

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
February 15, 2018

PRESENT: Mayor Elizabeth White and Councilmembers Ari Bernstein, Liz Homan, Edward O'Connell, Steve Sasso, and Jim Strauch

ABSENT: Council member Amy Wilczynski

ALSO PRESENT: Borough Attorney Ray Wiss
Municipal Clerk Anne Dodd

A Regular Session Meeting of the Mayor and Council of the Borough of Allendale was held in the Municipal Building at 500 West Crescent Avenue, Allendale, NJ on February 15, 2018. The meeting was called to order at 8:00 p.m. by Mayor White who asked that the Municipal Clerk read the open public meetings statement: "In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. The meeting dates for the year are confirmed at the Annual Meeting, are posted on the public bulletin board in the Municipal Building, published in the Record within the first 10 days of the New Year, and copies are sent to the Ridgewood News and Star Ledger."

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

Approval of Minutes:

Motion by Councilman Strauch, second by Councilman Bernstein, that the Minutes of January 25, 2018 Work Session and January 25, 2018 Regular Session are approved.

On a roll call, the vote was recorded as follows:

Councilman Bernstein:	aye	Councilman Sasso:	aye
Councilwoman Homan:	aye	Councilman Strauch:	aye
Councilman O'Connell:	abstain	Councilwoman Wilczynski:	absent

Public Comment

Kristen Tsarnas, 74 Heights Road, asked for additional information on the 2018 paving plans.

Mayor White explained that that a number of towns have pulled of the Ramsey Coop in recent years and they received lower prices. She expressed her opinion that the higher prices received through the coop may be due to the contractor needing to coordinate among the participating towns and having to manage crews.

Ms. Tsarnas inquired whether the parking lot at the firehouse will be bid together with the roads that are scheduled for paving. She also requested the list of roads to be paved.

Mayor White advised that they will be bid separately. Ron Kistner, Director of Operations, explained that smaller contractors will most likely bid on the parking lot which will allow for better prices. Mayor White advised that the list of streets scheduled to be paved include Bradrick Road, Fox Drive, Mallison Street, Stoney Ridge Road, Woodland Avenue, and a few others that have not been finalized. She commented that a NJ DOT grant has been sought to pave Pearl Court as the cost to pave this street would be \$82,000.

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Mark Savastano, 22 Vreeland Place, expressed concern over truck traffic that may be generated by allowing warehouse facilities in the D-1 zone. He inquired whether truck traffic can be rerouted so that it does not go through the center of town.

Mayor White responded that they will first need to see what becomes of that space prior to taking action to reroute the truck traffic. She remarked that everyone is concerned about trucks, especially larger trucks, going through the center of town. She expressed her belief that most of the Anderson trucks do take West Crescent to get to Route 17.

Mr. Savastano thanked Councilman Sasso for his help in addressing an issue. He mentioned a sidewalk issue and inquired to whom he should direct his concern. He also inquired how best to have future issues addressed.

Mayor White advised that he can send an email to her, a member of the governing body, or Mr. Kistner. She commented that he can also attend the Council meetings and raise any issues during public comment.

James Thomas, 30 Arlton Avenue, expressed that although he intended to speak on the project located at Ivers Road this evening, he asked that his time be reserved for March 24th.

Public Hearings for Advertised Ordinances:

Ordinances 18-04 & 18-05

The Municipal Clerk read into the record:

The following ordinances published herewith were first read by title only on January 11, 2018 and posted on the bulletin board of the municipal building.

ORDINANCE 18-04 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, ZONING, CHAPTER 270-37(A)

ORDINANCE 18-05 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, ZONING, CHAPTER 270 AND LAND SUBDIVISION AND SITE PLAN REVIEW, CHAPTER 147 MODIFYING THE D-1 INDUSTRIAL ZONE DISTRICT.

Mayor White noted that the Land Use Board has reviewed these ordinances and has found that they are consistent with the Master Plan.

Public Comments on Ordinance 18-04 and 18-05

No one came forward.

Motion by Councilman Sasso, second by Councilman Strauch, that Ordinance 18-04 and 18-05 be passed on second and final reading and are hereby adopted and notice of same shall be published according to law.

On a roll call, the vote was recorded as follows:

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Councilman Bernstein:	aye	Councilman Sasso:	aye
Councilwoman Homan:	aye	Councilman Strauch:	aye
Councilman O'Connell:	aye	Councilwoman Wilczynski:	absent

(See Ordinance 18-04 and 18-05, attached and made a part hereof.)

Introduction of Ordinances:

Ordinances 18-06 & 18-07

Motion by Councilman Sasso that the following ordinances be introduced and passed on first reading and setting March 8, 2018 at 8:00 p.m. or as soon thereafter as the as the matter can be heard as the date and time and the Council Chambers of the Allendale Municipal Building as the place for a hearing on said ordinances. Second by Councilwoman Homan.

The Municipal Clerk read the title of the ordinances into the record:

ORDINANCE 18-06 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, CHAPTER 100-3, BUILDING CONSTRUCTION FEES

ORDINANCE 18-07 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, ARTICLE III: ZONING FEES, CHAPTER 120-23

On a roll call, the vote was recorded as follows:

Councilman Bernstein:	aye	Councilman Sasso:	aye
Councilwoman Homan:	aye	Councilman Strauch:	aye
Councilman O'Connell:	aye	Councilwoman Wilczynski:	absent

Consent Agenda

- A. **18-71**/Approval of Bill List
- B. **18-72**/Authorize Receipt of Bids – Donny Brook Resurfacing (Phase 1)
- C. **18-73**/Waive Building Permit Fees – Calvary Lutheran Church
- D. **18-74**/Waive Building Permit Fees – Eastern Christian Children's Retreat
- E. **18-75**/Authorize Receipt of Bids – 2018 Paving Program
- F. **18-76**/Authorize Receipt of Bids – Firehouse Parking Lot Resurfacing
- G. **18-77**/Authorize Lease Modification & Extension Agreement – 220 W. Crescent Avenue
- H. **18-78**/Authorize Refunds – Overpayment of 2018 Taxes
- I. **18-79**/Authorize Festival Day & Car Show – Chamber of Commerce
- J. **18-80**/Approve Holiday Walk – Chamber of Commerce
- K. **18-81**/Appoint Financial Consultant – Benecke Economics
- L. **18-82**/Authorize Performance Guarantee Reduction – Allendale Heights, LLC
- M. **18-83**/Authorize Water Adjustment – Ciocon
- N. **18-84**/Authorize Refund – Water Overpayment – Valentine

Motion by Councilman Strauch, second by Councilman Bernstein, that the Consent Agenda be approved.

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On a roll call, the vote on the Consent Agenda was recorded as follows:

Councilman Bernstein:	aye	Councilman Sasso:	aye
Councilwoman Homan:	aye	Councilman Strauch:	aye
Councilman O'Connell:	aye	Councilwoman Wilczynski:	absent

All members present voting in favor, the Consent Agenda was approved as amended.

Resolution 18-71

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 February 15, 2018 in the amounts of:

Current Fund	\$2,813,682.46
Payroll Account	\$642,203.94
General Capital	\$32,557.17
Animal Fund	\$1,762.74
Grant Fund	\$0.00
COAH/Housing Trust	\$1,006.94
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$14,887.76
Water Operating	\$190,011.55
Water Capital	\$0.00
Total	\$3,696,112.56

Resolution 18-72

Authorization to Advertise Bid Specifications for Donny Brook Resurfacing (Phase 1) Project

Be It Resolved the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey does hereby authorize the Borough Clerk to advertise and thereby solicit and accept sealed bids in accordance with State law for the Donny Brook Resurfacing (Phase 1) project; and,

Be It Further Resolved that the final bid specifications be subject to form approval by the Borough Attorney.

Resolution 18-73

Waiver of Building Permit Fees
for Calvary Lutheran Church

Whereas, Calvary Lutheran Church has applied for a building permit to replace the alarm system at its property located at 165 W. Crescent Avenue, Block 910 Lot 2 on the Tax Map of the Borough; and

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Whereas, Calvary Lutheran Church is a house of worship which by design and construction is intended for conducting organized religious services, and accessory uses customarily associated with educational services, facilities for weddings, funerals, religious ceremonies, parish houses, rectories, convents, and other similar functions directly related to the principal function of the house of worship, places of assembly for self-help and support groups, indoor and outdoor activities particularly related to said use and other similar accessory functions relating to ministry; and

Whereas, due to the use of Calvary Lutheran Church as a house of worship, the Land Use Committee has recommended that the fees for building permits be waived; and

Whereas, the Governing Body has reviewed the recommendation and concurs.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that all local building fees relating to the proposed construction at Calvary Lutheran Church are hereby waived; and

Be It Further Resolved that the State UCC fees shall remain payable and are not waived.

Resolution 18-74

Waiver of Building Permit Fees
for Eastern Christian Children's Retreat

WHEREAS, BCUW Madeline Housing Partners has applied for a building permit to construct housing for adults with developmental disabilities, specifically a five (5) bedroom group home at its property located at Block 1005, Lot 4 on the Tax Map of the Borough of Allendale; and

WHEREAS, due to the status and use of the property as special needs housing, the Land Use Committee has recommended that the fees for building permits be waived; and

WHEREAS, the Governing Body has reviewed the recommendation and concurs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that all local building fees and zoning review fees relating to the proposed construction at the Eastern Christian Children's Retreat site are hereby waived; and

BE IT FURTHER RESOLVED that the Soil Movement and State UCC fees shall remain payable and are not waived.

Resolution 18-75

Authorization to Advertise Bid Specifications for 2018 Paving Program

Be It Resolved the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey does hereby authorize the Borough Clerk to advertise and thereby solicit and accept sealed bids in accordance with State law for the 2018 Paving Program; and,

Be It Further Resolved that the final bid specifications be subject to form approval by the Borough Attorney.

Resolution 18-76

Authorization to Advertise Bid Specifications for Firehouse Parking Lot Resurfacing

Be It Resolved the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey does hereby authorize the Borough Clerk to advertise and thereby solicit and accept sealed bids in accordance with State law for the Firehouse Parking Lot Resurfacing project; and,

Be It Further Resolved that the final bid specifications be subject to form approval by the Borough Attorney.

Resolution 18-77

**RESOLUTION AUTHORIZING AND RATIFYING EXECUTION OF
LEASE MODIFICATION AND EXTENSION AGREEMENT FOR
220 WEST CRESCENT AVENUE, ALLENDALE, NEW JERSEY**

WHEREAS, the Borough of Allendale (“Allendale”) as Landlord and Regal Windows & Doors, LLC (“Regal”), as Tenant, previously entered into a Lease Agreement dated May 3, 2017, (the “Lease”) for that certain premises located at 220 West Crescent Avenue, Allendale, New Jersey as more fully described in the Lease (hereinafter the “Premises”); and

WHEREAS, the term of the Lease presently expires on April 30, 2018; and

WHEREAS, Alpine Millwork, LLC, a New Jersey limited liability corporation (“Alpine”) having an address of 220 West Crescent Avenue, Allendale, New Jersey 07401 desires to establish a tenancy at the Premises as of May 1, 2018; and

WHEREAS, Allendale has agreed, upon the terms and conditions set forth in a certain Lease Modification and Extension Agreement dated February 2, 2018 (“Modification Agreement”), to extend the term of the Lease and allow Alpine to take the place of Regal as tenant at the Premises commencing as of May 1, 2018;

NOW, THEREFORE, BE IT RESOLVED that Mayor Elizabeth White be and hereby is authorized to execute and to enter into on behalf of Allendale the Modification Agreement, and the execution of same by Mayor Elizabeth White be and hereby is ratified; and

BE IF FURTHER RESOLVED that the Mayor, Borough Attorney and the Chief Financial Officer are authorized to take any and all appropriate actions to implement the terms of the Modification Agreement.

BE IT FURTHER RESOLVED that the Mayor, the Municipal Clerk and the Borough Attorney are authorized to take all appropriate actions so as to implement this Resolution.

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Resolution 18-78

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 2018 Taxes:

Block/ Lot	Name	Property Location	Amount
507/6	Frenkel, Susan & Cervetti, William 190 E Crescent Avenue Allendale, NJ 07401	190 E Crescent Ave	\$3,010.60
1203/15	La Barr, Ross & Maureen 11 Byron Court Allendale, NJ 07401	11 Byron Court	\$4,024.02

Resolution 18-79

Allendale Festival Day and Car Show

Whereas, there is a request by the Allendale Chamber of Commerce to hold the Allendale Festival Day and Car Show on Saturday, October 6, 2018 from 7:00 a.m. to 6:00 p.m.; and

Whereas, West Allendale Avenue will be closed for this event from the town clock to DeMercurio Drive; and

Whereas, the event will also take place in the NJ Transit parking area; and

Whereas, the Chamber of Commerce will, after approval, coordinate the event with the Police Department, the Fire Department and the Department of Public Works.

Now, Therefore, Be It Resolved by the Mayor and Council that this request be and is hereby approved.

Resolution 18-80

Allendale Holiday Walk

Whereas, there is a request by the Allendale Chamber of Commerce to hold the Allendale Holiday Walk on Friday, December 7, 2018 from 6:30 p.m. to 9:00 p.m., and

Whereas, West Allendale Avenue will be closed for this event from the town clock to DeMercurio Drive beginning at 6:30 p.m.,

Whereas, the Chamber of Commerce will, after approval, coordinate the event with the Police Department, the Fire Department and the Department of Public Works;

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Now, Therefore, Be It Resolved by the Mayor and Council that this request be and is hereby approved.

Resolution 18-81

Appointment of Benecke Economics

Whereas, the Borough of Allendale has a need to retain a Financial Consultant to provide redevelopment financial consulting services for the Crescent Avenue, Payment in Lieu of Taxes (PILOT,) potential financing of a new municipal building;

Whereas, the Chief Financial Officer has attached hereto a certification that adequate funds have been or will be duly budgeted and appropriated to pay for the contract;

Now, Therefore, Be It Resolved by the Governing Body of the Borough of Allendale that Robert Benecke of Benecke Economics located in Pompton Lakes, New Jersey is hereby appointed as Financial Consultant;

Be It Further Resolved that the fee for such services shall be in accordance with the proposal attached hereto;

Be It Further Resolved that the services set forth herein shall not exceed the sum of \$12,000.00 unless further approved by resolution of the Governing Body;

Be It Further Resolved that the Mayor and Municipal Clerk are authorized to execute a contract or a proposal with Benecke Economics for the services to be rendered;

Be It Further Resolved that the foregoing appointment is made without competitive bidding as a professional service, which is exempt from such requirements pursuant to law;

Be It Further Resolved that a copy of this Resolution be filed with the Municipal Clerk and be made available for inspection.

Resolution 18-82

Reduction of Performance Guarantee
Allendale Heights

Whereas, the Borough of Allendale holds a cash guarantee for the Allendale Heights, LLC in the amount of \$82,356.00, and

Whereas, the Borough Engineer has recommended a reduction in the cash guarantee amount to \$28,000; and

Whereas, the Borough of Allendale holds a surety guarantee for Allendale Heights, LLC in the amount of \$741,204.00 and

Whereas, the Borough Engineer has recommended a reduction in the surety guarantee amount to \$250,000.00.

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Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale that \$54,356 be released from the cash guarantee and \$491,204 be released from the surety guarantee, to Allendale Heights, LLC.

Resolution 18-83

Water Adjustment

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

Whereas, this adjustment is due to an estimated bill, incorrectly reported water usage or incorrect readings,

Now, Therefore, Be It Resolved by the Council of the Borough of Allendale that this adjustment be granted, with a credit, to the following utility bill payer:

Name	Account Number	Amount
Ciocon	3119156793005	\$263.87

Resolution 18-84

Water Overpayment

BE IT RESOLVED by the Council of the Borough of Allendale that the Water Collector is hereby authorized to issue the following refund check for an overpayment on the account listed below and charge same to Water Rents for 2018:

Account Number	Name	Amount
3119076732662	Patricia Valentine	\$73.58

Unfinished Business:

There was no unfinished business.

New Business:

There was no new business.

Council Committee Reports and Comments

Councilman O'Connell – Public Works

Councilman O'Connell reported that the Public Works Committee will meet this Wednesday. Potholes are being repaired using the rapid repair system purchased a few years ago. The County has been contacted about potholes on County roads. Catch basins were cleared prior to the rain that took place which helped to prevent flooding issues. More snow is expected on Saturday.

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Councilman O'Connell commented that the February 7th storm was one of the worst to handle as both snow and ice were involved.

Mayor White expressed sincere thanks to the DPW for the outstanding job that they did in keeping the roads clear during this storm.

Councilman Sasso – Public Safety

Councilman Sasso advised that the Public Safety Committee met on January 30th at 7:30 a.m. There was discussion regarding the upcoming carnival at Guardian Angel Church. The new police vehicle is currently being upfitted and will be on the road within a few weeks. Two officers held an internship fair at Ramapo College in order to find two qualified interns to work during the summer. Both the Allendale Fire Department and Police Department are interested in using 200 West Crescent Avenue for drills. Mayor White will email Jayne Press of Eastern Christian to work out arrangements. Councilman Sasso reported that he met with the Allendale Fire Department on February 2nd at 5:30 p.m. which was a general, informal meeting. He noted that there was a good back and forth dialogue. The department will be receiving its used firetruck this year. The next Public Safety Committee meeting will be held later this month.

Mayor White thanked Jackie McSwiggan for her work in writing a grant application for Scott Paks for the Fire Department. She advised that information on the Police Department internships has been posted on the Borough website. She then requested that everyone keep in their prayers those in Florida who were affected by the horrific mass shooting that recently occurred.

Councilman Bernstein – Administration, Finance and Human Resources

Councilman Bernstein announced that the Administration, Finance and Human Resources Committee meeting that had been scheduled for earlier this evening has been rescheduled to February 21st. The committee has been working on the budget all month and he will report further at the next meeting. Councilman Bernstein advised that he will be attending a seminar on budgeting for elected officials on Saturday, February 24th.

Mayor White announced that the Town Hall meeting on wildlife management which was originally scheduled on February 7th has been rescheduled to March 1st. Information has been posted to the Borough website as well as all social media pages. Information was also provided to the Fyke Nature Association, Northwest Bergen Mayors, and an invitation was extended to the County Executive and his team.

Staff Reports:

Ray Wiss, Municipal Attorney, reported that he has spent a lot of time on zoning and land use matters, some of which were related to 220 and 230 West Crescent Avenue. He has also been working on the compliance plan with respect to the Borough's COAH obligation.

Anne Dodd, Municipal Clerk, advised that 36 OPRA requests were received in January and 15 to date in February, making a total of 51 requests received to date this year.

Mayor White noted that there was discussion at the Bergen County Mayors' meeting regarding new OPRA legislation and their opposition to it. She commented that she will continue to monitor this issue.

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Ron Kistner, Administrative Officer/Director of Operations, reported that he has contacted two recreational equipment manufacturers as they are looking to complete the dugouts at Field 2 as well as purchase ADA picnic tables and tabletop gameboards for the Red Barn through funds obtained from a Bergen County Open Space grant.

Public Comment on any issue:

Kristen Tsarnas, 74 Heights Road, inquired about the Land Use Board resignations that had been listed as an agenda item on the Work Session.

Mayor White advised that Larry Stephen and Doug Jones will be unable to serve on the Land Use Board. She thanked them for their consideration and noted that these appointments will not be replaced at the moment.

Mark Savastano, 22 Vreeland Place, requested an update on the state of the plans for the band shell and whether lighting would be included. He also inquired whether there will be a cutoff time for performances.

Mayor White advised that there are no plans for lighting, and if there were to be lighting, it would be contained within the band shell itself.

Mr. Kistner expressed that it was his recommendation that lighting be brought in at the time of a performance.

Mayor White commented that generally most performances finish by 10 p.m. and none have finished later than 11 p.m.

Mr. Savastano then raised the issue of whether information can be posted on the Borough website regarding both the Democratic and Republican Clubs.

Mayor White expressed her opinion that although this information may be able to be posted under the Clubs and Organizations section, this matter would first need to be discussed with the Borough Attorney.

Adjournment:

There being no further business to come before the Mayor and Council, on a motion by Councilman Strauch, second by Councilwoman Homan, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:33 p.m.

Respectfully submitted,

Anne Dodd, RMC
Municipal Clerk