCarthy, RMC  
Municipal Clerk

  
\_\_\_\_\_  
Mayor Vince Barra

Borough of Allendale

June 9, 2011

Resolution 11-197

Approval of July 4<sup>th</sup> Celebration

**Be It Resolved** that Crestwood Park will close at 5:00 p.m. on July 4, 2011.

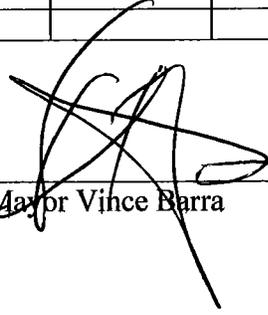
**Be It Further Resolved** that the Holiday Observers are hereby authorized to conduct a fireworks display and celebration at Crestwood Lake commencing at dusk on Monday, July 4, 2011 with a rain date for Sunday, July 10, 2011;

**Be It Further Resolved** that the fireworks display is subject to appropriate review and approval of insurance and the receipt of a permit from the Allendale Bureau of Fire Prevention.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica					✓	
Schoepflin	✓		✓			
Strauch			✓			
White					✓	
Wilczynski		✓	✓			
Barra						

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 9, 2011

Gwen McCarthy  
Gwen McCarthy, RMC  
Municipal Clerk

  
\_\_\_\_\_  
Mayor Vince Barra

Borough of Allendale

June 9, 2011

Resolution 11-198

Purchase of Communications System

Whereas, the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, wish to purchase a new communication system and upgrades to the Borough's phone system,

Whereas, this purchase shall be made under the State of New Jersey's contract bid number A42291,

Whereas, the Chief Financial Officer has attached hereto a Certification that adequate funds are budgeted to pay for the contract;

Now, Therefore, Be It Resolved that the Governing Body does hereby award a contract to Extel Communiucations, Inc. in the amount of \$23,685.75,

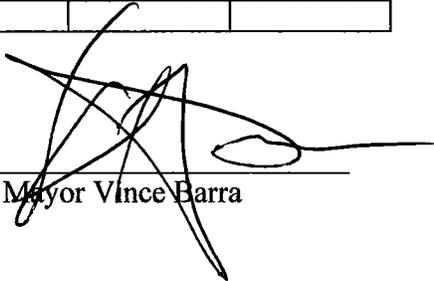
Be It Further Resolved that the Mayor and Municipal Clerk are authorized to sign the necessary Purchase Order or Contract for this purchase.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica					✓	
Schoepflin	✓		✓			
Strauch			✓			
White					✓	
Wilczynski		✓	✓			
Barra						

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on

June 9, 2011

Gwen McCarthy  
Gwen McCarthy, RMC  
Municipal Clerk

  
\_\_\_\_\_  
Mayor Vince Barra

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

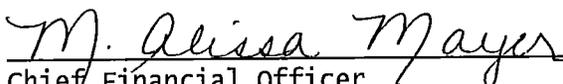
Resolution Date: 06/07/11  
Resolution Number: R11-198

Vendor: E0081      EXTEL COMMUNICATIONS  
                      830 BELMONT AVENUE  
                      NORTH HALEDON, NJ 07508

Contract: C1100005 Boro wide communication system  
                          upgrades to phone system

Account Number	Amount	Department Description
C-04-55-913-603	23,685.75	ORDINANCE 11-01
Total	23,685.75	

Only amounts for the 2011 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.

  
\_\_\_\_\_  
Chief Financial Officer

June 9, 2011

Borough of Allendale

Resolution 11-199

Water Adjustments

Whereas, the utility payers listed below have been found to have their utility bill reduced by the amount shown, and

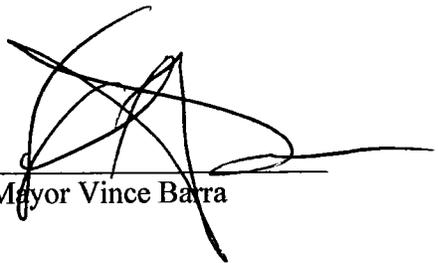
Whereas, these adjustments are due to an estimated bill, incorrectly reported water usage or incorrect readings,

Now, Therefore, Be It Resolved by the Council of the Borough of Allendale, that these adjustments be granted, with no money refunded, to the following utility bill payers:

Name	Account Number	Amount
Beck	766	\$ 53.85
Marino	3337	\$ 10.85
Han	3491	\$308.71

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica					✓	
Schoepflin	✓		✓			
Strauch			✓			
White					✓	
Wilczynski		✓	✓			
Barra						

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 9, 2011

  
\_\_\_\_\_  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

Borough of Allendale

June 9, 2011

Resolution 11-200

Governing Body Appointment to the Community Development Committee

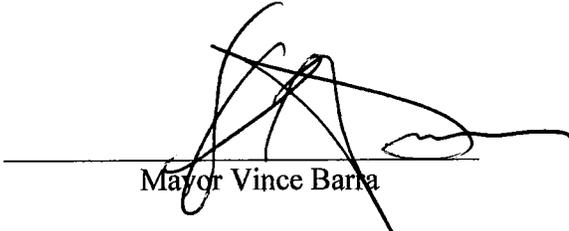
**Whereas**, the Governing Body of each Bergen County Community that participates in the Community Development Cooperative must appoint a representative to the Community Development Board, and

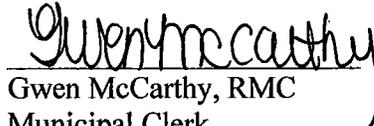
**Whereas**, this is a one year appointment for July 1, 2011 through June 30, 2012,

**Now, Therefore, Be It Resolved** that the Governing Body hereby appoints Liz White as its representative to the Community Development Committee.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica					✓	
Schoepflin	✓		✓			
Strauch			✓			
White					✓	
Wilczynski		✓	✓			
Barra						

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 9, 2011

  
\_\_\_\_\_  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

Borough of Allendale

June 9, 2011

Resolution 11-201

Authorize Advertisement of Bids for Water Meters

**Whereas**, the Borough of Allendale is responsible to measure the flow of water consumption of customers through water meters in the Borough;

**Whereas**, there is a need for Neptune T-10 Water Meters, Registers and Parts to provide service to effectively maintain the water meter services in the Borough of Allendale,

**Whereas**, pursuant to NJSA 40A:11-13(d) and NJAC 5:34-9.1, the Borough may purchase proprietary goods, upon certification of the Purchasing Agent to the Chief Executive Officer,

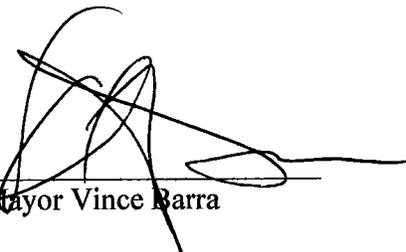
**Whereas**, this Certification for the purchase of proprietary goods is attached to this Resolution,

**Whereas**, funds are available, and the Town wishes to advertise for sealed bids for the purchase of Neptune T-10 Water Meters, Registers and Parts,

**Now, Therefore, Be It Resolved**, that the Borough of Allendale hereby authorizes the Municipal Clerk to advertise for bids for the purchase of said Neptune T-10 Water Meters, Registers and Parts.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			√			
LaMonica					√	
Schoepflin	√		√			
Strauch			√			
White					√	
Wilczynski		√	√			
Barra						

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 9, 2011

  
\_\_\_\_\_  
Mayor Vince Barra

Gwen McCarthy  
Gwen McCarthy, RMC  
Municipal Clerk

**CERTIFICATION OF AVAILABILITY OF FUNDS**

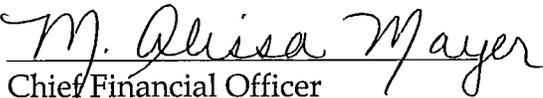
This is to certify to the Mayor and Council of the Borough of Allendale that funds for the following resolutions are available.

Resolution Date:            June 9, 2011  
Resolution Number:        R11-201

Vendor:

<u>Fund</u>	<u>Amount</u>	<u>Department Description</u>
Water Capital	\$20,000	Water meters

Only amounts for the 2011 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.

  
Chief Financial Officer

## Neptune T-10 Water Meters, Registers and Parts Specification Attachment

### Certification for the Purchase of Proprietary Goods

This is to certify that, pursuant to N.J.S.A. 40A:11-13(d) and N.J.A.C. 5:34-9.1, the Town can bid a proprietary good if it is determined that:

1. The good is specialized in nature,
2. The use of a good other than the proprietary one will undermine the performance of existing facilities,
3. The good is patented, or
4. The good is necessary for the conduct of the Town's affairs.

The Town will be bidding for Neptune T-10 Water Meters, Registers and Replacement Parts. This meter is specialized in nature and patented by the Neptune Company. The Town already uses these meters, has made a substantial investment in the equipment, has invested in the tools and equipment to repair, has invested in replacement parts, and has invested in the training of employees in this brand of meter. The Neptune meter is the only brand name compatible with our reading system, and is necessary for the conduct of the town's affairs.

The acceptance of another brand name will affect the efficiency of the operation of the water utility.

  
Keith Cauwenberghs Purchasing Agent

6/6/11  
Date

Borough of Allendale

June 9, 2011

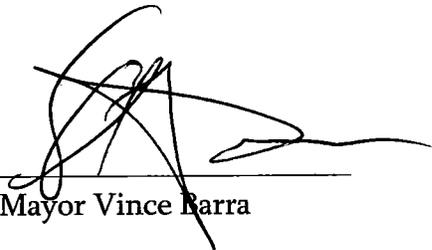
Resolution 11-202

Permanent Assignment of DPW Employee  
To the Water Department

**Be It Resolved** by the Governing Body that James Moritz is hereby permanently assigned from the Department of Public Works to the Water Department on July 1, 2011.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica						
Schoepflin	✓		✓			
Strauch			✓			
White						
Wilczynski		✓	✓			
Barra						

I hereby certify the above to  
be a true copy of a Resolution  
adopted by the Governing Body  
of the Borough of Allendale on  
June 9, 2011



\_\_\_\_\_  
Mayor Vince Barra



\_\_\_\_\_  
Gwen McCarthy, RMC  
Municipal Clerk

Borough of Allendale

June 9, 2011

Resolution11-203

Resolution Authorizing Municipal Attorney  
To Settle 2010 Tax Appeal Captioned  
“Leon Kirylak v. Borough of Allendale”

**Whereas**, Leon Kirylak is the owner of real estate known as Block 1405, Lot 13 and better known as 411 Brookside Avenue, Allendale, New Jersey; and

**Whereas**, the owners have filed a tax appeal challenging the 2010 tax assessment; and

**Whereas**, Lot 13 in Block 1405 was assessed for the tax year 2010 in the total amount of \$637,100; and

**Whereas**, the Borough has completed full discovery with respect to this matter, has consulted with the Borough’s Appraiser, Charles Ciolino, and has conducted exhaustive negotiations with counsel for the taxpayer; and

**Whereas**, the parties have been able to arrive upon a proposed settlement agreement whereas there would be a revised 2010 assessment of \$610,000 and a 2011 assessment would remain the same pursuant to the Freze Act; and

**Whereas**, the parties have agreed that prejudgment interest shall be waived as a condition of the settlement; and

**Whereas**, the Borough’s Tax Assessor, Angela Mattiace and the Borough’s Real Estate Appraiser, Charles Ciolino, are in agreement with the terms of the settlement and believe it would be in the best interest of the Borough to settle this particular case in accordance with the terms set forth above;

**Now, Therefore, Be It Resolved** that the Governing Body of the Borough of Allendale agrees to authorize the Municipal Attorney to execute a Stipulation of Settlement on behalf of the Borough of Allendale with respect to the Leon Kirylak tax appeal pending in the Tax Court of New Jersey for the tax year 2010 under docket number 017863-2010 at the new assessment set forth above; and

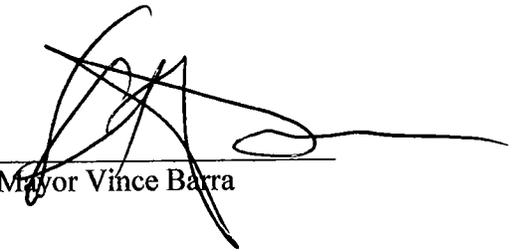
**Be It Further Resolved** that upon receipt of the Tax Court Judgment that the Tax Collector is hereby authorized to calculate the amount of the refund and cause same to be paid to the taxpayer, without statutory interest, within sixty (60) days from the date of the Tax Court Judgment; and

**Be It Further Resolved** that this settlement is subject to agreement and acceptance thereof by the taxpayer; and

**Be It Further Resolved** that copies of this resolution are to be provided to the Municipal Clerk, Borough Treasurer, Borough Tax Assessor, Borough Tax Collector and Municipal Attorney.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica					✓	
Schoepflin	✓		✓			
Strauch			✓			
White					✓	
Wilczynski		✓	✓			
Barra						

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 9, 2011



\_\_\_\_\_  
Mayor Vince Barra

Gwen McCarthy  
Gwen McCarthy, RMC  
Municipal Clerk

Borough of Allendale

June 9, 2011

Resolution 11-204

Resolution Authorizing Municipal Attorney  
To Settle 2010 Tax Appeal Captioned  
“George W. and Frances M. Crowley v. Borough of Allendale”

**Whereas**, George W. Crowley and Frances M. Crowley are owners of real estate known as Block 511, Lot 19 and better known as 22 Wilton Drive, Allendale, New Jersey; and

**Whereas**, the owners have filed a tax appeal challenging the 2010 tax assessment; and

**Whereas**, Lot 19 in Block 511 was assessed for the tax year 2010 in the total amount of \$611,600; and

**Whereas**, the Borough has completed full discovery with respect to this matter, has consulted with the Borough’s Appraiser, Charles Ciolino, and has conducted exhaustive negotiations with counsel for the taxpayer; and

**Whereas**, the parties have been able to arrive upon a proposed settlement agreement whereas there would be a revised 2010 assessment of \$585,000 and a 2011 assessment would remain the same pursuant to the Freze Act; and

**Whereas**, the parties have agreed that prejudgment interest shall be waived as a condition of the settlement; and

**Whereas**, the Borough’s Tax Assessor, Angela Mattiace and the Borough’s Real Estate Appraiser, Charles Ciolino, are in agreement with the terms of the settlement and believe it would be in the best interest of the Borough to settle this particular case in accordance with the terms set forth above;

**Now, Therefore, Be It Resolved** that the Governing Body of the Borough of Allendale agrees to authorize the Municipal Attorney to execute a Stipulation of Settlement on behalf of the Borough of Allendale with respect to the George W. Crowley and Frances M. Crowley tax appeal pending in the Tax Court of New Jersey for the tax year 2010 under docket number 017709-2010 at the new assessment set forth above; and

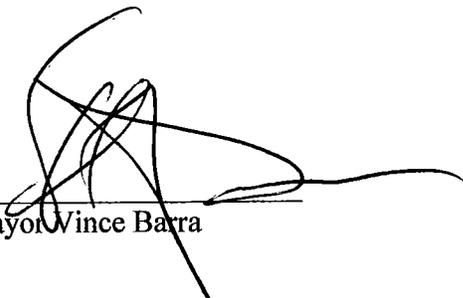
**Be It Further Resolved** that upon receipt of the Tax Court Judgment that the Tax Collector is hereby authorized to calculate the amount of the refund and cause same to be paid to the taxpayer, without statutory interest, within sixty (60) days from the date of the Tax Court Judgment; and

**Be It Further Resolved** that this settlement is subject to agreement and acceptance thereof by the taxpayer; and

**Be It Further Resolved** that copies of this resolution are to be provided to the Municipal Clerk, Borough Treasurer, Borough Tax Assessor, Borough Tax Collector and Municipal Attorney.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica					✓	
Schoepflin	✓		✓			
Strauch			✓			
White					✓	
Wilczynski		✓	✓			
Barra						

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 9, 2011



\_\_\_\_\_  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

Borough of Allendale

June 9, 2011

Resolution 11-205

Resolution Authorizing Municipal Attorney  
To Settle 2010 Tax Appeal Captioned  
“Robert W. and Greta M. Taylor v. Borough of Allendale”

**Whereas**, Robert W. Taylor and Greta M. Taylor are owners of real estate known as Block 1303, Lot 2 and better known as 504 Paul Avenue, Allendale, New Jersey; and

**Whereas**, the owners have filed a tax appeal challenging the 2010 tax assessment; and

**Whereas**, Lot 2 in Block 1302 was assessed for the tax year 2010 in the total amount of \$1,017,700; and

**Whereas**, the Borough has completed full discovery with respect to this matter, has consulted with the Borough’s Appraiser, Charles Ciolino, and has conducted exhaustive negotiations with counsel for the taxpayer; and

**Whereas**, the parties have been able to arrive upon a proposed settlement agreement whereas there would be a revised 2010 assessment of \$950,000 and a 2011 assessment would remain the same pursuant to the Freze Act; and

**Whereas**, the parties have agreed that prejudgment interest shall be waived as a condition of the settlement; and

**Whereas**, the Borough’s Tax Assessor, Angela Mattiace and the Borough’s Real Estate Appraiser, Charles Ciolino, are in agreement with the terms of the settlement and believe it would be in the best interest of the Borough to settle this particular case in accordance with the terms set forth above;

**Now, Therefore, Be It Resolved** that the Governing Body of the Borough of Allendale agrees to authorize the Municipal Attorney to execute a Stipulation of Settlement on behalf of the Borough of Allendale with respect to the Robert W. Taylor and Greta M. Taylor tax appeal pending in the Tax Court of New Jersey for the tax year 2010 under docket number 016365-2010 at the new assessment set forth above; and

**Be It Further Resolved** that upon receipt of the Tax Court Judgment that the Tax Collector is hereby authorized to calculate the amount of the refund and cause same to be paid to the taxpayer, without statutory interest, within sixty (60) days from the date of the Tax Court Judgment; and

**Be It Further Resolved** that this settlement is subject to agreement and acceptance thereof by the taxpayer; and

**Be It Further Resolved** that copies of this resolution are to be provided to the Municipal Clerk, Borough Treasurer, Borough Tax Assessor, Borough Tax Collector and Municipal Attorney.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica					✓	
Schoepflin	✓		✓			
Strauch			✓			
White					✓	
Wilczynski		✓	✓			
Barra						

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 \_\_\_\_\_  
 Mayor Vince Barra

  
 Gwen McCarthy, RMC  
 Municipal Clerk

June 9, 2011

Borough of Allendale

Resolution 11-206

Amend Resolution 11-165  
Crestwood Lake Salaries

**Whereas**, Resolution 11-165 stated that the salary for Lifeguard Parisa Fardanesh was \$9.50 an hour, and

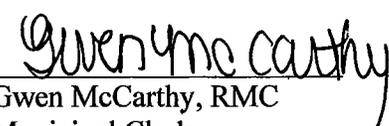
**Whereas**, her salary should have read \$10.00 an hour;

**Now, Therefore, Be It Resolved** that the salary for Lifeguard Parisa Fardanesh be corrected to \$10.00 an hour.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica					✓	
Schoepflin	✓		✓			
Strauch			✓			
White					✓	
Wilczynski		✓	✓			
Barra						

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\_\_\_\_\_  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

Borough of Allendale

June 9, 2011

Resolution 11-207

Deed of Easement for Drainage Purposes

Whereas, a deed of easement for drainage purposes has been executed on March 31, 2011 between John J. Zola and Vita M. Zola, husband and wife (the "Grantors") and the Borough of Allendale (the "Grantee") regarding property at 108 Myrtle Avenue, Allendale, New Jersey (the "deed");

Whereas, the deed was recorded with the Office of the Bergen County Clerk on May 13, 2011 in deed book 00741 at page 1082-1089;

Whereas, the grantors by virtue of said deed granted to the grantee a permanent drainage easement in connection with the aforesaid property as set forth in said deed;

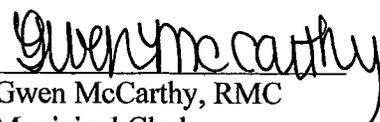
Now, Therefore, Be It Resolved by the Governing Body of the Borough of Allendale in the County of Bergen that it does hereby accept the deed of easement for drainage purposes and;

Be It Further Resolved that the Municipal Clerk is hereby authorized to maintain said deed as part of the real estate registry of the Borough.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica					✓	
Schoepflin	✓		✓			
Strauch			✓			
White					✓	
Wilczynski		✓	✓			
Barra						

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 9, 2011

  
\_\_\_\_\_  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

June 9, 2011

Borough of Allendale

Resolution 11-208

Approval of Raffle License #364  
Guardian Angel Church

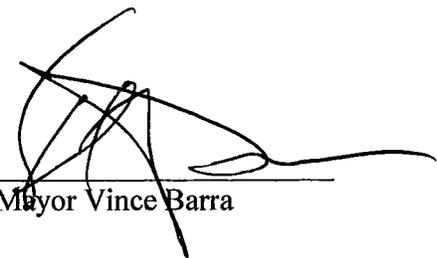
**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves Raffle License #364 as follows:

Guardian Angel Church  
July 20 through 23, 2011  
Non-draw raffles  
6:00 p.m. to 10:00 p.m.  
Raffle Location: Guardian Angel Church

Games to include: Football Toss, Pop Gun, Ring Toss, Hoop Shot and Shuffleboard  
Prizes: \$1 to \$35 in cash, novelties, plush toys or candy

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica					✓	
Schoepflin	✓		✓			
Strauch			✓			
White					✓	
Wilczynski		✓	✓			
Barra						

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\_\_\_\_\_  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

June 9, 2011

Borough of Allendale

Resolution 11-209

Approval of Raffle License #365  
Guardian Angel Church

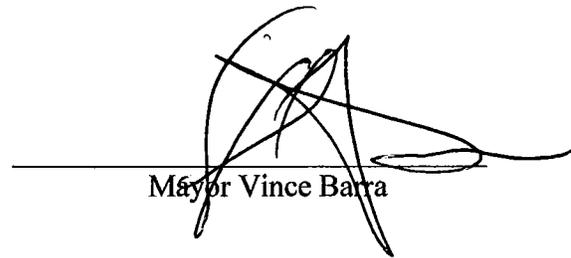
**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves Raffle License #365 as follows:

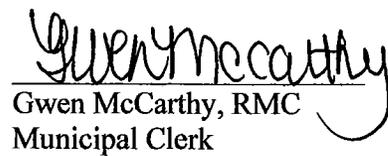
Guardian Angel Church  
July 23, 2011  
On premises 50/50 Raffle  
6:00 p.m.  
Raffle Location: Guardian Angel Church

Prize: 50% of cash proceeds

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica					✓	
Schoepflin	✓		✓			
Strauch			✓			
White					✓	
Wilczynski		✓	✓			
Barra						

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 9, 2011

  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk