

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
JUNE 11, 2020
8:00 P.M.

A Regular meeting of the Mayor and Council of the Borough of Allendale will be held on June 11, 2020 beginning at 8:00pm via a video and teleconferencing meeting on GoToMeeting due to the State of Emergency.

The public can join the meeting by taking the following steps:

- **From a computer, tablet or smartphone**, enter the website <https://global.gotomeeting.com/join/228107293>
- **From a phone**, dial [+1 \(571\) 317-3122](tel:+15713173122) and then enter Access Code: 228-107-293
- **From a video-conferencing room or system**
Dial in or type: [67.217.95.2](tel:67217952) or inroomlink.goto.com
Meeting ID: 228 107 293
Or dial directly: 228107293@67.217.95.2 or 67.217.95.2##228107293

Anyone from the public who does not have GoToMeeting may install the app prior to the start of the meeting at <https://global.gotomeeting.com/install/228107293>

The public is asked to please mute their phones until such time that the public comment portions are held so as not to distract from the business of the meeting.

- I. CALL TO ORDER
 - A. Open Public Meetings Act Announcement
 - B. Salute to Flag
- II. ROLL CALL
- III. APPROVAL OF MINUTES May 14, 2020 Work Session
May 14, 2020 Regular Session
- IV. PUBLIC COMMENT ON AGENDA ITEMS ONLY

Audience members wishing to speak will have a five (5) minute time limit to address the governing body on agenda items only. Large groups are asked to have a spokesperson represent them.

- V. RESOLUTIONS

Bergen County Open Space Grant Application – Crestwood Park Cross Country Trail Circuit Improvement Project

Public comments on Grant Application

20-141/Authorize Submission of Bergen County Open Space Trust Fund Municipal Program Park Improvement Application – Crestwood Park Trail Circuit Improvement Project

- VI. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

The following ordinances published herewith were first read by title only on May 28, 2020 and posted on the bulletin board of the lobby of the municipal building and borough website.

ORDINANCE 20-10 – AN ORDINANCE ESTABLISHING CHAPTER 181 OF THE CODE OF

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
JUNE 11, 2020
8:00 P.M.

THE BOROUGH OF ALLENDALE ENTITLED SHORT TERM RENTALS

VII. INTRODUCTION OF ORDINANCES

Motion that the following ordinance be introduced and passed on first reading and setting June 25, 2020 at 8:00 p.m. or as soon thereafter 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.

ORDINANCE 20-11 – AN ORDINANCE OF THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING THE REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES SITUATED ALONG WEST CRESCENT AVENUE

VIII. CONSENT AGENDA

Matters listed below are considered routine and will be enacted by one motion of the Council and one roll call vote. There will be no separate discussion of these items unless a Council member requests an item be removed for consideration.

- A. **20-142**/Approve Bill List
- B. **20-143**/Amend 2020 Crestwood Lake Fees
- C. **20-144**/Approve Adjustment – 2020 Crestwood Lake Membership
- D. **20-145**/Authorize Refunds – 2020 Crestwood Lake Membership Overpayments
- E. **20-146**/Authorize 2020 Salaries Supplement No. One – Crestwood Lake Swim Club
- F. **20-147**/Endorse NJ Division of Alcoholic Beverage Control COVID-19 Expansion of Premises Temporary Permits – Allendale Bar & Grill, Inc.; Friends & Family, LLC; and Savini Restaurant, LLC
- G. **20-148**/Appoint Hourly Seasonal DPW Employee – Brian O’Connor
- H. **20-149**/Authorize Extension of Park & Ride Fees through August 31, 2020
- I. **20-150**/Authorize Agreement – Administration of a Licensed Group Home for Developmentally Disabled for Affordable Housing Credit – 200 West Crescent Avenue (Block 1005, Lot 4) – Eastern Christian Children’s Retreat
- J. **20-151**/Authorize Release of Funds and Payment from Housing Trust Fund – Eastern Christian Children’s Retreat
- K. **20-152**/Award Contract – NJDOT MA18-19-20 West Allendale Avenue Streetscape Project Phases I-II-III – Zuccaro, Inc.
- L. **20-153**/Authorize Advertisement and Receipt of Bids – 230 West Crescent Avenue Remediation Projects
- M. **20-154**/Authorize Advertisement and Receipt of Bids – Paving Program 2020
- N. **20-155**/Approve Agreement – Recyclable Materials Recovery Facility Services – Rockland County Solid Waste Management Authority
- O. **20-156**/Approve Temporarily Modifying and Relaxing Application of Chapter 185 Outdoor Cafes in the Borough of Allendale due to COVID-19
- P. **20-157**/Approve Temporary Extension and Expansion of Permissible Temporary Signage in the Borough of Allendale due to COVID-19
- Q. **20-158**/Amend Athletic Fields and Recreational Facilities Fee Schedule
- R. **20-159**/Authorize the Borough of Allendale to Execute and File an Affordable Housing Deed Restriction – 200 West Crescent Avenue

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
JUNE 11, 2020
8:00 P.M.

XI. COMMITTEE REPORTS AND COMMENTS

XII. STAFF REPORTS

XIII. PUBLIC COMMENTS

Audience members wishing to speak will have a five (5) minute time limit to address the governing body. Large groups are asked to have a spokesperson represent them.

XIV. ADJOURNMENT

Bulletin Board
Borough Website

*****AGENDA AND AGENDA ITEMS SUBJECT TO CHANGE*****

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-141

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

**AUTHORIZING SUBMISSION OF A 2020 BERGEN COUNTY OPEN SPACE TRUST
FUND MUNICIPAL PARK IMPROVEMENT GRANT APPLICATION**

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Borough of Allendale desires to further the public interest by obtaining a matching grant of Seventy-Five Thousand (\$75,000.00) dollars from the County Trust Fund to fund the following project: “Crestwood Park Trail Circuit Project” and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body held the required Public Hearing to receive public comments on the proposed park improvements in the application on June 11, 2020; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above-named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale:

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-141

1. That it is hereby authorizes Bruno Associates, Inc., on its behalf, to submit the above completed project application to the County by the deadline of June 29, 2020 as established by the County; and,

2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Mayor and Council of the Borough of Allendale has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,

3. That the Mayor and Council of the Borough of Allendale is committed to providing a dollar for dollar cash match for the project; and,

4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement; and

5. That the Mayor and Council of the Borough of Allendale agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,

6. That this resolution shall take effect immediately.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan
Acting Municipal Clerk

**BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE NO. 20-10

**AN ORDINANCE ESTABLISHING
CHAPTER 181 OF THE CODE OF
THE BOROUGH OF ALLENDALE**

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale that Chapter 181 of the Code of the Borough of Allendale is hereby created and enacted as follows:

Chapter 181. Short Term Rentals

§ 181-1. Short-term rental property.

Notwithstanding anything to the contrary in the Borough Code, it shall be unlawful for any person, including, but not limited to, an owner, lessor, or sublessor with any possessory interest in any dwelling, to receive compensation of any kind for the use, occupancy, or rental of any dwelling for a period of 30 days or less.

§ 181-2. Enforcement.

The provisions of this chapter shall be enforced by the Borough Zoning Officer, Fire Department, Police Department and any other Borough official or employee so designated by the Mayor who all shall be authorized to issue summons or other appropriate civil violations or complaints for any violations of the terms and provisions of this chapter.

§ 181-3 Fines; violations and penalties.

Any person who is found or adjudicated to have violated any provisions of this chapter shall be liable for a fine not to exceed \$1,000. Each day of any such violation after receiving written notice of same shall be a new and separate violation.

	Motion	Second	Yea	Nay	Absent	Abstain
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Bernstein						

I hereby certify the above to be a true copy of an Ordinance adopted by the Governing Body of the Borough of Allendale on June 11, 2020

Mayor Ari Bernstein

Michelle Ryan
Acting Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-142

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

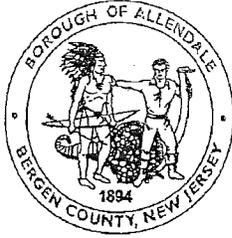
APPROVAL OF LIST OF BILLS

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 June 11, 2020 in the amounts of:

Bill List Numbers	June 11, 2020
Current Fund	\$921,099.12
Payroll Account	\$228,521.85
General Capital	\$31,093.65
Animal Fund	\$0.00
Grant Fund	\$6,057.00
COAH/Housing Trust	\$1,125.00
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$87.50
Water Operating	\$0.00
Water Capital	\$0.00
Total	\$1,187,984.12

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan
Acting Municipal Clerk



Borough of Allendale

500 WEST CRESCENT AVENUE
ALLENDALE, NEW JERSEY 07401

OFFICE OF TAX COLLECTOR
OFFICE OF CHIEF FINANCIAL OFFICER

TEL: 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 June 11, 2020

M. Alissa Mayer
M. Alissa Mayer, CMFO
Chief Financial Officer

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-143

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

AMENDMENT OF 2020 CRESTWOOD LAKE FEES

WHEREAS, pursuant to Chapter 203, Section 20A of the Code of the Borough of Allendale, fees for the use of recreational facilities are to be established annually by resolution of the governing body; and

WHEREAS, the governing body established the 2020 fees via Resolution 20-122 on April 16, 2020; and

WHEREAS, the governing body set a deadline of May 25, 2020 for the Resident Early Discount Rate; and,

WHEREAS, the governing body wishes to extend the Resident Early Discount Rate through June 20, 2020.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Allendale that an extension of the Resident Early Discount rate through June 20, 2020, retroactive to May 25, 2020, be and is hereby approved; and

BE IT FURTHER RESOLVED that the Chief Financial Officer and Acting Municipal Clerk take all necessary actions to implement this Resolution.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan
Acting Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-144

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

**APPROVAL OF FINANCIAL HARDSHIP DISCOUNTS FOR
2020 CRESTWOOD LAKE MEMBERSHIP**

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 a discount for Family Membership at Crestwood Lake for the 2020 Season to the following families for financial hardship reasons:

1. Crestwood Membership Account Number: 515606
Family Resident Rates (through June 20th): \$450.00
Discount: \$450.00

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan
Acting Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-145

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

**AUTHORIZATION OF REFUNDS FOR
2020 CRESTWOOD LAKE MEMBERSHIP OVERPAYMENTS**

WHEREAS, the Crestwood Lake members listed below are due refunds for overpayment of 2020 Crestwood Lake Memberships.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that said refunds be granted to the following Crestwood Lake members:

Name/Address	Crestwood ID Number	Amount
Kalliopi Passias 190 East Orchard Street Allendale, NJ 07401 REASON: Resident Rates (before June 20 th) apply, but the system mistakenly charged the higher Resident Rates for registration after June 20 th . Should have paid \$470 but instead paid \$500.	927541	\$30.00
John McGeechan 50 Talman Place Allendale, NJ 07401 REASON: Resident Rates (before June 20 th) apply, but the system mistakenly charged the higher Resident Rates for registration after June 20 th . Should have paid \$330 but was instead paid \$360.	242918	\$30.00
Donna Cafarelli 9 Couch Court Allendale, NJ 07401 REASON: Resident Rates (before June 20 th) apply and the system mistakenly charged the higher Resident Rates for registration after June 20 th . Should have paid \$400 but instead paid \$435.	1275214	\$35.00

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-145

Name/Address	Crestwood ID Number	Amount
Lana Hoffert 27 West Maple Avenue Allendale, NJ 07401 REASON: Resident Rates (before June 20 th) apply, but the system mistakenly charged the higher Resident Rates for registration after June 20 th . Should have paid \$510 but instead paid \$555.	232420	\$45.00
Julie Barteles 780 Franklin Turnpike Allendale, NJ 07401 REASON: System allowed for incorrect membership registration. Should have paid \$450 for Resident Family Membership Rates (before June 20 th) but instead paid \$605.	47278	\$155.00

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan
Acting Municipal Clerk

**BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-146

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

AUTHORIZATION OF 2020 CRESTWOOD LAKE SALARIES – SUPPLEMENT ONE

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the following salaries are hereby approved for the Crestwood Lake Swim Club 2020 Season as follows:

Social Distancing Crew		
First Name	Last Name	Hourly Pay
John	Griffith	\$11.00
Sydney	Weiner	\$11.00
Substitute Lifeguards		
First Name	Last Name	Hourly Pay
Justin	Bildner	\$12.00
Brayden	Rutter	\$12.00
Grace	Smiechowski	\$12.00
Kate	Darling	\$12.00
Victoria	Moya	\$12.00
Gate People		
First Name	Last Name	Hourly Pay
Grace	Martin	\$11.00
Esmee	Oehler	\$11.00
Madeline	Smiechowski	\$11.00
Julia	Boyajian	\$11.00

**BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-146

BE IT FURTHER RESOLVED that the date of hire for the above employees is effective June 11, 2020.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan
Acting Municipal Clerk

DRAFT

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-147

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

**ENDORSEMENT OF NJ DIVISION OF ALCOHOLIC BEVERAGE CONTROL’S
COVID-19 EXPANSION OF PREMISES TEMPORARY PERMITS**

WHEREAS, the President of the United States declared both a National Emergency and a Public Health Emergency throughout the country as a result of the COVID-19 pandemic; and

WHEREAS, Governor Murphy similarly declared New Jersey to be in the midst of a Public Health Emergency and a State of Emergency; and

WHEREAS, as a result thereof, Governor Murphy issued a number of Executive Orders concerning COVID-19 which, among other things, implemented certain restrictions on businesses and imposed social distancing requirements on individuals; and

WHEREAS, given the reduced transmission of COVID-19 outdoors, Governor Murphy has permitted Plenary Retail Consumption Licensees, with on-premises retail consumption privileges, to expand their licensed premises and serve patrons in outdoor areas in accordance with the provisions of Executive Order No. 150 (2020); and

WHEREAS, the New Jersey Division of Alcoholic Beverage Control Commission (Division) has issued a Special Ruling SR 2020-10, creating a temporary permit known as the COVID-19 Expansion of Premises Permit to effectuate such provisions; and

WHEREAS, the temporary permit will be issued by the Division and will be effective from the date of issuance, but not before June 15, 2020, through November 30, 2020; and

WHEREAS, SR 2020-10 states that “all eligible licensees and permittees with on-premises retail consumption privileges...may apply for this permit, and if they meet the criteria set forth herein, the Division will grant their application”; and

WHEREAS, the following Plenary Retail Consumption Licensees have applied for and have complied with the criteria to obtain said temporary permit:

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-147

<u>LICENSE#</u>	<u>LICENSEE</u>	<u>LICENSED PREMISES</u>
0201-33-001-002	Allendale Bar & Grill, Inc. t/a Allendale Bar & Grill	67 West Allendale Avenue Allendale, NJ 07401
0201-33-007-009	Friends & Family LLC t/a Restaurant L	9 Franklin Turnpike Allendale, NJ 07401
0201-33-006-007	Savini Restaurant LLC t/a Savini Restaurant	168 West Crescent Avenue Allendale, NJ 07401

WHEREAS, the Division requires endorsement or approval by the appropriate Borough of Allendale officials.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Allendale that it hereby endorses the COVID-19 Expansion of Premises Temporary Permits of Allendale Bar & Grill, Inc., Friends & Family, LLC, and Savini Restaurant, LLC.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan
Acting Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-148

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

APPOINTMENT OF DPW SEASONAL EMPLOYEE – BRIAN O’CONNOR

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Brian O’Connor be appointed as a Seasonal Laborer with the Department of Public Works at a salary of \$15.00/hour effective June 1, 2020 through September 15, 2020; and

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

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan
Acting Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-149

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

AUTHORIZATION TO EXTEND 2020 PARK & RIDE FEES

WHEREAS, the Code of the Borough of Allendale 252-62A provides that Park and Ride permit fees shall be established by resolution of the Borough Council; and

WHEREAS, the 2020 Park and Ride permit fees are \$40 for Resident Permits and \$150 for Non-Resident Permits from January 1, 2020 to May 31, 2020; and

WHEREAS, due to the COVID-19 pandemic and declared State of Emergency, the Public Safety Committee is recommending the extension of said permit and fees through August 31, 2020; and

WHEREAS, the Public Safety Committee is further recommending the extension of said permit through August 31, 2020 for all current permit holders with no additional fee due.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the 2020 Park and Ride permit and fees be and are hereby extended through August 31, 2020, retroactive to June 1, 2020; and

BE IT FURTHER RESOLVED that all current 2020 permits be and are hereby extended through August 31, 2020, with no additional fee due; and

BE IT FURTHER RESOLVED that the Chief of Police, Chief Financial Officer and Acting Municipal Clerk are authorized to take all appropriate actions so as to implement this Resolution.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan
Acting Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-150

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

**AUTHORIZE EXECUTION OF AGREEMENT – ADMINISTRATION OF A
LICENSED GROUP HOME FOR DEVELOPMENTALLY DISABLED FOR
AFFORDABLE HOUSING CREDIT – 200 WEST CRESCENT AVENUE
(BLOCK 1005, LOT 4) – EASTERN CHRISTIAN CHILDREN’S RETREAT**

WHEREAS, the Borough of Allendale (“Borough”), pursuant to its obligations under the provisions of the New Jersey Fair Housing Act and rules, regulations and other laws relating to same (the “FSHA”), seeks to enter into an agreement with a group home sponsor to provide very low income housing for those with developmental disabilities through an alternate living arrangement affordable housing program, specifically group homes; and

WHEREAS, Eastern Christian Children’s Retreat (“Eastern Christian”) has, or will, construct, develop and administer such a group home at the property within the Borough known as Block 1005, Lot 4 (the “Project”); and

WHEREAS, the Borough desires to satisfy a portion of the aforesaid obligations under the FSHA by entering into an agreement with Eastern Christian whereby Eastern Christian agrees to develop and administer the Project as a group home for the developmentally disabled, as licensed and/or regulated by the N.J. Department of Human Services, for and on behalf of the Borough to satisfy a portion of the Borough’s obligation to provide very low-income housing.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Acting Municipal Clerk, be and hereby are authorized to enter into and to execute, on behalf of the Borough, the agreement between Borough and Eastern Christian for the development and administration of the Project, the form of such agreement being attached to this Resolution (the “Agreement”), and that the Mayor, the Acting Municipal Clerk and Borough Counsel are further authorized to take all other necessary and proper actions for the execution and implementation of the Agreement.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-150
Michelle Ryan
Acting Municipal Clerk

DRAFT

**AGREEMENT BETWEEN EASTERN CHRISTIAN AND THE BOROUGH OF
ALLEDALE FOR THE ADMINISTRATION OF A LICENSED GROUP HOME FOR
THE DEVELOPMENTALLY DISABLED FOR AFFORDABLE HOUSING CREDIT**

This Agreement (“Agreement”) made this ____ day of _____, 2020 between Eastern Christian Children’s Retreat (hereinafter designated as “Eastern Christian”) a non-profit corporation of the State of New Jersey, located at 700 Mountain Avenue, Wyckoff, NJ 07481, and the Borough of Allendale, a municipal corporation of the State of New Jersey, 500 W. Crescent Avenue, Allendale, New Jersey 07401 (hereinafter designated as the “Municipality”).

WITNESSETH:

In consideration of the mutual covenants herein contained and for other good and valuable consideration, it is mutually covenanted and agreed as follows:

Authority; Obligation

1. This Agreement is made pursuant to the authority contained in the New Jersey Fair Housing Act at N.J.S.A. 52:27D-311.e. and in the Second Round regulations of the New Jersey Council on Affordable Housing (“COAH”) at N.J.A.C. 5:93-5.8, whereby a municipality may elect to enter into an agreement with a group home sponsor to provide very low-income housing for those with developmental disabilities through an alternative living arrangements affordable housing program specifically including group homes.
2. Eastern Christian recognizes that the Municipality has a statutory obligation to provide very low-income housing for those with developmental disabilities and that the Municipality has chosen to satisfy a portion of that obligation by entering into the within Agreement with Eastern Christian.
3. Eastern Christian represents that it has purchased and is the fee owner of that certain real property designated as Block 1005/Lot 4 in the

Municipality, having a common address of 200 West Crescent Avenue, (the "Site" or "property") and that it has constructed, developed and is administering a five-bedroom group home on the Site (hereinafter referred to as the "Project"). Pursuant to N.J.A.C. 5:93-5.8(b), the unit of COAH credit for group homes shall be the bedroom.

4. Eastern Christian agrees to administer the Project as a group home for the developmentally disabled, as licensed and/or regulated by the New Jersey Department of Human Services (hereinafter designated as "DHS") for and on behalf of the Municipality in satisfaction of a portion of the Municipality's obligation to provide very low-income housing consistent with the terms and conditions set out in this Agreement and as the term 'very low-income' is defined pursuant to section 4 of P.L. 1985, c.222 (N.J.S.A. 52:27D-304).

Site Selection

5. Eastern Christian represents that it has performed or shall perform all reasonable, ordinary and necessary testing done in connection with its purchase of Block 1005/ Lot 4, including, but not limited to engineering or environmental testing as necessary. Eastern Christian represents it has performed, or shall also perform, all necessary title, survey by a licensed surveyor, tax, water and sewer and assessment searches on the property. Eastern Christian represents that it has developed the group home on the property in accordance with Borough and DHS requirements.
6. Eastern Christian shall ensure that all structures on the Site selected are adaptable/accessible pursuant to the provisions of N.J.S.A. 52:27D-123.15, where applicable.

7. Eastern Christian has complied, or shall comply, in all respects with the requirements promulgated by COAH and/or the Superior Court of New Jersey for the development and administration of group homes for those with developmental disabilities including, but not limited to, full compliance with N.J.A.C. 5:93-5.8, et seq. as well as all rules and regulations promulgated by COAH and the DHS that affect the Project. In addition, Eastern Christian shall prepare any and all required COAH/Court monitoring forms as requested by the Municipality and shall submit such forms to the Municipality for submission to COAH or the Superior Court.

Pre- Construction Review; Construction

8. The results of all testing, title and inspection/investigations performed have been forwarded by Eastern Christian to the Municipality.
9. In constructing the group home on the site, Eastern Christian represents that it has complied with all State and Municipal construction codes, as well as all other applicable State and Municipal codes/requirements.

Financing; Restrictions

10. Eastern Christian has been awarded a zero-interest loan from the Bergen County Department of Community Development (“Community Development”) in the amount of \$200,000 to aid in the financing of the construction and development of the group home (see attached Mortgage Agreement between Community Development and Eastern Christian (the “Mortgage Agreement” and Award Letter). Eastern Christian may apply or has applied to other funding sources to offset the cost of development, construction and administration of the Project.

11. The Mortgage Agreement establishes an affordability period of 20 years, without the option of renewal. Pursuant to this Agreement with the Municipality, Eastern Christian shall prepare and provide or has prepared and provided to the Municipality a deed restriction for 10 years or more in addition to the initial 20-year affordability period, so as to provide a minimum 30-year affordability control period for the group home. Such deed restriction shall be recorded, following the full execution of this Agreement, by the Borough with Clerk of Bergen County.
12. (a) The parties hereto acknowledge that the Municipality has previously contributed to Eastern Christian the sum of \$20,000 from its affordable housing trust funds for the development of the Site pursuant to the January 5, 2017 order of the Superior Court approving the Municipality's Third Amended Third Round Spending Plan.

(b) The Municipality will further aid Eastern Christian financially, in the amount of \$30,000, for construction of the group home, as provided in the Superior Court's June 27, 2019 Final Judgment of Mount Laurel Compliance and Repose approving the Borough's Adopted Third Round Housing Element and Fair Share Plan including a Spending Plan that includes this \$30,000 group home expenditure.
13. The financial assistance provided by the Municipality in the preceding paragraph shall only be used to assist in the development of the Project, and shall not be used for other related costs (such as operational expenses, etc.). Eastern Christian acknowledges that it is responsible for obtaining and/or providing funds for such other costs.

14. The Municipality shall rely on this Agreement to be eligible for a rental bonus (pursuant to N.J.A.C. 5:93-5.15), as this Agreement serves as the control on affordability to remain in effect for at least 30 years.
15. Upon expiration of the period of restriction imposed by the Mortgage Agreement, including any extensions thereto, as long as the group home remains restricted for a minimum of 30 years, Eastern Christian, or the then present owner, shall retain all equity in the home/unit and shall have no further obligation to the Municipality. Notwithstanding the foregoing, the Municipality shall retain the ability to further negotiate with Eastern Christian for an extension of the affordability controls at a future date. This may permit the Municipality to receive additional rounds of affordable housing credit for this group home.

Post-occupancy

16. Eastern Christian has forwarded to the Municipality, a copy of the filed Mortgage Agreement dated February 5, 2018, which Mortgage Agreement was recorded with the Bergen County Clerk on March 16, 2018 in V Book 02886, Pages 0042-0052..
17. Eastern Christian shall be responsible for payment of all costs and fees associated with this Project's construction and development.
18. Eastern Christian shall be responsible for and comply with all requirements for an affirmative marketing plan as required by DDD.
19. Any Lease or Rental Agreement in connection with Project shall include the following clause in a conspicuous place:

"The Owner's right, title and interest in this property and the use, sale, resale, rental, mortgage, refinance or encumbrance of this property are subject to the terms, conditions, restrictions, limitations and provisions as set

forth in an agreement between Eastern Christian and the Borough of Allendale dated _____, 2020, which has been recorded in the Office of the Bergen County Clerk and which is also on file with the Borough of Allendale.”

20. The Municipality shall have the right to record this Agreement with the Office of the Bergen County Clerk. All instruments referenced in this Agreement that are to be recorded shall be recorded in the Office of the Bergen County Clerk, Hackensack, New Jersey.
21. Eastern Christian, its successors and assigns, shall provide the Municipality with copies of its annual report each year during the Term of this Agreement, which, as set forth herein above, shall be a minimum of 30 years or as long as the Project remains in the Municipality’s housing element and fair share plan. Upon request of the Municipality, Eastern Christian shall permit inspection of the site, property, equipment, buildings and other facilities of the Project by representatives duly authorized by the Municipality. Any such inspection shall be made during reasonable hours of the business day, in the presence of an officer or agent of Eastern Christian, its successors or assigns. The Municipality’s right to conduct such reasonable inspections shall continue so long as Project remains in the Municipality’s affordable housing plan.

Violation, Defaults, and Remedies

22. In the event of a threatened breach of any of the terms of this Agreement by Eastern Christian, the Municipality shall have all remedies provided at law or equity, including the right to seek injunctive relief or specific performance, it being recognized by both parties to this Agreement that a breach will cause irreparable harm to the Municipality, in light of the public

policies set forth in the New Jersey Fair Housing Act and the obligation for the provision of very low-income housing. Upon the occurrence of a breach of any of the terms of the Agreement by Eastern Christian, the Municipality shall have all remedies provided at law or equity, recoupment of any funds from a sale or lease in violation of the Agreement, injunctive relief to prevent further violation of the Agreement, entry on the premises, and specific performance.

Miscellaneous

23. Notice or communication sent by either party to the other shall be by certified mail, return receipt requested, or confirmed telefax, or overnight delivery services (e.g. Federal Express) addressed as follows:

(a) When sent by Eastern Christian to the Municipality, it shall be addressed to:

Borough Clerk
Allendale Borough Municipal Building
500 W. Crescent Avenue
Allendale, New Jersey 07401
Fax No: 201-825-1913

Or such other address as the Municipality may designate in writing.

(b) When sent by the Municipality to Eastern Christian, it shall be addressed to:

Eastern Christian Children's Retreat
700 Mountain Avenue
Wyckoff, NJ 07481
Fax No:

Or such other address as Eastern Christian may designate in writing.

24. Subject to the terms and provisions of this Agreement, Eastern Christian agrees that it will not sell, assign or transfer the Project or Eastern Christian's obligations under this Agreement to any corporation, association or entity, unless such corporation, association or entity qualifies

to provide such services pursuant to law. It is agreed and understood that the Municipality has no obligation to consent to such sale, assignment or transfer unless and until all obligations to the Municipality under this Agreement are completed to the satisfaction of the Municipality, and unless and until the proposed grantor, assignee or transferee agrees to assume all of the contractual and other obligations of Eastern Christian as are contained in this Agreement. Notwithstanding the foregoing or anything in this Agreement to the contrary, no such sale, assignment or transfer may be made without the prior written consent of the Municipality, which consent may be granted or withheld in the sole, absolute discretion of the Municipality, which consent shall not be unreasonably denied.

25. The Municipality shall pay to Eastern Christian the \$30,000 referenced in Paragraph 12 herein within sixty (60) days from the full execution of this Agreement.
26. It is the intention of the parties hereto that the provisions of this Agreement are severable so that if any provisions, conditions, covenants or restrictions contained herein shall be invalid or void under any applicable federal, state or local law, the remainder shall be unaffected and remain fully enforceable. In the event that any provision, condition, covenant or restriction hereof is, at the time of execution of this Agreement, void, voidable or unenforceable as being contrary to any applicable federal, state or local law, both parties, their successors and assigns, and all persons claiming by, through or under them, covenant and agree that any future amendments or supplements to the said laws having the effect of removing said invalidity, voidability or unenforceability, shall be deemed to apply

retroactively to this Agreement, thereby operating to validate the provisions of this Agreement which otherwise might be invalid and it is covenanted and agreed that any such amendments and supplements to the said laws shall have the effect herein described as fully as if they had been in effect at the time of the execution of this Agreement.

27. The parties agree that this Agreement shall be construed in accordance with the laws of the State of New Jersey, and that the laws of the State of New Jersey will apply to any dispute concerning it. The parties choose the Superior Court of New Jersey with venue in Bergen County as the exclusive forum for resolving any dispute concerning this Agreement.
28. This Agreement is the entire agreement for this \$30,000 payment between the Municipality and Eastern Christian. It replaces and cancels any prior written or verbal understandings and agreements for this \$30,000 payment between them. The terms of this Agreement may only be changed, amended or modified by a writing signed by both parties hereto.

29. Counsel for the Municipality and counsel for Eastern Christian have had the chance to review and request modifications to this Agreement prior to its execution, and any ambiguities which may be found to exist in this Agreement shall not be construed against either party.

IN WITNESS WHEREOF, the parties have signed this Agreement this ____ day of _____, 2020.

ATTEST:

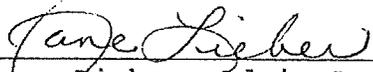
BOROUGH OF ALLENDALE

By: _____
Michelle Ryan, Acting Borough Clerk

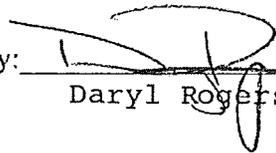
By: _____
Ari Bernstein, Mayor

ATTEST:

EASTERN CHRISTIAN CHILDREN'S
RETREAT



Jane Lieber, Admin. Asst.
Notary Public

By: 

Daryl Rogers, CEO

**JANE LIEBER
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES
FEBRUARY 23, 2025**

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-151

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

**AUTHORIZATION OF RELEASE OF FUNDS AND PAYMENT FROM
HOUSING TRUST FUND TO EASTERN CHRISTIAN CHILDREN'S RETREAT**

WHEREAS, the Borough of Allendale ("Borough"), pursuant to its obligations under the provisions of the New Jersey Fair Housing Act and rules, regulations and other laws relating to same (the "FSHA"), and in furtherance of its third round fair share Mt. Laurel obligations, has agreed to contribute \$50,000 towards Eastern Christian Children's Retreat's ("Eastern Christian") acquisition of that real property known as 200 West Crescent Avenue, Allendale, New Jersey (the "Property") which acquisition shall serve to provide housing for adults with developmental disabilities, specifically a five (5) bedroom group home at the Property; and

WHEREAS, by Resolution #17-77 the Borough's governing body approved payment of \$20,000 to Eastern Christian for Eastern Christian's acquisition of the Property and thereafter a \$20,000 payment was made by the Borough to Eastern Christian; and

WHEREAS, the Borough desires to authorize and approve the payment of an additional \$30,000 from the Borough's affordable housing trust fund to Eastern Christian so as to, when combined with the aforesaid payment of \$20,000 previously made by the Borough, fully fund the \$50,000 which the Borough agreed to contribute to Eastern Christian in connection with Eastern Christian's acquisition of the Property.

NOW, THEREFORE, BE IT RESOLVED that payment of said additional \$30,000 by the Borough to Eastern Christian from the Borough's affordable housing trust fund be made in conjunction with for Eastern Christian's acquisition of the Property, and that the Mayor, the Acting Municipal Borough Clerk and the Chief Financial Officer be and hereby are authorized to take any and all necessary and proper actions to effectuate such payment.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-151
Acting Municipal Clerk

DRAFT

Certification of Availability of Funds

This is to certify to the Borough of Allendale that funds for the following resolution are available in the COAH Trust Fund.

Resolution Date: June 11, 2020

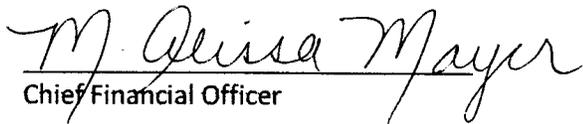
Resolution Number: 20-151

Vendor: Eastern Christian

Contract: Contribution towards acquisition of 200 West Crescent Avenue

Account Number: H-20-55-920-001

Amount: \$30,000


Chief Financial Officer

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-152

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

**AWARD CONTRACT FOR NJDOT MA18-19-20 WEST ALLENDALE
STREETSCAPE PROJECT PHASES I-II-III – ZUCCARO, INC.**

WHEREAS, six (6) sealed bids were received on June 2, 2020 for the project known as NJDOT MA18-19-20 West Allendale Streetscape Project Phases I-II-III for the Borough of Allendale; and

WHEREAS, after review of the bid documents, David Juzmeski, P.E., PP., of Neglia Engineering Associates has determined that the bid of **Zuccaro Inc.** is the lowest responsible, responsive bidder with a base bid in the amount of **Five Hundred Twenty-Four Thousand, Nine Hundred Nine Dollars and Eighty Cents (\$524,909.80)**; and

WHEREAS, the Chief Financial Officer has attached hereto a Certification that adequate funds are or will be, duly budgeted to pay for a contract for the aforementioned project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, upon the recommendation of Neglia Engineering Associates Principal Engineer David Juzmeski, P.E., P.P. that it hereby awards a contract for the project known as NJDOT MA18-19-20 West Allendale Streetscape Project Phases I-II-III to Zuccaro, Inc., 248 Alberta Drive, Saddle Brook, New Jersey 07663 in the amount of **Five Hundred Twenty-Four Thousand, Nine Hundred Nine Dollars and Eighty Cents (\$524,909.80)** for the Base Bid, subject to review and approval by the Borough Attorney and on such further terms and conditions as set forth in the contract to be prepared as are acceptable to the Borough and Borough Counsel; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are authorized to sign such contract with Zuccaro, Inc. following legal review and 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 June 11, 2020.

Michelle Ryan
Acting Municipal Clerk

Certification Of Availability of Funds

This is to certify to the of the Borough of Allendale that funds for the following resolutions are available.

Contract Amount: 524,909.80
Resolution Date: 06/11/20
Resolution Number: 20-152

Vendor: Z0022 ZUCCARO, INC.
248 ALBERTA DRIVE
SADDLE BROOK, NJ 076635123

Contract: C2000005 W ALLENDALE STREETSCAPE

Account Number	Amount	Department Description
C-04-55-928-201	220,000.00	ORDINANCE18-09
C-04-55-930-201	227,000.00	ORDINANCE 20-08
C-04-55-930-251	77,909.80	ORDINANCE 20-08
Total	524,909.80	

Only amounts for the 2020 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.



Chief Financial Officer

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-153

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

**AUTHORIZATION FOR ADVERTISEMENT & RECEIPT OF BIDS FOR
230 WEST CRESCENT AVENUE REMEDIATION PROJECTS**

BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey the it hereby authorizes the Acting Municipal Clerk to advertise and receive bids for each aspect of excavation, transportation, disposal and capping of the 230 West Crescent Avenue Remediation Project.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan
Acting Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-154

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

**AUTHORIZATION FOR ADVERTISEMENT & RECEIPT OF BIDS FOR
PAVING PROGRAM 2020**

BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that it hereby authorizes the Acting Municipal Clerk to advertise and receive bids for the Paving Program 2020 Project.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan
Acting Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-155

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

**APPROVAL OF AGREEMENT FOR RECYCLABLE
MATERIALS RECOVERY FACILITY SERVICES –
ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY**

WHEREAS, the Borough of Allendale requires the services of a Recyclable Materials Recovery Facility to accept recyclable materials collected from its municipal residents; and

WHEREAS, Rockland County Solid Waste Management Authority, hereinafter referred to as Rockland Green, is a body corporate and politic constituting a public benefit corporation of the State of New York and has the capacity to accept at Rockland Green's Materials Recovery Facility such recyclable materials collected from the residents of the Borough of Allendale; and

WHEREAS, as of June 13, 2015, the parties entered into an agreement for the long-term delivery of such recyclable materials and such agreement will expire soon; and

WHEREAS, the parties have determined that the continued delivery of such recyclable materials would be beneficial to both parties and wish to enter into a successor agreement; and

WHEREAS, the parties have agreed upon a successor agreement, the terms of which are contained therein, through September 19, 2021; and

WHEREAS, a resolution authorizing the negotiation, execution and delivery of this agreement was duly adopted by Rockland Green on May 21, 2020; and

WHEREAS, the parties have agreed to act in good faith and to take all necessary and appropriate actions, in cooperation with one another, to effectuate the purpose of this agreement, and

WHEREAS, the parties are entering into this agreement pursuant to their respective lawful authorities; and

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-155

WHEREAS, in consideration of the promises and of the mutual covenants and agreements therein set forth, and of the undertakings of each party to the other, the parties do hereby promise and agree.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the proposed agreement dated June 14, 2020 be and is hereby approved, subject to review by the Borough Attorney; and

BE IT FURTHER RESOLVED that this agreement is being awarded pursuant to N.J.S.A. 40A:11-5(1)(s) and 40A:11-5(2); and

BE IT FURTHER RESOLVED that the Mayor and Acting Municipal Clerk and are authorized to sign the agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED that the Director of Operations, Acting Municipal Clerk and Chief Financial Officer are authorized to take all appropriate actions so as to implement this Resolution.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan
Acting Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-156

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

**APPROVAL OF TEMPORARILY MODIFYING AND RELAXING
APPLICATION OF PORTIONS OF CHAPTER 185 (OUTDOOR CAFES) IN THE
BOROUGH OF ALLENDALE DUE TO COVID-19**

WHEREAS, the President of the United States has declared both a National Emergency and a Public Health Emergency throughout the country as a result of the COVID-19 pandemic; and

WHEREAS, Governor Murphy has similarly declared New Jersey to be in the midst of a Public Health Emergency and a State of Emergency; and

WHEREAS, as a result thereof, Governor Murphy has issued a number of Executive Orders concerning COVID-19 which have, among other things, implemented certain restrictions on businesses and imposed social distancing requirements on individuals; and

WHEREAS, said restrictions have forced many businesses to close or temporarily suspend operations, or to instead offer only delivery or curbside pick-up; and

WHEREAS, the current restrictions have had a significant negative impact on the ability of these businesses to pay rent, taxes and mortgage payments, to maintain their staffing levels and to generate the income on which these business owners rely; and

WHEREAS, the most recent Executive Order of Governor Murphy has permitted outdoor dining subject to certain restrictions; and

WHEREAS, the Governing Body desires to permit local restaurants the greatest possible opportunities to engage in food service and serve residents and non-residents alike while Executive Order 107 is in effect in its present format or modified; and

WHEREAS, the Governing Body desires to enhance and expedite the opportunities of local restaurants to provide outdoor dining without the need for strict

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-156

compliance with Chapter 185, during a limited time frame, to provide for assistance in the dining establishments' and the community's recovery from the effects of the COVID-19 Pandemic; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, as follows:

1. The following Sections of Chapter 185 shall be suspended and not enforced from the date of adoption of this Resolution for a period of ninety (90) days, subject to such further extension as may hereafter be approved by the Borough.

- a. § 185-4 (A) – (D) and (F)
- b. § 185-13

2. The following Sections of Chapter 185 shall be deemed modified as follows from the date of adoption of this Resolution for a period of ninety (90) days, subject to such further extension as may hereafter be approved by the Borough.

- a. § 185-2

OUTDOOR CAFÉ – Any eating establishment where food and other refreshments are served outside of any restaurant, café, cafeteria, or place of business where food and/or other refreshments are served.

- b. § 185-4 (E) (5)

In addition to those requirements set forth in this Section, applicant shall provide on its sketch contact information including the name of the applicant and the name, address and telephone number for the primary contact person on behalf of the applicant.

- c. § 185-5

The Construction Code Official will review the sketch for completeness and compliance with the terms of this chapter within 2 business days of submittal and, if the sketch is not complete, or requires modification, the Construction Code Official will so notify the applicant within such time

period, and will specifically detail the areas in which the sketch lacks compliance with the requirements of this chapter.

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-156

2. In lieu of the enforcement of said ordinances, the Construction Code Official or Zoning Officer shall be vested with the sound discretion to provide an Outdoor Dining License to any requestor who meets the definition of "Outdoor Café" as provided in the Ordinance and can provide for the safe location of seating that maintains adequate public thoroughfares and safe passage.
3. All other Sections of Chapter 185 remain in full force and effect.
4. The sidewalk adjacent to either side of any food establishment may be used for Outdoor Café purposes by that food establishment, with written permission from the adjacent property owner, and a certificate of insurance naming the Borough of Allendale as an additional insured and a hold harmless agreement from the adjacent property.
5. Any food establishment applying for an Outdoor Café permit that incorporates the sidewalk adjacent to the establishment shall include a copy of the adjacent property owner's written permission when requesting outdoor dining approval from the Allendale Construction Department.
6. Establishments that have a liquor license may serve alcohol at outdoor seating subject to the provisions of any applicable law or Executive Order, including, without limitation, any and all Alcohol Beverage Commission requirements.
7. Nothing herein shall serve to permit the violation of any Executive Order.
8. Nothing herein shall contravene obligations to provide for "social distancing" or to operate outside of the terms of mandatory or generally accepted medical advice.
9. A copy of this resolution shall be forwarded to the Allendale Chamber of Commerce to alert them to this option when it becomes available.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan
Acting Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-157

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

**APPROVAL FOR TEMPORARILY EXTENDING AND
EXPANDING PERMISSIBLE TEMPORARY SIGNAGE
IN THE BOROUGH OF ALLENDALE DUE TO COVID-19**

WHEREAS, the President of the United States has declared both a National Emergency and a Public Health Emergency throughout the country as a result of the COVID-19 pandemic; and

WHEREAS, Governor Murphy has similarly declared New Jersey to be in the midst of a Public Health Emergency and a State of Emergency; and

WHEREAS, as a result thereof, Governor Murphy has issued a number of Executive Orders concerning COVID-19. which have, among other things, implemented certain restrictions on businesses and imposed social distancing requirements on individuals; and

WHEREAS, said restrictions have forced many businesses to close or temporarily suspend operations, or to instead offer only delivery or curbside pick-up; and

WHEREAS, the current restrictions have had a significant negative impact on the ability of these businesses to pay rent, taxes and mortgage payments, to maintain their staffing levels and to generate the income on which these business owners rely; and

WHEREAS, the Mayor and Council have determined that it is necessary and advisable during the current period of business restrictions to extend and expand the Borough's sign regulations related to temporary signage in order to allow more visible indications to the public that businesses are open for business; and

WHEREAS, during the present pandemic, many residents have also erected signs and banners supporting and lauding the efforts of doctors, nurses, hospital staff and other frontline workers who are playing a critical role in assisting individuals stricken by COVID-19; and

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-157

WHEREAS, other signs have been erected praising the efforts of the essential workers employed in grocery stores, pharmacies, and other essential retail businesses, all of which are necessary to serve the general public during this difficult time; and

WHEREAS, the Mayor and Council desire to express their gratitude to all of these workers and to encourage the posting of signs, banners and other public displays of support during the present pandemic, and to temporarily relax existing sign regulations in order to allow same.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, as follows:

1. The regulations set forth in this resolution shall be effective immediately and shall expire on September 8, 2020, unless extended by resolution of the Governing Body.
2. Borough Code §270-20(E) referenced herein is hereby temporarily relaxed to allow for temporary signage referenced herein in non-residential districts for a period of up to 60 days
3. Borough Code §270-20(G) is hereby extended to include the following in the list of permissible temporary signs:
 - a. Signs or banners indicating that a business is open or indicating changes in hours or days of operation
 - b. Signs or banners indicating that said business is offering delivery or curbside pickup
 - c. Signs or banners offering support to frontline workers, essential workers, or expressing support for those affected by COVID-19 (e.g., "Allendale Strong")
4. All signs and banners permitted by this resolution and Borough Code §270-20 shall continue to comply with the sizing, color, and other requirements of Borough Code §270-20 and all other applicable regulations, including the requirement that such signs may not be placed in such a manner as to impede sight triangles or otherwise cause a hazard to pedestrians or vehicular traffic.

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-157

5. Business owners shall still be required to submit permit applications to the Building Department for such temporary signs, but all fees shall be waived for such applications.
6. The erection of signs on residential properties supporting frontline workers, essential workers, or otherwise expressing support for those affected by COVID-19, is hereby authorized and encouraged, provided, however, that such signs may not be placed in such a manner as to impede sight triangles or otherwise cause a hazard to pedestrians or vehicular traffic.
7. To the extent that there are any provisions of the Borough Code in conflict with the foregoing, the provisions set forth above shall prevail.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan
Acting Municipal Clerk

**RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 06/11/2020

RESOLUTION# 20-159

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

**AUTHORIZATION FOR THE BOROUGH OF ALLENDALE TO EXECUTE
AND FILE AN AFFORDABLE HOUSING DEED RESTRICTION FOR
200 WEST CRESCENT AVENUE**

WHEREAS, the Borough of Allendale (the “Borough”) has or will, as part of its Affordable Housing obligations, enter into an agreement (the “Agreement”) with Eastern Christian Children’s Retreat (“ECCR”) to administer a group home owned by ECCR for the developmentally disabled located at 200 West Crescent Avenue, Allendale, N.J.; and

WHEREAS, pursuant to said Agreement and applicable provisions of the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1, et. seq., a deed restriction (the “Deed Restriction”) setting forth the affordability controls and control period is to be executed by the Borough and ECCR, and thereafter filed with the Bergen County Clerk;

IT IS HEREBY RESOLVED that the Mayor and the Acting Municipal Clerk be and hereby are authorized to execute the Deed Restriction in such form as has been approved by the Borough Attorney, and

IT IS FURTHER RESOLVED that the Borough Attorney be and hereby is authorized to file the fully executed Deed Restriction with the Bergen County Clerk.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 11, 2020.

Michelle Ryan
Acting Municipal Clerk