

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
September 26, 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 September 26, 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 Sasso, second by Councilwoman Wilczynski, that the Minutes of September 12, 2019 Work Session and September 12, 2019 Regular Session are approved.

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

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

Public Comment

No one came forward.

Consent Agenda

- A. **19-220**/Approval of Bill List
- B. **19-221**/Authorize Submission & Execution of FY 20 Local Freight Impact Fund Grant Application & Contract – NJ DOT – Surface Improvements along Pearl Court
- C. **19-222**/Authorize Refunds – Water Overpayment
- D. **19-223**/Authorize Hire – Part-Time Hourly Dispatcher & Crossing Guard
- E. **19-224**/Designate \$3,063,210 of Bond Anticipation Notes as “Qualified Tax-Exempt Obligation”
- F. **19-225**/Authorize Refunds – Overpayment of Taxes

Motion by Councilman Strauch, second by Councilman O’Connell, 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:	aye	Councilman Strauch:	aye
Councilman O'Toole:	aye	Councilwoman Wilczynski:	aye

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

Resolution 19-220

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 September 26, 2019 in the amounts of:

Current Fund	\$1,680,663.11
Payroll Account	\$239,041.28
General Capital	\$203,655.34
Animal Fund	\$0.00
Grant Fund	\$0.00
COAH/Housing Trust	\$0.00
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$4,887.88
Water Operating	\$110,682.70
Water Capital	\$9,000.00
Total	\$2,247,930.31

Resolution 19-221

**APPROVAL TO SUBMIT A FY20 LOCAL FREIGHT IMPACT FUND
GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH
THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR
SURFACE IMPROVEMENTS ALONG PEARL COURT**

WHEREAS, the New Jersey Department of Transportation (NJDOT) has funds available through the FY20 Local Freight Impact Fund and solicits proposals for projects aimed toward the advancement of freight projects and movement of large truck traffic that emphasize and enhance safety, renew aging infrastructure and promote economic development;

WHEREAS, Borough personnel have identified the repaving of Pearl Court, from its western cul-de-sac to Boroline Road, as a project that meets the criteria of this program;

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

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BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LFIF-2020-Pearl Court Resurfacing-00012 to the New Jersey Department of Transportation on behalf of the Borough of Allendale.

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

Resolution 19-222

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
3117069583514	Jonathan Bilow 99 Franklin Turnpike Allendale, NJ 07401	\$2,440.18
31109121864229	JDRMDBP-SM LLC 408 Main St., STE 502 Boonton, NJ 07005-3701	\$51.70

Resolution 19-223

Hire of Police Department Personnel

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Kevin Mullens be hired for the following positions in the Allendale Police Department at the corresponding hourly rate effective September 19, 2019:

Radio Police Dispatcher, P/T, Hourly	\$15.61
Crossing Guard, P/T, Hourly	\$18.00

Resolution 19-224

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN, NEW JERSEY, DESIGNATING \$3,063,210 OF NOTES CONSISTING OF \$2,713,210 GENERAL BOND ANTICIPATION NOTES AND \$350,000 WATER UTILITY BOND ANTICIPATION NOTES, BOTH ISSUES DATED SEPTEMBER 26, 2019, PAYABLE SEPTEMBER 25, 2020, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" 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 \$3,063,210 of notes consisting of \$2,713,210 General Bond Anticipation Notes and

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\$350,000 Water Utility Bond Anticipation Notes, both issues dated September 26, 2019, payable September 25, 2020 (the "Notes"); and

WHEREAS, the Borough desires to designate the Notes as "qualified tax-exempt obligations" 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 Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

SECTION 2. It is hereby determined and stated that (1) said Notes are not "private activity bonds" 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 Notes) during the calendar year 2019:

<u>Amount</u>	<u>Dated - Due</u>
\$1,035,000 BAN	1/25/19 - 1/24/20
4,285,000 BAN	4/26/19 - 4/24/20

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 Notes 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 Notes.

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

Resolution 19-225

OVERPAYMENTS

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:

Block/Lot	Name	Amount
1809/14/C0013	Empire Title Agency 464 Boulevard Hasbrouck Heights, NJ 07604	\$2,760.55
1705/11	Dynamic Title Agency 877 Prospect Street	\$4,459.48

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1407/15	Vested Land Title Agency 165 Passaic Avenue Suite 101 Fairfield, NJ 07004	\$4,287.91
2101/1.1103	O'Dowd, Kathleen 1103 Whitney Lane Allendale, NJ 07401	\$3,121.27
1407/15	Kang, Steven/Litvinenko, Tatiana 137 Mac Intyre Lane Allendale, NJ 07401	\$231.49
2101/1.1003	Providence Abstract 3146 State Route 27 Suites 203-204 Kendall Park, NJ 08824	\$3432.98

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:

This agenda item was addressed during the Work Session.

Staff Reports:

Anne Dodd, Municipal Clerk, reported that she has received 43 OPRA requests to date this month and 367 total requests to date this year. Late Night Voter Registration will take place on October 15th which is the deadline to register to vote in the General Election. Her office will be open until 9 p.m. that evening to accept registrations. She explained that, as per a law passed in 2018, voters who received a mail-in ballot for the 2016 General Election will continue to receive those ballots unless they complete a form to opt out for future elections. She noted that voters who do not cast their Vote by Mail Ballot will only be permitted to vote by Provisional Ballot should they go to their polling location.

Ron Kistner, Administrative Officer/Director of Operations, advised that the Department of Environmental Protection inspected the compost site on June 27th and the Borough just received notification that it is in compliance with all new regulations.

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Public Comment on any issue:

No one came forward.

Adjournment:

There being no further business to come before the Mayor and Council, on a motion by Councilman Strauch, second by Councilwoman Homan, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Anne Dodd, RMC
Municipal Clerk