

Mayor and Council of the Borough of Allendale  
Regular Session Meeting Minutes  
August 8, 2019

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

ABSENT: Councilmember Edward O’Connell and Jim Strauch

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 August 8, 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:**

Mayor Bernstein announced that the July 25, 2019 Closed Executive Session Minutes are being pulled from consideration.

Motion by Councilwoman Wilczynski, second by Councilman O’Toole, that the Minutes of July 25, 2019 Work Session and July 25, 2019 Regular Session are approved.

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

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

**Public Comment**

No one came forward.

**Consent Agenda**

- A. **19-206**/Approval of Bill List
- B. **19-207**/Authorize Vehicle & Snow Equipment Purchases – Department of Public Works
- C. **19-208**/Appoint Borough Professional – Environmental Consultant
- D. **19-209**/Authorize Refund – Overpayment of 2018 Taxes – Block 1407 Lot 15
- E. **19-210**/Waive Fire Permit Fee for National Night Out Event
- F. **19-211**/Waive Special Event Fee for National Night Out Event

Motion by Councilwoman Homan, second by Councilman O’Toole, that the Consent Agenda be approved.

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

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

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

**Resolution 19-206**

**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 August 8, 2019 in the amounts of:

<b>Bill List Numbers</b>	<b>August 8, 2019</b>
Current Fund	\$2,346,583.87
Payroll Account	\$266,544.22
General Capital	\$108,526.16
Animal Fund	\$0.00
Grant Fund	\$0.00
COAH/Housing Trust	\$2,216.39
Improvement & Beautification	\$0.00
Unemployment Fund	\$1,056.00
Trust Fund	\$17,242.38
Water Operating	\$0.00
Water Capital	\$9,895.00
<div style="display: flex; justify-content: space-between;"> <span><b>Total</b></span> <span><b>\$2,752,064.02</b></span> </div>	

**Resolution 19-207**

WHEREAS, the Department of Public Works is in need of purchasing two (2) 2019 Ford F-350 pickup trucks, an 8.5’ Boss Plow and a 9’ Boss Plow with a rubber deflector; and

WHEREAS, the Borough of Allendale as a Local Government Unit, may without advertising for bids, purchase any goods or services under any contract for such goods or services entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury pursuant to the provision of N.J.S.A. 40A: 11 -12; and

WHEREAS, the State Division of Purchase and Property has awarded a contract to Cherry Hill Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, New Jersey 08034 for various vehicles and trucks; and

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WHEREAS, the Borough of Allendale desires to authorize the purchase of two (2) 2019 Ford F-350 Regular Cab with options, 8.5' Boss Plow, and 9' Boss Plow with a rubber deflector as described in the State of New Jersey Contract #A88758, T2101 for a total cost of \$63,338.00.

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

NOW THEREFORE BE IT RESOLVED that the purchase of two (2) 2019 Ford F-350 Regular Cab with options, 8.5' Boss Plow, and 9' Boss Plow with a rubber deflector in the amount of \$63,338.00 from Cherry Hill Winner Ford, having its principal office at 250 Haddonfield-Berlin Road, Cherry Hill, New Jersey 08034, is hereby authorized based on quote obtained via the State of New Jersey Contract #A88758, T2101 attached hereto and incorporated herein by reference.

**Resolution 19-208**

**Appointment of Borough Professional – Environmental Consultant**

**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.

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Environmental Consultant RTP Environmental Associates, Inc.

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.

**Resolution 19-209**

**OVERPAYMENT**

BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue the following checks on the properties listed below and charge same to Overpayment of 2018 Taxes:

<b>Block/Lot</b>	<b>Name</b>	<b>Property Location</b>	<b>Amount</b>
1407/15	Sertich, Brunhilde	137 Mac Intyre	\$5,536.1

**Resolution 19-210**

**Waive Fire Permit Fee for National Night Out**

**WHEREAS** N.J.A.C. 5:70-2.7(a) sets forth activities for which a permit is required to be obtained from the fire official; and

**WHEREAS**, the Governing Body of the Borough of Allendale wishes to waive the fee for said permits applied for in connection with "National Night Out" held in the Borough of Allendale on August 6, 2019; and

**WHEREAS**, such modification to the fee for a fire permit shall only be applicable to fire permits applied for in connection with National Night Out held on August 6, 2019.

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

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1. The fee to be charged by the Borough of Allendale for any fire permit applied for in connection with National Night Out held on August 6, 2019 shall be waived; and

2. Except as set forth in Paragraph 1 hereinabove, the fee for a fire permit shall be as provided for in N.J.A.C. 5:70-2.9(c)1.

**Resolution 19-211**

**WAIVE SPECIAL EVENTS FEES FOR NATIONAL NIGHT OUT**

**WHEREAS**, Section 210-2 of the Code of the Borough of Allendale (the “Code”) provides for a fee of \$50 for a special event food permit; and

**WHEREAS**, the Governing Body of the Borough of Allendale wishes to waive such fee for any special event food permits applied for in connection with “National Night Out” to be held in the Borough of Allendale on or about August 6, 2019; and

**WHEREAS**, such modification to the fee for a special event food permit shall only be applicable to special event food permits applied for in connect with National Night Out to be held on August 6, 2019.

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

1. The fee is waived by the Borough of Allendale for any special event food permit applied for in connection with National Night Out to be held on August 6, 2019 as provided for in Section 210-2 of the Code.

***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: (continued)***

Mayor Bernstein continued his Mayor’s Report from the Work Session. He thanked Michelle Ryan, Deputy Clerk, for her work in organizing the Mayor for a Day activities.

With respect to AccuScan, he reported that plans and large format Building Department records are currently being scanned and will then be indexed. It anticipated that these files will be provided soon.

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The first annual Junior Police Academy graduation is being held tomorrow. He commended Officer Azevedo and all involved as he expressed that it was a great experience for the participants. He advised that there was discussion regarding the possibility of the Fire Department doing a similar program.

Mayor Bernstein and Ron Kistner, Administrative Officer/Director of Operations, met with Kerry Pflugh, DEP Government Representative. Mayor Bernstein commented that it was a very informative meeting.

Councilwoman Wilczynski announced that she just received a video from the Holiday Observers to commemorate its centennial which she hopes to have posted to the Borough website.

***Staff Reports:***

Ray Wiss, Municipal Attorney, reported that he has been involved in contract review and personnel matters. He noted that the 220 and 230 West Crescent Avenue project is multifaceted and has required a lot of time for all involved.

Anne Dodd, Municipal Clerk, advised that she has received 23 OPRA requests since the last meeting and 296 OPRA requests to date this year.

Ron Kistner, Administrative Officer/Director of Operations, announced that hydro-raking of the upper pond will take place next week. Mulch will be placed at the Firehouse, Police Department, and 9/11 Memorial next week.

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

Ben Peare, 477 Hillside Avenue, advised that he is attending tonight's meeting as part of the requirements to earn his Communications merit badge with the Boy Scouts. He stated that his current rank is 1<sup>st</sup> Class and he is working to attain the rank of Eagle.

James Thomas, 30 Arlton Avenue, expressed concern that the Land Use Board may be restricted from taking action which materially impacts the plans for 220 and 230 West Crescent Avenue if the financial agreement is finalized prior to an application being submitted. He further inquired whether the amount of the PILOT reflected in the Letter of Intent remains the same.

Borough Attorney Wiss explained that the financial impact of any modifications proposed by the Land Use Board would need to be controlled by the contract language just as any other contingency. He stated that the Land Use Board should carry out its duties irrespective of the financial agreement and advised that the bottom line of the PILOT agreement is still being negotiated.

Nick Gray, 50 Walnut Place, advised that he is attending tonight on behalf of an Eagle Scout applicant, Thomas Lucas, as the project mentor in order to confirm that they are permitted to proceed with the refurbishing of the shuffle board courts. He provided an overview of what would be involved with this project.

Councilwoman Wilczynski confirmed that the necessary paperwork has been signed and is ready to go.

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***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 8:22 p.m.

Respectfully submitted,

Anne Dodd, RMC  
Municipal Clerk