

July 26, 2012

A regular meeting of the Borough Council was held in the Municipal Building on July 26, 2012. The meeting was called to order at 8:02 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 and Mayor Barra. Mrs. Wilczynski was absent. Also present were Mrs. McCarthy and Mr. Bole.

#### *Approval of Minutes*

Mrs. McSwiggan moved, seconded by Mr. Strauch, to approve the Work Session minutes of June 28, 2011 and the Work, Regular and Executive Session minutes of July 12, 2012. Mrs. White abstained on the minutes of July 12 and voted in favor of the minutes of June 28. Ms. LaMonica abstained on the minutes of June 28 and voted in favor of the minutes of July 12. All other Council members voted in favor.

#### *Public Hearing for Advertised Ordinances*

#### **Ordinance 12-09 – Non-conforming Structures**

Mr. Strauch moved, seconded by Mr. Bernstein, to amend the text of the ordinance to read as follows:

Any non-conforming principal of accessory residential structure may be altered or enlarged without Zoning Board of Adjustment approval provided the use of same is permitted in the district and provided that such alteration or enlargement does not create any new or additional encroachment and complies with all applicable development regulations as defined by this zoning Code and shall not be larger than 200 square feet of total floor area.

On roll call, all Council members voted in favor.

Mr. Strauch moved, seconded by Mr. Bernstein, to introduce the ordinance as amended.

On roll call, all Council members voted in favor.

Mr. Strauch moved, seconded by Mr. Bernstein, to refer the ordinance as amended, to the Planning Board for review and recommendation.

On roll call, all Council members voted in favor.

Mr. Barra announced that the public hearing will be carried to the August 23, 2012 meeting of the Mayor and Council.

(See copy of Ordinance 12-09, attached and made a part hereof.)

**Ordinance 12-12 – Police Salary Ordinance**

Mr. Barra opened the meeting to the public for comments on the Police Salary Ordinance. There were none.

Resolution 12-209 – Introduced by Mrs. McSwiggan, seconded by Mr. Bernstein

**Be It Resolved** that an Ordinance entitled 12-12 “Police Salary Ordinance“ 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 12-12, attached and made a part hereof.)

*Public Comments*

Mayor Barra opened the meeting to the public for comments on anything on the agenda.

There were none.

*Introduction of Ordinances*

**Ordinance 12-13 – Amendment to Financial Agreement Between the Borough of Allendale, New Jersey and Allendale Urban Renewal, LP**

Resolution 12-210 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

**Be It Resolved** that an Ordinance entitled 12-13, “An Ordinance to Authorize a First Amendment to the Financial Agreement By and Between the Borough of Allendale, New Jersey and Allendale Urban Renewal, L.P., a New Jersey Limited Partnership and to Ratify and Confirm the Financial Agreement Between the Parties Dated January 6, 1997” 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 9th day of August, 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 12-13, attached and made a part hereof.)

**Ordinance 12-14 – Amendment of Ground Lease Between the Borough of Allendale, New Jersey and Allendale Urban Renewal**

Resolution 12-218 – Introduced by Mr. Bernstein, seconded by Mrs. White

**Be It Resolved** that an Ordinance entitled 12-14, “An Ordinance to Authorize a First Amendment to the Ground Lease By and Between the Borough of Allendale, New Jersey and Allendale Urban Renewal, L.P., a New Jersey Limited Partnership” 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 9th day of August, 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 12-14, attached and made a part hereof.)

*Consent Agenda*

Resolution 12-211 – 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 July 26, 2012.

On roll call, all Council members voted in favor.

Resolution 12-212 – Introduced by Mr. Strauch, seconded by Mrs. McSwiggan

**Be It Resolved** by the Governing Body that it hereby authorizes and approves the Bergen Bike Tour scheduled for Sunday, September 30, 2012, which will extend from Hillside Avenue through East Allendale Avenue between the hours of 7:30 a.m. and 1:00 p.m.;

**Be It Further Resolved** that the representatives of Bergen Bike Tour must secure appropriate liability insurance and receive an acknowledgement from each town’s Police Chief, Fire Chief, Town Clerk and emergency personnel stating that each municipality is aware of the event.

On roll call, all Council members voted in favor.

Resolution 12-213 – 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 2012 Taxes:

**2012**

<b>Block/ Lot</b>	<b>Name</b>	<b>Property Location</b>	<b>Amount</b>
403/4	Bae, Sun Woong & Lee, Yongeun	6 Crescent Place Allendale, NJ 07401	\$2,492.31

On roll call, all Council members voted in favor.

Resolution 12-214 – Introduced by Mr. Strauch, seconded by Mrs. McSwiggan

**Be It Resolved**, the salaries for members of the Allendale Police Department for the Year of 2012 are hereby established as per the following schedule: all salaries are retroactive to January 1, 2012.

Sgt Joseph Carey	\$133,150
Ptl Michael Dillon	116,079
Ptl. Joseph Galasso	125,183
Sgt. Todd Griffith	133,150
Ptl. Sean Hubbard	118,355
Ptl. Ralph Iannone	125,183
Ptl. William Kroepke	122,907
Ptl. Scott Kuenzel	118,355
Ptl. Terrence Lawler	122,907
Det. Officer John Mattiace	125,183
Stipend	1,500
Ptl. Paul Stettner	120,631

On roll call, all Council members voted in favor.

Resolution 12-215 – 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 the following salaries are hereby approved for the Crestwood Lake Swim Club 2012 Season effective July 27, 2012:

**Substitute Gate People**

Ellis McGovern \$ 8.00

Veronica Aspen \$ 8.00  
Carly Freid \$ 8.00

On roll call, all Council members voted in favor.

Resolution 12-216– Introduced by Mr. Strauch, seconded by Mrs. McSwiggan

**Whereas**, the tax payer, Asim Tewary, appealed the assessment levied on Block 511, Lot 5.02 for the year 2011; and

**Whereas**, the subject property’s street address is 18 Hubbard Court; and

**Whereas**, the taxpayer, the appraiser and the assessor have agreed to compromise the appeal on the following terms: there will be a reduction in the 2011 assessment on the property from \$970,000 to \$908,000; and

**Whereas**, there are sufficient funds available in the reserve for tax appeals account to satisfy the refund; and

**Whereas**, the assessor is of the opinion that the revised valuation is consistent with the true value of the property.

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the proposed settlement for the tax appeal encaptioned Asim Tewary v. Borough of Allendale as hereinbefore set forth is approved and the Borough Attorney or a member of his firm is authorized to execute all documents necessary to effectuate its terms.

On roll call, all Council members voted in favor.

Resolution 12-217 – Introduced by Mr. Strauch, seconded by Mrs. McSwiggan

**Whereas**, the Borough of Allendale is a members of the Bergen County Municipal Joint Insurance Fund; and

**Whereas**, said renewed membership terminates as of December 31, 2012 unless earlier renewed by agreement between the Municipality and the Fund; and

**Whereas**, the Municipality desires to renew said membership;

**Now Therefore, Be It Resolved** as follows:

1. The Borough of Allendale agrees to renew its membership in the Bergen County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.

2. The Mayor and Municipal Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and to deliver same to the Bergen County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

On roll call, all Council members voted in favor.

### *Committee Reports*

#### Water and Sewer

Mrs. McSwiggan said watering restrictions remain in place on an odd/even schedule. Some violations have been sent out but the majority of the residents are complying with the restrictions.

#### Public Safety

Mr. Bernstein stated that the Public Safety Committee met this morning. There was an incident on West Crescent a few weeks ago involving a resident and guns. The Police Department was called and courageously and heroically put their lives on the line for the residents of Allendale. Due to their actions, training and valor, no one was harmed. He thanked the Police force on behalf of the residents of Allendale.

Mayor Barra added his appreciation to the officers.

#### Land Use and Construction Code

Mr. Strauch said he walked through Crestwood Lake and saw the new Mobi Mats that were installed. He thinks they are great and Crestwood Lake looks beautiful.

With regard to Land Use, the next meeting is Friday, August 17<sup>th</sup>.

#### Public Works

Mrs. White gave her report on the intersection at West Crescent and Myrtle Avenue as well as the reconstruction of the bridge on Brookside Avenue at MacIntyre Lane, earlier this evening.

#### Personnel, Finance and Human Resources

Ms. LaMonica said her Committee met on July 18<sup>th</sup>.

#### Facilities, Parks and Recreation

Mrs. Wilczynski was absent.

### Municipal Attorney

Mr. Bole said he has been in touch with Tom Smith and he hopes to have the amendments to the Fire Department Ordinance ready to introduce in the upcoming weeks.

### Municipal Clerk

Mrs. McCarthy said Mrs. Knispel has submitted her letter of intention to retire next March. At that time she will have worked for the Borough of Allendale for 25 ½ years.

She noted that the Mayor has called Pam the “face” of Allendale because she is generally the first person people come in contact with when they come into Borough Hall. Mrs. McCarthy added that Mrs. Knispel has done a wonderful job of being a friendly, outgoing person to the public, and during the last couple of years she has taken on additional responsibilities and has been a particularly exemplary employee.

Mrs. McCarthy said she will miss her and she thanks her for all she has done.

Mr. Barra reiterated that Mrs. Knispel has represented Allendale well in the years she has worked for the Borough Hall, and that she has been a Borough employee known to everyone in town.

### *Public Comments*

Mayor Barra opened the meeting to the public for comments on any topic.

Mr. Ian Wachino, a Boy Scout attending the Council meeting as part of earning a badge for Citizenship in the Community, asked for an explanation of a roll call and other procedures that took place this evening.

Mayor Barra stated that the Work Session is the time when the actions of the Council are discussed. Earlier this evening he reviewed each of the seven consent agenda items with the Council.

He further explained that a member of the Council offers a motion, which is seconded by another Council member, and then the Clerk asks each person by name what their vote is.

Mr. Barra explained that as the Mayor, he runs the meeting but he doesn't vote except in case of a tie.

Mr. Barra noted that four ordinances were voted on tonight also which is an unusually large number.

Mr. Strauch moved, seconded by Mrs. White to adjourn at 8:15 p.m.

Respectfully submitted,

Gwen McCarthy  
Municipal Clerk