

Work Session
Borough of Allendale
Mayor and Council
March 12, 2015

A Work Session of the Mayor and Council was called to order at 7:30 p.m. by Mayor White.

Mr. Valenzuela announced that the requirements of the Open Public Meetings Act were met by the required postings and notice to publications. In addition, this evening's meeting is being recorded.

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

Public Comments

Mayor White opened the meeting to the public for comments.

Mr. Robert Paterson of 32 Stone Fence Road said he is concerned about the resolution on this evening's agenda which, if approved, would allow employees of the Department of Public Works to provide maintenance to the Fell House property with the consent of the Mayor and Council.

He stated that he opposes the proposition to use the DPW for this purpose. His instincts are that such an action might be illegal and he encouraged the Council to ask Mr. Wiss about its legality if they have not already done so. It is his understanding that the Council is not allowed to give contributions and this is a contribution.

He believes a more serious objection is that approval of this resolution would set a precedent for other organizations that are also in need of financial assistance.

Finally he is concerned that this action could ultimately lead to the Borough's acquisition of the Fell House. A number of years ago he was asked to review the business plan of the Fell House which was totally based on revenues from rentals. His observation is that those revenues have not been forthcoming and that places them in a position to ask the Borough for assistance. That could lead to the Borough taking the Fell house over as Borough property and he is opposed to that action.

There were no further comments from the public.

Fell House Maintenance by the Department of Public Works

Mrs. Wilczynski thanked Mr. Paterson for his comments.

Mrs. Wilczynski said she has been on the Board of the Fell House for the past three or four years and she considers it to be a gem of Allendale, similar to Crestwood Lake and the Celery Farm.

She noted that there is no concern about the Fell House being acquired by Allendale because it is owned by Bergen County and Green Acres.

The Fell House has been seeking renters and providing fund raising events as well as conducting other services for the County and Allendale residents. At least once a year the Third Grade students of

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Allendale come to the property for instruction about the Revolutionary War and John Fell.

The County offers continuing grants for properties such as these and they like to see that the towns in which they are located also provide support to these historical properties. Providing such support shows that the town appreciates the home for what it is.

Finally, any maintenance that is done for the Fell House must be approved by the Council. At this time all that has been proposed is to offer assistance with clearing the snow from the driveway and sidewalks on the property.

Mayor White added that the Concerned Citizens of Allendale went to a meeting of the County's Open Space Trust Fund. One of the biggest issues the County has in giving additional money to the Fell House is that the Borough of Allendale has not made a substantial contribution to the purchase, upkeep or maintenance of the property. Allendale has been asked to show its support of the property, and the Facilities Committee believes having the DPW provide snow removal will not be time consuming but it will show support for the ongoing maintenance of the property. Mrs. White noted that the Director of Operations is in support of this resolution.

Mr. Bernstein said he understands Mr. Paterson's concerns and he has similar concerns about whether the proposed actions would be legal and whether this is an isolated issue that can be distinguished from the needs of other organizations.

Mr. Wiss commented that public funds and tax dollars cannot be used for a private individual or a private enterprise but it has already been noted that the Fell House is, if not a public entity, at least a quasi-public entity which is owned by the County, and State dollars have been committed to it. He is satisfied that the resolution is acceptable on a legal basis.

He noted that Mrs. Wilczynski has already addressed the issue of a future acquisition of the property by the Borough.

Mr. Wiss said with regard to precedence, the Borough will have to examine any future requests for support on their own merit.

Mrs. McSwiggan agreed that the Fell House is an unsung gem in Allendale and that other municipalities have supported historical properties that are located in their towns. She believes that it is appropriate for Allendale to do the same with regard to preserving the Fell House for future generations. Shoveling of snow is a minor form of support.

Mr. Bernstein asked if each act of maintenance would require Council approval.

Mrs. Wilczynski said that providing snow removal would be recurring, but any other requests for maintenance will be discussed first and then approved or rejected by the Council.

Mr. Strauch compared the proposal to maintenance that Allendale provides for the Celery Farm.

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Agenda Review

Introduction of Ordinance 15-06 – Refunding Bond Ordinance

Mayor White said that the introduction of this ordinance will give the Council the ability to have the Bond Counsel and the Auditor start the process of refinancing bonds dating back to 2005 in order to get a lower interest rate on them.

After introduction the Auditor will begin to work on an offering statement. Once the statement is complete, Allendale will apply for a rating from Standard and Poors. Allendale currently has an AAA bond rating. The AAA rating helps Allendale to get a better rate when they seek the refinancing of bonds.

The ordinance will be adopted on March 26, 2015.

Consent Agenda

Mrs. White noted that there are several Raffle License Applications on the Consent Agenda in addition to the approval of the Guardian Angel Carnival, the approval a Generators Maintenance Contract and a resolution authorizing Maintenance on the John Fell property.

Mayor's Report

Mayor White said she and former Mayor Barra met with Senator Kevin O'Toole to discuss Allendale's concern with regard to the Division of Developmental Disabilities Statewide Transition Plan. Senator O'Toole was very interested in their concerns. He and other members of the 40th District are going to include their concerns in a document requesting changes to the Transition Plan.

Mrs. White thanked Patrick Donohue for providing CPR training for Borough employees last week.

Mrs. White signed off for Allendale receive \$109,000 from FEMA's Category A from Hurricane Sandy. It is hoped that this reimbursement will be received very soon.

Mrs. Wilczynski and Mayor White attended a deer management seminar at the County. Allendale has distributed copies of its ordinance prohibiting deer feeding to other municipalities that have requested it.

On March 9th, the President of Orange and Rockland Utilities was in Allendale to tell Allendale about some of the projects they are currently working on. They asked that residents be reminded to call and notify Orange and Rockland when they have a power outage.

Mrs. White was in attendance at a JIF Safety Breakfast on March 10th, and Allendale's first quarterly Safety Meeting was held on March 11th.

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The second department head meeting of the year was held last week and it included a number of good discussion items.

The Spring Budget Newsletter will be coming out in the next two weeks.

Mayor White attended a ribbon cutting for Eastern Christian Children's Retreat in Wyckoff. They are building a five bedroom house on Crescent Avenue in Allendale. She stated that the units are very high quality and the residents are "phenomenal". She said this house will be a great addition to Allendale.

Mr. Bernstein, Mrs. McSwiggan were invited to the local Rotary Club last night and they were invited to work with the local business which will be a wonderful outreach for the Council.

The State Supreme Court came out with their recent COAH ruling. Allendale will be working with our COAH Planner and Municipal Attorney to ensure that our current COAH plan will continue to be applicable with future guidelines. The next ninety days will be a transition time, but before July 8th we will file a declaratory judgment at the Superior Court in Hackensack asking them to accept our COAH plan. We may ask for a motion to get the Judge to issue our COAH number based upon the plan Allendale has put together.

On a motion by Mr. Sasso, seconded by Mrs. McSwiggan, the Council unanimously voted to adjourn to Regular Session at 8:30 p.m.

Respectfully submitted,

Frank Valenzuela
Municipal Clerk