

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
MAY 23, 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 May 23, 2019.

- I. CALL TO ORDER
 - A. Open Public Meetings Act Announcement
 - B. Salute to Flag
- II. ROLL CALL
- III. APPROVAL OF MINUTES
 - May 9, 2019 Work Session
 - May 9, 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. RESOLUTIONS

Bergen County Open Space Grant Application – Crestwood Lake Playground Improvement Project

Public comments on Grant Application

19-140/Authorize Submission of Bergen County Open Space Trust Fund Municipal Program Park Improvement Application – Crestwood Lake Playground Improvement Project

VI. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

The following ordinances published herewith were first read by title only on May 9, 2019 and posted on the bulletin board of the lobby of the municipal building.

ORDINANCE 19-08 – AN ORDINANCE OF THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING CHAPTER 81 “AFFORDABLE HOUSING” TO THE CODE OF THE BOROUGH OF ALLENDALE

- 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. **19-141/**Approval of Bill List
 - B. **19-142/** Authorize Continued Participation in Cranford Police Cooperative Pricing System
 - C. **19-143/**Authorize Purchase of Police Vehicle – Cranford Cooperative Pricing System
 - D. **19-144/**Approve 2019 July 4th Celebration
 - E. **19-145/**Authorize Refund – Water Overpayment – Jacobsen Real Estate LLC
 - F. **19-146/**Authorize 2019 Salaries – Crestwood Lake Swim Club
 - G. **19-147/**Authorize Salary Increase – Webmaster

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
MAY 23, 2019
8:00 P.M.

- H. **19-148**/Amend Resolution #19-86 – David Nizborski
- I. **19-149**/Authorize Liquor License Renewals – 2019-2020 Term
- J. **19-150**/Approval of Rugby Event – May 27, 2019
- K. **19-151**/Appoint Construction Consultant – New Municipal Building – Bruno Cividini
- L. **19-152**/Increase Expenditure Limitation – Financial Consultant Services – Benecke Economics
- M. **19-153**/Authorize Tax Collector to Prepare & Mail Estimated Tax Bills
- N. **19-154**/Authorize Receipt of Bids – Drainage & Sidewalk Improvements (The Woods) Franklin Turnpike
- O. **19-155**/Adopt Amended Spending Plan Component of 2018 Housing Element & Fair Share Plan
- P. **19-156**/Express Intent to Provide Funds Necessary to Satisfy Affordable Housing Obligations
- Q. **19-157**/ Authorize Wiss & Bouregy to Enter into Proposal – RTP Environmental Associates, Inc.
- R. **19-158**/Appoint Hourly Summer Intern – Kaitlyn Callaghan
- S. **19-159**/Appoint Hourly Seasonal DPW Employee – Brian O’Connor

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. Large groups are asked to have a spokesperson represent them.

XIII. ADJOURNMENT

Bulletin Board
Borough Website

****Agenda & Agenda Materials subject to change****

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

DATE: 05/23/2019

RESOLUTION# 19-140

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

TRUST FUND APPLICATION MUNICIPAL ENDORSING RESOLUTION

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Borough of Allendale desires to further the public interest by obtaining a matching grant of Thirty-Nine Thousand Five Hundred (\$39,500.00) dollars from the County Trust Fund to fund the following project: “Crestwood Lake Playground Improvement Project”; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body held the required Public Hearing to receive public comments on the proposed park improvements in the application on May 23, 2019; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above-named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of May 20th, 2019, as established by the County; and,

2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Mayor and Council of the Borough of Allendale has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,

3. That the Mayor and Council of the Borough of Allendale is committed to providing a dollar for dollar cash match for the project; and,

4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement; and

5. That the Mayor and Council of the Borough of Allendale agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,

6. That this resolution shall take effect immediately.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

**BOROUGH OF ALLENDALE
COUNTY OF BERGEN**

ORDINANCE NO. 19-08

**AN ORDINANCE OF THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN AND STATE OF
NEW JERSEY AMENDING CHAPTER 81 "AFFORDABLE HOUSING" TO THE CODE OF THE
BOROUGH OF ALLENDALE**

WHEREAS, the Mayor and Council of the Borough of Allendale, Bergen County, adopted on September 27, 2018, Ordinance No. 18-13 which repealed outdated affordable housing requirements in the Borough's Code at Article 11, "Development Fees", of Chapter 120, "Fees", and Articles XXVIII, XXXI, and XXXII of Chapter 270, "Zoning", which pertained to affordable housing, and created Chapter 81, "Affordable Housing", which codifies the rules and regulations of the Council on Affordable Housing, as modified by the September 15, 2017 Settlement Agreement with Fair Share Housing Center, in the Borough Code; and

WHEREAS, the Mayor and Council of the Borough of Allendale adopted on November 19, 2018, Ordinance No. 18-22 which made minor revisions to Chapter 81 to better serve the Borough in implementing its affordable housing plan; and

WHEREAS, pursuant to the conditions of the Borough's Conditional Judgment of Compliance and Repose entered per Court Order dated January 25, 2019, the Mayor and Council wish to again revise Chapter 81 to better serve the Borough in implementing its affordable housing plan.

NOW, THEREFORE, BE IT ORDAINED, that the Mayor and Council of the Borough of Allendale, County of Bergen and State of New Jersey that Chapter 81 of the Allendale Borough Code be amended as follows:

Section 1 – Chapter 81, "Affordable Housing," shall be amended as follows:

§81-1. Affordable Housing Obligation.

- A. This section of the Borough Code sets forth regulations regarding the low and moderate income housing units in the Borough consistent with the provisions known as the "Substantive Rules of the New Jersey Council on Affordable Housing", *N.J.A.C. 5:93 et seq.*, the Uniform Housing Affordability Controls ("UHAC"), *N.J.A.C. 5:80-26.1 et seq.*, except where modified by the requirements for very-low income housing as established in P.L. 2008, c.46 (the "Roberts Bill", codified at N.J.S.A. 52:27D-329.1) as reflected in the terms of the Settlement Agreement between the Borough and Fair Share Housing Center ("FSHC") such that the statutory requirement to provide very-low income units equal to 13% of affordable units approved and constructed after July 17, 2008, to be affordable to households at 30% of the regional median income with half of the very-low income units made available to families, overrides the UHAC requirement that 10% of all low- and moderate-income units must be affordable at 35% of the regional median income, and

the Borough's constitutional obligation to provide a fair share of affordable housing for low and moderate income households.

...

- E. The Borough shall file monitoring and status reports with Fair Share Housing Center ("FSHC") and place the reports on its municipal website. Any plan evaluation report of the Housing Element and Fair Share Plan shall be available to the public at the Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey 07401.
- F. By September 15 of each year through the end of the period of Third Round Judgment of Repose, the Borough will provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website with a copy of such posting provided to all parties to the Borough's Court-approved Settlement Agreements, using forms previously developed for this purpose by the Council on Affordable Housing or any other forms endorsed by the Special Master and FSHC.

§81-2. Definitions.

"Low-income household" means a household with a total gross annual household income equal to 50% or less of the regional median household income by household size.

...

"Moderate-income household" means the regional median income by household size for the applicable county, as adopted annually by COAH or approved by the NJ Superior Court.

...

"Very-low income household" means a household with a total gross annual household income equal to 30% or less of the regional median household income by household size.

§81-4. New Construction.

The following requirements shall apply to all new or planned developments that contain low- and moderate-income housing units.

- F. Maximum Rents and Sales Prices.
 - 1. In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures set forth in UHAC and by the Superior Court, utilizing the regional income limits established pursuant to Section 81-4.F.10 of the Borough's Code.

...

9. The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
10. Income limits for all units for which income limits are not already established through a federal program exempted from the Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26.1 shall be updated by the Borough annually within 30 days of the publication of determinations of median income by HUD as follows:
 - a. Regional income limits shall be established for the Region 1 based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial Census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households from the most recent decennial Census in Region 1. This quotient represents the regional weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80 percent of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50 percent of the HUD determination of the regional weighted average median income for a family of four. The income limit for a very-low income unit for a household of four shall be 30 percent of the regional weighted average median income for a family of four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.
 - b. The income limits calculated each year shall be the result of applying the percentages set forth in paragraph (a) above to HUD's determination of median income for the relevant fiscal year, and shall be utilized until the Borough updates the income limits after HUD has published revised determinations of median income for the next fiscal year.
 - c. The Regional Asset Limit used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3 shall be calculated by the Borough annually by taking the percentage increase of the income limits calculated pursuant to paragraph (a) above over the previous year's income limits, and applying the same percentage increase to the Regional Asset Limit from the prior year. In no event shall the Regional Asset Limit be less than that for the previous year.
11. The rent levels of very-low-, low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the Northeast Urban Area, upon its publication for the prior calendar year.

This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low income housing tax credit regulations shall be indexed pursuant to the regulations governing low income housing tax credits.

12. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

§81-29. Purpose.

- B. COAH was authorized by P.L. 2008, c 46, Section 8 (N.J.S.A. 52:27D-329.2), and the Statewide Nonresidential Development Fee Act (N.J.S.A. 40:55D-8.1 through 40:55D-8.7) to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that were under the jurisdiction of COAH or a court of competent jurisdiction and had a COAH- or court-approved spending plan were permitted to retain fees collected from non-residential developments.

§81-36. Monitoring.

- A. By September 15, or as otherwise required by the State of New Jersey, of each year through 2025, Allendale shall provide annual reporting of trust fund activity to the New Jersey Department of Community Affairs ("DCA"), COAH, or Local Government Services ("LGS"), or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center and posted on the municipal website, using forms developed for this purpose by the DCA, COAH, or LGS. This reporting shall include an accounting of all housing trust fund activity, including the collection of development fees from residential and nonresidential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier-free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with Allendale's housing program, as well as to the expenditure of revenues and implementation of the plan approved by the Court.

Section 2. Repealer. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Except as amended hereinabove, all other provisions of Chapter 81 of the Code of Allendale shall remain in full force and effect.

Section 5. Effective Date. This Ordinance shall take effect upon passage and publication as provided by law.

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

DATE: 05/23/2019

RESOLUTION# 19-141

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
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 May 23, 2019 in the amounts of:

Current Fund	\$1,396,390.36
Payroll Account	\$254,203.96
General Capital	\$5,812.50
Animal Fund	\$30.60
Grant Fund	\$0.00
COAH/Housing Trust	\$0.00
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$7,720.00
Water Operating	\$185,213.17
Water Capital	\$2,984.00
Total	\$1,852,354.59

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-142

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

Authorization to Join the Cranford Police
Cooperative Pricing System

Whereas, the Cranford Police Cooperative Pricing System (ID # 47-CPCPS), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

Whereas, on November 19, 2012, the governing body of the Borough of Allendale, County of Bergen, State of New Jersey authorized participation in a Cooperative Pricing System for the provision and performance of goods and services via Resolution #12-292;

Whereas, the Borough of Allendale wishes to continue to participate in the Cranford Police Cooperative Pricing System.

Now, Therefore, Be It Resolved that the Mayor and Council of the Borough of Allendale hereby authorize continued participation in the Cranford Police Cooperative Pricing System as per the Cooperative Pricing Agreement with the Lead Agency dated November 20, 2012.

Be It Further Resolved that the Lead Agency shall be responsible for complying with the provisions of the 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.

Be It Further Resolved that this resolution shall take effect immediately upon passage.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-143

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

WHEREAS, on May 23, 2019, via Resolution #19-142, the Mayor and Council of the Borough of Allendale, authorized continued participation in a Cooperative Pricing Agreement with Cranford Police Cooperative Pricing System (ID # 47-CPCPS) for the purchase of goods and services as permitted by NJSA 40A:11-11(5); and

WHEREAS, via Cranford Police Cooperative Pricing System, the Borough received a quote from Mall Chevrolet for the purchase of a 2019 Chevrolet Tahoe in the amount of \$38,480.00; and

WHEREAS, the Chief Financial Officer has advised that funding is available for this purchase.

NOW THEREFORE BE IT RESOLVED that the purchase of a 2019 Chevrolet Tahoe in the amount of \$38,480.00 from Mall Chevrolet, having its principal office at 75 Haddonfield Road in Cherry Hill, NJ 08002, is hereby authorized based on quote obtained via Cranford Police Cooperative Pricing System attached hereto and incorporated herein by reference.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-144

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

Approval of 2019 July 4th Celebration

Be It Resolved that Crestwood Park will close at 5:00 p.m. on July 4, 2019; and,

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 Thursday, July 4, 2019 with a rain date of Saturday, July 6, 2019; and,

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.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-145

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

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 checks for overpayments on the accounts listed below and charge same to Water Rents for 2019:

Account Number	Name	Amount
31107149337611	Jacobsen Real Estate LLC 10 New City Street Essex, CT 06426-1018	\$175.03

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-146

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

2019 Crestwood Lake Salary Resolution – Supplement One

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 hires the following individuals at the corresponding rates of pay for the Crestwood Lake Swim Club 2019 Season as follows:

Kassidy Fishman	Substitute Lifeguard	\$9.25 per hour
Kaycee Hunt	Substitute Lifeguard	\$9.25 per hour
Jack Krause	Substitute Lifeguard	\$9.25 per hour
Taite Lee	Substitute Lifeguard	\$9.25 per hour
Chiara McMaster	Substitute Lifeguard	\$9.25 per hour
Kiara Riely	Substitute Gate Person	\$8.85 per hour
Erik Diedrichs	Head Dive Coach	\$400 Stipend
Luke Bussetti	Assistant Dive Coach	\$300 Stipend
Grace Aboussleman	Assistant Swim Coach	\$300 Stipend
Colin Hascup	Assistant Swim Coach	\$300 Stipend

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-147

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

Salary Resolution

Whereas, Tyler Yaccarino was appointed as Webmaster via Resolution #15-335 at a rate of \$1,5000 annually; and

Whereas, the governing body wishes to grant a salary increase for this position.

Be It Resolved by the Governing Body of the Borough of Allendale that Tyler Yaccarino be granted an increase in pay to \$2,700 annually for his position as Webmaster effective May 13, 2019.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-148

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

Amend 2019 Salary Resolution

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Resolution #19-86 is hereby amended as follows:

David Nizborski, Plumbing Sub Code Official, Part-time, Hourly (effective 1/1/19 – 5/12/19)	\$35.00
David Nizborski, Plumbing Sub Code Official, Part-time, Salary (effective 5/13/19)	\$11,820

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-149

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

Renewal of ABC Liquor Licenses for 2019-2020

Whereas, all Plenary Retail Consumption, Retail Distribution, Limited Distribution and Club Licenses will expire on June 30, 2019; and,

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

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the Borough Clerk be and is hereby authorized to issue licenses to expire June 30, 2020, to the following:

PLENARY RETAIL CONSUMPTION LICENSES - \$2,500.00

<u>LICENSE#</u>	<u>LICENSEE</u>	<u>LICENSED PREMISES</u>
0201-33-001-002	Allendale Bar & Grill, Inc. t/a Allendale Bar & Grill	67 West Allendale Avenue Allendale, NJ 07401
0201-33-006-007	Savini Restaurant LLC t/a Savini Restaurant	168 West Crescent Avenue Allendale, NJ 07401

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

DATE: 05/23/2019

RESOLUTION# 19-149

PLENARY RETAIL DISTRIBUTION LICENSES - \$2,500.00

<u>LICENSE#</u>	<u>LICENSEE</u>	<u>LICENSED PREMISES</u>
0201-44-005-004	Acme Markets, Inc. t/a Acme 250 Parkcenter Boulevard PO Box 20 Boise, ID 83726	Pocket
0201-44-003-005	Allendale Liquors, Inc. t/a Allendale Wine Shoppe	101 West Allendale Avenue Allendale, NJ 07401

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-150

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

Approval of Rugby Event

Now, Therefore, Be It Resolved that the Mayor and Council of the Borough of Allendale does hereby grant permission to the Allendale Recreation Commission to conduct a Rugby Game on Monday, May 27, 2019 at 1:00 p.m. at the Upper Field at Crestwood Park.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-151

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

**RESOLUTION AUTHORIZING THE AWARD OF A
NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL
CONSTRUCTION CONSULTING SERVICES**

WHEREAS, the Borough of Allendale (the “Borough”) has a need to acquire the professional services of a construction consultant possessing an engineering license and architect license in connection with the construction of a new municipal building within the Borough, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Mayor has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is two (2) year(s) and may be extended two (2) times as approved by this governing body; and

WHEREAS, Bruno Cividini has submitted a form of contract dated April 15, 2019 indicating he will provide the aforementioned professional construction consulting services for a sum not to exceed \$65,000.00, the terms of which contract are incorporated herein by reference; and

WHEREAS, Bruno Cividini has completed and submitted a Business Entity Disclosure Certification which certifies that Bruno Cividini has not made any reportable contributions to a political or candidate committee in the Borough in the previous one year, including Republicans for Responsible Government, Allendale Republican Club, Allendale Democratic Club, Candidates for Allendale Municipal Government, Bergen County Democratic Organization, Bergen County Republican Organization, and that the contract will prohibit Bruno Cividini from making any reportable contributions through the term of the contract, and

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

DATE: 05/23/2019

RESOLUTION# 19-151

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

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough authorizes the Mayor or other appropriate Borough Officials to enter into the foregoing contract with Bruno Cividini as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

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 May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/19

RESOLUTION# 19-152

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

Whereas, the Borough of Allendale by Resolution 18-81 has previously engaged Benecke Economics as 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, there is an ongoing need for services by Benecke Economics;

Whereas, an expenditure limitation of \$12,000 was set, absent further approval by Resolution of the Governing Body;

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 shall continue to provide such services as were authorized by Resolution 18-81, and as previously set forth in the proposal incorporated by reference in such Resolution;

Be It Further Resolved that the expenditure limitation for services provided and to be provided by Benecke Economics be and hereby is increased from \$12,000.00 to \$20,000 unless further approved by resolution of the Governing Body;

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.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 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: 20,000.00
Resolution Date: 05/23/19
Resolution Number: 19-152

Vendor: B0344 ROBERT L. BENECKE
 BENECKE ECONOMICS
 55 WANAQUE AVE., SUITE 135
 POMPTON LAKES, NJ 07422

Contract: C1800001 REDEVELOPMENT CONSULTANT

Account Number	Amount	Department Description
C-04-55-926-103	8,000.00	ORDINANCE 17-02
Total	8,000.00	

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



Chief Financial Officer

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

DATE: 05/23/2019

RESOLUTION# 19-153

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

RESOLUTION AUTHORIZING THE BOROUGH OF ALLENDALE
TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX
BILLS IN ACCORDANCE WITH P.L. 1994, C.72

WHEREAS, due to the County Board of Taxation unable to certify a tax rate due to various issues at the state level and the Municipal Tax Collector will be unable to mail the tax bills on a timely basis, it has become necessary to issue estimated tax bills for the 3rd Quarter of 2019 and;

WHEREAS, the Municipal Tax Collector in consultation with the Municipal Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated levies;

NOW, THEREFORE BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY ON 23 RD DAY OF MAY 2019 AS FOLLOWS:

1. The Borough of Allendale Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough for the third installment of 2019 taxes. The Tax Collector shall proceed and take such actions as necessary.
2. The entire estimated levy for 2019 is hereby set at \$ 39,896,904.00 for an estimated tax rate of \$ 2.359.
3. In accordance with law the third installment of 2019 shall not be subject to interest until the later of August 12, 2019. Any payment received after August 12, 2019 shall have interest calculated from August 1, 2019.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-154

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

Authorization to Advertise Bid Specifications for Drainage
& Sidewalk Improvements (The Woods) Franklin Turnpike

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 Drainage & Sidewalk Improvements (The Woods) Franklin Turnpike; and,

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

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-155

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

**A RESOLUTION OF THE COUNCIL OF THE BOROUGH
OF ALLENDALE ADOPTING THE AMENDED
SPENDING PLAN COMPONENT OF THE 2018 HOUSING
ELEMENT AND FAIR SHARE PLAN**

WHEREAS, the Joint Land Use Board of the Borough of Allendale, Bergen County, State of New Jersey (“JLUB”) adopted a Third Round Housing Element and Fair Share Plan on June 20, 2018 pursuant to N.J.S.A. 40:55D- 28, and N.J.A.C. 5:93, and the Court approved Settlement Agreement between the Borough and Fair Share Housing Center that established the Borough’s fair share obligation, granted a vacant land adjustment of the Borough’s Third Round obligation, and outlined the Borough’s compliance mechanisms; and

WHEREAS, the Borough Council endorsed the Plan on June 28, 2018 at a properly-noticed public meeting; and

WHEREAS, the Borough’s Housing Element and Fair Share Plan includes a Spending Plan component, as required by the Council on Affordable Housing’s Rules at N.J.A.C. 5:93-5.1(c) which projects anticipated revenues to the Township’s Affordable Housing Trust Fund and describes anticipated expenditures of funds to address its fair share obligation as set forth in the Fair Share Plan; and

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

DATE: 05/23/2019

RESOLUTION# 19-155

WHEREAS, the Borough's 2018 adopted plan and spending plan were reviewed by the Special Master in her compliance report dated November 19, 2018 and by the Superior Court at a compliance hearing on November 29, 2018; and

WHEREAS, a Final Judgment of Mount Laurel Compliance and Repose With Conditions for the Borough was issued by the Honorable Gregg A. Padovano, J.S.C., on January 25, 2019; and

WHEREAS, the Court Order required that the Borough's spending plan be amended according to the recommendations of the Master; and

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Allendale, County of Bergen, State of New Jersey hereby adopts the amended Spending Plan component of the Housing Element and Fair Share Plan, prepared by Clarke Caton Hintz and dated March 20, 2019, the terms of which amended Spending Plan are incorporated herein by reference.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-156

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

**A RESOLUTION OF THE COUNCIL OF THE BOROUGH
OF ALLENDALE EXPRESSING ITS INTENT TO
PROVIDE THE FUNDS NECESSARY TO SATISFY THE
BOROUGH'S AFFORDABLE HOUSING OBLIGATIONS**

WHEREAS, the Joint Land Use Board of the Borough of Allendale, Bergen County, State of New Jersey ("JLUB") adopted a Third Round Housing Element and Fair Share Plan on June 20, 2018 pursuant to N.J.S.A. 40:55D- 28, and N.J.A.C. 5:93, and the Court approved Settlement Agreement between the Borough and Fair Share Housing Center that established the Borough's fair share obligation, granted a vacant land adjustment of the Borough's Third Round obligation, and outlined the Borough's compliance mechanisms; and

WHEREAS, the Borough Council endorsed the Plan on June 28, 2018 at a properly-noticed public meeting; and

WHEREAS, the Borough's Housing Element and Fair Share Plan includes a number of compliance mechanisms, such as a Rehabilitation Program to be administered by the County of Bergen, four (4) municipally sponsored age-restricted rental units at 220 West Crescent Avenue, and a five (5) bedroom group home for adults with developmental disabilities operated by Eastern Christian Children's Retreat;

WHEREAS, pursuant to the State's affordable housing regulations and policies, and the conditions of the Court-approved FSHC Settlement Agreement, in order to assure the

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

DATE: 05/23/2019

RESOLUTION# 19-156

creditworthiness of the various compliance techniques included in its Housing Element and Fair Share Plan, the Borough must demonstrate adequate and stable funding sources; and

WHEREAS, since the Borough is committed to securing judicial approval of its Affordable Housing Plan, in order to provide an adequate and stable funding source for the components of the Borough's Housing Element and Fair Share Plan, the Borough shall rely on the funds in its Affordable Housing Trust Fund, established by its Development Fee Ordinance; and

WHEREAS, if -- after exhausting every potential funding source and every valid compliance technique -- the Borough still cannot secure sufficient financing to completely satisfy its affordable housing obligations within the timeframes required for compliance by the terms of the settlement agreement and judgment of compliance and repose without being forced to raise or expend municipal revenues in order to provide low- and moderate-income housing, the Borough will cover such costs through bonding and/or other legal means; and

WHEREAS, the Court has indicated its intent to review the Borough's Housing Element and Fair Share Plan, and the Borough wishes to leave no question as to the Borough's intent to cover the cost of implementing its Housing Element and Fair Share Plan or any modification thereof that may be necessary as a result of the Court's review.

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

1. In order to provide adequate and stable funding for the County's HIP housing rehabilitation program, the four (4) affordable age-restricted rental units, and the five (5) bedroom group home in its Housing Element and Fair Share Plan, and in order to maintain the timetables set forth in the Settlement Agreement between the Borough and

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

DATE: 05/23/2019

RESOLUTION# 19-156

Fair Share Housing Center, Allendale Borough shall make a *bona fide*, diligent, and good faith effort to exhaust the potential funding sources included in “A Guide to Affordable Housing Funding Sources” (“Funding Guide”), dated October 28, 2008, and currently posted on COAH’s official website.

2. The Borough shall also maximize use of the funds from its Development Fee Ordinance to facilitate the economic feasibility of the Borough’s Housing Element and Fair Share Plan; and
3. If, after exhausting every potential funding source in the Funding Guide and its Development Fee Trust Fund, the Borough still cannot secure sufficient financing to completely satisfy its affordable housing obligations within the timeframe agreed upon between the Borough and Fair Share Housing Center and approved by the Court, the Borough will fully fund, by way of municipal bonding, any gaps in financing to assure the economic feasibility of the compliance techniques listed above included in the Borough’s 2018 Third Round Housing Element and Fair Share Plan.
4. The Borough reserves the right to recoup any subsidy provided through future collections of development fees as such funds become available.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-157

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

WHEREAS, the Borough desires to authorize Borough counsel, Wiss & Bouregy, P.C. to utilize the services of the RTP Environmental Associates, Inc. (“RTP”) in connection with its December 22, 2018 Agreement of Purchase Agreement of Real Estate with Hampshire Venture Partners, L.P.; and

WHEREAS, RTP has provided to Borough counsel, Wiss & Bouregy, P.C. a proposal (the “Proposal”) dated May 16, 2019 for such services in an amount not to exceed \$5,000.00, the terms of which Proposal are incorporated herein; and

WHEREAS, the Borough’s governing body desires to authorize Wiss & Bouregy, P.C. to enter into the Proposal with RTP;

IT IS HEREBY RESOLVED that Wiss & Bouregy, P.C. be and hereby is authorized to execute the Proposal; and

IT IS FURTHER RESOLVED that the Mayor, the Borough Clerk and Borough Counsel be and hereby are authorized to take such other and further action as may be necessary or desirable to approve and assist RTP with its services to be rendered pursuant to the Proposal.

BE IT FURTHER RESOLVED that the Mayor, the Borough Clerk, the Chief Financial Officer, the Allendale Police Department 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 May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-158

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

Appointment of an Hourly Seasonal Intern

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Kaitlyn Callaghan be appointed as an hourly, part-time, seasonal intern effective May 21, 2019 at a rate of \$15.00 per hour.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on May 23, 2019.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 05/23/2019

RESOLUTION# 19-159

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

Appointment of DPW Seasonal Employee

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Brian O'Connor be appointed as a Seasonal Laborer with the Department of Public Works at a salary of \$15.00/hour effective June 2, 2019 to September 3, 2019; and

Be It Further Resolved that the Mayor, the Chief Financial Officer, Municipal 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 May 23, 2019.

Anne Dodd, RMC
Municipal Clerk