

Mayor and Council of the Borough of Allendale  
Regular Session Meeting Minutes  
August 22, 2019

PRESENT: Councilmembers Edward O'Connell, Matthew O'Toole, Steve Sasso and Amy Wilczynski

ABSENT: Mayor Ari Bernstein and Councilmembers Liz Homan 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 22, 2019. The meeting was called to order at 8:00 p.m. by Council President Sasso 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."

Councilman Sasso led those present in a salute to the flag.

***Approval of Minutes:***

Motion by Councilwoman Wilczynski, second by Councilman O'Toole, with Councilman O'Connell abstaining on the August 8, 2019 Work Session and August 8, 2019 Regular Session, and all other members present voting in favor, that the Minutes of July 25, 2019 Closed Executive Session (not to be released), August 8, 2019 Work Session and August, 2019 Regular Session are approved.

***Public Comment***

No one came forward.

***Introduction of Ordinances***

**Ordinances 19-14**

Motion by Councilwoman Wilczynski that the following ordinance be introduced and passed on first reading and setting September 12, 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'Connell.

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

ORDINANCE 19-14 – AN ORDINANCE TO REPEAL ARTICLE II, ENTITLED "SHADE TREE COMMISSION", OF CHAPTER 6, ENTITLED "BOARDS, COMMITTEES AND COMMISSIONS", OF THE CODE OF THE BOROUGH OF ALLENDALE

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

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

(See Ordinance 19-14 attached and made a part hereof.)

**Consent Agenda**

- A. **19-212**/Approval of Bill List
- B. **19-213**/Authorize Lease of Police Vehicle – 2019 Dodge Charger – Cranford Cooperative Pricing System
- C. **19-214**/Authorize Refund – Overpayment of 2019 Taxes – Block 1407 Lot 14
- D. **19-215**/Waive Fire Permit Fee – Holiday Observers' Centennial Celebration and Allendale Chamber of Commerce's Festival Day
- E. **19-216**/Amend Board of Health's Special Event Fee – Holiday Observers' Centennial Celebration
- F. **19-217**/Appoint Borough Professional – Environmental Attorney

Motion by Councilwoman Wilczynski, second by Councilman O'Toole, that the Consent Agenda be approved.

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

Councilwoman Homan:	absent	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.

**Resolution 19-212**

**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 22, 2019 in the amounts of:

Current Fund	\$1,620,586.41
Payroll Account	\$201,197.02
General Capital	\$23,768.25
Animal Fund	\$0.00
Grant Fund	\$0.00
COAH/Housing Trust	\$0.00
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$785.30
Water Operating	\$72,682.63
Water Capital	\$16,724.01
<b>Total</b>	<b>\$1,935,743.62</b>

**Resolution 19-213**

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 Ford Credit Municipal Finance for a three-year lease of a 2019 Dodge Charger in the amount of \$10,060.39 per year, for a total amount of \$30,181.17; and

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

NOW THEREFORE BE IT RESOLVED that the three-year lease of a 2019 Dodge Charger in the amount of \$10,060.39 per year for a total amount of \$30,181.17 from Ford Municipal Finance Credit, having its principal office at 1 American Road, MD 7500 in Dearborn, Michigan 48126, is hereby authorized based on quote obtained c/o Beyer Chrysler-Jeep-Dodge-Ram via Cranford Police Cooperative Pricing System attached hereto and incorporated herein by reference.

**Resolution 19-214**

**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 property listed below due to overpayment of 2019 taxes:

<b>Block/Lot</b>	<b>Name</b>	<b>Property Location</b>	<b>Amount</b>
1407/14	Norton, Nancy	119 Mac Intyre	\$5,753.51

**Resolution 19-215**

**Waive Fire Permit Fee for the  
Chamber of Commerce's Festival Day and  
the Holiday Observer's Centennial Celebration**

**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 the Holiday Observers' Centennial Celebration to be held on September 7, 2019 and the Allendale Chamber of Commerce's "Festival Day" to be held in the Borough of Allendale on October 5, 2019; and

**WHEREAS**, such modification to the fee for a fire permit shall only be applicable to fire permits applied for in connection with the Centennial Celebration to be held on September 7, 2019 and Festival Day to be held on October 5, 2019.

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

1. The fee to be charged by the Borough of Allendale for any fire permit applied for in connection with the Holiday Observers' Centennial Celebration to be held on September 7, 2019 or the Allendale Chamber of Commerce's Festival Day to be held on October 5, 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 19-216**

**Amend Board of Health Special Events Fee  
for the Holiday Observer's Centennial Celebration**

**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 amend such fee from \$50 to \$10 for any special event food permits applied for in connection with the Holiday Observers' Centennial Celebration to be held in the Borough of Allendale on or about September 7, 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 the Centennial Celebration to be held on September 7, 2019.

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

1. The fee to be charged by the Borough of Allendale for any special event food permit applied for in connection with the Centennial Celebration to be held on September 7, 2019 shall be \$10, rather than \$50 as provided for in Section 210-2 of the Code; and
2. Except as set forth in Paragraph 1 hereinabove, the fee for a special event food permit shall be \$50 as provided for in Section 210-2 of the Code.

**Resolution 19-217**

**Appointment of Borough Professional – Environmental Attorney**

**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,

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**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 professional will complete, submit and file 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.

Environmental Attorney

Susan C. Karp, Esq.

The compensation for the aforesaid position to be established by a contract for such services, in an amount not to exceed \$10,000, absent further authorization from the Borough of Allendale, which contract 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 excepts 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.

***Unfinished Business:***

There was no unfinished business.

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***New Business:***

There was no new business.

***Council Committee Reports and Comments***

This agenda item was addressed during the Work Session.

***Staff Reports:***

This agenda item was addressed during the Work Session.

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

Walter Widmer, 38 Hamilton Street, inquired whether a bond is required when opening up the street. He questioned whether there is any recourse should the patching job not be adequate.

Councilman Sasso explained that a permit is required together with a fee. He further explained that the road repair is to be done in a specific manner and is inspected by the Construction Code Official upon completion. Mr. Widmer was encouraged to report any issues that he observes to the Construction Code Official.

Borough Clerk Dodd advised that, in reviewing the Borough Code, there is a security deposit guaranteeing restoration of the paved area which is required when securing a street opening permit.

***Adjournment:***

There being no further business to come before the Mayor and Council, on a motion by Councilman O'Connell, second by Councilman O'Toole, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:09 p.m.

Respectfully submitted,

Anne Dodd, RMC  
Municipal Clerk