

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
August 13, 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 August 13, 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 devices so as not to distract from the business at hand. 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 Strauch, second by Councilman O’Toole, that the Minutes of July 23, 2020 Work and Regular Session be and are 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:

No public came forward to comment.

Consent Agenda:

- A. **20-187**/Approve Bill List
- B. **20-188**/Authorize Refunds – 2020 Tax Overpayments – BCUW Madeline Housing Partners, LLC – 221 & 223 E. Crescent Ave (Block 506, Lots 4.07 & 4.08)

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- C. **20-189**/Authorize Allendale Chamber of Commerce’s 2020 Festival Day
- D. **20-190**/Appoint Borough Professional – Bertone Piccini, LLC
- E. **20-191**/Approve Notice of Intent to Award a Contract under a National Cooperative Purchasing Agreement – 3M Scott SCBA Equipment – New Jersey Fire Equipment – Houston-Galveston Area Council Cooperative
- F. **20-192**/Convey Support of Assembly Bill A108 and Accompanying Senate Bill S2473 to Improve Service Performance by Public Utility Companies in the Public’s Interest

Motion by Councilman Wilczynski, with second by Councilwoman O’Toole that the Consent Agenda 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

Unfinished Business:

There was no unfinished business.

New Business:

There was no new business.

Committee Reports and Comments:

Councilmembers O’Connell, Sasso, and Wilczynski provided reports during the Work Session.

Councilwoman Homan – Water, Sewer and Public Utilities

Councilwoman Homan thanked the residents for their cooperation with the emergency watering ban after the storm. She also thanked SUEZ, Jeff Piccinich, and Ron Kistner who lead the response to ensure the repairs were complete. SUEZ continues to work to improve water efficiency unrelated to the storm. With the water ban being over, the town returns to Phase 2 water restrictions. Due to the storm the virtual water meeting was rescheduled to Wednesday September 16th at 7pm. The link to the meeting will be on the borough’s website, Facebook page, and newsletter. Residents should have received their second quarter water bill in July. She reminded residents to pay the bill as quickly as possible using the various payment methods available. If residents have questions on water, they should feel free to email the Councilwoman.

Mayor Bernstein commended Councilwoman Homan on all her efforts.

Councilman O’Toole – Administration, Finance and Human Resources

Councilman O’Toole reported that the committee met earlier this evening to discuss personnel items including interns in the Fall. He will reach back out to Northern Highlands to set up interviews.

Councilman Strauch – Public Works

Councilman Strauch expressed, as a resident of Allendale, along with his wife and fellow neighbors, their gratitude for everything Mayor Bernstein did during the past week in the aftermath of the

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storm. He complimented the communication from the borough to the residents and all the efforts to restore power to the town. He also complimented Mayor Bernstein's report that expressed how many people are involved to get the town up and running. Mayor Bernstein stated that he had the honor and privilege to serve under Mayors Barra and White who were put under similar circumstances and learned from the best. Councilman Strauch announced another Downtown Dine Out on August 15th. He informed the council on the efforts the DPW for that event as well as the post storm clean up.

Mayor's Report:

This agenda item was addressed during the Work Session

Staff Report:

Mr. Wiss, Borough Attorney stated that other than what's been stated in the agenda and committee reports, he has been involved with 220/230 continuation and personnel matters.

Ms. Ryan, Acting Clerk, had no report. Mayor Bernstein thanked Ms. Ryan for her work during and post storm. Ms. Ryan stated that it was a team effort.

Mr. Kistner, Director of Operations/Administrative Officer, stated that the outside contractors and DPW are doing a great job with the cleanup. Of the 140 plus streets, 86 have been cleaned. TSS Sweeping will be back tomorrow. Borst Landscaping has two crews assisting the DPW. Mr. Kistner complimented DPW Crew Chief Dan Richards and the DPW for their cleanup efforts and Layne Simon and Jeff Picinnich for their efforts to get the water pumps operational. He highlighted the efforts of outside vendors such as Tom McCoy of Save a Tree for their unbelievable work. Mr. Kistner thanked Assemblyman Chris DePhillips for his efforts from the start of the storm. He truly stepped up to help Allendale. Mr. Kistner thanked the Mayor and all the residents of Allendale.

Public Comment on any issue:

Kristen Tsarnas, 74 Heights Road stated that it appears to her that the town doesn't have the appetite for a deer cull. She requested user friendly information be put out to help residents understand what rights and regulations they have as far as having a bow hunter on their property. Mayor Bernstein stated that he, Chief Scherb and Councilmen Sasso and O'Connell will discuss at the next Public Safety meeting next Tuesday and will report at the next meeting.

Jesse Veltan, 68 Elbrook Drive, thanked everyone for the storm response and asked if a budget was in place for the new Borough Hall. Councilwoman Wilczynski responded that \$3.5 million from the purchase of the property will be used for construction by a third party that Hampshire will oversee.

Adjournment:

There being no further business to come before the Mayor and Council, on a motion by Councilwoman Homan, with second by Councilwoman Wilczynski, and unanimously carried, the meeting was adjourned at 8:27p.m.

Respectfully submitted
Michelle Ryan
Acting Municipal Clerk

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

DATE: 08/13/2020

RESOLUTION# 20-187

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 August 13, 2020 in the amounts of:

Bill List Numbers	August 13, 2020
Current Fund	\$2,223,634.91
Payroll Account	\$212,570.40
General Capital	\$19,874.44
Animal Fund	\$0.00
Grant Fund	\$0.00
COAH/Housing Trust	\$10,828.50
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$8,637.50
Water Operating	\$0.00
Water Capital	\$49,195.97
Total	\$2,524,741.72

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 13, 2020.



Michelle Ryan
Acting Municipal Clerk



Borough of Allendale

500 WEST CRESCENT AVENUE
ALLENDALE, NEW JERSEY 07401

OFFICE OF TAX COLLECTOR
OFFICE OF CHIEF FINANCIAL OFFICER

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

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

Certified August 13, 2020

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

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

DATE: 08/13/2020

RESOLUTION# 20-188

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

AUTHORIZE REFUND OF 2020 TAX OVERPAYMENTS

BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue the following checks on the properties listed below and charge same to Overpayment of 2020 Taxes:

Block/Lot	Name	Property Location	Amount
506/4.07	BCUW Madeline Housing Partners, LLC	223 E. Crescent Avenue	\$4748.51
506/4.08	BCUW Madeline Housing Partners, LLC	221 E. Crescent Avenue	\$4748.51

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 13, 2020.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 08/13/2020

RESOLUTION# 20-189

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

**AUTHORIZE THE ALLENDALE CHAMBER OF
COMMERCE'S 2020 FESTIVAL DAY**

WHEREAS, there is a request by the Allendale Chamber of Commerce to hold the Allendale Festival Day on Saturday, September 26, 2020 from 2:00 p.m. to 10:00 p.m.; and

WHEREAS, West Allendale Avenue will be closed for this event from the town clock to DeMercurio Drive; and

WHEREAS, the event will also take place in the NJ Transit parking area; and

WHEREAS, the Chamber of Commerce will, after approval, coordinate the event with the Police Department, the Fire Department and the Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that this request be and is hereby approved.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 13, 2020.



Michelle Ryan
Acting Municipal Clerk

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

DATE: 08/13/2020

RESOLUTION# 20-190

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

**APPOINTMENT OF BOROUGH PROFESSIONAL –
BERTONE PICCINI, LLC**

WHEREAS, the Borough of Allendale requires the service of professionals for the calendar year 2020; and,

WHEREAS, it is contemplated that the budget contains the necessary appropriations estimated to be reasonably required for each such professional service; and,

WHEREAS, the professional named herein will be required to execute a contract for the services to be rendered which shall set forth the compensation for such services therein; and,

WHEREAS, a Certification of availability of funds has been received from the Chief Financial Officer or that such funds will be encumbered by Purchase Order on an as-needed basis pursuant to the provisions of NJAC 5:30-5.4 et seq.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that the following appointment be and is hereby made for the year 2020:

Bertone Piccini, LLC – Special Counsel

BE IT FURTHER RESOLVED that this contract is being awarded as a non-fair and open contract, pursuant to the provisions of NJSA 19:44A-20.5; and

BE IT FURTHER RESOLVED that the compensation for the aforesaid service is to be established by a contract in an amount not to exceed \$10,000, absent further authorization from the Borough of Allendale; and

BE IT FURTHER RESOLVED that the aforesaid appointment was made without competitive bidding under the provisions of NJSA 40A:11-5(1)(a) which excepts from competitive bidding Professional Services rendered by persons authorized by law to practice a recognized profession and whose practice is regulated by law; and,

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

DATE: 08/13/2020

RESOLUTION# 20-190

BE IT FURTHER RESOLVED that the appropriate Borough Officials be and are hereby authorized to execute a contract with the professional named herein for the services to be rendered; and,

BE IT FURTHER RESOLVED that a copy of this resolution be filed with the Borough Clerk and made available for inspection and that a brief notice of the passage thereof be published in The Record within ten days of the passage as required by law.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 13, 2020.



Michelle Ryan
Acting Municipal Clerk

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

DATE: 08/13/2020

RESOLUTION# 20-191

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

**APPROVE NOTICE OF INTENT TO AWARD A CONTRACT
UNDER A NATIONAL COOPERATIVE PURCHASING AGREEMENT FOR
3M SCOTT SCBA EQUIPMENT TO NEW JERSEY FIRE EQUIPMENT THROUGH
THE HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE**

WHEREAS, the Borough of Allendale intends to participate in the Houston-Galveston Area Council (H-GAC) Cooperative contract, Proposal EP11-17, Contract EE08-19 to purchase 3M Scott SCBA equipment for the Allendale Fire Department; and,

WHEREAS, information regarding the contract may be found at Allendale Borough Hall, 500 West Crescent Avenue, Allendale, NJ 07401 during regular business hours, as well as on the Borough of Allendale's website at: www.allendalenj.gov; and,

WHEREAS, the Borough of Allendale is a member of H-GAC; and,

WHEREAS, the H-GAC contract period is through October 31, 2020; and,

WHEREAS, it is the intent of the Borough of Allendale to make a contract award to New Jersey Fire Equipment, 119-131 Route 22 East, Green Brook, New Jersey 08812, pursuant to the proposal submitted in response to the Borough's specifications; and;

WHEREAS, the Borough of Allendale is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3).

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Allendale, County of Bergen, State of New Jersey that the Acting Municipal Clerk is hereby directed to publish the forgoing, enumerated "Notice of Intent to Award a Contract Under a National Cooperative Purchasing Agreement" in the legal newspaper of the Borough of Allendale with a comment period to end at the close of business hours on Tuesday, September 1, 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 August 13, 2020.



Michelle Ryan
Acting Municipal Clerk

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

DATE: 08/13/2020

RESOLUTION# 20-192

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

**A RESOLUTION IN SUPPORT OF ASSEMBLY BILL A108 AND ACCOMPANYING
SENATE BILL S2473 TO IMPROVE SERVICE PERFORMANCE BY PUBLIC
UTILITY COMPANIES IN THE PUBLIC'S INTEREST**

WHEREAS, the citizens and businesses of the State of New Jersey rely on public utility companies (public utilities) for the provision of essential services such as electricity, natural gas, sewer and water; and

WHEREAS, public utilities in the State of New Jersey are regulated by the Board of Public Utilities (BPU); and

WHEREAS, a public utility, as part of their application process, must comply with federal, state and local laws as well as rules and regulations and terms and conditions prior to the BPU's approval of a public utility privilege or franchise (franchise); and

WHEREAS, the political subdivisions of the State of New Jersey (municipalities) award franchise agreements to public utilities for the provision of such services that the BPU has determined to be necessary and proper for the public convenience and in the public interest; and

WHEREAS, the current franchise approval process and related laws are outdated and are no longer properly serving the public convenience or interest; and

WHEREAS, Assembly Bill A108, sponsored by Assemblymen DePhillips (D40), Rooney (D40) and Johnson (D37) and unanimously passed by the Assembly Telecommunications Committee in October 2018, seeks to revise and update the public utility franchise process and proposes changes to increase accountability and allow municipalities to explore options and seek alternate solutions to better protect the public's interest including revoking the franchise if/when the public utility violates terms of the agreement or inadequately provides for continuous and uninterrupted service; and

WHEREAS, Senate Bill S2473, sponsored by Senator Corrado (D40), is the accompanying Senate legislation to Assembly Bill A108; and

WHEREAS, it is the responsibility of a municipality to act in the interests of and as the voice of the citizens of their community.

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

DATE: 08/13/2020

RESOLUTION# 20-192

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Allendale hereby appeals to the New Jersey Legislature to pass Assembly Bill A108 and Senate Bill S2473, in the interest of the citizens of the Borough of Allendale as well as the State of New Jersey, to ensure that their utility needs are met; and

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

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 13, 2020.



Michelle Ryan
Acting Municipal Clerk