

May 24, 2012

A regular meeting of the Borough Council was held in the Municipal Building on May 24, 2012. The meeting was called to order at 8:05 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, Mr. Strauch, Mrs. White, Mrs. Wilczynski and Mayor Barra. Mrs. McSwiggan was absent. Also present were Mrs. McCarthy and Mr. Bole.

Approval of Minutes

Mrs. White moved, seconded by Mr. Strauch, to approve the Executive Session minutes of April 26, 2012 and the Work, Regular and Executive Session minutes of May 10, 2012. On roll call, all Council members voted in favor.

Public Comment

Mr. Bob Paterson of 32 Stone Fence said he had questions about Resolution 12-172 which deals with post retirement health benefits. He is unsure who is affected by the resolution due to the phrase, "who are not covered by existing contract". It is his belief that all of Allendale's current employees are covered by contracts.

Mayor Barra responded that not all of the employees are covered by contracts including the office workers and the department heads. This issue will also be the subject of negotiations with respect to specific contracts when they are up for renewal.

Mr. Bole said the resolution will apply to contracts that are in place as of the date of June 1st.

Presentation of Proclamations, Petitions and other Communications

Mr. Barra said the Council tries to honor citizens who do things for the community and he especially love to see young people who step up and volunteer.

Mr. Adler has designed an interactive website for Crestwood Lake which is a place in Allendale that everyone is extremely proud of. Councilwoman Wilczynski asked the High School Superintendent to suggest an individual who might work on designing a website and he recommended James Adler.

Mr. Barra read the following proclamation in honor of James Adler.

Proclamation for James Adler

Whereas, James Adler is a Senior at Northern Highlands Regional High School, and

Whereas, he is an excellent student who has taken Honors and Advanced Placement Classes in Computer Science, and

Whereas, James anticipates majoring in Computer Science in college, and

Whereas, James has been described as dedicated, responsible, respectful, compassionate and creative,

Whereas, James donated his time to design and create the first interactive web site exclusively for Crestwood Lake,

Whereas, the website contains information on topics as diverse as the Lake's history, swimming lessons, beach rentals and membership registration, and

Whereas, this website is an excellent source of information for anyone who wants to learn more about Crestwood Lake.

Now, Therefore, Be It Resolved, by the Mayor and Council of the Borough of Allendale, that James Adler is thanked most sincerely for his outstanding effort in creating a functional and informative website for Crestwood Lake.

Mrs. Wilczynski said she has been working with James Adler for over a year. He has been a pleasure to work with and she anticipates the website will be put to very good use.

Mayor Barra commented that he is sure James' parents are very proud of him and will only be more proud as the years go on.

Introduction of Ordinances

Ordinance 12-09 – Additions to Non-Conforming Structures

Resolution 12-163 – Introduced by Mr. Strauch, seconded by Mr. Bernstein

Be It Resolved that an Ordinance entitled 12-09, “Zoning” heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 14th day of June, 2012, 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 that 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 copy of Ordinance 12-09 attached and made a part hereof.)

Ordinance 12-10 – Visual Obstructions

Resolution 12-164 – Introduced by Mrs. White, seconded by Ms. LaMonica

Be It Resolved that an Ordinance entitled 12-10, “Visual Obstructions” heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 14th day of June, 2012, 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 that 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 copy of Ordinance 12-10 attached and made a part hereof.)

Consent Agenda

Ms. LaMonica moved, seconded by Mrs. White, to remove resolution 12-176 from the Consent Agenda.

On roll call, all Council members voted in favor.

Resolution 12-165 – Introduced by Ms. LaMonica, seconded by Mrs. Wilczynski

On a motion by Mrs. White, seconded by Ms. LaMonica to approve Resolution 12-176 as amended to exclude the block and lot and address for the overpayment in the amount of \$4,580.77

On roll call, all Council members voted in favor.

Resolution 12-166 – Introduced by Ms. LaMonica, seconded by Mrs. Wilczynski

Be It Resolved by the Mayor and Council of the Borough of Allendale, that the following amendments are made to resolution 12-155, approved on May 10, 2012.

Lifeguards

Chelsea Andrews \$ 9.75

Gate People

Emma Bonan \$ 9.25

Kylie Bouregy \$ 8.25

Lucas Morgan \$ 8.50

Cassandra Poulis \$ 8.25

Erin Tobin \$ 9.40

On roll call, all Council members voted in favor.

Resolution 12-167 – Introduced by Ms. LaMonica, seconded by Mrs. Wilczynski

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:

Substitute Lifeguards

Emma Sullivan \$ 8.50

Substitute Gate Persons

Melissa Fishera \$ 8.00

On roll call, all Council members voted in favor.

Resolution 12-168 – Introduced by Ms. LaMonica, seconded by Mrs. Wilczynski

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 \$500.00 will result from the following items:

- Correct an error in Change Order No. 2 which decreased certain items into a negative quantity, and
- Reconcile remaining contract quantities.

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 Three resulting in a decrease of approximately \$500.00 be approved for 2010 Water and Sewer System Replacement and Repairs. This change order decreases the original contract amount from \$93,100.00 to \$90,853.28. This is a net decrease of 2.41% from the original contract amount.

On roll call, all Council members voted in favor.

Resolution 12-169 – Introduced by Ms. LaMonica, seconded by Mrs. Wilczynski

Be It Resolved that Crestwood Park will close at 5:00 p.m. on July 4, 2012.

Be It Further Resolved that the Holiday Observers are hereby authorized to conduct a fireworks display and celebration at Crestwood Lake commencing at dusk on Wednesday, July 4, 2012 with a rain date for Saturday, July 7, 2012;

Be It Further Resolved that the fireworks display is subject to appropriate review and approval of insurance and the receipt of a permit from the Allendale Bureau of Fire Prevention.

On roll call, all Council members voted in favor.

Resolution 12-170 – Introduced by Ms. LaMonica, seconded by Mrs. Wilczynski

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 individuals be appointed as Seasonal Employees:

Name	Department	Appointment Date	Salary
Thomas Amarante	Public Works	May 25, 2012	\$9/hour
Joe Burns	Public Works	May 14, 2012	\$11/hour
Kevin Brennan	Public Works	May 25, 2012	\$9/hour
Stephen Brown	Public Works	May 25, 2012	\$9/hour

On roll call, all Council members voted in favor.

Resolution 12-171 – Introduced by Ms. LaMonica, seconded by Mrs. Wilczynski

Whereas, the Borough of Allendale participates in the State Health Benefits Program; and

Whereas, pursuant to N.J.S.A. 40A:10-17.1 the Borough may permit an employee to waive health benefits coverage if the employee is eligible for any other employer provided healthcare coverage of their own or as a covered dependent; and

Whereas, the Borough, under the Statute, establishes what the annual amount payable to an employee choosing to waive their health benefits coverage will be;

Now, Therefore, Be It Resolved by the Governing Body as follows:

(1) That it will pay any eligible employee of the Borough who waives health benefits coverage 25% of the amount saved by the Borough or \$5,000.00, whichever is less for each year waived;

(2) That the decision herein to allow the Borough's employees to waive coverage and the amount of consideration to be paid therefore shall not be subject to the collective bargaining process;

(3) That an employee who has waived coverage may immediately resume health coverage under the Borough health plan in the event that the employee's other health care coverage ceases for any reason, including, but not limited to, the retirement or death of the spouse or divorce;

(4) That the waiver of employee coverage and/or resumption of coverage herein shall be implemented pursuant to the authority of **N.J.S.A.** 40A:10-17.1 and applicable regulations.

On roll call, all Council members voted in favor.

Resolution 12-172 – Introduced by Ms. LaMonica, seconded by Mrs. Wilczynski

Whereas, the Borough of Allendale participates in the New Jersey State Health Benefits Program (“SHBP”), and

Whereas, the Governing Body has previously adopted Resolutions 08-356 and 08-357, both dated October 31, 2008, electing to adopt the provisions of NJSA 52:14-17.38 and the payment of retirement health benefits for both eligible employees and retirees; and

Now, Therefore, Be It Resolved by the Governing Body of the Borough of Allendale, County of Bergen and State of New Jersey as follows:

- (1) That the Borough shall not be obligated to pay for post-retirement health benefits for any employees hired after June 1, 2012 who are not covered by an existing contract.
- (2) That the Borough will continue to pay for post-retirement medical benefits of existing retirees or active employees hired prior to June 1, 2012 who are eligible for those payments under any Chapter 88 or Chapter 48 Resolution adopted previously by the Governing Body;
- (3) This Resolution will remain in effect until properly amended or revoked with the SHBP;
- (4) The Governing Body recognizes that it is required to provide the Division of

Pensions and Benefits (the “Division”) complete copies of all contracts, ordinances and resolutions that detail post-retirement medical payment obligations it undertakes. It also recognizes that it may be required to provide the Division with information needed to carry out the terms of this Resolution.

- (5) A certified copy of this resolution shall be filed with the SHBP following adoption hereof.

On roll call, all Council members voted in favor.

Resolution 12-173 – Introduced by Ms. LaMonica, seconded by Mrs. Wilczynski

Whereas, the following licensees have made application for the renewal of their Alcoholic Beverage Licenses; and

Whereas, all requirements in connection therewith have been met,

Now, Therefore, Be It Resolved by the Mayor and Council that the following licenses are hereby renewed for the period July 1, 2012 to June 30, 2013.

PLENARY RETAIL DISTRIBUTION LICENSES

Allendale Liquors 0201-44-003-005
101 West Allendale Avenue

PLENARY RETAIL CONSUMPTION LICENSES

Savini Restaurant, LLC 0201-33-006-007
168 West Crescent Avenue

On roll call, all Council members voted in favor.

Resolution 12-174 – Introduced by Ms. LaMonica, seconded by Mrs. Wilczynski

Whereas, the Borough has solicited quotations to complete ADA Compliant Mats for Crestwood Lake; and

Whereas, Deschamps Mat System, Inc. (Mobi Mat) was the only bidder, and

Whereas, the Mobi Mat brand is a proprietary but is necessary to complete excess matting at Crestwood Lake commenced in 2011 and Mobi Mat is the only provider of such matting for the performance, completion and undertaking of the project;

Now, Therefore, Be It Resolved by the Governing Body for good cause that a contract be awarded to Deschamps Mat Systems, Inc. of Clifton, New Jersey for the purchase of Mobi Mat in accordance with their quotation #12-05-1309-SR dated May 14, 2012 at a price not to exceed \$7,000.00;

Be It Further Resolved, that the appropriate Borough officials are hereby authorized to execute a purchase order or other necessary contract to implement the purchase.

On roll call, all Council members voted in favor.

Resolution 12-175 – Introduced by Ms. LaMonica, seconded by Mrs. Wilczynski

Be It Resolved by the Mayor and Council of the Borough of Allendale that application is made to the Commissioner of Transportation for aid under the New Jersey Trust Fund Authority for:

(1) West Allendale Avenue, Central Avenue and Erie Plaza Project
Municipal Aid Program

Be It Further Resolved, the Council has determined that such application should be prepared by Capital Alternatives Corporation, the grant specialists engaged by the municipality for assistance in such matters.

Be It Further Resolved that Capital Alternatives Corporation is authorized to prepare, assemble and submit the necessary documentation on behalf of the municipality of Allendale for the previously stated project.

On roll call, all Council members voted in favor.

Mrs. White moved, seconded by Ms. LaMonica to approve Resolution 12-176 as amended to exclude the block and lot and address on the 2012 overpayment in the amount of \$4580.77.

Resolution 12-176 – Introduced by Ms. LaMonica, seconded by Mrs. Wilczynski

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 2011 & 2012 Taxes:

2011

Block/ Lot	Name	Property Location	Amount
103/14	Corelogic Attn: Refunds Dept 1 Corelogic Drive Westlake, TX 76262 Batenhorst	13 E Elbrook Dr	\$1,499.34

905/19	Corelogic Attn: Refunds Dept 1 Corelogic Drive Westlake, TX 76262 Karvellas	173 Myrtle Ave	\$67.50
905/19.01	Corelogic Attn: Refunds Dept 1 Corelogic Drive Westlake, TX 76262 Karvellas	173 Myrtle Ave	\$1,736.77
2101/9 C0095	Grasso, John & Elizabeth 95 Trotters Lane Allendale, NJ 07401	95 Trotters Lane	\$4,476.87

2012

	Corelogic Attn: Refunds Dept 1 Corelogic Drive Westlake, TX 76262		\$4,580.77
--	----------------------------------------------------------------------------	--	------------

Committee Reports

Public Safety

Mr. Bernstein did not have a report.

Land Use and Construction Code

Mr. Strauch did not have a report.

Public Works

Mrs. White said the 2012 paving project has started. A separate contract will be done for George Street and Wehner Place due to the additional grading work that will be needed for these streets. The residents have been notified of this change.

Mr. Barra stated that a resident of Fairhaven had commented on the courtesy of the paving contractors and Dewberry's on site person.

Personnel, Finance and Human Resources

Ms. LaMonica said the Financial Advisory Committee will meet again on June 6th and they will review the Budget which was recently approved by the Council.

Members of the Council's Personnel Committee will be meeting with the Office Workers Union on June 22nd.

Facilities, Parks and Recreation

Mrs. Wilczynski said her Committee is preparing for Crestwood Lake Day on Saturday, May 26th. Guest books will be sold for 50% off during the hours of 11 a.m. to 3 p.m. Councilwomen White and McSwiggan have volunteered their time on Saturday to help sell guest books.

Mrs. Wilczynski complimented the DPW on getting Crestwood ready for opening day.

Municipal Attorney

Mr. Bole did not have a report.

Municipal Clerk

Mrs. McCarthy stated that there was a JIF audit for municipal vehicles this week and Allendale was found to have all their documents in order and didn't require further follow-up.

Mr. Barra reminded the Council that the Memorial Day Parade will begin at 9:30 a.m. on Monday, May 28th.

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

There were no comments from the public.

On a motion from Mrs. Wilczynski, seconded by Mrs. White, the Council voted unanimously to adjourn at 8:20 p.m.

Respectfully submitted,

Gwen McCarthy
Municipal Clerk