

Mayor and Council of the Borough of Allendale  
Regular Session Meeting Minutes  
January 17, 2019

PRESENT: Mayor Ari Bernstein and Councilmembers Liz Homan, Edward O’Connell, Steve Sasso, and Amy Wilczynski

ABSENT: Councilmember Jim Strauch

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 January 17, 2019. The meeting was called to order at 8:00 p.m. by Mayor Bernstein 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 Councilwoman Homan, second by Councilman Sasso, that the Minutes of December 27, 2018 Work Session, December 27, 2018 Regular Session, and January 3, 2019 Reorganization Meeting are approved.

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

Councilwoman Homan:	aye	Councilman Strauch:	absent
Councilman O’Connell:	aye	Councilwoman Wilczynski:	aye
Councilman Sasso:	aye		

***Public Comment on agenda items only:***

Mark Savastano, 22 Vreeland Place, inquired whether the tonnage report referred to in the Work Session will be made available to the public. He further inquired whether the amount recycled determines the grant amount.

Councilwoman Wilczynski responded that, although this report is not typically posted to the website, she can provide Mr. Savastano with a copy when available. She confirmed that the grant amount is calculated based upon the amount of recycling, noting that these funds must be used on items such as recycling containers.

***Public Hearings for Advertised Ordinances:***

**Ordinance 19-01**

Motion by Councilman Sasso that the following revised ordinance be introduced and passed on first reading and setting January 31, 2019 at 8:00 p.m. or as soon thereafter as the as the matter can be

Mayor and Council of the Borough of Allendale  
Regular Session Meeting Minutes  
January 17, 2019

heard as the date and time and the Council Chambers of the Allendale Municipal Building as the place for a hearing on said ordinance. Second by Councilman O’Connell.

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

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.

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

Councilwoman Homan:	aye	Councilman Strauch:	absent
Councilman O’Connell:	aye	Councilwoman Wilczynski:	aye
Councilman Sasso:	aye		

***Introduction of Ordinances:***

**Ordinances 19-02**

Motion by Councilman O’Connell that the following ordinance be introduced and passed on first reading and setting January 31, 2019 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 ordinance. Second by Councilwoman Homan.

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

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

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

Councilwoman Homan:	aye	Councilman Strauch:	absent
Councilman O’Connell:	aye	Councilwoman Wilczynski:	aye
Councilman Sasso:	aye		

***Consent Agenda***

- A. **19-63**/Approval of Bill List
- B. **19-64**/Approve Submission of Grant Application & Execution of Grant Agreement – NJDOT – Pearl Court Resurfacing Project
- C. **19-65**/Authorize Service Agreement – Bergen County Utilities Authority – Certified Recycling Professional Services
- D. **19-66**/Authorize Budget Transfers
- E. **19-67**/Authorize Bergen County Trust Fund Project Contract – Band Shell/Crestwood Park Improvements
- F. **19-68**/Authorize Tax Appeal Settlement – Graf, Patricia R. v. Borough of Allendale
- G. **19-69**/Authorize Continued Participation – Sourcewell formerly National Joint Powers Alliance Cooperative Pricing System

Mayor and Council of the Borough of Allendale  
Regular Session Meeting Minutes  
January 17, 2019

- H. **19-70**/Authorize Agreement – West Bergen Mental HealthCare
- I. **19-71**/Award Contract – Purchase of Band Shell – ESCNJ Cooperative

Motion by Councilman Sasso, second by Councilman O’Connell, that the Consent Agenda be approved.

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

Councilwoman Homan:	aye	Councilman Strauch:	absent
Councilman O’Connell:	aye	Councilwoman Wilczynski:	aye
Councilman Sasso:	aye		

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

**Resolution 19-63**

**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 17, 2019 in the amounts of:

Current Fund	\$838,412.12
Payroll Account	\$0.00
General Capital	\$20,358.50
Animal Fund	\$547.00
Grant Fund	\$0.00
COAH/Housing Trust	\$4,304.00
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$4,120.49
Water Operating	\$0.00
Water Capital	\$0.00
<b>Total</b>	<b>\$867,742.11</b>

**Resolution 19-64**

**Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Pearl Court Resurfacing project.**

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Allendale formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LFIF-2019-Pearl Court Resurfacing-00058 to the New Jersey Department of Transportation on behalf of the Borough of Allendale.

Mayor and Council of the Borough of Allendale  
Regular Session Meeting Minutes  
January 17, 2019

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Allendale and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**Resolution 19-65**

**Authorize Service Agreement with BCUA for CRP Services**

**WHEREAS**, commencing in 2012, the Borough of Allendale is required by the New Jersey Recycling Enhancement Act, P.L. 2008, Chapter 6, to have a mandatory Annual Recycling Tonnage Report approved by a Certified Recycling Professional (“CRP”); and

**WHEREAS**, the annual Recycling Tonnage Report must be submitted to the New Jersey Department of Environmental Protection on or before April 30<sup>th</sup> of each year;

**WHEREAS**, pursuant to N.J.S.A. 40A:11-1, the Borough is authorized and permitted to enter into a Service Agreement with the Bergen County Utilities Authority for services without bidding pursuant to N.J.S.A. 40A:11-5(2); and

**WHEREAS**, the Borough of Allendale desires to enter into a Service Agreement for retaining and providing CRP services from the BCUA for signing of the Annual Recycling Tonnage Report; and

**WHEREAS**, the Director of Operations has reviewed the Service Agreement for a Certified Recycling Professional to prepare the Annual Recycling Tonnage Report between the Borough of Allendale and the Bergen County Utilities Authority attached hereto and incorporated herein by reference and approves of same; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Allendale, County of Bergen, and State of New Jersey that the Service Agreement for a Certified Recycling Professional to prepare the Annual Recycling Tonnage Report between the Borough of Allendale and the Bergen County Utilities Authority attached hereto and incorporated herein by reference be and is hereby approved; and

**BE IT FURTHER RESOLVED**, that the Director of Operations is hereby authorized and directed to execute the attached Service Agreement on behalf of the Borough; and

**BE IT FURTHER RESOLVED**, that the Director of Operations be and he is hereby authorized and directed to forward the attached Service Agreement to the Bergen County Utilities Authority for signature.

**Resolution 19-66**

**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;

Mayor and Council of the Borough of Allendale  
 Regular Session Meeting Minutes  
 January 17, 2019

NOW THEREFORE, BE IT RESOLVED, BY THE Mayor & Council of the Borough of Allendale that the following transfers be made between the following 2018 Budget Appropriations:

<b>DEPARTMENT</b>	<b>ACCOUNT</b>	<b>FROM</b>	<b>TO</b>
Construction Code, S&W	8-01-22-195-012		\$2,000
Zoning, S&W	8-01-22-198-012		\$1,000
Plumbing Inspector, S&W	8-01-22-197-012		\$500
Police, O.E.	8-01-25-240-122		\$10,000
Streets & Roads, S&W	8-01-26-290-013	\$5,000	
Snow Removal, O.E.	8-01-26-292-160	\$5,000	
Salary & Wage Adjustment	8-01-30-411-012	\$3,500	
<b>Total Transfers</b>		<b>\$13,500</b>	<b>\$13,500</b>

**Resolution 19-67**

**Grantee Authorizing Resolution**

BE IT RESOLVED, that the Mayor and Council of the Borough of Allendale, wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$50,000 matching grant award from the 2017 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled “Band Shell/Crestwood Park Improvements” located in Crestwood Park & Allendale Recreation Park at 300 West Crescent Avenue, Block 201, Lot 9 on the tax maps of the Borough of Allendale;

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Mayor Ari Bernstein to be a signatory on the aforesaid contract; and,

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about August 1, 2020; and,

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund Payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund’s requirements; and,

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible construction costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund’s requirements. Professional Services Costs may be reimbursed from grant award’s unexpended balance, should there be a balance.

**Graf, Patricia R. v. Allendale Tax Appeal Settlement**

**WHEREAS**, the tax payer, Patricia R. Graf, appealed the assessment levied on Block 1203, Lot 9.02 for the tax year 2018; and

**WHEREAS**, the subject property is located at 114 Valley Road; and

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

**WHEREAS**, the Assessor has agreed to compromise the appeal as follows: the 2018 Assessed Value will be reduced from \$1,471,400 to \$1,350,000.

**WHEREAS**, there are sufficient funds available in the reserve for tax appeals account to satisfy the 2018 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 Graf, Patricia R. 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.

**Resolution 19-69**

WHEREAS, N.J.S.A. 52:34-6.2 authorizes contracting units to purchase goods, or to contract for services, may make purchases and contract for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, when available; and

WHEREAS, the nationally-recognized National Joint Powers Alliance Cooperative Pricing System, hereafter referred to as NJPA Cooperative Purchasing System, is now known as Sourcewell effective June 6, 2018 and all prior contracts and other legal obligations established under the previous name remain in full force and effect; and

WHEREAS, Sourcewell, formerly NJPA Cooperative Purchasing System, has offered voluntary participation in the national cooperative purchasing agreement for the purchase of goods and services; and

WHEREAS, Resolution 17-141 authorized the enrollment of the Borough of Allendale in the NJPA Cooperative Purchasing System, now known as Sourcewell, by entering into the membership participation agreement; and

Mayor and Council of the Borough of Allendale  
Regular Session Meeting Minutes  
January 17, 2019

WHEREAS, it is the desire of the Borough of Allendale to continue participation in Sourcewell, formerly NJPA Cooperative Purchasing System, to purchase goods and services, to make the procurement process more efficient and to provide cost savings to the Borough.

WHEREAS, the member participation agreement states that the agreement shall remain in effect until canceled by either party.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Allendale, County of Bergen, State of New Jersey as follows:

1. That the governing body of the Borough of Allendale hereby authorizes continued participation in Sourcewell, formerly NJPA Cooperative Pricing System, for Calendar Year 2019.
2. The Borough shall be responsible to ensure that the goods and or services procured through Sourcewell, formerly NJPA Cooperative Purchasing System, comply with all applicable laws of the State of New Jersey, Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

**Resolution 19-70**

**Approval to Authorize Mayor and Municipal Clerk to Sign 2019  
West Bergen Mental Health Care Agreement**

**Whereas**, there is a need for support for mental health services in the Borough of Allendale, and,

**Whereas**, West Bergen Mental Health Care has available such services as are needed; and,

**Whereas**, West Bergen Mental Health Care has agreed to provide such services in the amount of \$6,000.00 and other services in accordance with the fee schedule that is attached; and,

**Whereas**, the Chief Financial Officer has certified that there are sufficient funds available for this contract.

**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 agreement between the Borough of Allendale and West Bergen Mental Healthcare; and,

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

**Resolution 19-71**

**Authorize Agreement for Purchase of Band Shell**

**Whereas**, a need exists to purchase a band shell for Crestwood Lake in the Borough of Allendale; and

**Whereas**, the Borough of Allendale authorized participation in the Educational Services Commission of New Jersey Cooperative Pricing System (ESCNJ) via Resolution 17-259 on October 12, 2017; and

Mayor and Council of the Borough of Allendale  
Regular Session Meeting Minutes  
January 17, 2019

**Whereas**, the Borough was approved as a member of the ESCNJ Cooperative Pricing System on December 4, 2017; and

**Whereas**, the ESCNJ offers competitively-bid contracts for its members to purchase from on an as-needed basis; and

**Whereas**, MRC, Inc. is an approved vendor offering dugouts through the ESCNJ via NJ State Approved Co-op #65MCESCCPS, RFP# ESCNJ 17/18-20 Bid Term: 07/01/2017 – 06/30/2019; and

**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 Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that an Agreement is hereby authorized for the purchase of the band shell from RCP Shelters, Inc c/o MRC, Inc. in the amount of \$89,994.00; and

**Be It Further Resolved** that the Mayor, Borough Clerk and Borough Attorney are hereby authorized to take such action as may be necessary to implement this Resolution, including the execution of an Agreement or Proposal for the above services.

***Unfinished Business:***

There was no unfinished business.

***New Business:***

There was no new business.

***Council Committee Reports and Comments***

This agenda item was addressed during the Work Session.

***Mayor's Report:***

Mayor Bernstein reported that he has participated in numerous phone conferences regarding 220 and 230 West Crescent Avenue which he noted is moving forward. He recounted the various meetings that he attended over the past two weeks which included the Allendale Senior Housing meeting, the Land Use Board meeting, Bergen County League of Mayors breakfast meeting, Northwest Bergen Mayors meeting, and the Chamber of Commerce Reorganization meeting.

Mayor Bernstein announced that Bob Paterson passed away earlier this month, noting that the table at which the public sits to participate in public comment was dedicated to him a few years ago. He commented that Mr. Paterson had given many years of service to Allendale and recounted the many contributions that Mr. Paterson has made to the community which included serving as a Councilman. He advised that there will be a memorial this Sunday from 1 p.m. to 3 p.m. at Vander Plaat Funeral Home.

Mayor and Council of the Borough of Allendale  
Regular Session Meeting Minutes  
January 17, 2019

Mayor Bernstein commended the Mayor of Montvale who sought the donation of gift cards for those residents who have been affected by the Federal government shutdown. Mayor Bernstein advised that he is looking into whether the same can be done in Allendale.

Councilwoman Wilczynski noted that Nirvana is giving away free food to those who have been affected.

***Staff Reports:***

Ray Wiss, Municipal Attorney, reported that he has been engaged in contract matters, assisting the Municipal Clerk in responding to OPRA requests, and working with Ron Kistner, Administrative Officer/Director of Operations, with personnel matters. With respect to the COAH matter, he advised that has been working with Mary Beth Lonergan, Affordable Housing Consultant, on the compliance implementation. He commented that a lot of time was spent on 220 and 230 West Crescent Avenue, noting that this project is complex as there is both a residential and commercial component together with an affordable housing element and municipal complex. He expressed his opinion that the Borough has a very effective team who is working collegially with the prospective purchaser.

Anne Dodd, Municipal Clerk, advised that she finished last year with a total of 450 OPRA requests. She commented that the number of requests has increased significantly as 295 requests were received in 2017, 229 in 2016, and 176 in 2015. She reported that she has received 17 requests to date this year. GovPilot has gone live as of January 4<sup>th</sup> with Pet Licensing, Report a Concern, and OPRA Requests. Alarm Registrations and the Construction module should be going live within the next few weeks. Borough Clerk Dodd advised that her office has processed almost 200 dog licenses through this program to date. Implementation of online payments is being investigated in order to make the process more convenient for residents as it would eliminate the need to visit Borough Hall to obtain a license or permit.

***Public Comment on any issue:***

No one came forward.

***Adjournment:***

There being no further business to come before the Mayor and Council, on a motion by Councilwoman Homan, second by Councilwoman Wilczynski, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Anne Dodd, RMC  
Municipal Clerk