

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
April 25, 2019

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

ABSENT: None

ALSO PRESENT: Borough Attorney Raymond 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 April 25, 2019. The meeting was called to order at 8:00 p.m. by Mayor Ari 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 Councilman Strauch, second by Councilwoman Homan, that the Minutes of April 11, 2019 Work Session and April 11, 2019 Regular Session are approved.

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

Councilwoman Homan:	aye	Councilman Sasso:	aye
Councilman O’Connell:	aye	Councilman Strauch:	aye
Councilman O’Toole:	abstain	Councilwoman Wilczynski:	aye

Public Comment

No one came forward.

Public Hearings for Advertised Ordinances:

Ordinance 19-06

The Municipal Clerk read into the record:

The following ordinance published herewith was first read by title only on April 11, 2019 and posted on the bulletin board of the lobby of the municipal building.

ORDINANCE 19-06 – BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF ALLENDALE, IN THE COUNTY

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OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,142,500 TO PAY THE COST THEREOF, TO APPROPRIATE CAPITAL SURPLUS AND COUNTY GRANTS, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Public Comments on Ordinance 19-06

No one came forward.

Motion by Councilwoman Wilczynski, second by Councilwoman Homan, that Ordinance 19-06 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law.

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

Councilwoman Homan:	aye	Councilman Sasso:	aye
Councilman O'Connell:	aye	Councilman Strauch:	aye
Councilman O'Toole:	aye	Councilwoman Wilczynski:	aye

(See Ordinance 19-06 attached and made a part hereof.)

Introduction of Ordinances:

Ordinances 19-07

Motion by Councilwoman Homan that the following ordinance be introduced and passed on first reading and setting May 9, 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 Councilman O'Toole.

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

ORDINANCE 19-07 - AN ORDINANCE OF THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$31,000 FOR THE INSTALLATION AND ACQUISITION OF HYDRANTS AND WATER METERS

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

Councilwoman Homan:	aye	Councilman Sasso:	aye
Councilman O'Connell:	aye	Councilman Strauch:	aye
Councilman O'Toole:	aye	Councilwoman Wilczynski:	aye

Consent Agenda

Councilwoman Wilczynski advised that Resolution #19-126 will need to be amended as only the Red Barn fees should be waived for the referenced non-profit organizations.

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Borough Attorney Wiss noted that, when the Consent Agenda is moved and presumably adopted, Resolution #19-126 will be deemed to exclude any and all references to West Beach application fees and the governing body will only be voting to approve the waiver of 2019 Red Barn application fees.

Motion by Councilwoman Wilczynski, second by Councilwoman Homan, and all members present voting in favor, to table Resolution #19-120 to May 9, 2019.

- A. **19-118**/Approval of Bill List
- B. **19-119**/Authorize Refund – Overpayment of 2019 Taxes – Block 1604 Lot 28
- C. ~~**19-120**/Appoint Construction Consultant – New Municipal Building – Bruno Cividini~~
Tabled to May 9, 2019
- D. **19-121**/Authorize Cancellation of Taxes – Disabled Veteran
- E. **19-122**/Establish Class III Special Law Enforcement Officer Position – Northern Highlands Regional High School 2019/20 School Year
- F. **19-123**/Approve Junior Police Academy
- G. **19-124**/Designate \$4,285,000 Bond Anticipation Note as “Qualified Tax-Exempt Qualification”
- H. **19-125**/Authorize Emergency Temporary Budget Appropriations
- I. **19-126**/Approve Waiver of 2019 Red Barn and West Beach Application Fees
- J. **19-127**/ Authorize Wiss & Bouregy to Enter into Proposal – VERTEX Companies, Inc.

Motion by Councilwoman Wilczynski, second by Councilman O’Connell, that the Consent Agenda be approved as amended.

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

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

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

Resolution 19-118

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 April 25, 2019 in the amounts of:

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Current Fund	\$2,848,528.87
Payroll Account	\$223,153.20
General Capital	\$815.00
Animal Fund	\$0.00
Grant Fund	\$409.00
COAH/Housing Trust	\$0.00
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$0.00
Water Operating	\$39,762.84
Water Capital	\$6,450.00
Total	\$3,119,118.91

Resolution 19-119

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 2019 Taxes:

Block/Lot	Name	Property Location	Amount
1604/28	Corelogic P.O. Box 9205 Coppell, TX 75019-9214	7 Wehner Place	\$5,737.38

Resolution 19-121

Cancellation of Taxes

WHEREAS, the applicant, Mary Jo D’Annibale , Block 702 Lot 4 C0052, 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 March 31, 2019.

THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized to cancel real estate taxes assessed to the aforesaid property for 2nd Quarter in the amount of \$2,966.00. Additionally 3rd and 4th quarter 2019 shall be cancelled.

Resolution 19-122

Resolution Appointing Class III Special Law Enforcement Officer

WHEREAS, the Mayor and Council of the Borough of Allendale (“Allendale”) have determined that it is in the best interests of Allendale, Northern Highlands Regional High School (“NHRHS”), the school community, and the community at large, to provide for the appointment of a Class III Special Law Enforcement Officer (“SLEO”) for the 2019/20 school year; and

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WHEREAS, Allendale has met with and discussed the establishment of a SLEO position for the upcoming school year; and

WHEREAS, NHRHS has advised Allendale that it has sufficient funding to provide for the establishment of such position, subject to subsequent authorization and appointment by Allendale; and

WHEREAS, Allendale, by adoption of this Resolution wishes to authorize the establishment of a SLEO position at NHRHS for the 2019/20 school year, subject to a written agreement and appointment resolution regarding same; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that it authorizes and approves the establishment of a SLEO position at NHRHS for the 2019/20 school year, subject to a written agreement and appointment resolution regarding same; and

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

Resolution 19-123

Resolution Approving Junior Police Academy

WHEREAS, Allendale Police Department (“APD”) has recommended the establishment of a Junior Police Academy (the “Program”) for fifth and sixth grade students; and

WHEREAS, representatives of the Borough of Allendale (“Borough”) have met with representatives of the APD to discuss the Program which, at present, is intended to serve a maximum of seventy-five (75) students and which will be conducted at Brookside School; and

WHEREAS, the Program may also involve field trips to be approved in advance by APD; and

WHEREAS, the Borough has confirmed that the Program and its participants are covered by the Borough’s liability insurance policy; and

WHEREAS, the Mayor and Council by adoption of this resolution, wish to formalize their approval of the Program.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that the Junior Police Academy be and hereby is approved, and that the same shall be conducted under the auspices and supervision of the Allendale Police Department; and

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.

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Resolution 19-124

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN, NEW JERSEY, DESIGNATING A \$4,285,000 BOND ANTICIPATION NOTE, DATED APRIL 26, 2019 AND PAYABLE APRIL 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") intends to issue a \$4,285,000 Bond Anticipation Note, dated April 26, 2019 and payable April 24, 2020 (the "Note"); and

WHEREAS, the Borough desires to designate the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (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 Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 2. It is hereby determined and stated that (1) the 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 3. It is further determined and stated that the Borough has, as of the date hereof, issued the following tax-exempt obligations (other than the Note) during the calendar year 2019:

<u>Amount</u>	<u>Dated - Due</u>
\$1,035,000 BAN	1/25/19 - 1/24/20

SECTION 4. 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 5. 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 original purchaser with a certificate of obligations issued during the calendar year 2019 dated as of the date of delivery of the Note.

SECTION 6. This resolution shall take effect immediately upon its adoption.

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Resolution 19-125

Authorizing Emergency Temporary Budget Appropriations

WHEREAS, an emergent condition has arisen with respect to certain budget appropriations and no adequate provision has been made in the 2019 Temporary Budget, and N.J.S.A. 40A: 4-20 provides for the creation of emergency temporary appropriations for said purpose; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that in accordance with the provisions of N.J.S.A. 40A: 4-20;

1. An emergency temporary appropriation be and the same is hereby made in the total amount of:

Current Fund	
Administration, O.E.	\$25,000
Police, O.E.	30,000
Emergency Management Services, S&W	1,000
Fire, O.E.	20,000
Streets & Roads, O.E.	20,000
Garbage & Trash Removal, O.E.	75,000
Municipal Recycling, O.E.	15,000
Buildings & Grounds, O.E.	10,000
Animal Control, O.E.	1,000
Parks, O.E.	7,000
Crestwood, O.E.	20,000
Electricity, O.E.	20,000
Street Lighting	15,000
Sewer, O.E.	4,000
Social Security	10,000
PFRS	246,736
Total Current Fund Appropriations	\$519.736

Water Utility Fund	
Other Expenses	\$110,000
Water Purchase	100,000
Payment of Bond Principal	80,000
Interest on Bonds	10,000
Total Water Utility Fund Appropriations	\$300,000

2. That said emergency temporary appropriation will be provided in the 2019 budget;
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

Approval of Waiver of Red Barn Application Fees

Whereas, the Borough of Allendale, from time to time, permits use of public facilities, including Red Barn, for certain activities by Allendale non-profit organizations; and

Whereas, the Borough of Allendale recognizes the significant contributions that these organizations make to the community at large; and

Whereas, the Borough wishes to waive the application fees associated with the use of Red Barn by these organizations for the year 2019.

Now, Therefore, Be It Resolved by the Governing Body that it does hereby agree to waive the 2019 Red Barn application fees for the following organizations:

- Allendale Board of Education
- Allendale Boy Scouts
- Allendale CERT
- Allendale Civic Association
- Allendale Fire Department
- Allendale Girl Scouts
- Allendale Housing, Inc.
- Allendale Recreation Commission
- Allendale Senior Housing, Inc.
- Allendale Travel Softball
- Allendale Volunteer Ambulance Corps
- Allendale Woman's Club
- Camp Acorn
- Crestwood Cruisers
- Hemophilia Walk
- Hope & Healing After an Addiction Death
- Veterans of Foreign Wars – Allendale Post 10181

Unfinished Business:

There was no unfinished business.

New Business:

There was no new business.

Council Committee Reports and Comments

Councilman O'Toole – Public Works

Councilman O'Toole reported that the DPW is preparing Crestwood Lake for the upcoming season. Trips to the recycling center are being made several times a week and general maintenance is being completed to keep the equipment up and running. Recycle Coach, an app that will provide reminders to residents regarding recycling and garbage collection, is available through the Borough

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website. He advised that Hillside, Brookside and W. Orchard are on the County's paving schedule this year. The next Public Works Committee meeting is scheduled on May 3rd.

Councilwoman Wilczynski – Facilities, Parks and Recreation

Councilwoman Wilczynski commended the DPW for the great job that they are doing in getting Crestwood Lake ready for the upcoming season. The lake is almost done being filled. Lanterns have been selected and pavers are in the process of being selected as part of the Downtown Streetscape project. The band shell fabrication parts are being delivered and it is still anticipated that this project will be completed by Memorial Day. An alternate option is being explored to complete the Mural Restoration project as the first two options initially considered were too expensive. A large volume of documents continue to be reviewed in connection with 220 and 230 West Crescent Avenue. The governing body will be holding "Saturdays with the Mayor and Council" beginning on May 18th from 9 a.m. to 11 a.m. at which time Mayor Bernstein and two Council members will be available at Borough Hall to meet with residents and answer questions. Mayor Bernstein and Councilwoman Wilczynski attended a budget report at Brookside School and Councilwoman Wilczynski commented on the impressive strategic planning and foresight that she witnessed. The next Facilities, Parks and Recreation Committee meeting is scheduled on May 8th.

Councilman Sasso – Administration, Finance and Human Resources

Councilman Sasso announced that tomorrow night is Italian Night at the Allendale Fire Department. The cost is \$20 and it is all you can eat with the option of doing takeout. With respect to Administration, Finance and Human Resources, Councilman Sasso advised that, with the budget having been introduced, the committee is now focused on human resource issues. He had a conversation with the Intern Coordinator at the high school and she was eager to have high school seniors placed into positions at the Borough. This topic will be discussed further at the next committee meeting which is scheduled on May 15th at 5:30 p.m.

Councilwoman Homan – Water, Sewer and Public Utilities

Councilwoman Homan advised that the Water, Sewer and Public Utilities Committee continues to work with Suez to ensure that customer needs are met. She noted that the Borough has experienced an extraordinary number of estimated readings and reminded residents of the importance of reviewing their water bills. The committee is in the process of scheduling physical inspections of properties with wells. Councilwoman Homan thanked Mr. Kistner for coordinating capital improvements which include power washing the Fairhaven Tank.

Councilman O'Connell – Land Use and Construction Code

Councilman O'Connell reported that the Land Use and Construction Code Committee is scheduled to meet on May 13th. Ed Sniekus, Borough Planner, is reviewing the portion of the Borough Code pertaining to neon lights to determine what, if any, revisions are necessary. Councilman O'Connell commended Mike Limatola, Property Maintenance Officer, for the great job that he has been doing in addressing property maintenance issues in town.

Mayor's Report:

Mayor Bernstein reminded the governing body that the online training for elected officials must be completed by May 1st and the Borough will receive a \$250 credit on the Borough's JIF assessment

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for every elected official who completes this training. He also reminded the governing body that they must file their Financial Disclosure Statement by April 30th. The Hemophilia Walk will take place this Saturday. Mayor Bernstein attended the Library Board meeting which was held last week. He and Mr. Kistner met with residents on Heights Road and Couch Court this past Saturday to address their concerns over construction taking place in their respective neighborhoods. The Vision Committee is scheduled to meet on May 15th at 6:30 p.m. Work is ongoing with respect to 220 and 230 West Crescent Avenue and Mayor Bernstein thanked Borough Attorney Wiss for his stewardship on this project. He also commented on the meeting at Brookside School and noted that Allendale was ranked #3 out of 610 schools in academic performance.

Staff Reports:

Ray Wiss, Municipal Attorney, advised that he is working on an agreement to allow Andersen to vacate the premises at the end of this month and Mr. Kistner is overseeing their departure. Borough Attorney Wiss noted that all other agreements are falling into place with respect to 220 and 230 West Crescent Avenue. He stated that he has been working with Mr. Kistner on personnel and property maintenance issues and has had interface with Chief Scherb regarding the SLEO position and Junior Police Academy as well as other upcoming initiatives.

Anne Dodd, Municipal Clerk, reported that 38 OPRA requests have been received to date this month and 132 requests have been received to date this year. Her office has been busy with Crestwood Lake registrations as well as compost permits and garage sale licenses. Her office will be open until 9 p.m. on May 14th for Late Night Voter Registration as this is the deadline to vote in the Primary Election and Crestwood Lake photos will also be taken at this time.

Alissa Mayer, CFO, announced that 2nd quarter taxes are due on May 1st.

Ron Kistner, Administrative Officer/Director of Operations, advised that he has no report.

Public Comment on any issue:

Porus Pavri, 961 Franklin Turnpike, provided background on the Hemophilia Walk, noting that he has this disorder. He reviewed some of the activities that are planned and explained that all proceeds will be donated to the NYC Hemophilia Chapter.

Mayor Bernstein advised that the walk will take place this Saturday from 9 a.m. to 11:30 a.m. at the Red Barn. Information is posted to the Borough website which includes a link to contribute to this cause.

Walter Widmer, 38 Hamilton Drive, inquired whether he would receive notification when the 220 and 230 West Crescent application goes before the Land Use Board, noting that he lives in close proximity.

Borough Attorney Wiss advised that all properties within 200 feet of this property will be given notification when the application goes before the board.

Councilman Sasso noted that every Land Use Board meeting is open to the public and the agenda is posted to the Borough website in advance of the meeting.

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Mayor Bernstein added that the application has not been submitted and an anticipated date is unknown at this time.

Mr. Kistner advised that, in response to Mr. Widmer's concern regarding the street lights, Orange & Rockland will be changing to a lower wattage bulb.

Adjournment:

There being no further business to come before the Mayor and Council, on a motion by Councilman Sasso, second by Councilman Strauch, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:39 p.m.

Respectfully submitted,

Anne Dodd, RMC
Municipal Clerk