

June 28, 2012

A regular meeting of the Borough Council was held in the Municipal Building on June 28, 2012. The meeting was called to order at 8:00 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, Mrs. McSwiggan, Mr. Strauch, Mrs. White, Mrs. Wilczynski and Mayor Barra. Ms. LaMonica was absent. Also present were Mrs. McCarthy and Mr. Bole.

Approval of Minutes

Mrs. White moved, seconded by Mrs. Wilczynski, to approve the Work and Regular Session minutes of June 14, 2012. Mr. Bernstein abstained. All other Council members voted in favor.

Public Hearings on Advertised Ordinances

Ordinance 12-09 – Additions to Non-Conforming Structures

There was discussion about postponing this ordinance to the meeting of July 26th. It was suggested that the time extension would allow for the Planner to speak to the Land Use members at their next Committee meeting. Also the Planning Board will meet on July 19th and will provide a recommendation to the Council at that time.

Mr. Strauch moved, seconded by Mr. Bernstein to postpone the vote on Ordinance 12-09 until the July 26th meeting of the Mayor and Council. On roll call, all Council members voted in favor.

Ordinance 12-11 – Salary Ordinance

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

Resolution 12-189 – Introduced by Mrs. McSwiggan, seconded by Mrs. White

Be It Resolved that an Ordinance entitled 12-11 “An Ordinance to Amend and Supplement Chapter 67 of the Code of the Borough of Allendale entitled ‘Salaries and Compensation’ “ be passed upon second and final reading and that the Borough Clerk be and she is hereby authorized and directed to advertise the same according to law.

On roll call, all Council members voted in favor.

(See copy of Ordinance 12-11 attached and made a part hereof.)

Resolutions

Resolution 12-194 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Whereas, the Collective Bargaining Agreement (“CBA”) between the Borough of Allendale (“Allendale”) and the Policemen’s Benevolent Association Local No. 217 (“PBA”) expired on December 31, 2011; and

Whereas, Allendale and the PBA engaged in ongoing negotiations to discuss and agree upon the terms and conditions of a successor CBA; and

Whereas, as part of the negotiations for a successor CBA, a Memorandum of Understanding (“MOU”) between Allendale and the PBA was agreed to and approved between the parties for the term January 1, 2012 through December 31, 2014; and

Whereas, Allendale has reviewed the terms and conditions of the proposed CBA and finds that it accurately incorporates the provisions of the MOU.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale that the Collective Bargaining Agreement as between the Borough of Allendale and the Policemen’s Benevolent Association Local No. 217 for the term January 1, 2012 through December 31, 2014 be and is hereby APPROVED; and

Be It Further Resolved that the Mayor, the Administrative Officer and the Municipal Labor Attorney are authorized to take all appropriate actions so as to implement this Resolution.

On roll call, all Council members voted in favor.

Resolution 12-198 – Introduced by Mr. Bernstein, seconded by Mrs. Wilczynski

Be It Resolved by the Governing Body, upon recommendation of the Chief of Police and Public Safety Committee that Vincent Rizzo is hereby appointed as patrolman of the Allendale Police Department effective July 1, 2012 at an annual salary of \$54,142.00 which salary shall be pro-rated from the date of hire until December 31, 2012; and

Be It Further Resolved that an agreement effective as of July 1, 2012 by and between the Borough of Allendale, Patrolman Rizzo and PBA Local 217 substantially in the form on file in the office of the Municipal Clerk is hereby approved and the Mayor and Municipal Clerk are authorized to sign same on behalf of the Borough.

On roll call, all Council members voted in favor.

Consent Agenda

Resolution 12-190 – Introduced by Mrs. McSwiggan, seconded by Mrs. White

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 June 28, 2012.

On roll call, all Council members voted in favor.

Resolution 12-191 – Introduced by Mrs. McSwiggan, seconded by Mrs. White

Whereas, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

Whereas, the Annual Report of Audit for the year 2011 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

Whereas, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-334, and

Whereas, the Local Finance Board has promulgated NJAC 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled “Comments and Recommendations” and

Whereas, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

Whereas, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to NJAC 5:30-6.5; and,

Whereas, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board,

Whereas, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government

Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

Now, Therefore Be It Resolved, that the Mayor and Council of the Borough of Allendale, hereby states that it has complied with NJAC 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

On roll call, all Council members voted in favor.

Resolution 12-192 – Introduced by Mrs. McSwiggan, seconded by Mrs. White

Finding/Condition No. 1

The water billing for one account chosen for audit was incorrect.

Recommendation

That the proper amount be billed for water usage.

Explanation and Corrective Action

This deficiency was previously discovered by the Borough, at which time a full investigation was launched. It was determined that the account in the billing software was set up incorrectly. The Water Collector has been counseled. Revised bills have been issued.

Implementation Date

January 2012

Finding/Condition No. 2

All cash receipts related to Crestwood Lake are not being entered into the Community Pass Registration System.

Recommendation

That all cash receipts related to Crestwood Lake be entered into the Community Pass Registration System.

Explanation and Corrective Action

Fees collected for the rental of Red Barn and West Beach were not originally added to the system because of the need for signed paperwork and proof of insurance. They will now manually enter these fees into the system.

Also gatekeepers were not always entering the purchase of guest pass fees collected. The

gatekeepers have been counseled and instructed to enter all purchases through Community Pass.

Implementation Date

Summer 2012

Finding/Condition No. 3

Political Contribution Forms were not received from all vendors required to submit them.

Recommendation

That Political Contribution Disclosure Forms be received from all vendors required to submit them.

Explanation and Corrective Action

The forms were received from all necessary vendors for professional services rendered. The Borough was unaware of the need to obtain these forms from vendors for non-professional services/goods. The laws have been reviewed and a system has been put in place to ensure that Political Contribution Disclosure Forms are received from all required vendors.

Implementation Date

April 2012

On roll call, all Council members voted in favor.

Resolution 12-193 – Introduced by Mrs. McSwiggan, seconded by Mrs. White

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 a salary adjustment for the following lifeguards retroactive to June 17, 2012.

Lifeguards:

Jad Groome	\$8.50 to \$ 9.50 per hour	Completion of WSI Training
Andrew Mazen	\$9.50 to \$10.00 per hour	Previous Life Guard Experience
Abigail Suph	\$8.50 to \$ 9.50 per hour	Completion of WSI Training
Alexandra Russell	\$8.50 to \$9.75 per hour	Completion of WSI Training and raise from last year

On roll call, all Council members voted in favor.

Resolution 12-195 – Introduced by Mrs. McSwiggan, seconded by Mrs. White

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 2012 Taxes:

2012

Block/ Lot	Name	Property Location	Amount
1405/9	Corelogic Attn: Refund Department P.O. Box 961250 Fort Worth, TX 76161 Gunhus	15 Canaan Place	\$2,237.80

On roll call, all Council members voted in favor.

Resolution 12-197 – Introduced by Mrs. McSwiggan, seconded by Mrs. White

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

Substitute Lifeguards

Clare Shea	\$ 8.50 hour
Mike Keenan	\$ 8.50 hour
Vincent Messina	\$ 8.50 hour
Spencer Munson	\$ 8.50 hour
James Temple	\$ 8.50 hour
Kyle Wilczynski	\$ 8.50 hour

On roll call, all Council members voted in favor.

Resolution 12-199 – Introduced by Mrs. McSwiggan, seconded by Mrs. White

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

Substitute Lifeguards

Clare Shea	\$ 8.50 hour
Mike Keenan	\$ 8.50 hour
Vincent Messina	\$ 8.50 hour
Spencer Munson	\$ 8.50 hour
James Temple	\$ 8.50 hour
Kyle Wilczynski	\$ 8.50 hour

On roll call, all Council members voted in favor.

Resolution 12-200 – Introduced by Mrs. McSwiggan, seconded by Mrs. White

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 authorizes the Mayor to sign the 2012-2014 County of Bergen Snow Plowing Agreement with the following price schedule:

Municipal Plow	\$90.00 hour
County Plow	\$75.00 hour
Stand By	\$40.00 hour (2 hour maximum and 4 truck limit)

Rates are paid by the County for equipment furnished and operated by the municipality.

Committee Reports

Water and Sewer

Mrs. McSwiggan said the Sewer Advisory Committee will meet on July 12th at 6:30 p.m. Members of the public are welcome to attend.

Public Safety

Mr. Bernstein stated that the Public Safety Committee met on June 13th to discuss a number of issues including pedestrian safety.

Land Use and Construction Code

Mr. Strauch said there will be a meeting of his committee on Friday, July 13th at 8:15 a.m. at the Borough Hall.

Public Works

Mrs. White said that the 2012 Paving Program has been completed. Today the bids were opened at the County with regard to the intersection at Myrtle and West Crescent Avenue. The project should begin on or about August 1st.

Personnel, Finance and Human Resources

Ms. LaMonica was absent.

Facilities, Parks and Recreation

Mrs. Wilczynski said the first in a series of concerts was held at the Lake last Saturday. Approximately 150 individuals attended. At 7:30 p.m. on Saturday the first movie night of the season will be held and the movie "Jaws" will be shown. A Luau will be held on July 14th at the Lake.

Municipal Attorney

Mr. Bole did not have a report.

Municipal Clerk

Mrs. McCarthy did not have a report.

Swearing in of Patrolman Vincent Rizzo

Mayor Barra said it was his privilege to swear in Vincent Rizzo as a new Police Officer.

After the ceremony there was an opportunity for photographs and for those in attendance to meet and congratulate Patrolman Rizzo.

Mrs. White moved, seconded by Mr. Strauch to adjourn from the Regular Session at 8:30 p.m.

Respectfully submitted,

Gwen McCarthy
Municipal Clerk