

Work Session
Mayor and Council
July 26, 2012

A Work Session of the Mayor and Council was called to order at 7:35 p.m. by Mayor Barra who announced that the requirements of the Open Public Meetings Act were met by the required posting and notice to publications.

The following individuals answered roll call: Council members Bernstein, LaMonica, Strauch, White and Mayor Barra. Mrs. McSwiggan arrived at 7:40 p.m. Mrs. Wilczynski was absent. Mrs. McCarthy and Mr. Bole were also present.

Public Comments

Mayor Barra opened the meeting to the public for comments.

Ian Wachino, a Boy Scout from Lakeside Drive, was in attendance at the meeting. Mr. Wachino is working on a badge for Citizenship in the Community.

Agenda Review

Ordinance 12-09 – Non-conforming Structures

Mr. Barra stated that this evening there was supposed to be a public hearing this evening on Ordinance 12-09, Non-conforming Structures, but there has been a proposed change to the ordinance.

Mr. Strauch, Chair of the Land Use Committee, explained that the language that would be added at this meeting will limit the square footage that can be added to a non-conforming structure to 200 square feet of total floor area. Mr. Strauch said he discussed this matter with the Board of Adjustment and with the Borough Planner, Mr. Snieckus.

Currently Allendale allows sheds and other accessory structures that are 200 square feet or less to be built without footings because they are considered to be de minimis structures according to the Allendale Code. With this change the Construction Code Official can grant an approval for a structure providing it doesn't create any new variance or enhance any pre-existing variances and that it does not exceed 200 square feet. Mr. Strauch deferred to the Municipal Attorney with regard to whether the ordinance could proceed to a public hearing and adoption this evening.

Mr. Bole said this ordinance originated at the Land Use Committee which came up with the draft of an ordinance. That ordinance was introduced by the Mayor and Council and sent to the Planning Board. The Planning Board suggested amendments which are included in the final version. After giving the Ordinance to our Planner, he came back with further amendments. Now an additional amendment has been added by the Board of Adjustment. Mr. Bole said the prudent thing to do is to re-introduce the Ordinance, publish it, send it back to the Planning

Board for review and then have a public hearing and adoption at the August 23rd meeting of the Council.

Mayor Barra said this is a big step in the right direction that will keep a large number of residents from having to go to the Zoning Board of Adjustment.

Ordinances 12-13 and 12-14 Amendments to Senior Housing Leases

Mayor Barra said the intention of these ordinances is to keep the payment of the taxes and the ground lease payments as stable as possible over the coming years. The Municipal Attorney came up with an interesting way to handle the situation.

Mr. Barra explained what this means in terms of dollars. Senior Housing pays \$1,300 in taxes and a \$10,000 lease payment annually. However, effective this year they have to start paying 20% of the property taxes on the property. The Assessor felt that since this is a ground lease and they do not own the property, Senior Housing should not pay property taxes on the land and the improvements, but only the improvements. At this time the improvements are \$760,500 and the taxes will increase to \$3,513 which is a combination of the \$1,300 they are paying now and the increase of \$2,200.

The amendment will lower the \$10,000 lease payment by \$2,200.

In the year 2019 the taxes increase to 40% for the next seven years which results in an increase in payments of another \$3,500. At that time the taxes will be increased by \$3,500 and the lease payment will be reduced.

In the year 2033, the taxes will be \$10,500 and the lease payment will be \$750.

Between 2033 and 2040 there will be a shortfall because the lease can only go down to \$1. What will happen during that period of time is that Senior Housing will only have to pay an additional \$2,800. After the year 2040 there will be a renegotiation of the lease.

Mr. Barra thanked Mr. Bole for coming up with this solution to keep Senior Housing payments flat and in compliance with the statute. The Senior Housing Board is pleased with this solution and is waiting for the Council to pass it.

Myrtle and West Crescent Intersection

Mrs. White said she was at the County on July 25th for the preconstruction meeting for the intersection improvement. The intersection will be started on August 6th and the contractor will be out in advance of that date putting up signs to inform the public that the road will be closed. The contractor has 90 days to complete the project. They have already asked the contractor to open even a portion of the road before the end of the 90 days if that is possible.

The Police Department has been in contact with Northern Highlands and is setting up meetings to talk about detours and they are anticipating cooperation with that issue.

Most of the construction will be along the west side of Crescent Avenue where the businesses are. The east side where the residents are will have minimal construction. Construction will begin on the west side to get the project moving along more quickly. The contractor has just finished another project with the County and they are very pleased with his work.

A Dewberry Engineer will be on site daily to supervise the work and it is hoped everything will move along smoothly.

Mrs. White encouraged everyone to plan detours in advance and not to wait until the last minute because this will cause delays.

Mr. Barra said the Police Department will be discussing the bus routes with the high school. There will also be plans for a confined pedestrian walkway for a safe way to walk to school.

A different contractor will be handling the Brookside bridge project, but that contract has not been awarded yet.

Mrs. White also stated that the Safe Routes to School improvements should begin October 2nd.

Mayor's Report

Mr. Barra said towns that have not used up their Affordable Housing Trust and the State is asking to have that money back. Allendale's balance to the State is zero with nothing to be paid back to the State.

He stated that Allendale knew that we were going to have to build Affordable Housing and we addressed that need years ago.

Mayor Barra announced that a ribbon cutting for Crescent Commons will hopefully be held on October 1st.

Mr. Barra said the Northwest Bergen Mayors are trying to set up standard specifications for the purchase of fire trucks. They have set up an ad hoc committee which has met once and is meeting again next week.

Mayor Barra said the Allendale Volunteer Fire Department has been supportive of this initiative.

On a motion by Mrs. White, seconded by Mr. Strauch, the Council adjourned to the Regular Session at 8:02 p.m.

Respectfully submitted,

Gwen McCarthy
Municipal Clerk