RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 11/14/2019

RESOLUTION# 19-234

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 November 14, 2019 in the amounts of:

Bill List Numbers	**November 14, 2019**
Current Fund	$3,680,461.86
Payroll Account	$181,139.49
General Capital	$16,961.35
Animal Fund	$3.60
Grant Fund	$0.00
COAH/Housing Trust	$0.00
Improvement & Beautification	$0.00
Unemployment Fund	$13,477.82
Trust Fund	$0.00
Water Operating	$107,955.20
Water Capital	$377.72
Total	**$4,000,377.04**

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 14, 2019.

Anne Dodd, RMC
Municipal Clerk

BOROUGH OF ALLENDALE

500 West Crescent Avenue, Allendale, NJ 07401-1792

OFFICE OF TAX COLLECTOR
OFFICE OF CHIEF FINANCIAL OFFICER

201-818-4400 EXT 205
FAX: 201-818-0193

I, M. Alissa Mayer, Chief Financial Officer of the Borough of Allendale, having reviewed the bill list for the Borough, do hereby certify that funds are available in the accounts so designated.

Certified Nov. 14, 2019

M. Alissa Mayer

M. Alissa Mayer, CMFO
Chief Financial Officer

RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 11/14/2019

RESOLUTION# 19-235

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

RESOLUTION CALLING FOR STUDY COMMISSION TO REVIEW THE OPEN PUBLIC RECORDS ACT

WHEREAS, the Borough of Allendale strongly believes in and supports open transparent government, and that citizens and residents have the right to be informed about the workings of government in order to best participate in a democracy; and

WHEREAS, on January 8, 2002 then Acting Governor DiFrancesco signed into law the Open Public Records Act (OPRA) which mandates that government records shall be available, with limited exceptions, for public access and simplifying the procedures for requesting such specific records; and

WHEREAS, the intent of the law was to provide the public with easy access to government records with an uncomplicated process for obtaining the records and eliminating bureaucratic red tape; and

WHEREAS, over the course of 18 years OPRA has been a positive light, but it has also been fraught with abuse and misuse, and has become an unanticipated financial cost to the taxpayers of New Jersey; and

WHEREAS, the Borough of Allendale has labored under a well-intended law that has spiraled out of control, due to the volume and nature of requests, the cost to taxpayers in responding to the requests, and the potential liability in having to pay disproportionate prevailing party attorney's fees should the requests turn into litigated matters, as well as the liability in determining which documents shall be released, with or without redaction, while attempting to maintain individual privacy; and

WHEREAS, it is not only the volume of OPRA requests that challenge our resources, but it is also the cost associated with reviewing, retrieving, and processing the OPRA request(s) by public entity personnel and counsel and possibly defending our action(s) before the Government Records Council or in Superior Court; and

RESOLUTION
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RESOLUTION# 19-235

WHEREAS, Borough of Allendale received and responded to 295 OPRA requests in 2017, 450 in 2018, and to date has received and responded to 428 requests as of November 1, 2019; and

WHEREAS, considerable time during each business day is dedicated by Borough of Allendale staff for responding to OPRA requests; and

WHEREAS, due to the often-conflicting case law and Government Record Council decisions, as well as the unique characteristics of OPRA request, the Borough of Allendale must often times rely on the municipal attorney to review certain OPRA requests, resulting in time focused on these matters instead of addressing other important Borough matters; and

WHEREAS, in 2018, alone, the Borough of Allendale received over 200 OPRA requests for copies of police reports from professionals seeking to promote their businesses' services; and

WHEREAS, with limited exceptions OPRA has not been amended to address the clear and apparent advancement in technology that has changed the way government records are created, stored, and/or transmitted; the various interpretive decisions; privacy concerns; abuse for commercial gain; and/or the ever-increasing cost to taxpayers; and

WHEREAS, as the current law approaches its twentieth (20th) anniversary it has outgrown its original intended use and has become ripe for comprehensive review and reform;

NOW, THEREFORE BE IT RESOLVED that the governing body of the Borough of Allendale appeals to the legislature to form a Commission comprised of Mayors, Municipal Clerks, Municipal Managers, Attorneys, Police Chiefs, open government advocates, privacy experts, members of the media, citizens and other appropriate stakeholders, to review and examine the effects of OPRA on local government and the needs to be fulfilled by the law, and use the Commission's findings to perform a comprehensive reform of OPRA; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Senator Kristin Corrado, Assemblymembers Kevin Rooney and Christopher DePhillips, Assembly Speaker Craig Coughlin, Senate President Stephen Sweeney, Senator Weinberg, Executive Director of the Government Records Council, the Governor of the State of New Jersey, the Municipal Clerks Association of New Jersey and New Jersey State League of Municipalities.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 14, 2019.

Anne Dodd, RMC
Municipal Clerk

RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 11/14/2019

RESOLUTION# 19-236

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

REQUEST COUNTY OF BERGEN DEVELOP A WILDLIFE MANAGEMENT & ACTION PLAN

WHEREAS, the Borough of Allendale is a municipality with a population of approximately 6,800 residents located on 3 square miles in Northwest Bergen County, New Jersey; and

WHEREAS, the Borough of Allendale recognizes the importance of maintaining open space not only for recreation purposes, but for conservation and environmental sustainability; and

WHEREAS, the Borough of Allendale has demonstrated its commitment to conservation by preserving 71 acres known as Crestwood Park, 107 acres known as the Celery Farm Preserve as well as other wooded areas and parklands within the Borough; and

WHEREAS, adjacent municipalities in Northwest Bergen County have substantial wooded areas and parklands; and

WHEREAS, the County of Bergen has nearly 9,000 acres of parkland, almost half of which are located within five miles of the Borough of Allendale; and

WHEREAS, diverse wildlife including birds, mammals, fish, reptiles, insects, non-predatory and predatory animals inhabit these areas; and

WHEREAS, wildlife management is essential for the conversation of wildlife species, including control of overabundant predatory and non-predatory species whose populations can cause environmental imbalance and harm to other wildlife as well as to human beings; and

WHEREAS, wildlife management requires cooperation of governmental entities beyond the borders of individual municipalities and can be effective when implemented in collaboration with public land stewards on all levels, especially beyond individual municipalities; and

WHEREAS, the Borough of Allendale has taken action to address wildlife management; and

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BERGEN COUNTY, NJ

DATE: 11/14/2019

RESOLUTION# 19-236

WHEREAS, the State of New Jersey, Department of Environmental Protection, Division of Fish and Wildlife has adopted a Statewide Wildlife Action Plan; and

WHEREAS, the County of Bergen maintains recreation and conservation areas throughout the entire county but has not adopted a Wildlife Action Plan for Bergen County to manage diverse habitats and to control species diversity in close proximity to the human population; and

WHEREAS, there is an over-population of certain wildlife species; and

WHEREAS, the overpopulation of wildlife species such as coyotes has led to recent attacks and caused injuries, not only to wildlife animals, but also to human beings and domestic animals in Northern Bergen County; and

WHEREAS, the overpopulation of deer has denuded our wooded areas and causes approximately 26,000 vehicle accidents annually in New Jersey, including some resulting in the death of drivers; and

WHEREAS, funding and grants to develop Wildlife Management and Action Plans may be available.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that the Borough requests the County of Bergen to prepare a Wildlife Management and Action Plan which will provide for both conservation of wildlife and control of predatory and non-predatory wildlife populations on all county and municipal recreation and conservation properties.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Bergen County Executive James Tedesco, Bergen County Board of Chosen Freeholders, Senator Kristin Corrado, Assemblymembers Kevin Rooney and Christopher DePhillips, Allendale's Animal Control Officer and the 13 municipalities that comprise Northwest Bergen County.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 14, 2019.

Anne Dodd, RMC
Municipal Clerk

RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 11/14/2019

RESOLUTION# 19-237

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

Change in Custodian of Petty Cash Fund

WHEREAS, Gina Wittmaack was custodian of the Mayor and Council's Petty Cash Fund; and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Borough of Allendale Mayor and Council is changing custodians to Tatiana Marquis; and

WHEREAS, Tatiana Marquis is bonded in the amount of $1,000,000.00 by virtue of a surety bond.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Allendale, County of Bergen, State of New Jersey hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 14, 2019.

Anne Dodd, RMC
Municipal Clerk

RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 11/14/2019

RESOLUTION# 19-238

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

Appointment of Borough Professional – 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,

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.

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 2019:

William F. Harrison, Esq. of the firm of Genova Burns, LLC - Attorney

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;

The compensation for the aforesaid position to be established by a contract for such services, in an amount not to exceed $5,000, 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,

RESOLUTION
BOROUGH OF ALLENDALE
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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.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 14, 2019.

Anne Dodd, RMC
Municipal Clerk

Certification of Availability of Funds

This is to certify to the Borough of Allendale that funds for the following resolution are available in the 2017 Capital Budget.

Resolution Date:	November 14, 2019
Resolution Number:	19-238
Vendor:	WilliamF. Harrison, Esq. Genova Burns, LLC
Contract:	Legal Services
Account Number:	C-04-55-926-103
Amount:	Not to Exceed $5,000

M. Alissa Mayer

Chief Financial Officer

RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 11/14/2019

RESOLUTION# 19-239

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

Hire of Police Department Personnel – P/T Police Dispatcher - Nicholas Ghalam

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Nicholas Ghalam be hired for the following positions in the Allendale Police Department at the corresponding hourly rate effective November 15, 2019:

Radio Police Dispatcher, P/T, Hourly	$15.92

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 14, 2019.

Anne Dodd, RMC
Municipal Clerk

RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 11/14/2019

RESOLUTION# 19-240

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

Cancellation of Taxes

WHEREAS, the applicant, Patricia E. Lorusso Block 2101 Lot 1.2004, 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 January 31, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized to cancel real estate taxes assessed to the aforesaid property for an amount of $3,468.08 for 3rd quarter and 4th quarter 2019 in the amount of $3,410.78

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 14, 2019.

Anne Dodd, RMC
Municipal Clerk

RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 11/14/2019

RESOLUTION# 19-241

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

BUDGET TRANSFERS

WHEREAS, Budget Transfers are permitted during the last two months of the current year and the first three months of the following year;

NOW THEREFORE, BE IT RESOLVED, BY THE Mayor & Council of the Borough of Allendale that the following transfers be made between the following 2019 Budget Appropriations:

DEPARTMENT	ACCOUNT	FROM	TO
CURRENT FUND			
Crestwood, O,E.	9-01-28-371-012	$20,000	
Salary & Wage Adjustment	9-01-28-371-063		$20,000
PFRS	9-01-30-411-012	$2,670	
Total Transfers	9-01-36-474-000		$2,670
		$22,670	**$22,670**
WATER UTILITY			
Salary & Wages, O.T.			
Water Purchase	9-05-20-501-014		$3,000
Total Transfers	9-05-20-501-301	$3,000	
		$3,000	**$3,000**

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 14, 2019.

Anne Dodd, RMC
Municipal Clerk

RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 11/14/2019

RESOLUTION# 19-242

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

Whereas, the Borough of Allendale by Resolution 19-217 has previously engaged Susan C. Karp. Esq. as Environmental Attorney for the calendar year 2019;

Whereas, there is an ongoing need for services by Susan C. Karp, Esq;

Whereas, an expenditure limitation of $10,000 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 Susan C. Karp, Esq. shall continue to provide such services as were authorized by Resolution 19-217, 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 Susan C. Karp, Esq. be and hereby is increased from $10,000.00 to $30,000 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 November 14, 2019.

Anne Dodd, RMC
Municipal Clerk

Certification of Availability of Funds

This is to certify to the Borough of Allendale that funds for the following resolution are available in the 2017 Capital Budget.

Resolution Date:	November 14, 2019
Resolution Number:	19-242
Vendor:	Susan C. Karp, Esq. Karp Environmental Law
Contract:	Legal Services
Account Number:	C-04-55-926-103
Amount:	Not to Exceed $30,000 (Increased from $10,000)

M. Alissa Mayer

Chief Financial Officer

RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 11/14/2019

RESOLUTION# 19-243

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

Approval of Interlocal Court Agreement &
Authorization for Mayor to Sign
Interlocal Service Agreement

Whereas, there is a need for a Municipal Court Administrator in the Borough of Allendale; and

Whereas, N.J.S.A. 40:8-A-1 et seq., the Interlocal Services Act, authorizes agreements between municipalities for the provision of services by one to the other; and

Whereas, N.J.S.A. 2B-12-1c authorizes two or more municipalities to provide jointly for supplies and employees for their municipal courts without establishing a joint municipal court; and

Whereas, the Borough of Allendale seeks the services of a Municipal Court Administrator through the Municipal Court of Ho-Ho-Kus as set forth in the Interlocal Service Agreement; and

Whereas, the Chief Financial Officer has certified that sufficient funds will be available in the 2020 budget for this contract as set forth in the Interlocal Service Agreement;

Now, Therefore, Be It Resolved that the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, approve the Interlocal Service Agreement for Municipal Court Administrator services effective January 1, 2020 through December 31, 2020; and

Be It Further Resolved that the Mayor and Municipal Clerk be and are hereby authorized to sign said contract.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 14, 2019.

Anne Dodd, RMC
Municipal Clerk

Certification of Availability of Funds

This is to certify to the Borough of Allendale that funds for the following resolution will be made available in the 2020 Budget.

Resolution Date:	November 14, 2019
Resolution Number:	19-243
Vendor:	Borough of Ho-Ho-Kus Municipal Court 333 Warren Avenue Ho-Ho-Kus, NJ 07423
Contract:	Interlocal Service Agreement – Municipal Court
Account Number:	0-01-42-490-099
Amount:	Not to exceed $44,218

M. Alison Mayer

Chief Financial Officer

RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 11/14/2019

RESOLUTION# 19-244

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

MUNICIPAL ENDORSING RESOLUTION FOR FY20 BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT

WHEREAS, a FY20 Bergen County Community Development Block Grant (CDBG) totaling approximately $50,000 has been proposed by the Mayor and Council of the Borough of Allendale for an "ADA Compliant Matting System" at Crestwood Lake within the Borough of Allendale; and

WHEREAS, the proposed scope of work is considered eligible due to its area benefits and its intention to eliminate physical barriers to access which will enable vulnerable populations to enjoy this public facility; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Allendale; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development funds.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Allendale hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Bergen County Division of Community Development (Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, 4th Floor; Hackensack, NJ 07601) so that implementation of the aforesaid project may be expedited.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on November 14, 2019.

Anne Dodd, RMC
Municipal Clerk