

January 24, 2013

A regular meeting of the Borough Council was held in the Municipal Building on January 24, 2013. The meeting was called to order at 8:02 p.m. by Mr. Barra who announced that the requirements of the Open Public Meetings Act were met by the required posting and notice of publications.

The Mayor led those present in a salute to the flag.

The following Council members answered roll call: Mr. Bernstein, Mr. Strauch, Mrs. Wilczynski, Mrs. White and Mayor Barra. Ms. LaMonica and Mrs. McSwiggan were absent. Also present were Mrs. McCarthy and Mr. Bole.

Approval of Minutes

Mr. Strauch moved, seconded by Mrs. White, to remove the December 27, 2013 minutes from the agenda because there was not a quorum to vote on them. On roll call, all Council members voted in favor.

Mrs. White moved, seconded by Mrs. Wilczynski to approve the minutes from the Reorganization meeting of January 3, 2013 and the Special Session of January 11, 2013. On roll call, all Council members voted in favor.

Swearing in of Police Officers

Mayor Barra administered the Oath of Office to newly selected Police officers Kevin Azevedo and Jamie Hillgardner.

Mr. Barra stated that it is truly a special day to be able to welcome two officers to the Allendale family. He added that once the officers have completed the Academy and are working in the town in six months, he knows the residents will embrace them as they have the other members of the Police force. He thanked their families for coming and said their presence is a testimony to how important this evening is in their lives.

Public Hearings for Advertised Ordinances

Ordinance 13-01 Salary Ordinance for Non-Union Employees

Mr. Barra opened the meeting to the public for comments on Ordinance 12-20. There were none.

Resolution 13-61 – Introduced by Mrs. Wilczynski, seconded by Mr. Strauch

Be It Resolved that an Ordinance entitled 13-01, “An Ordinance to Amend Chapter 53 of the Code of the Borough of Allendale to Fix the Salaries, Wages and Compensation of the Officers and Employees of the Borough of Allendale for the Year 2013” heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting

to be held on the 14th day of February, 2013, at 8:00 p.m. or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

On roll call, all Council members voted in favor.

(See copy of Ordinance 13-01 attached and made a part hereof.)

Public Comments

The Mayor opened the meeting to the public for comments about agenda items.

There were none.

Consent Agenda

Resolution 13-62 – Introduced by Mr. Strauch, seconded by Mr. Bernstein

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 January 24, 2013.

On roll call, all Council members voted in favor.

Resolution 13-64 – Introduced by Mr. Strauch, seconded by Mr. Bernstein

Whereas, resolution 13-42 was adopted by the Governing Body on January 3, 2013, regarding the appointment of the Board of Trustees for Allendale Housing, Inc.; and

Whereas, said resolution needs to be amended;

Now, Therefore, Be It Resolved by the Governing Body, that said resolution is hereby amended as follows: there shall be seven (7) Trustees, four (4) Trustees from the general public and three (3) trustees from the Council of the Borough of Allendale.

Be It Further Resolved that all other provisions of Resolution 13-42 not amended herein remain in full force and effect.

On roll call, all Council members voted in favor.

Resolution 13-65 – Introduced by Mrs. Strauch, seconded by Mr. Bernstein

Whereas, resolution 13-44 was adopted by the Governing Body on January 3, 2013, regarding the appointment of a Qualified Purchasing Agent.; and

Whereas, said resolution needs to be amended;

Now, Therefore, Be It Resolved by the Governing Body, that said resolution is hereby amended as follows: Joseph Citro is hereby appointed as Qualified Purchasing Agent effective until December 31, 2013 at an annual compensation of \$3,500.

Be It Further Resolved that all other provisions of Resolution 13-44 not amended herein remain in full force and effect.

On roll call, all Council members voted in favor.

Resolution 13-66 – Introduced by Mr. Strauch, seconded by Mr. Bernstein

Whereas, resolution 13-55 was adopted by the Governing Body on January 3, 2013, regarding Stipends for Interim Appointments; and

Whereas, said resolution needs to be amended;

Now, Therefore, Be It Resolved by the Governing Body, that said resolution is hereby amended as follows: Daniel Davis will be Head Crew Chief from January 17 through 31, 2013 and William Ziegelhofer will be Head Crew Chief from February 1 through February 15, 2013.

Be It Further Resolved that all other provisions of Resolution 13-44 not amended herein remain in full force and effect.

On roll call, all Council members voted in favor.

Resolution 13-67 – Introduced by Mr. Strauch, seconded by Mr. Bernstein

Whereas, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

Whereas, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

Whereas, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

Whereas, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

Whereas, a resolution authorizing this municipality to apply for the 2012 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Borough of Allendale to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

Whereas, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale that they hereby endorse the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and that they designate Mary Rottingen to ensure that the application is properly filed; and

Be It Further Resolved that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

On roll call, all Council members voted in favor.

Resolution 13-68 – Introduced by Mr. Strauch, seconded by Mr. Bernstein

Whereas, there is a need for Well Child Services in the Borough of Allendale, and

Whereas, the Waldwick Board of Health is able to provide Well Child Services as mandated by the Public Health Council of the State of New Jersey; and

Whereas, the Waldwick Board of Health has agreed to provide Well Child Services for the 2013Calendar year in the amount of a one time \$125 administrative fee and a \$35 per child per visit fee and a \$20 per child fee for immunizations only.

Whereas, the Chief Financial Officer has certified that there are sufficient funds available for this contract;

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 contract between the Borough of Allendale and the Waldwick Board of Health, and

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

On roll call, all Council members voted in favor.

Resolution 13-69 – Introduced by Mr. Strauch, seconded by Mr. Bernstein

Whereas, the Borough of Allendale requires the service of professionals for the year 2013, and

Whereas, it is contemplated that the temporary and permanent budgets will contain the necessary appropriations estimated to be reasonably required for each such professional service; and

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

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale that the following appointments be and they are hereby made for the year:

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;

Whereas, in any instance where it is anticipated that the expenditure for each such professional service will exceed the sum of \$17,500 for said calendar year, the named professionals have completed, submitted and filed a Business Entity Certification Disclosure which certifies that the above named persons and/or entities have not made any reportable contributions to any political or candidate committee including (Republicans for Responsible Government, Allendale Republican Club, Allendale Democratic Club, Candidates for Allendale Municipal Government, Bergen County Democratic Organization, Bergen County Republican Organization) in the previous one (1) year, and that the contract will prohibit the above named professionals/business entities from making any reportable contributions through the term of the contract;

Be It Further Resolved that these contracts are being awarded as a non-fair and open contract, pursuant to the provisions of NJSA 19:44A-20.5;

Be It Further Resolved that the Business Disclosure Entity Certification and the determination of value be placed on file with this Resolution.

Water and Sewer Engineer

Hatch Mott MacDonald

The compensation for the aforesaid positions to be established by the salary ordinance or the contract for such services which shall be executed by each of the professionals named herein; and

Be It Further Resolved that the aforesaid appointments were 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

Be It Further Resolved that the appropriate Borough Officials be and they are hereby authorized to execute contracts with each of the professionals named herein for the services to be rendered; and

Be It Further Resolved that the compensation to be paid for the professionals named herein shall not exceed the budget appropriation for such services unless properly ordained in accordance with law, 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.

Resolution 13-70 – Introduced by Mr. Strauch, seconded by Mr. Bernstein

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 Raffle License #378 as follows:

Brownstone Quilters Guild, Inc.
November 13, 2013
On premise draw raffle for merchandise
4:00 p.m.
Northern Highlands Regional High School

The prize is a queen size quilt donated by members valued at \$500.00.

On roll call, all Council members voted in favor.

Resolution 13-71 – Introduced by Mr. Strauch, seconded by Mr. Bernstein

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

Now, Therefore, Be It Resolved, by the Mayor and Council of the Borough of Allendale that the following transfers be made between the 2012 Budget Appropriations:

DEPARTMENT	ACCOUNT NUMBER	FROM	TO
Group Insurance	2-01-23-220-227	\$20,000	
Police, Overtime	2-01-25-240-014		\$20,000
Telephones, Other Expenses	2-01-31-440-190		\$1,500
Water Charges, Other Expenses	2-01-31-445-230	\$1,500	
Total Transfers		\$21,500	\$21,500

On roll call, all Council members voted in favor.

Resolution 13-72 – Introduced by Mr. Strauch, seconded by Mr. Bernstein

Whereas, the tax payers, Mark and Claudia Mundahl appealed the added-omitted assessment levied on Block 401, Lot 4 for the year 2011; and

Whereas, the subject property's street address is 707 Franklin Turnpike; and

Whereas, the County Board vacated the Added-Omitted Assessment; and

Whereas, there was a duplicate billing for a 12 month period for 2011 in this matter which resulted in the taxpayer paying an additional \$7,102.18 for the same added-omitted assessment; and

Whereas, the due to this duplicate billing, a refund in the amount of \$7,102.18 is required to be issued to the tax payer.

Whereas, there are sufficient funds available in the reserve to satisfy the tax refund.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the Collector shall issue a refund for the duplicate billing in the amount of \$7,102.18 payable to Mark and Claudia Mundahl, c/o McKirdy & Riskin Attorney Trust Account and forwarded to Thomas Olson at McKirdy & Riskin P.A., 136 South Street, Morristown, N.J. 07962-2379.

On roll call, all Council members voted in favor.

Resolution 13-73 – Introduced by Mr. Strauch, seconded by Mr. Bernstein

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 2012 Taxes:

2012

Block/ Lot	Name	Property Location	Amount
101/40	Lebnikoff, Donald 549 Hillside Avenue Allendale, NJ 07401	549 Hillside Ave	\$92.53
102/4	Estate of Joseph W. Staub Nicholas Staub, Executor 7435 Boulevard East Apt 26 North Bergen, NJ 07047	97 Elbrook Dr	\$2,892.40
104/30	Trajkovic, Sasa & Christine 6 E. Elbrook Drive Allendale, NJ 07401	6 Elbrook Dr	\$11.01
303/13	Toolan, Christopher & Diane	64 Bonnie Way	\$4,538.40

	64 Bonnie Way Allendale, NJ 07401		
408/12	Thomas, William & Bliss 283 Lakeside Drive Ramsey, NJ 07446	283 Lakeview Dr	\$33.84
506/1.01	Morowitz, Jeffery & Reva 70 Harding Ave Allendale, NJ 07401	70 Harding Ave	\$16.31
702/4 C0044	Convertini, Joy C 44 Rio Vista Drive Allendale, NJ 07401	44 Rio Vista Dr	\$20.82
906/6	Frizzell, Margaret 84 Myrtle Avenue Allendale, NJ 07401	84 Myrtle Ave	\$20.29
1003/2	Parenti, Jill 12 W Maple Ave Allendale, NJ 07401	12 W Maple Ave	\$35.54
1103/6	Yuen, John M & Susan K 37 Forest Road Allendale, NJ 07401	37 Forest Rd	\$17.35
1403/2	Byrne, James & Maryellen 79 Edgewood Road Allendale, NJ 07401	79 Edgewood Rd	\$16.78
1405/1	Chisholm, Sharon & Thomas, Cotrste 8 Carteret Road Allendale, NJ 07401	8 Carteret Rd	\$1,098.00
1407/9	Kudelka, Lioudmila 454 Brookside Avenue Allendale, NJ 07401	454 Brookside Ave	\$440.88
1501/12	Cagney, Timothy & Frances 11 Beresford Road Allendale, NJ 07401	11 Beresford Rd	\$83.43
1501/24	Scull, Sylvia 22 Scott Ct Allendale, NJ 07401	22 Scott Ct	\$5,906.18
1702/18	Katsikiotis, Vasilis 135 Park Avenue	135 Park Ave	\$541.03

	Allendale, NJ 07401		
1903/2	DeLaCruz, Estella M 93 Arcadia Road Allendale, NJ 07401	93 Arcadia Rd	\$393.93
1906/6	Schmidt, Michael & Donna 130 Powell Road Allendale, NJ 07401	130 Powell Rd	\$28.64
2004/6	Nukala, Sansanka 14 Waibel Drive Allendale, NJ 07401	14 Waibel Dr	\$51.88
2101/1.203	Antonucci, Kyle 203 Whitney Lane Allendale, NJ 07401	203 Whitney Ln	\$103.56
2101/9 C0144	Sardanopoli, Donna 144 Carriage Court Allendale, NJ 07401	144 Carriage Ct	\$18.09
		TOTAL	\$16,360.89

On roll call, all Council members voted in favor.

Resolution 13-74 – Introduced by Mr. Strauch, seconded by Mr. Bernstein

Be It Resolved by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue a check to the following due to 2011 County Board Judgment on an Added Assessment:

Block/Lot	Name	Amount
401/4	Mark & Claudia Mundahl C/O McKirdy & Riskin, P.A. Counsellors At Law 136 South Street PO Box 2379 Morristown, NJ 07962-2379	\$7,102.18

On roll call, all Council members voted in favor.

Committee Reports

Water and Sewer

Mrs. McSwiggan was absent.

Public Safety

Mr. Bernstein said the Public Safety Committee takes great pleasure in having two new Police officers sworn in this evening. He wished them the best of luck at the academy and welcomed them to the Borough of Allendale.

He added that the Public Safety Committee will meet on January 30th at 7:30 a.m.

Land Use and Construction Code

Mr. Strauch did not have a report.

Public Works

Mrs. White reminded the residents that they need to shovel their sidewalks within twenty-four hours at the end of a snowfall.

Tomorrow morning the Public Works Committee will take their annual road trip to look at the streets in Allendale to see which ones are most in need of repaving.

Personnel, Finance and Human Resources

Ms. LaMonica was absent.

Facilities, Parks and Recreation

Mrs. Wilczynski stated that the lightning detection system that was supposed to be installed last week was delayed due to the weather.

The next Facilities meeting is scheduled for January 30th at 9:00 a.m.

She offered her congratulations to the two new officers.

Municipal Attorney

Mr. Bole did not have a report.

Municipal Clerk

Mrs. McCarthy said next Thursday the Council members will be attending a JIF workshop that will save the Borough \$250 per person on JIF dues for each attendee. She added there is also an on-line option in case any Council member is unable to attend on that evening.

Mayor Barra welcomed two Boy Scouts who were in attendance at this evening's meeting. He urged them to introduce themselves to the new Police officers.

On a motion by Mrs. White, seconded by Mrs. Wilczynski, the Council voted unanimously to adjourn at 8:15 p.m.

Respectfully submitted,

Gwen McCarthy
Municipal Clerk