

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
JANUARY 31, 2019
8:00 P.M.

A Regular meeting of the Mayor and Council of the Borough of Allendale, will be held in the Municipal Building, 500 West Crescent Avenue, Allendale, NJ on January 31, 2019.

- I. CALL TO ORDER
 - A. Open Public Meetings Act Announcement
 - B. Salute to Flag
- II. ROLL CALL
- III. APPROVAL OF MINUTES
 - January 17, 2019 Closed Executive Session
 - January 17, 2019 Work Session
 - January 17, 2019 Regular Session
- IV. PUBLIC COMMENT ON AGENDA ITEMS ONLY

Audience members wishing to speak will have a five (5) minute time limit to address the governing body on agenda items only. Large groups are asked to have a spokesperson represent them.
- V. APPOINTMENT & SWEARING IN OF COUNCIL REPLACEMENT
 - A. **19-72**/Appointment of Councilperson – Governing Body Vacancy
- VI. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

The following ordinances published herewith were first read by title only on January 17, 2019 and posted on the bulletin board of the lobby of the municipal building.

ORDINANCE 19-01 – AN ORDINANCE TO AMEND CHAPTER 53 OF THE CODE OF THE BOROUGH OF ALLENDALE, “OFFICERS AND EMPLOYEES”, TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF ALLENDALE FOR THE YEAR 2019.

ORDINANCE 19-02 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, CHAPTER 100-3, BUILDING CONSTRUCTION FEES

- VII. CONSENT AGENDA

Matters listed below are considered routine and will be enacted by one motion of the Council and one roll call vote. There will be no separate discussion of these items unless a Council member requests an item be removed for consideration.

 - A. **19-73**/Approval of Bill List
 - B. **19-74**/Covenant to Comply with Provisions of Internal Revenue Code of 1986 & Designate \$1,035,000 Bond Anticipation Note As “Qualified Tax-Exempt Obligation”
 - C. **19-75**/Authorize Water Bill Adjustment – TJG Realty of Rockland
 - D. **19-76**/Appoint Municipal Auditor – Lerch, Vinci and Higgins, LLP
 - E. **19-77**/Authorize Refund – Overpayment of 2018 Taxes – State Board Judgment
 - F. **19-78**/Authorize Proposal – Neglia Engineering Associates – Lighting Improvements MA-2018-West Allendale Streetscape
 - G. **19-79**/Authorize Cancellation of Taxes – Disabled Veteran

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
JANUARY 31, 2019
8:00 P.M.

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

X. COMMITTEE REPORTS AND COMMENTS

XI. STAFF REPORTS

XII. PUBLIC COMMENTS

Audience members wishing to speak will have a five (5) minute time limit to address the governing body on any subject. Large groups are asked to have a spokesperson represent them.

XIII. ADJOURNMENT

****AGENDA & AGENDA MATERIALS SUBJECT TO CHANGE****

Bulletin Board
Borough Website

**BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 01/31/2019

RESOLUTION# 19-72

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	- - -	- - -				

Resolution Appointing Member of Borough Council

WHEREAS, as a result of the election of Ari Bernstein as Mayor of the Borough of Allendale (“Allendale”), there now exists a vacancy on the Borough Council; and

WHEREAS, N.J.S.A. 40A:16-11 provides the statutory mechanism for filling such vacancy; and

WHEREAS, pursuant to said statute, the Mayor and Council have duly received from the Municipal Committee of the Republican Party in Allendale the names of three nominees for consideration in filling such vacancy, and have duly considered the credentials and qualifications of said nominees; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that _____ be and hereby is nominated, appointed and confirmed as a Member of the Allendale Borough Council effective immediately to fill the vacancy of the office vacated by Ari Bernstein; and

BE IT FURTHER RESOLVED that the Mayor, the Borough Clerk and the Borough Attorney are authorized to take all appropriate actions so as 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 January 31, 2019.

Anne Dodd, RMC
Municipal Clerk

**BOROUGH OF ALLENDALE
SALARY ORDINANCE – 2019
ORDINANCE 19-01**

AN ORDINANCE TO AMEND CHAPTER 53 OF THE CODE OF THE BOROUGH OF ALLENDALE, “OFFICERS AND EMPLOYEES”, TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF ALLENDALE FOR THE YEAR 2019.

BE IT ORDAINED, by the Governing Body of the Borough of Allendale that the salaries of the following officers and employees of the Borough of Allendale shall be paid bi-weekly and fixed in the amounts as set forth below:

TITLE	MINIMUM	MAXIMUM
Municipal Clerk	\$60,000	\$97,000
Deputy Municipal Clerk	33,000	48,000
Administrative Officer	5,000	40,000
Administrative Assistant	27,300	40,000
Administrative Assistant, Part-time Hourly	16.00	21.00
Board of Health/Registrar/Tax Assessor Clerk	30,000	50,000
Clerk Typist, P/T Hourly	10.00	20.00
Webmaster	500	3,000
Land Use Administrator	27,300	41,000
Dog Census Reader, Hourly	10.00	12.50
Summer Interns, Hourly	12.00	15.00
Chief Financial Officer	65,000	105,000
Tax Collector, Part-time	7,000	10,000
Tax Assessor, Part-time	30,000	48,000
Bookkeeper	40,000	63,400
Tax/Finance Clerk	35,000	56,000
Qualified Purchasing Agent	3,000	3,500
Director of Operations	80,000	137,000
Laborer, DPW	33,000	70,352
Crew Chief	3,000	10,000
Water Projects Coordinator	2,000	3,500
Laborer, P/T Hourly or Seasonal	15.00	18.00
Standby, DPW, Per Week	325	325
DPW File Clerk, P/T Hourly	12.00	21.00
Crestwood Lake Staff – Seasonal	500	19,000
Crestwood Lake Employees – Seasonal, Hourly	8.44	18.00
Water Collector	5,000	20,000
Construction Code Official, Part-time	25,000	57,000
CCO Inspector	4,000	6,000
Building Department Technical Assistant, P/T Hourly	16.00	27.00
Electrical Sub Code Official, Part-time	10,000	14,000
Building Sub Code Official, Part-time	1,700	3,500
Plumbing Sub Code Official, Part-time	10,000	12,000

Zoning Official, Part-time	4,500	9,000
Property Maintenance Official, Part-time/Hourly	18.00	25.00
Fire Sub Code Official, Part-time	10,000	12,000
Fire Prevention Official, Part-time	3,800	5,500
Assistant Fire Official, Part-time	1,000	3,000
Fire Inspectors, Hourly	13.50	20.00
Chief of Police	135,000	162,000
Administrative Secretary, Police	30,000	50,000
Radio Police Dispatcher, Full-time	35,000	43,000
Radio Police Dispatcher, P/T, Hourly	14.00	19.00
Municipal Magistrate	10,000	15,000
Municipal Prosecutor	4,000	8,000
Crossing Guards, P/T Hourly	14.00	18.00
Emergency Management Official	2,500	4,000

**BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE 19-02

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

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Chapter 100-3, Building Construction Code, Fees, of the Code of the Borough of Allendale, be and hereby is amended, supplemented and revised in its entirety to read as follows:

The following is added to §100-3(A)(3)(a):

Chimney Liner	\$75
Oil Tank	\$75
Furnace	\$125
Commercial A/C	\$100
Sump pump	\$50

In §100-3(A)(12)(a), “LPG tank” is amended to read “LP gas tank” and the fee is amended to read \$75.

The following is added to §100-3(A)(12)(a):

Residential A/C	\$100
Commercial A/C	\$100
Backflow preventer	\$75
Sump pump	\$50

BE IT FURTHER ORDAINED that, except as modified herein, all other provisions of Chapter 100 shall remain in full force and effect as previously adopted.

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

DATE: 01/31/2019

RESOLUTION# 19-73

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein						

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 January 31, 2019 in the amounts of:

Current Fund	\$3,031,853.53
Payroll Account	\$389,213.74
General Capital	\$34,338.35
Animal Fund	\$0.00
Grant Fund	\$0.00
COAH/Housing Trust	\$2,512.30
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$4,437.50
Water Operating	\$55,848.52
Water Capital	\$9,150.00
Total	\$3,527,353.94

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 31, 2019.

Anne Dodd, RMC
Municipal Clerk

**BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 01/31/2019

RESOLUTION# 19-74

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF ALLENDALE AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$1,035,000 BOND ANTICIPATION NOTE, DATED JANUARY 25, 2019, PAYABLE JANUARY 24, 2020, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Allendale, in the County of Bergen, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion

**BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 01/31/2019

RESOLUTION# 19-74

from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough desires to designate a \$1,035,000 Bond Anticipation Note, dated January 25, 2019, payable January 24, 2020 (the "Note"), as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Allendale, in the County of Bergen, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Note) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and the other officials of the Borough are hereby

**BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 01/31/2019

RESOLUTION# 19-74

authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) said Note is not a "private activity bond" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2019.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2019.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such

**BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 01/31/2019

RESOLUTION# 19-74

original purchaser with a certificate of obligations issued during the calendar year 2019 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 31, 2019.

Anne Dodd, RMC
Municipal Clerk

**BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 01/31/2019

RESOLUTION# 19-75

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

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
TJG Realty of Rockland	3119803335801	\$151.59

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 31, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 01/31/2019

RESOLUTION# 19-76

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Appointment of Borough Professional

Whereas, the Borough of Allendale requires the service of professionals for the calendar year 2019; and,

Whereas, it is contemplated that the temporary and permanent budgets will contain the necessary appropriations estimated to be reasonably required for each such professional service; and,

Whereas, the professional named herein will be required to execute a contract for the services to be rendered which shall set forth the compensation for such services therein; and,

Whereas, a Certification of availability of funds has been received from the Chief Financial Officer or that such funds will be encumbered by Purchase Order on an as-needed basis pursuant to the provisions of NJAC 5:30-5.4 et seq; and,

Whereas, in any instance where it is anticipated that the expenditure for each such professional service will exceed the sum of \$17,500 for said calendar year, the named professionals have completed, submitted and filed a Business Entity Certification Disclosure which certifies that the above named persons and/or entities have not made any reportable contributions to any political or candidate committee including (Republicans for Responsible Government, Allendale Republican Club, Allendale Democratic Club, Candidates for Allendale Municipal Government, Bergen County Democratic Organization, Bergen County Republican Organization) in the previous one (1) year, and that the contract will prohibit the above named professionals/business entities from making any reportable contributions through the term of the contract.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale that the following appointment be and is hereby made for the year:

Be It Further Resolved that the contract is being awarded as a non-fair and open contract, pursuant to the provisions of NJSA 19:44A-20.5;

Be It Further Resolved that the Business Disclosure Entity Certification and the determination of value be placed on file with this Resolution.

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

DATE: 01/31/2019

RESOLUTION# 19-76

Municipal Auditor

Lerch Vinci and Higgins, LLP

The compensation for the aforesaid position to be established by the salary ordinance or the contract for such services which shall be executed by the professional named herein; and,

Be It Further Resolved that the aforesaid appointment was made without competitive bidding under the provisions of NJSA 40A:11-5(1)(a) which exempts from competitive bidding Professional Services rendered by persons authorized by law to practice a recognized profession and whose practice is regulated by law; and,

Be It Further Resolved that the appropriate Borough Officials be and they are hereby authorized to execute contracts with the professional named herein for the services to be rendered; and,

Be It Further Resolved that the compensation to be paid for the professional named herein shall not exceed the budget appropriation for such services unless properly ordained in accordance with law; and,

Be It Further Resolved that a copy of this resolution be filed with the Borough Clerk and made available for inspection and that a brief notice of the passage thereof be published in The Record within ten days of the passage as required by law.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 31, 2019.

Michelle Ryan
Deputy Municipal Clerk

**BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 01/31/2019

RESOLUTION# 19-77

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

State Board Judgment

BE IT RESOLVED, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue the following overpayment check due to a State Board Judgment for the tax year 2018:

Block/Lot	Name	Amount
801/1.07	Valerie Hofer, Esq. Trust Account For Velli, Joseph & Laura 120 Lebbie Lane Fairless Hills, PA 19030	\$2,048.92

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 31, 2019.

Anne Dodd, RMC
Municipal Clerk

**BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 01/31/2019

RESOLUTION# 19-78

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

WHEREAS, the Borough requires engineering services for Lighting Improvements MA-2018-West Allendale Avenue Streetscape; and

WHEREAS, Neglia Engineering Associates has submitted a revised proposal for such services dated November 16, 2018, which the Public Works Committee finds acceptable and which has been recommended to the Governing Body; and

WHEREAS, Neglia Engineering Associates is duly qualified and is available to perform such services; and

WHEREAS, the Chief Financial Officer has attached hereto a Certification pursuant to NJAC 5:30-5.4 that adequate funds are available to pay for the Contract;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that it does hereby award a Contract to Neglia Engineering Associates of Lyndhurst, New Jersey in the amount not to exceed \$11,650.00; and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are authorized to sign the proposal or an appropriate agreement to reflect these services; and

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 31, 2019.

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.

Contract Amount: 11,650.00
Resolution Date: 01/31/19
Resolution Number: 19-78

Vendor: N0231 NEGLIA ENGINEERING ASSOCIATES
34 PARK AVENUE
LYNDHURST, NJ 07071

Contract: C1900001 Downtown Streetscape lighting

Account Number	Amount	Department Description
C-04-55-928-203	11,650.00	ORDINANCE18-09
Total	11,650.00	

Only amounts for the 2019 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.



Chief Financial Officer

**BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 01/31/2019

RESOLUTION# 19-79

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	- - -	- - -				

Cancellation of Taxes

WHEREAS, the applicant, Patricia E. Lorusso Block 2101 Lot 1.2004, applied and was approved for permanent and total disability through the Department of Veteran Affairs;

WHEREAS, the Municipal Tax Assessor had reviewed and approved the application as of January 31, 2019.

THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized to cancel real estate taxes assessed to the aforesaid property for a prorated amount of \$2,193.64 for 1st quarter February and March & 2nd quarter 2019 in the amount of \$3,290.45

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 31, 2019.

Anne Dodd, RMC
Municipal Clerk