

Regular Session Minutes  
Borough of Allendale  
Mayor and Council  
March 26, 2015

A Regular meeting of the Borough Council was held in the Municipal Building on March 26, 2015. The meeting was called to order at 8:00 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.

Mrs. White led those present in the Pledge of Allegiance.

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

*Approval of Minutes*

Mrs. McSwiggan moved, seconded by Mrs. Wilczynski, to approve the Special Meeting minutes of January 14, 2015. On roll call, Mr. Strauch abstained and all other members voted in favor.

*Public Hearings for Advertised Ordinances*

**Ordinance 15-06**  
**Adoption of Refunding Bond Ordinance**

Resolution 15-116b – Introduced by Mr. Bernstein, seconded by Mrs. Wilczynski

**Be It Resolved** that Ordinance 15-06, “Refunding Bond Ordinance providing for the refunding of \$2,950,000 aggregate principal amount of outstanding bonds of the Borough of Allendale, in the County of Bergen, State of New Jersey, appropriating a sum not exceeding \$3,075,000 to pay the cost thereof and authorizing the issuance of not exceeding \$3,075,000 aggregate principal amount of refunding bonds of said Borough to finance such appropriation”, be passed upon second and final reading and that the Borough Clerk is hereby authorized and directed to advertise the same according to law.

Mayor White opened the meeting to the public for comments. There were none.

On roll call, all Council members voted in favor.

(See Ordinance 15-06, attached and made a part hereof.)

*Public Comments*

Mayor White opened the meeting to the public for comments on any agenda items. There were none.

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*Introduction of Ordinances*

**Ordinance 15-07**

**Exceed the Budget Appropriation Limits and Establish a CAP Bank**

Resolution 15-117 – Introduced by Mr. Bernstein, seconded by Mrs. Wilczynski

**Be It Resolved** that Ordinance 15-07, “Calendar year 2015 Ordinance to exceed the Municipal Budget appropriation limits and to establish a CAP Bank” is introduced and does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 9<sup>th</sup> day of April 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 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 Ordinance 15-07, attached and made a part hereof.)

**Introduction of 2015 Municipal Budget**

Resolution 15-118 – Introduced by Mr. Bernstein, seconded by Mrs. Wilczynski

**Be It Resolved**, that the following statements of revenues and appropriations shall constitute the Municipal Budget of the Borough of Allendale for the year 2015:

Summary of Revenues	Anticipated	
	2015	2014
1. Surplus	1,000,000.00	1,400,000.00
2. Total Miscellaneous Revenues	2,333,104.18	2,299,242.45
3. Receipts from Delinquent Taxes	200,000.00	200,000.00
4. a) Local Tax for Municipal Purposes	8,699,271.00	8,497,980.70
b) Addition to Local District School Tax		
c) Minimum Library Tax	561,921.00	549,424.00
Tot Amt to be Rsd by Taxes for Sup of Mun. Bud	9,261,192.00	9,047,404.70
Total General Revenues	12,794,296.18	12,946,647.15

  

Summary of Appropriations	2015 Budget	Final 2014 Budget
1. Operating Expenses: Salaries & Wages	3,763,153.00	3,716,107.00
Other Expenses	5,946,026.18	5,833,065.52

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2. Deferred Charges & Other Appropriations	838,339.00	1,062,239.00
3. Capital Improvements	288,938.00	381,000.00
4. Debt Service (Include for School Purposes)	1,507,840.00	1,510,964.63
5. Reserve for Uncollected Taxes	450,000.00	443,271.00
Total General Appropriations	12,794,296.18	12,946,647.15
Total Number of Employees	87	87

2015 Dedicated Water Utility Budget		
Summary of Revenues	Anticipated	
	2015	2014
1. Surplus	120,000.00	130,000.00
2. Miscellaneous Revenues	1,703,000.00	1,725,000.00
3. Deficit (General Budget)		
Total Revenues	1,823,000.00	1,855,000.00
Summary of Appropriations	2015 Budget	Final 2014 Budget
1. Operating Expenses: Salaries & Wages	19,688.00	22,045.00
Other Expenses	1,257,780.00	1,292,300.00
2. Capital Improvements	115,000.00	115,000.00
3. Debt Service	410,700.00	395,945.00
4. Deferred Charges & Other Appropriations	19,832.00	29,710.00
5. Surplus (General Budget)		
Total Appropriations	1,823,000.00	1,855,000.00
Total Number of Employees	1	6

Balance of Outstanding Debt		
	General	Water Utility
Interest Budgeted	270,080.00	87,100.00
Principal Budgeted	1,237,760.00	323,600.00
Outstanding Balance	12,407,990.00	3,903,550.00

**Be It Further Resolved** that the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey does hereby approve the hereinabove captioned budget on introduction for the year 2015; and,

**Be It Further Resolved** that the Municipal Clerk is hereby directed to advertise the Budget Summary in the Borough's official newspaper in accordance with state law, and such advertisement shall include the following language:

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“Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Borough of Allendale, County of Bergen, on March 26, 2015.”

A hearing on the Budget and Tax Resolution will be held at the Municipal Building on April 23, 2015 at 8:00 p.m. at which time and place objections to the Budget and Tax Resolution for the year 2015 may be presented by taxpayers or other interested persons.

Copies of the Budget are available in the office of the Borough Clerk at the Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey; Phone: (201) 818-4400, during the hours of 9:00 a.m. to 4:30 p.m.”

On roll call, all Council members voted in favor.

(See Municipal Budget 2015, attached and made a part hereof.)

**Ordinance 15-08**

**Amendment to Property Maintenance Code, Chapter 199-12(N) – Fire Hydrants**

Resolution 15-119 – Introduced by Mr. Strauch, seconded by Mrs. McSwiggan

**Be It Resolved** that Ordinance 15-08, “An Ordinance to Amend, Supplement and Revise the Code of the Borough of Allendale, Property Maintenance, Chapter 199-12(N)” is introduced, and does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 9<sup>th</sup> day or April, 2015 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 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 Ordinance 15-08, attached and made a part hereof.)

**Ordinance 15-09**

**Amendment to Sales and Solicitation, Chapter 194-12 through 194-21**

Resolution 15-120 – Introduced by Mr. Bernstein, seconded by Mrs. McSwiggan

**Be It Resolved** that Ordinance 15-09, Chapter 194 of the Code of the Borough of Allendale entitled, “Sales and Solicitation” is introduced and does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 9<sup>th</sup> day or April, 2015 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 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

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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 Ordinance 15-09, attached and made a part hereof.)

**Ordinance 15-10**  
**Smoke Free Zones and Areas**

Resolution 15-127 – Introduced by Mr. Sasso, seconded by Mrs. Wilczynski

**Be It Resolved** that Ordinance 15-10, Chapter 233 of the Code of the Borough of Allendale entitled, “Smoke Free Zones and Areas” is introduced and does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 9<sup>th</sup> day of April, 2015 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 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 Ordinance 15-10, attached and made a part hereof.)

*Resolutions*

Resolution 15-121 – Introduced by Mrs. McSwiggan, seconded by Mr. Strauch

**Whereas**, the Borough of Allendale believes that people with developmental disabilities have the right to choose from a full array of housing, lifestyle and support service options; and

**Whereas**, our community has advanced those choices by promoting independent living and has provided housing for 37 Special Needs individuals with an additional 5 beds to be constructed in 2013; and

**Whereas**, the state is contemplating rule changes that will effectively limit housing choices for people with developmental disabilities to either four bedroom group homes or set aside units that are 25% or less of a large multi-family development; and

**Whereas**, there are approximately 7,000 people with intellectual and developmental disabilities on the state's waiting list for housing and the practical consequences of these new rules is that they will reduce the number of supportive housing units for people with disabilities here in New Jersey at a time when we should be building more;

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**Now, Therefore, Be It Resolved** that the Governing Body of the Borough of Allendale objects to the proposed State Transition Plan and is deeply concerned about the position the State of New Jersey has taken as the plan includes rules that are stricter than the Federal Center for Medicaid Management Services (CMS) requirements;

**Be It Further Resolved** that a copy of this resolution shall be sent to the Governor of the State of New Jersey because the lives and dignity of some of our state's most vulnerable citizens are hanging in the balance, and this interpretation simply cannot stand.

On roll call, all Council members voted in favor.

*Consent Agenda*

Mayor White asked for a motion to amend the consent agenda to include Resolution 15-131, Approval of the 2015 Memorial Day Parade. Mrs. McSwiggan moved, seconded by Mr. Sasso. On roll call, all Council members voted in favor.

Resolution 15-122 – Introduced by Mr. Strauch, seconded by Mrs. McSwiggan

**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 March 26, 2015.

On roll call, all Council members voted in favor.

Resolution 15-123 – Introduced by Mr. Strauch, seconded by Mrs. McSwiggan

**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

**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	\$7,400
Finance, S&W	\$12,350
Collection of Tax, S&W	\$5,500
Tax Assessor, S&W	\$3,100
Engineering, S&W	\$1,800
Legal, O.E.	\$5,000

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Planning/Zoning, S&W	\$500
Construction Code, S&W	\$2,900
Electrical Inspector, S&W	\$1,400
Plumbing Inspector, S&W	\$1,000
Zoning/Property Maintenance, S&W	\$1,950
Fire Subcode, S&W	\$1,280
Police, S&W	\$16,000
Police, O.E.	\$12,000
Library, O.E.	\$137,307
Parks, O.E.	\$5,000
Crestwood, O.E.	\$15,000
Fire Official, S&W	\$350
Board of Health, S&W	\$5,000
Animal Control, O.E.	\$1,500
Sewer, O.E.	\$500
Court, S&W	\$630
Street Lighting, O.E.	\$7,000
Social Security, O.E.	\$10,000
<b>Total</b>	<b>\$254,467</b>

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.

On roll call, all Council members voted in favor.

Resolution 15-124 – Introduced by Mr. Strauch, seconded by Mrs. McSwiggan

**Whereas**, the Municipal Engineer has requested that certain changes are needed in the 2012 Road Resurfacing contract, and

**Whereas**, Change Order No. 2 represents a decrease of \$7,046.71 in the contract amount, therefore the final contract amount will be \$296,754.07. The sum of Change Orders No. 1 and No. 2 represent a net decrease of \$56,094.43. Change Order No. 2 accounts for the following:

- Actual quantities of work measured and performed

**Whereas**, with the approval of Change Order No. 2, Payment No. 3 in the amount of \$9,827.05 is approved, and

**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 \$7,046.71 be approved for the 2012 Allendale Resurfacing Program, and

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**Now, Therefore, Be It Further Resolved** that the original contracted amount of \$352,848.50 has been reduced by \$56,094.43 or 15.90%, resulting in a new contract amount of \$296,754.07. Payment No. 3 in the amount of \$9,827.05 shall be made to Crossroads Pavement Maintenance, LLC at 81 Franklin Avenue, Nutley, NJ 07110 for work accepted as complete through March 6, 2015.

On roll call, all Council members voted in favor.

Resolution 15-125 – Introduced by Mr. Strauch, seconded by Mrs. McSwiggan

**Be It Resolved** that the Mayor is hereby authorized to sign the Amendment of Agreement with O'Brien's Response Management, LLC to purchase services for a period of an additional year. The new expiration date is now December 31, 2015.

On roll call, all Council members voted in favor.

Resolution 15-126 – Introduced by Mr. Strauch, seconded by Mrs. McSwiggan

**Be It Resolved** that the Mayor is hereby authorized to sign the Amendment of Agreement with the Rockland County Solid Waste Management Authority for a period of an additional 90 days. The new expiration date is June 12, 2015.

On roll call, all Council members voted in favor.

Resolution 15-128 – Introduced by Mr. Strauch, seconded by Mrs. McSwiggan

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Duncan S. Constable be appointed as a dispatcher in training effective March 27, 2015 at a rate of \$15.30 per hour.

On roll call, all Council members voted in favor.

Resolution 15-129 – Introduced by Mr. Strauch, seconded by Mrs. McSwiggan

**Be It Resolved** by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue the following check on the property listed below and charge same to Overpayment of 2014

Taxes:

<b>Block/Lot</b>	<b>Name</b>	<b>Property Location</b>	<b>Amount</b>
2101/1.403	Bumbaco, Hugo & Lauren 403 Whitney Lane Allendale, NJ 07401	403 Whitney Lane	\$1,550.68

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On roll call, all Council members voted in favor.

Resolution 15-130 – Introduced by Mr. Strauch, seconded by Mrs. McSwiggan

**Be It Resolved** by the Mayor and Council of the municipality of Allendale that application is made to the 2015 NJ Department of Environmental Protection for aid under the Recreational Trails Program for:

Recreation Trails at Crestwood Lake

**Whereas**, the Council has determined that such application(s) should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the municipality for assistance in such matters.

**Resolved** that Capital Alternatives Corporation is authorized to prepare, assemble and submit the necessary documentation on behalf of the municipality of Allendale for the stated project(s).

On roll call, all Council members voted in favor.

Resolution 15-131 – Introduced by Mr. Strauch, seconded by Mrs. McSwiggan

**Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it does hereby grant permission to the Veterans of Foreign Wars Post 10181 to conduct the annual Memorial Day Parade on Monday, May 25, 2015 at 9:30 a.m.

On roll call, all Council members voted in favor.

*Committee Reports*

Water and Sewer

Mrs. McSwiggan said the Water and Sewer Committee met this week and they are continuing to look at improvements that affect infrastructure as well as addressing quality of water issues in several neighborhoods.

Administration, Finance and Human Resources

Mr. Bernstein said that his Committee met on Monday, March 23<sup>rd</sup>. The current Borough Code is being updated and Mr. Bernstein asked Council members to notify Mr. Valenzuela if they have a Code Book and if so, to let him know what the number of that Code Book is. A meeting was also held this week with the Allendale Financial Advisory Committee. Mr. Bernstein said it is gratifying to work with this group of talented individuals and that they were impressed with the direction in which Allendale is headed. The next Committee meeting will be held on April 28<sup>th</sup>.

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Land Use and Construction Code

Mr. Strauch said the next meeting of his Committee will be held on Monday, April 6<sup>th</sup>. Mr. Sasso will sit in for Mr. Strauch as Chairman on that date. Mr. Strauch has started meeting weekly with the Construction Office staff. The next meeting will be on Wednesday, April 1<sup>st</sup> from 8:15 to 8:45 a.m.

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Facilities, Parks and Recreation

Mrs. Wilczynski said that during the previous week the new Director of Operations was taken on a tour of the fields and facilities. The fields are in need of a great deal of work due to the heavy snowfall this winter and people walking on the fields when they were wet. Someone will be hired to get the fields “up and running” in about a week. While they were walking they noticed a lot of dog excrement on the fields and Mrs. Wilczynski commented that it is the worst she has ever seen. Mrs. Wilczynski said the ordinance with regard to dogs off leashes will be amended to increase the fine to \$250, and all goose patrol dogs must be wearing a vest. Mrs. Wilczynski thanked the Allendale Police Department for helping her parents when they were stranded at the Concession Stand earlier today.

Public Works

Mr. Sasso said the Public Works Committee met on Tuesday. He is very pleased with the new Director of Operations who is proactive and has completed many issues in town that needed to be addressed. Mr. Sasso thanked Mayor White for her help in making sure the project on Elm Street and Franklin Turnpike is on schedule and will be concluded in a matter of weeks. Allendale submitted a list of ten streets to the Ramsey Paving Co-op. The bids are due back to the Co-op on April 2<sup>nd</sup>. He noted that Allendale received a \$220,000 grant to pave Boroline Road.

Municipal Attorney

Mr. Wiss said there will be meeting on March 30<sup>th</sup> to address and discuss the current COAH issues. Also on that day there will be a meeting to discuss a possible ordinance on criminal history and background checks for both employees and volunteers. Mr. Wiss has a telephone conference tomorrow with the Ambulance Corps. The Raffle ordinance is in process and a large group of Land Use Ordinances will be discussed at the next meeting of that Committee and will hopefully be ready for introduction soon.

Municipal Clerk

Mr. Valenzuela said he received a call late this afternoon from the Boswell Engineer who has been assigned to the West Crescent Avenue Bridge. He requested a list of attendees for the pre-construction meeting which will take place very shortly.

Mayor White said bids on that project have been received and it should be awarded very soon.

Mr. Valenzuela also stated that Guardian Angel Church cannot hold the Primary Election at that

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location because it conflicts with their Carnival. He has already spoken with Calvary Lutheran Church and it seems likely that that facility will be available. The County has informed him of the deadlines that must be met to notify the public of this change.

Mr. Sasso said this evening the Council approved a resolution allowing our current Recycling contract to be extended by another ninety days. He and the Director of Operations went to tour another facility last week and that facility will be providing Allendale with another proposal.

*Public Comments*

Mrs. White opened the meeting to the public for comments. There were none.

On a motion by Mr. Bernstein, seconded by Mr. Strauch, the Council voted unanimously to adjourn at 8:35 p.m.

Respectfully submitted,

Frank Valenzuela  
Acting Municipal Clerk