

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
June 11, 2020

PRESENT: Mayor Ari Bernstein
(in person)

PRESENT: Councilmembers Liz Homan, Edward O’Connell, Matthew O’Toole, Steve Sasso,
Jim Strauch and Amy Wilczynski
(via teleconference)

ABSENT: None

ALSO PRESENT: Borough Attorney Raymond Wiss
(in person) Acting Municipal Clerk Michelle Ryan

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 June 11, 2020. However, due to the COVID-19 pandemic, access to the public was provided via GoToMeeting video and teleconferencing only, with adequate notice of same posted for public viewing. The meeting was called to order at 8:00p.m. by Mayor Bernstein who reminded the public to mute their phones so as not to distract from the business of the meeting. Mayor Bernstein advised the public that they would have several opportunities at appropriate times throughout this meeting to be heard.

Mayor Bernstein asked that the Acting 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 O’Connell, second by Councilwoman Wilczynski, that the Minutes of the May 14, 2020 Work Session be and is hereby approved.

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

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

Public Comment on Agenda Items Only:

Mark Savastano, 22 Vreeland Place, inquired about the discussion of the amendment to the noise ordinance that Councilman Sasso listed on the Work Session Agenda. Mayor Bernstein advised Mr. Savastano that this was listed for discussion only and no action would be taken on this matter tonight. Mr. Wiss informed Mr. Savastano that the committee will be discussing this further and a work product will then be vetted by the full governing body. Mayor Bernstein suggested, since this is not a Regular Session agenda item, that it was best for Mr. Savastano to contact Councilman Sasso directly with his thoughts and comments. Mr. Savastano shared that he had already had a conversation with Councilman Sasso but would memorialize everything in writing.

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Mr. Savastano also inquired about Resolution 20-155. Councilwoman Wilczynski responded that due to the changing recycling market, Allendale will now be contracting directly with Rockland County as Casella Recycling has disbanded and is no longer acting as the go-between. Whereas the Borough used to get revenue for recyclables, it will now have to pay to dispose of them until the market recovers. While there will be no changes to the town's recycling program at this time, at the end of the year, we will have to see what a new contract brings.

No other public came forward to comment.

Resolutions

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

Mayor Bernstein explained that the public hearing for the 2020 Bergen County Open Space Grant Application entitled Crestwood Park Cross Country Trail Circuit Improvement Program is being held tonight and invited Councilwoman Wilczynski to speak about the project. This is a project to make circuit trail improvements at Crestwood Park. Councilwoman Wilczynski shared that this is a matching grant with half the funding coming from Bergen County. She expressed how wonderful this project would be for the Allendale community, but noted that the Borough needed to wait to see whether this was approved and funded next year.

Mayor Bernstein opened the meeting for public comments on the Grant Application however no one came forward. There were no comments from the rest of the governing body.

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

Motion by Councilwoman Wilczynski, second by Councilwoman Homan, that Resolution No. 20-141 be and is hereby approved.

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

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

(See Resolution 20-141 attached and made a part hereof.)

Public Hearing for Advertised Ordinances:

The Acting Municipal Clerk read into the record:

The following ordinance published herewith was 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 THE BOROUGH OF ALLENDALE ENTITLED SHORT TERM RENTALS

Public Comments on Ordinance 20-10:

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No one came forward.

Motion by Councilman Sasso, second by Councilman Strauch, that Ordinance 20-10 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law.

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

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

(See Ordinance 20-10 attached and made a part hereof.)

Introduction of Ordinances:

Ordinance 20-11

Motion by Councilwoman Wilczynski 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. Second by Councilwoman Homan.

The Acting Municipal Clerk read the title of the ordinances into the record:

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

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

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

(See Ordinance 20-11 attached and made a part hereof.)

Consent Agenda:

- 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

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- 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**/Authorize the Borough of Allendale to Execute and File an Affordable Housing Deed Restriction – 200 West Crescent Avenue

Motion by Councilman O’Toole, second by Councilman O’Connell that the Consent Agenda be and is hereby approved.

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 |

(See Resolutions 20-142 through 20-158 attached and made a part hereof.)

Unfinished Business:

There was no unfinished business.

New Business:

There was no new business.

Committee Reports and Comments:

The committee reports by Councilmembers O’Connell, Sasso, and Homan were provided during the Work Session.

Councilwoman Wilczynski – Facilities, Parks and Recreation Committee

Councilwoman Wilczynski expressed the Borough’s excitement for the opening of Crestwood Lake on June 20th and thanked everyone, especially Ron Kistner, the DPW and Tom Viscardi, for their efforts to make this happen. She shared that revenue is steady and that the discounted early registration rates for residents are extended through opening day. Crestwood will be selling family

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blankets as a fundraiser. The tennis courts opened today and the Celery Farm will open on Monday, June 15th. No word yet from the State regarding opening of playgrounds. Travel baseball teams are getting ready for the opening of fields on June 22nd. Aleoop camp will begin on July 6th. They have all submitted their social distancing plans to OEM, which have been approved. The Councilwoman also advised that the committee is still pushing through on 220/230 and thanked Councilwoman Homan, Mayor-Emeritus Barra and Mr. Wiss for their work. She recognized the peaceful Visibility March and acknowledged the DPW, Police Department, CERT, and additional law enforcement agencies for their help in keeping the event organized and safe for everyone.

Councilman Strauch – Public Works

Councilman Strauch thanked Ron Kistner and the team for all their hard work. DPW has been busy preparing Crestwood for opening. Re-opening preparations are also underway at Borough Hall with protective barriers being installed. Bergen County has notified that Hillside Avenue, or a portion thereof, is on their list to be paved. They are awaiting funding, which the Councilman later clarified will come from NJ DOT. The Borough has already done its work to update the ADA ramps and curbs so once this is funded it is a shovel-ready project. The Allendale Volunteer Goose Patrol held modified testing this year, only testing new applicants who all passed. The Recycling Advisory Committee, with newest member Carlton Frost, is enthusiastically looking for ways to improve the recycling program and looking into what grants and other funding options may be available. He thanked Mark Savastano for all his efforts and advised the governing body that he would be providing an update on the committee's work during public comment later in the meeting.

Before his report, Mayor Bernstein and Council extended birthday wishes to Councilman O'Toole.

Councilman O'Toole – Administration, Finance & Human Resources

Councilman O'Toole advised that excellent discussions were had last week regarding Crestwood, the current financial situation and the overall forecast for the Borough. Although coronavirus has had an impact, he reported the Borough is trying to minimize it by limiting expenses. Revenue is down, but it is being monitored. He thanked Councilwoman Wilczynski for her work with Crestwood and expressed his appreciation for her responsiveness.

Mayor's Report

Mayor Bernstein gave the following report:

On Sunday, Allendale was the setting for an organized march through town. While this event was not organized by the Borough, this event provided a peaceful venue for our residents and those from surrounding communities to come together to advocate for racial sensitivity. Thank you to the PD, Fire Department, CERT and the Ambulance Corp for providing support and ensuring a safe experience for all who attended.

As evidenced through Governor Murphy's recent executive orders, the COVID-19 numbers in New Jersey are coming down. Allendale has held at 68 cases and is on the lower side per capita. I commend everyone for doing the right thing. At yesterday's OEM meeting, it was reported that there are no active cases at the Allendale Community for Senior Living, which is good news.

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The stay-at-home order has been lifted. Effective immediately, outdoor gatherings up to 100 people and indoor gatherings of up to 25% of the capacity or up to 50 people, whichever is fewer, is permitted. First amendment protests and outside religious gatherings may exceed the limitations. Parking at State Parks and Forests is reopened to full capacity. County and municipal parks are permitted to do the same. I am happy to announce the Celery Farm will be reopening on June 15th.

The Governor has announced upcoming changes to restrictions pertaining to businesses. Effective Monday, June 15th, outdoor dining at restaurants can begin as well as non-essential in-person retail can open at 50% capacity. Child daycare centers may reopen too. Effective June 22nd salons and barber shops can open. Overall, we are excited and optimistic that downtown Allendale will begin to see more activity with these changes. Also, on June 22nd, outdoor gathering limits will increase to 250 people.

On June 29th Motor Vehicle will reopen to perform services that cannot be performed online such as titling of new cars. Road tests will be given by appointment and those whose appointments had to be cancelled will be receiving letters on how to reschedule.

On June 30th, high school sports may resume under protocols issued by the NJ State Interscholastic Athletic Association. On July 3rd outdoor gathering limits increase to 500 people. On July 6th graduation ceremonies can begin under the 500-person outdoor gathering limit and youth day camps may reopen while adhering to guidelines.

Indoor dining, playgrounds, gyms, libraries, museums, some government offices including Allendale's Borough Hall, amusement parks, arcades, casinos, water parks and indoor malls remain closed to the public.

While restrictions are easing, I want to remind everyone that social distancing guidelines are still in place and face coverings are still required.

This Tuesday, June 16th, is late night voter registration at Borough Hall. There will be a contactless system set up outside of the Borough Hall until 9:00pm that evening to accommodate those wishing to register.

Governor Murphy has moved the primary election to July 7th with a mostly vote by mail process. Primary Ballots for registered Republicans and Democrats are starting to automatically be delivered. Unregistered voters will be mailed a vote by mail application which will need to be returned to receive the actual ballot. If you have any questions, please contact our Clerk's Office.

As I have previously reported, the 2020 Census is underway and Allendale's response rate is currently at 77%. We are creeping up, but we are not there yet. Please take a few minutes to respond today! It is financially important to the Borough that you count! Census workers will begin contacting those who have not responded around late July.

Staff Report:

Mr. Wiss, Borough Attorney, advised that it has been a very busy two weeks and most of the work his office has done since the last meeting is either reflected on tonight's agenda or has been referred to during the governing body's committee reports.

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Ms. Ryan, Acting Municipal Clerk, advised that the list of Bergen County's locations for secure ballot drop off are up on the Borough's website.

On behalf of Mrs. Mayer, CFO, Councilwoman Homan reported that estimated tax bills are being mailed next week.

Mr. Kistner, Director of Operations/Administrative Officer thanked all the employees who returned to work this past Monday for their cooperation. Protective barriers have gone up, hand sanitizer has been given out, and washable "Allendale" masks are being provided.

Mayor Bernstein commended Mr. Kistner's outstanding efforts and thanked him, on behalf of the entire borough, for his leadership and dedication.

Public Comment on any issue:

Library Trustee Jackie McSwiggan, 70 Greenway, praised Ron Kistner, Layne Simon and Patty Durso for gearing the library up with plexiglass and personal protective equipment. A bookdrop for the return of the 8,000 items checked out of the library that were unable to be returned for the last three months is starting. Those items will be quarantined for 72 hours before being put back on the shelves. The library is also developing a "Porch Pickup" plan for curbside pickup of only Allendale's collection of books when the Governor allows. Mayor Bernstein thanked Mrs. McSwiggan, Patty Durso and the Library Board for their dedication.

Mark Savastano, 22 Vreeland Place, thanked the Visibility March organizers as well as the Police Department for their professionalism. He reported on his efforts to bring styrofoam recycling to Allendale – he has visited a facility in Haskell, NJ and has been in contact with 8 towns to learn about their programs - and suggested that while there may not be much economic value there is an ecological one. He feels Allendale is behind in recycling efforts and applauded Glen Rock for theirs.

No other public came forward to comment.

Adjournment

There being no further business to come before the Mayor and Council, on a motion by Councilwoman Homan, with second by Councilman Strauch, and unanimously carried, the meeting was adjourned at 8:37p.m.

Respectfully submitted

Michelle Ryan
Acting Municipal Clerk

**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 ENTITLED SHORT TERM RENTALS**

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

ORDINANCE # 20-11

**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.**

WHEREAS, on March 28, 2019, the Borough of Allendale (the “Borough”), pursuant to Ordinance # 19-03, adopted a Redevelopment Plan for certain properties situated along West Crescent Avenue; and

WHEREAS, the Borough has determined that certain modifications to such Redevelopment Plan are required based upon prevailing economic and related considerations; and

WHEREAS, such modifications are set forth in an Amended Redevelopment Plan dated June 10, 2020 which is attached hereto as **Exhibit “A”**, and is made a part hereof, and is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law; and

WHEREAS, other than as set forth herein, all recitals and provisions of Ordinance # 19-03 are readopted and reconfirmed.

NOW, THEREFORE, be it ordained by the Mayor and Council of the Borough of Allendale as follows:

Section 1. The foregoing recitals are incorporated herein as though set forth at length herein.

Section 2. The Redevelopment Plan dated June 10, 2020 and attached hereto as Exhibit A and made a part hereof, is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 3. The Borough Council hereby finds and determines that pursuant to the Redevelopment Plan, that the Designated Redeveloper shall execute a Redevelopment Agreement, and all other documents necessary to bring the project to completion. Accordingly, a site plan, with bulk standards must be filed by the designated redeveloper with the Allendale Land Use Board for the Redevelopment Plan to be effectuated.

Section 4. The Governing Body may transfer or sell any municipal property pursuant to N.J.S.A. 40A:12A-8 g. “...lease or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary”. The Borough owned property located at 220 and 230 West Crescent Avenue (Block 1005, Lots 3 and 20 and a

portion of Lot 11) which are hereby authorized to be sold pursuant to the terms and conditions of the Redevelopment Agreement and other pertinent documents.

Section 5. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 6. A copy of this Ordinance and the Amended Redevelopment Plan shall be available for public inspection at the office of the Borough Clerk during regular business hours.

Section 7. This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

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

I hereby certify that the foregoing is a true copy of an ordinance introduced by the Mayor and Council of the Borough of Allendale on June 11, 2020

Michelle Lepore

Borough Clerk

1 Introduction.

Basis for this Amended Redevelopment Plan.

On March 28, 2019, the Borough Council of the Borough of Allendale adopted Ordinance No 19-03 “AN ORDINANCE OF THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES SITUATED ALONG WEST CRESCENT AVENUE.” This Ordinance was introduced on first reading at the February 28, 2019 Council meeting and was referred to and reviewed by the Allendale Land Use Board on March 20, 2019. Attached to this Amended Plan is Ordinance Number 19-03, the Redevelopment Plan, dated February 19, 2019, and the memo referring the Plan to the Borough Council upon deliberation by the Land Use Board. On March 28, 2019 the Borough Council adopted Resolution #19-101 approving the Hampshire Venture Group, LLC as the Designated Redeveloper, pursuant to the Redevelopment Plan.

The 2019 Redevelopment Plan and this Amended Redevelopment Plan has been prepared for the West Crescent Avenue area of the Borough of Allendale, Bergen County, New Jersey, previously designated as an area in need of redevelopment and situated in Planning Area-1 as specified in the State Development and Redevelopment Plan (“SDRP”). This Planning Area is the preferred area for redevelopment in the State of New Jersey.

The properties are situated along West Crescent Avenue, specifically, Block 1005, Lots 3 and Lot 20 and a portion of Block 1005, Lot 11 having street addresses of 230 W. Crescent Avenue and 220 W. Crescent Avenue (these parcels as indicated in Figure 1 are referred to as the “Property”, or “Properties”, and the “Redevelopment Plan Area”). The Redevelopment Plan Area is in a D-1 Multi-residential overlay zone, authorized and enabled pursuant to Section 3 A. 3) of the Redevelopment Plan. The underlying zoning is an industrial zoning district and the property is currently owned by the Borough of Allendale but will be repurposed pursuant to a Redevelopment Agreement as may be executed between the Borough and the Hampshire (“Designated Redeveloper”).

The following Figure 1 shows the Redevelopment Plan Area property details.

Figure 1.

| The Borough of Allendale, New Jersey | | |
|---|----------------------|------------------------|
| Scope of Potential W. Crescent Avenue ANR | | |
| Bl-L0T | PROPERTY OWNER | Property Location |
| 1005-3 | Borough of Allendale | 230 W. Crescent Avenue |
| 1005-20 | Borough of Allendale | 220 W. Crescent Avenue |
| 1005-11 | Borough of Allendale | |

This Amended Redevelopment Plan has been prepared consistent with the State of New Jersey Local Redevelopment and Housing Law (LRHL), N.J.S.A. 40A:12A-1 et seq. A principal purpose of the 2019 Redevelopment Plan and this 2020 Amended Plan is for the Borough of Allendale to sell (or “dispose of”) the Property to meet the objectives of this Plan, specifically the repurposing of the Property.

While the Borough of Allendale currently owns the Redevelopment Area Property, the Allendale Governing Body may transfer any municipal property pursuant to N.J.S.A. 40A:12A-8 g. which states that a municipality may "...lease or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary" when the municipal property is included in a Redevelopment Plan area and subject to a Redevelopment Plan. The 2019 Redevelopment Plan and this Amended Redevelopment Plan permit and envision such a transfer of sale of the Property.

All amendments to the 2019 Redevelopment Plan are hereinafter clearly set forth. The Purpose and Policy Goals stated in the 2019 Redevelopment Plan remain unchanged with the exception that Section 2 A. Purpose of the 2019 Redevelopment Plan is amended to read:

"have the successful respondent build sufficient space so as to attract quality commercial space, include **warehouse**/self-storage facilities, and a residential development component consistent with affordable housing requirements-with a focus on ~~senior citizen and~~ workforce housing (defined as a certain percent of market rate housing)." Please note that the term successful respondent is now the Designated Redeveloper. Due to changing market conditions, including the residential market as well as the business of storage unit rentals, it is necessary to amend the 2019 Redevelopment Plan. These changing market conditions are amplified by the 2020 COVID-19 pandemic.

Further, Section 2 C. Redevelopment Plan Objectives is amended as follows:

6) This Redevelopment Plan provides the structure to comply with the provisions of N.J.S.A. 40A:12A-7 "Adoption of redevelopment plan". The following statutory elements are covered in this Redevelopment Plan. To wit:

7. a. No redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation, or in both, according to criteria set forth in section 5 or section 14 of P.L.1992, c.79 (C.40A:12A-5 or 40A:12A-14), as appropriate.

*b. A redevelopment plan may include the provision of affordable housing in accordance with the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan. **The provision of affordable together with market rate housing is a principle purpose of this Plan. Twenty-nine units will be "non-market" or affordable units, of which twenty (20) are age restricted and Six (6) residential units are to be COAH type units, with an additional three (3) below market units for first responders.***

This Amended Redevelopment Plan shall NOT replace or supersede any provision of the Borough of Allendale Land Use Ordinance regulating development in the Redevelopment Area, with the exception of the nuanced notations included in the 2019 Redevelopment Plan as amended by this 2020 Amendment and through the addition (inclusion in the zoning ordinance) of the Overlay Zone. In any situation where zoning issues are not specifically addressed herein, the Allendale Land Use Ordinance shall be applicable.

Final adoption of this Plan by the Council shall be considered an amendment of the Borough of Allendale Zoning Map inasmuch as the multi-family use (Overlay Zone) is now a permitted use at Block 1005, Lot 20.

The 2019 Redevelopment Plan Shall Remain In Effect.

Only those changes to the 2019 Redevelopment Plan specifically and expressly included herein shall modify and amend the 2019 Redevelopment Plan and said amendments shall be referred to as the 2020 Amended Redevelopment Plan (covering West Crescent Avenue).

2. Amendments to the 2019 Redevelopment Plan.

The following amendments (with new text highlighted in yellow) are the approved amendments (changes) to the 2019 Redevelopment Plan at Section 3 A:

"2) The Property situated at Block 1005, Lot 20 shall have multi-family residential properties of a maximum of ~~sixty (60)~~ **seventy (70)** units as a "Primary intended use" as defined in the Borough's Zoning Ordinance. The Redeveloper shall, within thirty days of adoption of this Redevelopment Plan by the adoption of the requisite Borough Council Ordinance, provide a specific schedule of bulk standards, which shall be consistent with any conceptual site plan submitted **as part of the Redevelopment Agreement.** ~~in response to the SOI/RFQ.~~

3) Accordingly, § 270-72 A. 9 of the municipal code is hereby amended (added) to permit as an additional permitted use at Block 1005, Lot 20 ~~the~~ multi-family residences. This shall be considered the D-1 Multi-residential overlay zone. The density limitation shall be a maximum of ~~sixty (60)~~ **seventy (70)** having a height of 48 feet, shall be permitted on this parcel in an attractive **four-story** arrangement."

5) **Parking: Residential Use: 1 parking space/stall per 1-bedroom unit and 1.75 parking spaces/stalls per 2-bedroom unit. Twenty percent (20%) of all parking spaces may be "compact car" parking spaces having a dimension of 8 feet by 17 feet.**

6) **Shared parking: Shared parking for passenger vehicles (limited to two axels per vehicle) as permitted by the RSIS shall be permitted within the Redevelopment Plan Area to satisfy a proposed project's parking requirements situated in the Redevelopment Plan area. The standards set out in this Redevelopment Plan including but not limited to the bulk standards shall be applied to all development in the Redevelopment Plan. This will include both the uses permitted in the underlying D-1 and D-2 Industrial Zone and those permitted by the overlay zoning. The shared parking plan may include municipal parking lots. However, trucks must park and load/unload in designated areas only.**

7) **Trucking service: Section § 270-72A. (7)(d) is hereby amended to expand the permitted hours of "Truck Services" as included in this Section are modified to be 7:00 am to 10:00 pm Monday thru Friday and Saturday 8 am to 5 pm (no trucking services shall be permitted on Sunday. Further, §270-72 C is hereby modified to the same exact hours for truck or any other deliveries.**

8) Refrigeration facilities permitted pursuant to §270-72 C shall be restricted to 25% of the total warehouse space.

9) The existing warehouse building may stay in place and may be improved, rehabilitated and occupied as provided in Article XV of the Zoning Ordinance, the D-1 and D-2 Industrial Zone at §270-72 through §270-78, as modified in this Redevelopment Plan. The existing warehouse may be divided into units. If the warehouse is divided the Bulk Standards stipulated in the D-1 and D-2 Zone, including at §270-75 shall NOT apply to any such dividing of the warehouse and the Redevelopment Plan shall control. This Redevelopment Plan stipulates that the existing building may stay in place and be repurposed without applying new or additional bulk standards requiring restrictions on the site, except parking shall not be more restrictive than is currently in existence on the site (current site specific requirements).

The Designated Redeveloper shall submit a site plan application consistent with the following schedule of bulk standards which may be deviated from upon approval of the Planning Board.” (In Allendale the board is the statutory Land Use Board.)

Certain Conditions of the 2019 Redevelopment Plan are Reiterated for Clarity.

1) Upon approval of the Redevelopment Agreement, the Governing Body shall have found the Project land uses and repurposing concepts consistent with the Redevelopment Plan.

Further: Except where otherwise required by any of the aforesaid Planning Board approvals this Redevelopment Plan and the Redevelopment Area shall be governed by Site Plan Submission Requirements and Subdivision Submission Requirements of the Allendale Borough Land Use Ordinance.

By reference herewith the Redevelopment Project shall be constructed in accordance with the Redevelopment Plan and approved site plan. Any modification that would cause a “d” variance pursuant to N.J.S.A. 40:55D-70(d) shall require the Redeveloper to seek an amendment by the Governing Body to the Redevelopment Plan. Any modification from the Redevelopment Plan or the approved site plan, that would be deemed a “design waiver” or a “bulk standard deviation”, which shall be considered as the equivalent of and akin to the provisions of a “c” variance pursuant to N.J.S.A. 40:55D-70(c), shall be submitted to the Borough Planning Board for consideration as part of a site plan application by the Redeveloper, subject to prior review of the Borough Planner.

However, the multi-residential property bulk standards shall not be inconsistent with the concept plan submitted as part of the **Redevelopment Agreement**. ~~with the response to the SOL/RFQ.~~

Approvals by other Agencies.

The Designated Redeveloper and the Borough, as the Redevelopment Agency, are required to provide the Borough Clerk with copies of all environmental permits made to federal, state and county agencies upon filing such applications, as may be required by the Redevelopment Agreement to be executed between the Designated Redeveloper and the Borough.

Interpretation of Plan.

To be clear: Any changes to the use permitted in the Redevelopment Plan Area shall be permitted only by means of an amendment to the Redevelopment Plan made by the Borough Governing Body. Any appeal for interpretation for of any section of this Redevelopment Plan or Redevelopment Plan Area shall be made to the Governing Body, acting in its capacity as Redevelopment Agency (Entity) for this Redevelopment Plan.

Site Plan Required.

Notwithstanding any provision of the 2019 Redevelopment Plan to the contrary, the completed site plan application shall be submitted by the Designated Redeveloper on or before October 31, 2020.

In addition, a Project Plan delineating the construction of improvements within the redevelopment area, prepared in accordance with the general requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), and, further, shall be submitted by the Designated Redeveloper for review and approval by the Allendale Land Use Board. The Project Plan shall be approved pursuant to provisions of this Redevelopment Plan and the enabling ordinance thereto.

This Amended Redevelopment Plan has been prepared by BENECKE ECONOMICS.

Fred Suljic, P.P.
Robert Benecke
May 12, 2020

**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

**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

**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.

Michelle Ryan
Acting Municipal Clerk

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

This Agreement ("Agreement") made this 11th day of June, 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 11th day of June, 2020.

ATTEST:

BOROUGH OF ALLENDALE

By: Michelle Ryan
Michelle Ryan, Acting Borough Clerk

By: Ari Bernstein
Ari Bernstein, Mayor

ATTEST:

EASTERN CHRISTIAN CHILDREN'S
RETREAT

Jane Lieber
Jane Lieber, Admin. Asst.
Notary Public

By: Daryl Rogers
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
Acting 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 COAH Trust Fund.

Resolution Date: June 11, 2020

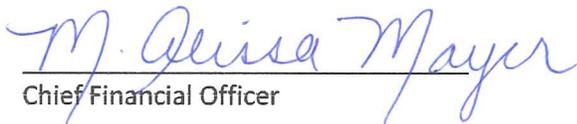
Resolution Number: 20-151

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

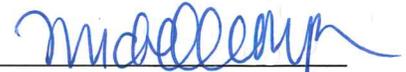
RESOLUTION# 20-153

| 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

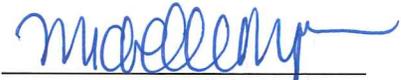
RESOLUTION# 20-154

| 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# 20-158

| 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