

May 10, 2012

A regular meeting of the Borough Council was held in the Municipal Building on May 10, 2012. The meeting was called to order at 8:10 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, Ms. LaMonica, Mrs. McSwiggan, Mr. Strauch, Mrs. White, Mrs. Wilczynski and Mayor Barra. Also present were Mrs. McCarthy and Mr. Bole.

Minutes

Mrs. Wilczynski moved, seconded by Mrs. Wilczynski to approve the Work and Regular Session minutes from April 26, 2012. On roll call all Council members voted in favor.

Public Comment

Mr. John Sprague of Myrtle Avenue said he wanted to speak about raffle licenses. He commented that holding a raffle is an inefficient fundraising method which also promotes a “pie in the sky” attitude.

Public Hearing on the Municipal Budget

Resolution 12-148 - Introduced by Mrs. White, seconded by Mrs. McSwiggan

Whereas, the Budget, as advertised, shall be read in full, or it may be read by title, if the following conditions have been met:

1. At least one week prior to the hearing date, copies of the approved budget shall be distributed to the municipal and county libraries.
2. At least one week prior to the date of the hearing, a complete copy of the approved budget shall be made available to each person requesting the same, and
3. The governing body shall, by resolution passed by not less than a majority of the full membership, determine that the budget shall be read by title only.

Now, Therefore Be It Resolved, that having met those conditions, the 2012 Municipal Budget may be read by title only.

On roll call, all Council members voted in favor.

Charles Ferraioli, Borough Auditor and Alissa Mayer, CFO, were present to address the Council regarding the 2012 Budget.

Mr. Ferraioli began by commenting on the Annual Debt Statement which he said is a statutory requirement for all towns in New Jersey. This statement has become more important since last summer due to the US debt being downgraded and the financial situation that has occurred in Europe.

Allendale's net debt is \$13,751,252. That is the amount of bonds, notes and bond ordinances that have been passed and have been borrowed on as of December 31, 2011. In order to determine the Borough's outstanding net debt percentage, that number must be divided by the average true real estate value for the last three years. In Allendale's case it is divided by \$1,757,516,449 which makes the Borough's net debt outstanding under one percent, at 0.78%. By New Jersey law a municipality is allowed to have 3 ½% debt which Mr. Ferraioli does not recommend. He stated that Allendale's debt is in a safe range.

Mr. Ferraioli noted that the equalized valuation of real property in Allendale has decreased from \$1,815,809,338 in 2009 to \$1,718,398,979 in 2011. That downward trend is being seen in real estate markets throughout the country and the world. A lot of Mr. Ferraioli's clients kept their net debt the same but because their equalized property values decreased, their debt percentage increased. The debt percentage is important because credit rating agencies look at a municipality's percentage of debt outstanding.

Mr. Ferraioli then discussed the schedule for bonds outstanding. Allendale's total debt service for 2012 is \$1,133,452. When the bond ordinance was done to build the Police Station the town had the option to sell notes for ten years and then go into permanent financing for 25-30 years. Allendale could have borrowed on that ordinance for a maximum of 40 years, but instead a bond ordinance was done to pay off the debt in 15 years. Rating agencies call this a rapid amortization on debt and it is a very positive situation for Allendale.

Also Allendale is paying off \$785,000 in total principal in 2012 while accruing new debt that is less than what is being paid off.

Under New Jersey state statutes, the total allowable appropriations in Allendale for 2012 are \$8,851,756. Allendale's budget contains \$7,995,327 for appropriations and as such it is \$856,428 below the allowable spending amount.

According to Mr. Ferraioli, the levy cap allowable for Allendale is \$9,089,996 and the Borough is under that number by \$601,240.

Mr. Barra noted that certain items are allowed to go over the cap. Those items include capital improvements, debt service and increases in pensions and health insurance.

Mr. Ferraioli noted that \$1,202,953 was put back into surplus in 2011. In the 2011 budget, \$785,000 was taken out of surplus, so \$418,000 more was put into surplus than was taken out. A few years ago when our surplus was declining Allendale experienced a credit downgrade. Our surplus has been upgraded again which is one of the reasons our

credit was upgraded. The significance of a credit rating is that the higher the credit rating, the lower interest rate you pay.

Fifteen year bonds were sold today in Allendale with an interest rate of 1.8%.

In New Jersey there are two ways to build surplus. One is by bringing in more revenue than was anticipated. The other way to create surplus is by spending less than was budgeted. Allendale exceeded the expected budget revenues for 2011 by \$163,210 and exceeded the revenue collection of taxes by \$52,976. Miscellaneous revenues that were not anticipated amounted to \$248,304. A sale of foreclosed property brought in \$321,500. There were only two items that took away from surplus in the total amount of \$11,706.

In 2012 the surplus to be used will be \$690,000. We used \$785,000 last year. The Borough will be receiving a return of surplus from the Allendale Free Public Library in the amount of \$330,999. Other revenues including Alcoholic Beverages, Fees and Permits and Municipal Court are fairly constant with last year. Interest on investments is low because interest rates are low. Crestwood Lake revenues are anticipated to be \$325,000 which is \$65,000 more than what was anticipated last year.

Construction fees received last year exceeded what was anticipated, and Mr. Ferraioli said he has heard the housing industry is starting to improve. Mr. Ferraioli explained the anticipated revenues from construction could have been projected to be higher for 2012 based on what was collected in 2011.

Mr. Ferraioli said the total amount to be raised by taxes for support of the municipal budget in 2012 is \$9,062,536 and last year that amount was \$9,036,189. That is an increase of .29%.

Mr. Ferraioli stated that only earlier today did Mrs. Mayer receive permission for Allendale to adopt the budget this evening.

Mr. Ferraioli commented that the average taxpayer will not see an increase in municipal taxes this year.

Mrs. White asked how many other municipalities Mr. Ferraioli deals with. He responded that he reviews the budgets for fifteen towns. He commented that Allendale's budget looks "excellent".

Mrs. White asked what Allendale can do to have the credit agencies increase its credit rating.

Mr. Ferraioli responded that it is his understanding that Moody's and Standard and Poor's are reviewing the financial status of municipalities more often. Allendale may be too small a town to advance to a AAA rating. The credit rating agencies like to see a diverse ratable base and Allendale is primarily residential community. Surplus is something they

will look at however, in addition to Allendale's recent practice of rapidly paying off its debts.

Mrs. White commented that the Finance Committee has put an emphasis on decreasing taxes and decreasing debt.

Ms. LaMonica commented that in 2005 the municipal portion of the tax rate was up 7 ½ percent, in 2006 it was up 11.2 percent, in 2007 and 2008 it was up 4 ½ percent and in 2009 and 2010 it was up 2 ½ percent. Last year there was a decrease of 6.4 percent. She complimented the Council members, the Council Committees and the Department Heads for helping to keep the budget increase at zero.

Mr. Barra thanked Mr. Ferraioli for his guidance which has always been philosophically in keeping with the Council's intentions. The Finance Committee consisting of Mrs. White and Ms. LaMonica, has put in many hours of work and each year the task of coming up with a budget becomes more difficult.

Mr. Barra also thanked the Department Heads for continuing to do more with less.

Mr. Barra thanked Mrs. Mayer for all the work she put in on the Budget. Every year the Finance Committee asks Mrs. Mayer to begin working the Budget earlier and earlier. No matter how many times they asked her to prepare the budget in a different way, she was able to make those adjustments and offer new possibilities to them. Mr. Barra said he appreciated her time and the effort she puts into her job is apparent.

Mrs. Mayer thanked the Committee for being easy to work with.

The meeting was open to the public for comments on the Budget

Mr. John Sprague of Myrtle Avenue asked for information about the long range capital improvement plan.

Mr. Barra responded that the capital budget is done from year to year. Some items go out as far as three years. Prior to 2007 the Council was spending \$1,600,000 a year on capital items and the Borough's debt had almost doubled in five years. Mr. Paterson recommended to the Mayor before he was sworn in that the Council pick a dollar amount for capital expenditures and stick to that number so the debt could start to be reduced. The number that was selected was \$750,000 and the Council has stayed with that number for six years. With that number as a goal, priorities have been shifted from year to year and the concept has met with success. Sixty streets have been repaved and a fire truck was purchased for \$470,000. Department Heads have been great as telling the Council what they need and not what they want.

Mr. Barra noted that the President and Vice President of the Library Board were present. He thanked them for refunding money back to the Borough which greatly needed this year.

When there were no further comments, the public hearing was closed.

Resolution 12-149 – Introduced by Mr. LaMonica, seconded by Mrs. White

Be It Resolved by the Governing Body of the Borough of Allendale, County of Bergen, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$12,575,895.72 for municipal purposes.

On roll call, all Council members voted in favor.

Consent Agenda

Mrs. White moved, seconded by Ms. LaMonica to remove Resolution 12-151 from the Consent Agenda.

On roll call, all Council members voted in favor.

Resolution 12-150 – Introduced by Mrs. Wilczynski, seconded by Ms. LaMonica

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 May 10, 2012.

On roll call, all Council members voted in favor.

Resolution 12-152 – Introduced by Mrs. Wilczynski, seconded by Ms. LaMonica

Whereas, bids were received on April 23, 2012 for the contract known as 2013 International Dump Truck (or equivalent) with snow plow and materials spreader; and

Whereas, three bids were received; and

Whereas, the apparent low bid of Robert H. Hoover and Sons, Inc. has been reviewed and has been deemed to be non-responsive since the bidder bid on a “Freightliner” vehicle and a “Cummins” engine in lieu of the specified brand; and

Whereas, contrary to the specifications, there was no exception taken in the “compliance” column on the appropriate page nor was there any explanation provided as to how the exceptions were “equal” to the specified brand; and

Whereas, due to the lack of appropriate information, the Borough was unable to make an informed determination as to whether or not the exception was equivalent to the specified brand. Accordingly, the bid of Robert H. Hoover and Sons, Inc. is rejected; and

Whereas, the bid of Brown's Hunterdon International, LLC meets the bid specifications and is deemed to be the lowest, responsible, responsive bidder; and

Whereas, the Chief Financial Officer has certified that adequate funds are available and budgeted to pay for the contract; and

Now, Therefore, Be It Resolved, by the Governing Body that it does hereby award a contract to Brown's Hunterdon International, LLC of Bloomsbury, New Jersey for the bid price with trade-in allowance of \$167,135.00; and

Be It Further Resolved that the Mayor and Municipal Clerk are hereby authorized to execute an appropriate contract with the successful bidder following legal review.

On roll call, all Council members voted in favor.

Resolution 12-153 – Introduced by Mrs. Wilczynski, seconded by Ms. LaMonica

Whereas, the Borough of Allendale requires the services of an Alternate Public Defender due to the resignation of the current Alternate Public Defender; and

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

Now, Therefore, Be It Resolved by the Governing Body that Robert C. Metzdorf of 135 Fort Lee Road, Leonia, New Jersey 07605 is hereby appointed as Alternate Public Defender effective May 10, 2012 until December 31, 2012;

Be It Further Resolved, that said Alternate Public Defender shall be compensated at the rate of \$200 per case on an as-needed basis;

Be It Further Resolved, that the aforesaid appointment is made without competitive bidding under the provisions of N.J.S.A. 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 Mayor and Municipal Clerk are hereby authorized to execute a contract with the aforesaid professional named herein for the services to be rendered, and

Be It Further Resolved, that a copy of this Resolution be filed with the Municipal Clerk and made available for inspection and that a brief notice of the passage thereof be published in The Record within ten (10) days of the passage as required by law.

On roll call, all Council members voted in favor.

Resolution 12-154 – Introduced by Mrs. Wilczynski, seconded by Ms. LaMonica

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 Seasonal Employee:

| Name | Department | Appointment Date | Salary |
|-------------|--------------|------------------|-----------|
| Sean Toolan | Public Works | May 11, 2012 | \$10/hour |

On roll call, all Council members voted in favor.

Resolution 12-155 – Introduced by Mrs. Wilczynski, seconded by Ms. LaMonica

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 salaries are hereby approved for the Crestwood Lake Swim Club 2012 Season as follows:

Directors

| | |
|----------------------------|-------------|
| Tom Viscardi – Director | \$14,280.00 |
| Leighton Yates – Assistant | \$ 9,588.00 |
| Kevin Hughes – Assistant | \$ 8,415.00 |

Lifeguards

| | |
|-------------------|----------|
| Chelsea Andrews | \$ 8.75 |
| Amanda Ayers | \$ 10.50 |
| Tierney Benvenuto | \$ 10.25 |
| Gene Bolton | \$ 11.00 |
| William Bonifacic | \$ 8.50 |
| Tom Bouregy | \$ 8.75 |
| Gregory Dworkin | \$ 8.50 |
| Paul Fallon | \$ 8.50 |
| Christopher Forst | \$ 8.75 |
| Jad Groome | \$ 8.50 |
| Leah Haines | \$ 10.00 |
| Brian Koch | \$ 10.25 |
| Marissa Lauber | \$ 8.75 |
| Jaclyn Ludwig | \$ 10.75 |
| Andrew Mazon | \$ 9.50 |
| Matt Mecca | \$ 9.00 |
| Anthony Messina | \$ 8.75 |
| Sal Messina | \$ 10.25 |
| Lauren Morgan | \$ 10.50 |
| Maggie Mulder | \$ 8.50 |
| Mary Nayden | \$ 11.00 |
| Katie Ogden | \$ 8.50 |
| Christine Patrick | \$ 8.75 |

| | |
|-------------------|----------|
| Natalie Petrus | \$ 8.50 |
| Jaclyn Pilkington | \$ 10.75 |
| Patrick Routh | \$ 8.75 |
| Dan Rubino | \$ 8.50 |
| Alexandra Russell | \$ 8.50 |
| Erin Sayre | \$ 8.75 |
| Zachary Taylor | \$ 9.50 |
| Alexa Widawsky | \$ 9.00 |
| Brooke Yellen | \$ 9.00 |
| Michael Zoeller | \$ 11.00 |
| William Zoeller | \$ 10.00 |

Substitute Lifeguards

| | |
|-------------------|---------|
| Emily Barsamian | \$ 8.50 |
| Ryan DeMarco | \$ 8.50 |
| James Heaney | \$ 8.50 |
| Madison Holleran | \$ 8.50 |
| Dan Kim | \$ 8.50 |
| Eric Macksoud | \$ 8.50 |
| Vincent Messina | \$ 8.50 |
| James Michalski | \$ 8.50 |
| Vladimir Moor | \$ 8.50 |
| Lauren Richardson | \$ 8.50 |
| Richard Shea | \$ 8.50 |
| Sarah Shepp | \$ 8.50 |
| Abigail Suph | \$ 8.50 |
| Jonathan Tengi | \$ 8.50 |

Swim/Dive Team Coaches

| | |
|--------------|-----------|
| Andrew Mazen | \$ 550.00 |
| Brian Koch | \$ 400.00 |

Assistant Swim/Dive Team Coaches

| | |
|-------------------|-----------|
| Marissa Lauber | \$ 500.00 |
| Alexandra Russell | \$ 350.00 |

Gate People

| | |
|------------------|---------|
| Emma Bonan | \$ 9.00 |
| Kylie Bouregy | \$ 8.00 |
| Lucas Morgan | \$ 8.25 |
| Cassandra Poulis | \$ 8.00 |
| Erin Tobin | \$ 9.15 |

Substitute Gate People

| | |
|------------|---------|
| Ryan Ayers | \$ 8.00 |
|------------|---------|

| | | |
|-----------------|----|------|
| Erin LaRossa | \$ | 8.00 |
| Vincent Messina | \$ | 8.00 |
| Kyle Wilczynski | \$ | 8.00 |

On roll call, all Council members voted in favor.

Resolution 12-156 – Introduced by Mrs. Wilczynski, seconded by Ms. LaMonica

Now, Therefore, Be It Resolved by the Mayor and Borough Council do hereby grant permission to the Veterans of Foreign Wars Post 10181 to conduct the annual Memorial Day Parade on Monday, May 30, 2011 at 9:30 a.m.

On roll call, all Council members voted in favor.

Resolution 12-157 – Introduced by Mrs. Wilczynski, seconded by Ms. LaMonica

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 #373 as follows:

Waldwick Lions Club
August 29, 2012
Off Premises Draw Raffle for Merchandise
9:00 p.m.
Raffle Location: Allendale Bar and Grill

Prizes: Two 2012 NY Giants Season Tickets

On roll call, all Council members voted in favor.

Resolution 12-158 – Introduced by Mrs. Wilczynski, seconded by Ms. LaMonica

Whereas, legislation has been introduced to reform and modernize both the Open Public Meetings Act (S-1451) and the Open Public Records Act (S-1452); and

Whereas, the governing body of the Borough of Allendale agrees with and supports the statement that “the right of the public to be present at all meetings of public bodies, and to witness in full detail all phases of the deliberation, policy formulation, and decision making of public bodies, is vital to the enhancement and proper functioning of the democratic process”; and

Whereas, the changes, however, proposed in S-1451 will not only be a cost driver for local and State government but make government less effective; and

Whereas, S-1451 includes a number of proposed requirements which involve costly unfunded mandates, impractical requirements and impediments to the democratic process, including the following:

- A new definition of subcommittees that expands subcommittees to be overly inclusive so that, for example, even research projects assigned to one member of a public body could be covered; and
- A new requirement that all subcommittees meetings include notice of their meeting and the preparation of minutes, which would, among other things, necessitate additional administrative support for all meetings of subcommittees as well as increased legal advertising costs; and
- A new requirement that agendas provide a description of all agenda items, including the names of parties to and approximate dollar amounts of any contracts to be acted upon, which will delay the award of contracts and could lead to the loss of grant monies; and
- A new requirement that the governing body may discuss, but not act upon, an item brought up by a citizen at a public meeting if it was not published as an agenda item, that not only runs contrary to the time honored tradition of holding a public meeting for the very purpose of soliciting such input and acting upon it but is impractical, ineffective and unnecessarily inhibits the operations of municipal government; and
- A new requirement for advance notification of estimated start times for the public portion of the meeting and the portion of the meeting from which the public is to be excluded that is unworkable and disruptive; and
- A new requirement that recordings of meetings become a part of the minutes that renders the recordings a permanent municipal record and is not only counter to the already-established records retention schedule of Division of Archive and Records Management for such records but which will be costly to preserve the records to ensure that they are permanent; and
- A new requirement that electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting become part of the minutes and renders the recordings a permanent municipal record, is unworkable and unmanageable as the technology does not always exist to make “hard copies” or digital copies of text messages and the records custodian does not always have access to them, and which is an unprecedented expansion of the meeting concept; and
- A new requirement that public bodies be permitted to exclude the public from discussion of personnel matters only with the written consent of the employee and potentially affected employees which will inhibit the public bodies’ ability to take necessary actions on personnel matters and could lead to costly litigation; and
- A new requirement that comprehensive minutes must include each member’s stated reason for their actions or vote, the identity of each member of the public who spoke, and summary of what was said, be made available to the public as soon as possible but no later than 45 days after the meeting that will not only be costly but the historical value of minutes will be lost in order to meet an arbitrary deadline; and

Whereas, the governing body of the Borough of Allendale agrees that government records should be readily accessible and transparent but there must be an appropriate balance between the need for openness and transparency in government and citizen's reasonable expectation of privacy; and

Whereas, among the costly unfunded mandates and impractical new requirements of S-1452 are the following:

- The expansion of the definition of government record to include records that are required by law to be made, maintained or kept on file by any public agency that will lead to a records custodians to be in violation of OPRA for the non-existence of a government records created before their tenure with the public body; and
- The creation of a definition for “advisory, consultative or deliberative” material that may be contrary to the well established definition in case law leading to costly litigation; and
- The expanding of the definition of government record to include electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting that is unworkable and unmanageable as the technology does not always exist to make “hard copies” or digital copies of text messages, the records custodian does not always have access to the electronic communications and certain cell phone carriers will not provide this information without subpoena; and
- The inclusion of a subjective definition for “reasonable” that may be contrary to the well established definition in case law leading to costly litigation; and
- A new requirement that any video or audio recordings or public meetings should be available in unedited form will be in direct violation of the Open Public Meetings Act requirement that requires the redacting of discussions in closed session until the matter can legally be released; and
- A new requirement on how to handle redactions and special services fees are time consuming and costly, especially considering that the Government Records Council has already addressed these procedures in their Custodians’ Toolkit which should be codified; and
- A provision that permits the records custodian to advise a requestor that a government record is readily available on the public agency’s website; however the bill requires the records custodian to directly provide the records to the requestor if they do not have access to a computer but does not define what is meant by “access to a computer”; and
- A new costly requirement that when there is a special service charge the requestor must be provided, at no cost, an index generally describing the responsive government records to be provided and to the greatest extent possible the index shall include the name of each record or brief description of the record or general categories of records, a detailed breakdown of how the special charges were assessed and if the records are exempt or redacted, the records custodian must provide a description of those records; and

- A provision that prohibits the assessment of a special service charge for requests for budget, bills, vouchers, contracts and public employee salaries and overtime unless the request is deemed voluminous, which is undefined and subjective; and

Whereas, the provisions of S-1451 and S-1452 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so that municipalities can meet the strict CAP requirements with decreased revenues and increased operating expense; and

Whereas, the totality of the new requirements of S-1451 and S-1452 will be a significant cost driver for local and State government with no known appropriation contemplated or any alternate means to offset these costs, such a reasonable increase in fees; and

Whereas, while the governing body of the Borough of Allendale strives for and agrees that open and transparent government is essential to the democratic process, the provisions of S-1451 and S-1452 will make government inefficient;

Now, Therefore, Be It Resolved, that the governing body of the Borough of Allendale, County of Bergen, and State of New Jersey for reasons stated above, does hereby oppose S-1451 and S-1452 as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills; and

Be It Further Resolved that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Loretta Weinberg, Senator Barbara Buono, Senator Shirley Turner, Assembly Speaker Shelia Oliver, Assemblyman Gordon Johnson, Assemblyman Upendra Chivukula, the legislators of the 40th State Legislative District, Governor Chris Christie, the New Jersey State League of Municipalities and the Municipal Clerks' Association of New Jersey.

On roll call, all Council members voted in favor.

Resolution 12-159 – Introduced by Mrs. Wilczynski, seconded by Ms. LaMonica

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it does hereby authorize the following, effective for the calendar year 2012:

- Teen memberships are only available to residents of Allendale, Upper Saddle River, Saddle River, Ho-Ho-Kus and Midland Park.
- Half price guest books are limited to two per member family and are available on Crestwood Lake Day only.

On roll call, all Council members voted in favor.

Resolution 12-160 – Introduced by Mrs. Wilczynski, seconded by Ms. LaMonica

Whereas, the Borough of Allendale in the County of Bergen, New Jersey (the “Borough”) intends to issue \$2,438,800 of notes consisting of \$2,199,600 General Bond Anticipation Notes and \$239,200 Water Utility Bond Anticipation Notes, both issues dated May 10, 2012, payable May 10, 2013 (the “Notes”); and

Whereas, the Borough desires to designate the Notes as “qualified tax-exempt obligations” pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (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 Notes are hereby designated as “qualified tax-exempt obligations” for the purpose of Section 265(b)(3) of the Code.

Section 2. It is hereby determined and stated that (1) said Notes are not “private activity bonds” 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 the calendar year 2012.

Section 3. It is further determined and stated that the Borough has, as of the date hereof, issued the following tax-exempt obligations (other than the Notes) during the calendar year 2012:

Amount: \$1,447,000 Bond Anticipation Notes
Dated: 2/1/12
Due: 2/1/13

Section 4. 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 5. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2012 dated as of the date of delivery of the Notes.

Section 6. This resolution shall take effect immediately upon its adoption.

Resolution 12-161 – Introduced by Mrs. Wilczynski, seconded by Ms. LaMonica

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 #374 as follows:

Guardian Angel Church
On premises 50/50 Raffle
June 17, 2012
6:00 p.m.
Raffle Location: Guardian Angel Church

Prize: 50% of cash proceeds

Resolution 12-162 – Introduced by Mrs. Wilczynski, seconded by Ms. LaMonica

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 #375 as follows:

Guardian Angel Church
June 14 through 17, 2012
On premises non-draw raffles
June 14 and 15 from 6:00 p.m. to 10:00 p.m.
June 16 from 1-4 p.m. and 6-10 p.m.
June 17 from 1-5 p.m.
Raffle Location: Guardian Angel Church

Games to include: Bowler Roller, Shuffleboard, Candy Wheel, Darts, Hoop Shot
Prizes: \$1 to \$35 in cash, novelties, plush toys or candy

Committee Reports

Facilities, Parks and Recreation

Mrs. Wilczynski said today was the opening day for Crestwood registration and so far about \$18,000 was paid in membership fees. Hopefully this season of Crestwood will be as successful as last year.

Administration, Finance and Human Relations

Ms. LaMonica did not have a report.

Public Works

Mrs. White said a pre-construction meeting would be held on the morning of May 11th for the 2012 paving program. Hopefully construction will begin in the next two to four weeks.

Land Use and Construction Code

Mr. Strauch said there would be a meeting of his Committee on May 11th at 8:15 a.m. in the Borough Hall.

Public Safety

Mr. Bernstein said the meeting of the Public Safety Committee that was scheduled for May 9th had to be cancelled. A new date will be announced.

Water Committee

Mrs. McSwiggan commented that her Committee is working on how to lower the sewer expenses for the Borough. They are also looking at putting out a mailing on water conservation. Citizens will be asked to serve on a Water Conservation Committee that will also look at other types of conservation in town.

Municipal Attorney

Mr. Bole did not have a report.

Municipal Clerk

Mrs. McCarthy did not have a report.

Mr. Barra opened the meeting to the public for general comments.

There were no comments from the public.

On a motion from Mrs. McSwiggan, seconded by Mrs. White, the Council voted unanimously to adjourn at 8:52 p.m.

Respectfully submitted,

Gwen McCarthy
Municipal Clerk