

January 27, 2011

A regular meeting of the Borough Council was held in the Municipal Building on January 27, 2011. The meeting was called to order at 8:00 p.m. by Mayor 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, Ms. LaMonica, Mr. Schoepflin, Mr. Strauch, Mrs. White and Mayor Barra. Also present were Mrs. McCarthy and Mr. Bole.

MINUTES

Ms. LaMonica moved, seconded by Mr. Schoepflin to approve the minutes of the Reorganization Meeting of January 6, 2011. On roll call Mr. Bernstein, Mrs. White, Mr. Strauch, Mr. Schoepflin and Ms. LaMonica voted in favor.

Mayor's Appointment

NAME	PLANNING BOARD	TERM
Thomas Zambrotta	Class IV – Citizen of the Municipality	12/31/2011

To replace the unexpired term of Robert Yevchak

CONSENT AGENDA

Resolution 11-52 – Introduced by Ms. LaMonica, seconded by Mrs. White

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 27, 2011.

On roll call, all Council members voted in favor.

Resolution 11-53 – Introduced by Ms. LaMonica, seconded by Mrs. White

Now, Therefore, Be It Resolved by the Governing Body that the Municipal Clerk is hereby authorized to advertise for bids for Powell Road Drainage in The Record in accordance with law.

On roll call, all Council members voted in favor

Resolution 11-54 – Introduced by Ms. LaMonica, seconded by Mrs. White

Whereas, the Borough of Allendale requires the service of professionals for the year 2011, 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 professionals 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) 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.

Appraisal Firm (residential)	Ernest Delguercio, Appraisal Systems
Appraisal Firm (commercial)	Louis Izenberg, Izenberg Appraisal Asso.
Affordable Housing Consultant	Mary Beth Lonergan
Municipal Engineer	John Yakimik
Municipal Prosecutor	Richard Rosa
Alternate Prosecutor	John S. Guerin
Public Defender	Dominick Preziosi, Jr.
Water and Sewer Engineer	Mark Tompeck, 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.

On roll call, all Council members voted in favor.

Resolution 11-55 – Introduced by Ms. LaMonica, seconded by Mrs. White

Whereas, Allendale Housing, Inc. has been incorporated effective September 12, 2008;

Whereas, it is necessary to appoint a Board of Trustees;

Whereas, there shall be five (5) Trustees; two (2) Trustees from the general public and three Trustees from the Council of the Borough of Allendale;

Now, Therefore, Be It Resolved that I, Mayor Vince Barra do hereby appoint the following Trustees subject to the advice and consent of the Council:

Mayor Vince Barra, Councilman Robert Schoepflin and Councilwoman Liz White are appointed as Trustees representing the Municipal Council for a term ending December 31, 2011.

On roll call, all Council members voted in favor.

Resolution 11-56 – Introduced by Ms. LaMonica, seconded by Mrs. White

Now, Therefore, Be It Resolved by the Governing Body that the Municipal Clerk is hereby authorized to advertise for bids for janitorial services in The Record in accordance with law.

On roll call, all Council members voted in favor.

Resolution 11-57 – Introduced by Ms. LaMonica, seconded by Mrs. White

Whereas, the Engineer has requested that certain changes are needed in the contract for 2010 Allendale Inlet Repairs,

Whereas, a net increase of \$2,975.00 will result from the following items:

- Rebuild an additional inlet on Canaan Place, and
- Repair previously unknown damage on inlets within the original scope of work.

Whereas, this change is authorized by a certification of funds by the Chief Financial Officer.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Change Order Number One resulting in an increase of approximately \$2,975.00 be approved for 2010 Allendale Inlet Repairs. This change order increases the previous contract amount from \$15,200.00 to \$18,175.00.

On roll call, all Council members voted in favor.

Resolution 11-58 – Introduced by Ms. LaMonica, seconded by Mrs. White

Whereas, the Engineer has requested that certain changes are needed in the contract for 2010 Road Resurfacing Program,

Whereas, a net decrease of \$7,067.07 will result from the following items:

- Reconcile finished contract quantities, and
- Authorize additional work on Stone Fence Road for milling, paving and one inlet Repair.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Change Order Number One resulting in a decrease of approximately \$7,067.07 be approved for 2010 Road Resurfacing Program. This change order decreases the previous contract amount from \$350,587.13 to \$343,605.15.

On roll call, all Council members voted in favor.

Resolution 11-59 – Introduced by Ms. LaMonica, seconded by Mrs. White

Whereas, the Engineer has requested that certain changes are needed in the contract for 2010 Water and Sewer System Replacement and Repairs,

Whereas, a net decrease of \$1,746.72. will result from the following items:

- Authorize an increase in the number of 6 inch gate valve and hydrant assembly replacements as directed by the Water and Sewer Superintendent, and
- Authorize a decrease in other items of construction to maintain a contract amount at or below the original contract amount.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Change Order Number Two resulting in a decrease of approximately \$1,746.72.00 be approved for 2010 Water and Sewer System Replacement and Repairs. This change order decreases the previous contract amount from \$93,100.00 to \$91,353.28. this is a net decrease of 1.9% from the original contract amount.

On roll call, all Council members voted in favor.

Resolution 11-60 – Introduced by Ms. LaMonica, seconded by Mrs. White

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 2010 Budget Appropriations:

DEPARTMENT	ACCOUNT NUMBER	FROM	TO
Electricity, OE	0-01-31-430-078		\$1,500.00
Gas (Natural), OE	0-01-31-446-073	\$1,500.00	
Police, S&W	0-01-25-240-014		5,500.00
Social Security	0-01-36-472-000	5,800.00	
Tax Collection, S&W	0-01-20-145-012		300.00
Total Transfers		\$7,300.00	\$7,300.00

On roll call, all Council members voted in favor.

Resolution 11-61 – Introduced by Ms. LaMonica, seconded by Mrs. White

Whereas, A276-21 of the by-laws provides that the Mayor shall appoint members of all committees, subject to the concurrence of a majority of the Council;

Whereas, A276-24 of the by-laws provides that special committees may be appointed for purposes other than those included in the duties of the standing committees;

Whereas, it is reasonable and appropriate that a special committee be appointed entitled “Crestwood Lake Committee”;

Now, Therefore, Be It Resolved that the Mayor does hereby appoint, subject to concurrence of the Council the following individuals to serve on the Crestwood Lake Committee: John Dryer, Mary Ann Martin, Kevin Martin, Cyndi Bennewitz, Jennifer Smith, Diane Haynes and Matt Haynes.

On roll call, all Council members voted in favor.

Resolution 11-62 – Introduced by Ms. LaMonica, seconded by Mrs. White

Be It Resolved that the following mission statement submitted by the proposed representatives of the Crestwood Committee is hereby endorsed and approved:

“To enhance the enjoyment of Crestwood Park for Allendale residents and members of Crestwood Lake, through a series of organized events, and to be a voice of all residents in the preservation of the bucolic setting there for future generations.”

On roll call, all Council members voted in favor.

Resolution 11-63 – Introduced by Ms. LaMonica, seconded by Mrs. White

Be It Resolved that the following individuals be and they are appointed to the named Board or Commission for the period specified:

NAME AND BOARD OR COMMISSION	TERM EXPIRES
Bridget Egan	12/31/2011
Peter Borzilleri	12/31/2011
John Hottinger	12/31/2011
Rich LeBlancq	12/31/2011
Jim Mulanaphy	12/31/2011

On roll call, all Council members voted in favor.

Resolution 11-64 – Introduced by Ms. LaMonica, seconded by Mrs. White

Whereas, the Mayor and Council wish to express its appreciation for voluntary service within the Borough by providing cost reductions for use of Crestwood Lake;

Now, Therefore, Be It Resolved by the Governing Body that it does hereby authorize, effective for the calendar year 2011 (1) free family memberships for firefighters and ambulance corps personnel; (2) 25% off the non-resident rate for employees of the Allendale Elementary School District and Northern Highlands High School; and (3) no charge for children under 2 years of age as of opening day at Crestwood Lake.

On roll call, all Council members voted in favor.

Resolution 11-65 – Introduced by Ms. LaMonica, seconded by Mrs. White

Whereas, the Borough Engineer has issued a letter dated June 23, 2010 in respect to the Soil Movement and Performance Guaranty of the project known as Allendale Glen Estates, LLC, 12 Nadler Court, Lot 9.03, Block 910.

Now, Therefore, Be It Resolved by the Governing Body that it does hereby authorize a release of the Soil Movement Performance Guaranty in the amount of \$4,160.00

Be It Further Resolved that all other legal and engineering escrow amounts shall remain on deposit until final invoices are presented for this development.

On roll call, all Council members voted in favor.

Resolution 11-66 – Introduced by Ms. LaMonica, seconded by Mrs. White

Be It Resolved that the following individuals be and they are appointed to the named Board or Commission for the period specified:

NAME	TERM EXPIRES
Vince Barra	December 31, 2011
Robert Schoepflin	December 31, 2011

On roll call, all Council members voted in favor.

Resolution 11-67 – Introduced by Ms. LaMonica, seconded by Mrs. White

Whereas, each Bergen County Community that participates in the Community Development Cooperative must appoint two representatives to its respective Community Development Committee, and

Now, Therefore, Be It Resolved that the Governing Body hereby appoints Mayor Vince Barra, Councilwoman Liz White and Liz Homan as the alternate to participate on the Community Development Committee.

On roll call, all Council members voted in favor.

Resolution 11-68 – Introduced by Ms. LaMonica, seconded by Mrs. White

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 individual be appointed as a temporary employee:

Name	Department	Appointment Date	Salary
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Sean Toolan Public Works January 24, 2011 \$10/hour

On roll call, all Council members voted in favor.

Resolution 11-69 – Introduced by Ms. LaMonica, seconded by Mrs. White

Be It Resolved by the Governing Body that James Moritz is temporarily assigned from the Department of Public Works to the Water Department from February 1, 2011 through June 30, 2011.

On roll call, all Council members voted in favor.

Resolution 11-70 – Introduced by Ms. LaMonica, seconded by Mrs. White

Be It Resolved by the Governing Body, under the authority of N.J.S.A. 40A:11-36 that the sale of two (2) surplus patrol cars, not needed for public use, by sealed bid, which bid will be accepted on Monday, March 14, 2011 at 10:00 A.M. is hereby authorized and approved.

Be It Further Resolved that the Municipal Clerk is authorized to publish notice of the sale of such personal property in the Record, as provided by law, substantially in the form attached hereto.

On roll call, all Council members voted in favor.

Resolution 11-71 – Introduced by Ms. LaMonica, seconded by Mrs. White

Whereas, the Engineer has requested that certain changes are needed in the contract for Chestnut Street Roadway Improvements,

Whereas, a net decrease of \$11,406.32 will result from the following items:

- Reconcile as built quantities completed to date and
- Extra work to modify the constructed modular block wall at a fire hydrant and driveway.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Change Order Number Two resulting in a decrease of approximately \$11,406.32 be approved for Chestnut Street Roadway Improvements. This change order decreases the previous contract amount from \$176,477.15 to \$165,070.83 or 6.5% of the original contract amount.

On roll call, all Council members voted in favor.

Resolution 11-72 – Introduced by Ms. LaMonica, seconded by Mrs. White

Whereas, there currently exists the sum of One Million One Hundred Thousand (1,100,000) dollars in the Boroughs Affordable Housing Trust Fund;

Whereas, these funds are intended to be utilized to create Affordable Housing opportunities within the Borough;

Whereas, Allendale Housing, Inc. intends to acquire property commonly known as the Foreit site to be designated “Crescent Commons”, for the construction of affordable housing and requires these funds in part to finance the acquisition;

Whereas, acquisition of the Foreit site is an essential component of the Borough’s affordable housing plan and serves an important public purpose;

Now, Therefore, Be It Resolved by the Governing Body that the Chief Financial Officer is authorized to transfer the sum of One Million One Hundred Thousand (\$1,100,000) from the Borough’s Affordable Housing Trust Fund to Allendale Housing, Inc. for the purposes set forth above.

On roll call, all Council members voted in favor.

Resolution 11-73 – Introduced by Ms. LaMonica, seconded by Mrs. White

WHEREAS, the Utility Payers listed below have been found to have their utility bill reduced by the amount shown, and

WHEREAS, these adjustments are due to an estimated bill, incorrectly reported water usage, or incorrect readings, and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Allendale, that these adjustments be granted, with no money refunded, to the following utility bill payers:

Northern Highlands HS	2	790.51		Martin, C	1804
Boro of Allendale	11	3,395.79		Ernst, C	1810
Allendale Housing	44	251.08		Cassidy, E	1814
Vorbrodt, A	101	84.50		Marion's American	1882
Preece, K	144	126.54		Harrison, R	1987
Labbatti, K	210	89.76		Bisbie, T	2062
Welter, J	216	646.40		Pessolano, A	2197
Martin, W	359	79.00		Aput, Inc	2333
Keane, J	366	26.76		Zonitch, C	2380
Meres, E	413	85.00		Glook, J	2476
Whittham, D	431	293.45		Grueter, J	2526

Nestor, M	432	84.43		Miere, P	2563
Meli, J	433	421.60		Herten, K	2566
Blauvelt, T	511	1,166.16		Dinello, D	2574
Wohlleb, R	662	18.93		Marubeni	2797
Schmitt, P	713	9,005.56		Metz, K	2856
Beck, B	766	52.64		Rio Vista CMC	2883
Pelic, M	774	94.50		Bilow, J	3188
Allendale Professional	848	651.75		Galligan, A	3208
King, R	887	644.23		Chung-Munzo, A	3293
Brey, N	913	0.62		Menazzi-Moretti, M	3306
Hinchcliff, L	1052	43.30		Hitt, L	3335
Simmel, W	1081	124.99		Troyanovski, C	3360
Mawe, T	1103	348.40		Welsh, E	3414
Bouregy, T	111	86.18		Gilfeather, R	3473
Cocheo, F	1127	21.79		Grasso, J	3478
Ernst, C	1199	70.39		Haslin, M	3539
Condon, J	1236	36.75		Kelso, E	4094
Darmiento, A	1394	63.00		Weil, J	4160
Bandstra, A	1452	53.76		Levy, R	4325
Salameno, L	1463	5,757.68		Eyenberg, M	4341
Shea, J	1694	116.15		Ferara, W	4344
Kitlas, E	1696	120.76		Putrino, F	4375
				Martinez, J	4389

Mayor Barra said he received an agreement from the New Jersey State Association of Police Chiefs to conduct an oral examination. The fee to conduct this examination for one to five candidates for the position of Police Chief will be \$1,625.00.

Mr. Bole has indicated this could be approved by motion this evening and memorialized by resolution at the next meeting of the Council.

Ms. LaMonica moved, seconded by Mr. Schoepflin to authorize the Mayor to sign an agreement with the New Jersey State Association of Police Chiefs to conduct an oral examination for the position of Police Chief.

On roll call, Mr. Strauch, Mr. Schoepflin, Ms. LaMonica, Mrs. White and Mr. Bernstein voted in favor.

COMMITTEE REPORTS

Public Works

Mrs. White thanked the DPW employees for once again working overnight in a snow storm. Mr. Cauwenberghs has indicated that Allendale has spent over \$33,000 for rock salt since January 1, 2011. Mr. Cauwenberghs has done an outstanding job as has the entire DPW staff.

The Borough calendar has been updated for Mayor and Council appointments. Mrs. White asked that the individual Committee meeting dates also be added to the calendar.

Mrs. White reminded everyone to sign up for SwiftReach and Nixle.

Public Safety

Mr. Bernstein stated that there was a meeting of the Public Safety Committee on January 20, 2011. There will be another meeting next month.

Land Use and Construction Code

Mr. Strauch said the DPW's work had been "stellar" this year. His wife was one of the few people who went to work in the most recent storm. She said once the bus left Allendale and went into neighboring towns, the difference in the roads was substantial.

The first Land Use meeting was on January 14, 2011. Mr. Strauch wants to see the Code of the Borough of Allendale enforced. This was important last year but it is his mission for this year. The next meeting of the Land Use Committee will be Friday, February 4, 2011 at the Borough Hall.

Mrs. White said she wants to make sure the residents who have sidewalks keep them clean for children and others who want to use them. It is dangerous not to keep the sidewalks clear and some homeowners have not shoveled since the storm of December 26th.

Water, Sewer and Public Utilities

Mr. Schoepflin said the Water, Sewer and Public Utilities Committee will meet tomorrow morning at 9:00 a.m. at the Borough Hall. Mr. Beck's issue will be addressed and hopefully resolved at that time.

Administration, Finance and Personnel

Ms. LaMonica said her committee met this week and last week. She complimented Mrs. Mayer on the work she did to prepare for this evening's financial presentation.

Facilities, Parks and Recreation

Mrs. Wilczynski was absent.

Municipal Attorney

Mr. Bole did not have a report

Municipal Clerk/Administrative Officer

Council photographs have been posted on the website and copies will be framed and posted in the lobby.

Mrs. McCarthy also complimented the Borough Hall staff who have been most diligent in being at work no matter what the weather.

On a motion by Mr. Schoepflin, seconded by Mrs. Wilczynski, the Council voted unanimously to adjourn at 8:26 p.m.

Respectfully submitted,

Gwen McCarthy
Municipal Clerk