

Regular Session Meeting
Mayor and Council
February 12, 2015

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 February 12, 2015. The meeting was called to order at 8:22 p.m. by Mayor White who announced that the requirements of the Open Public Meeting Act were met by the required posting and notices of publications.

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

The following individuals answered roll call: Councilmembers Bernstein, McSwiggan, Sasso, and Wilczynski. Councilman Strauch, Councilwoman Homan and Mayor White were absent. Mr. Valenzuela and Mr. Wiss were also present.

APPROVAL OF MINUTES

Work Session September 22, 2014
Regular Session September 22, 2014

Councilwoman McSwiggan made a motion to approve the Work and Regular Session Minutes of September 22, 2015 as submitted, Seconded by Councilman Sasso.

On Roll Call: Aye – Bernstein, McSwiggan, Sasso, and Wilczynski.

The minutes for the December 11th meeting were tabled due to lack of a quorum for those minutes.

Public Hearings for Advertised Ordinances:

Mr. Valenzuela read Resolution 15-83 into the record as follows:

Resolution 15-83: Ordinance 15-02
 Adoption of the 2015/2016/2017 Salary Ordinance for the
 Allendale PBA.

**AN ORDINANCE TO AMEND THE SALARY ORDINANCE OF THE
BOROUGH OF ALLENDALE FOR THE YEARS 2015, 2016 AND 2017 FOR
MEMBERS OF THE POLICE DEPARTMENT**

BE IT ORDAINED AS FOLLOWS:

Section 1 – That the salary range for the following employees be established as follows for the years 2015, 2016 and 2017.

Police Officers

Effective:	1/1/2015	1/1/2016	1/1/2017
Academy/Remainder of First Year	\$35,000	\$35,000	\$35,000

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During the Second Year	\$44,571	\$44,571	\$44,571
During the Third Year	\$54,142	\$54,142	\$54,142
During the Fourth Year	\$63,713	\$63,713	\$63,713
During the Fifth Year	\$73,284	\$73,284	\$73,284
During the Sixth Year	\$82,855	\$82,855	\$82,855
During the Seventh Year	\$92,426	\$92,426	\$92,426
During the Eighth Year	101,997	101,997	101,997
During the Ninth Year (Maximum)	\$120,769	\$123,184	\$125,648
First Year Sergeant	\$126,855	\$129,392	\$131,980
Second Year Sergeant	\$128,454	\$131,023	\$133,643
First Year Detective Sergeant	\$133,771	\$136,446	\$139,175
Detective Sergeant	\$135,369	\$138,077	\$140,838
Lieutenant	\$132,161	\$134,805	\$137,501
Detective Lieutenant	\$139,117	\$141,899	\$144,737
Patrol Officer/Detective Stipend	\$1,500	\$1,500	\$1,500

Section II

Severability

If any section, subsection, paragraph, sentence, clause, phrase, or word contained in this ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall remain in full force and effect and to this end the provisions of this ordinance are hereby declared to be severable.

Section III

Repealer

All other ordinances of the Borough, or parts thereof, which are in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section IV

Effective Date

This ordinance shall take effect upon passage and

Public Comments:

There were no public comments.

Consent Agenda:

Resolution 15-84: List of Bills

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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 February 12, 2015.

Resolution 15-85: Donation of Two Luau Tickets to AFEE

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 donation of two Luau tickets to the Allendale Foundation for Educational Excellence.

Resolution 15-86: Approval of Raffle License #409 NHHS

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 Application No. RA: 409 as follows:

Northern Highlands Home Association and School, Inc.
On Premises Tricky Tray
March 12, 2015
6:00 p.m. – 9:00 p.m.
Raffle Location: Northern Highlands Regional High School, 298 Hillside Avenue,
Allendale, NJ 07401

Prizes: Thirty (30) baskets of donated goods valued at approximately \$50-\$75 per basket.

Resolution 15-87: Approval of Raffle License#410 AFEE

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 Application No. RA: 410 as follows:

Allendale Foundation for Education Excellence
On Premises 50/50 Raffle
May 8, 2015
6:00 p.m. – 9:00 p.m.
Raffle Location: Northern Highlands Regional High School, 298 Hillside Avenue,
Allendale, NJ 07401

Prize: 50% of the proceeds will be awarded to the winner.

Resolution 15-88: Approval of 2015 APD Salary Resolution

Be It Resolved that the following are the salaries for Borough employees for the year 2015. All salaries are retroactive to January 1, 2015.

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Kevin Azevedo, Police Officer (1/1/15-1/17/15)	\$44,571
Kevin Azevedo, Police Officer (1/17/15-12/31/15)	\$54,142
Michael Dillon, Police Officer	\$125,600
Michael Dillon, Detective	\$1,500
Todd Griffith, Sergeant	\$141,299
Jamie Hillgardner, Police Officer (1/1/15-1/17/15)	\$44,571
Jamie Hillgardner, Police Officer (1/18/15-12/31/15)	\$54,142
Sean Hubbard, Police Officer	\$128,015
William Kroepke, Sergeant (1/1/15-8/31/15)	\$139,541
William Kroepke, Sergeant (9/1/15-12/31/15)	\$141,299
Scott Kuenzel, Police Officer	\$128,015
Terry Lawler, Sergeant	\$141,299
John Mattaice, Sergeant	\$141,299
Vincent Rizzo, Police Officer	\$73,284
Dan Rosendahl, Police Officer (1/1/15-7/15/15)	\$54,142
Dan Rosendahl, Police Officer (7/16/15-12/31/15)	\$63,713
Paul Stettner, Police Officer	\$130,431
Victor Bartoloma, Police Officer (1/1/15-1/29/15)	\$35,000
Victor Bartoloma, Police Officer (1/30/15-12/31/15)	\$44,571

Resolution 15-89: Covenant for Bond Anticipation Note

Whereas, the Borough of Allendale, in the County of Bergen, New Jersey (the “Borough”) from time to time issues bonds, notes, and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and,

Whereas, the Internal Revenue Code of 1986, as amended (the “Code”), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain other action to establish and maintain such Federal tax exclusion; and,

Whereas, the Borough desires to designate a \$1,272,750 Bond Anticipation Note, dated January 30, 2015, payable January 29, 2016 (the “Note”), as a “qualified tax-exempt obligation” pursuant to Section 265(b)(3) of the Code;

Now, Therefore, Be It Resolved by the Borough Council of the Borough of Allendale, in the County of Bergen, New Jersey, as follows:

Section 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the

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Note) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

Section 2. The Mayor, Borough Clerk, Chief Financial Officer and other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

Section 3. The Note is hereby designated as a “qualified tax-exempt obligation” for the purpose of Section 265(b)(3) of the Code.

Section 4. It is hereby determined and stated that (1) said Note is not a “private activity bond” as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during calendar year 2015.

Section 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during calendar year 2014.

Section 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

Section 7. The issuing officers of the Borough be and they hereby are authorized to deliver a certified copy of this resolution to the original purchaser with a certificate of obligations issued during the calendar year 2015 dated as of the date of delivery of the Note.

Section 8. This resolution shall take effect immediately upon its adoption.

Resolution 15-90: Authorizing Recycling Tonnage Grant Application

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,

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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 2014 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 Robert Culvert 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.

Resolution 15-91: Approval of County Tax Board Judgments

Be It Resolved, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to reduce the 2014 tax levy due to County Board Judgments on an Added Assessment as follows:

702/4 C0011	Mazzawi, Elias & Wadad	\$56.60
1304/17	Mukherjee, Sumit & Gina	\$4,213.74

Be It Further Resolved, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to reduce the 2014 tax levy and issue the following overpayment due to a 2014 County Board Judgment on an Added Assessment:

509/2	Kramer, Albert & Suzanne	\$77.45
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Resolution 15-92: Approval of Refund of Overpayment of 2014 Taxes

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 2014 Taxes:

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Block/ Lot	Name	Property Location	Amount
104/10	Thomson, William & Fani 540 Hillside Avenue Allendale, NJ 07401	540 Hillside Avenue	\$67.61
301/23	Badiali, John & Jacqueline 66 Woodland Avenue Allendale, NJ 07401	66 Woodland Avenue	\$1,646.65
408/4	Corelogic Attn: Tax Refunds 1 Corelogic Drive Mail Code: DFW 1-3 Westlake, TX 76262 Kleinknecht	977 Franklin Turnpike	\$3,278.02
509/1	Hwang, Bongmok 46 Harreton Road Allendale, NJ 07401	46 Harreton Road	\$20.09
509/11	Wells Fargo R/E Tax Services MAC X2302-04D 1 Home Campus Des Moines, IA 50328 Cardone	2 Harreton Road	\$1,100.95
601/2	Allendale Corporate Center LLC 359 Veterans Blvd Rutherford, NJ 07070-2564	80 Commerce Drive	\$20,527.38
801/1.01	Corelogic Attn: Tax Refunds 1 Corelogic Drive Mail Code: DFW 1-3 Westlake, TX 76262 Jacobs	4 Meadow Lane	\$6,293.19
801/13	Greer, David & Kelly, Terese 1 Cottage Place Allendale, NJ 07401	1 Cottage Place	\$30.50
905/12	Corelogic Attn: Tax Refunds 1 Corelogic Drive Mail Code:DFW 1-3 Westlake, TX 76262 Castro	125 Myrtle Avenue	\$1,523.21

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1702/16	Grosso, Paul & Cifuentes, Luz 151 Park Avenue Allendale, NJ 07401	151 Park Avenue	\$2,563.81
2003/7	Kibby, Brian 428 Caesars Drive Barrington, IL 60010	99 Franklin Turnpike	\$7,511.67
2003/10.02	Corelogic Attn: Tax Refunds 1 Corelogic Drive Mail Code: DFW 1-3 Westlake, TX 76262 Mohan	65 Chestnut Street	\$4,182.93
2101/1.2103	Joe, Steven 2103 Freeman Way Allendale, NJ 07401	2103 Freeman Way	\$6,693.95
2206/1	Corelogic Attn: Tax Refunds 1 Corelogic Drive Mail Code: DFW 1-3 Westlake, TX 76262 Cagney	320 Park Avenue	\$3,303.85
TOTAL			\$58,743.81

Resolution 15-93: Appointment of Recycling Coordinator

Be It Resolved by the Governing Body that Robert Culvert is hereby appointed as the Recycling Coordinator effective as of February 16, 2015 at an annual compensation of \$2,000.00, and

Now Therefore Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Robert Culvert shall be compensated at the annual salary of \$2,000.00, which shall be prorated from the date of commencement of his employment;

Resolution 15-95: Authorization of Temporary Appropriations for 2015 Budget

WHEREAS, an emergent condition has arisen with respect to certain budget appropriations and no adequate provision has been made in the 2015 Temporary Budget, and N.J.S.A. 40A: 4-20 provides for the creation of emergency temporary appropriations for said purpose; and

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NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that in accordance with the provisions of N.J.S.A. 40A: 4-20;

1. An emergency temporary appropriation be and the same is hereby made in the total amount of:

Current Fund	
Municipal Clerk, S&W	\$6,000
Plumbing Sub Code, S&W	\$2,000
Fire Sub Code, S&W	\$2,000
Tax Assessor, O. E.	\$10,000
Snow Removal, O.E.	\$10,000
Total Current Fund	\$30,000

2. That said emergency temporary appropriation will be provided in the 2015 budget;

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

Councilwoman Wilczynski made a motion to approve the Consent Agenda; seconded by Councilman Sasso.

On Roll Call: Aye – Bernstein, Homan, McSwiggan, Sasso, Strauch, and Wilczynski.

Unfinished Business:

There was no unfinished business.

New Business:

There was no new business.

Committee reports and comments:

Councilwoman McSwiggan – Water, Sewer and Public Utilities -

Councilwoman Homan – Public Safety

Councilman Strauch - Land Use and Construction Code

Councilman Bernstein – Administration, Finance and Human Resources

Councilwoman Wilczynski – Facilities, Parks and Recreation

Councilman Sasso - Public Works

Staff Reports:

Public Comments:

On a motion by Councilwoman Homan, seconded by Councilwoman McSwiggan, the Council voted unanimously to adjourn at 8:45.

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Respectfully submitted,

Frank Valenzuela
Acting Municipal Clerk