

Work Session  
Mayor and Council  
August 25, 2011

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, Wilczynski and Mayor Barra. Mr. Schoepflin arrived at 7:50 p.m. Mrs. McCarthy, Mrs. Mayer and Mr. Bole were also present.

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

Mr. Warren Kaufman of 89 Green Way said he was present to object to the parking ordinance scheduled for adoption this evening. Mr. Kaufman has been commuting for thirty years. He stated that the parking lot is not under-utilized as has been reported and that it is full everyday when he gets on the train at 8:58 a.m. He believes that changing the lot will be a problem because the non-resident lot is also full. He stated that the Chamber of Commerce doesn't need those spots because the parking areas that they already have are not always full. Mr. Kaufman believes this issue will become a matter for vocal dissention in the town. He added that this will become an immediate problem when the weather changes and it's dark in the lot at night.

Mr. Barra said he was misrepresented in the letter that Mr. Kaufman wrote to the Town Journal. Mr. Barra said the correct information should have been that the far end of the lot, consisting of approximately fifty to sixty spots, is not utilized. The twenty-two spots closest to the train are always utilized. Mr. Barra said he was displeased when he read Mr. Kaufman's letter because it included misstatements. Mr. Kaufman said he took his information from the newspapers and Mr. Barra replied that information from the newspaper should not be taken as fact. He added that the tapes and minutes of the meetings are available to the residents.

Mr. Kaufman asked why the twenty-two spots are being given away if the Council admits they are totally utilized.

Mr. Barra responded that the Committee revised their plan after issues were raised by the public. They decided to use the twenty-two spots that are adjacent to the existing shopper parking for additional shopper parking. The rest of the lot for a considerable distance will be resident commuter parking. The meters will be moved further down so residents will have even more spots than they have today to park in. Before this decision was made an extensive discussion was held with the Police Chief, Traffic Officer, Municipal Engineer and Director of Operations. Mr. Barra said the outcome will be overwhelmingly better for the majority of the residents, particularly women.

Mr. Kaufman then asked when the fence on Franklin Turnpike would be repaired that was knocked down during a previous micro-blast.

Mr. Barra said that is a County issue. He met with the County as recently as three or four weeks ago and Allendale was assured that the fence will be replaced at the same time the Elm Street Bridge is replaced. The type of fence that will be put in will be metal or heavy wood timber that hopefully will be similar to what was installed at the front of Crestwood Lake. It will have to meet DOT standards but at the same time not be a metal, highway barrier. No schedule has been given to the Borough but the issue has been ongoing for ten years.

When there were no further comments from the public the Council reviewed the agenda for the Regular Session.

#### *Review Best Practices Inventory*

The Best Practices Inventory was distributed to the Council earlier in the week.

Mr. Barra explained that a State checklist was distributed for the first time last year. The Governor wanted all Municipalities to respond to a variety of topics, and depending on the municipality's answers, a town could potentially lose state aid. Last year's questions were sometimes vague or even inappropriate, but this year's form was revised and improved. Allendale received a score of 94% this year which means we will receive 100% of our state aid.

Mrs. White asked if having a volunteer Fire Department would exempt Allendale from having to meet the annual requirement for firefighter physicals. Mrs. Mayer, Allendale's CFO said it would not. Mr. Barra said he asked about providing physicals for our firefighters a few months back and the cost was \$5000 per physical. A number of towns are planning to work together to lower the cost to \$1200. He said there is also another program which would accept an individual's insurance but that program is located in a hospital in southern New Jersey. A small contingent of firefighters will have physicals through that program and will respond back to the Mayor. Currently that program seems to be the most viable option for Allendale's members.

Mrs. White asked about the Best Practices question regarding a light duty program following the illness or injury of an employee. Mrs. Mayer responded that neither the Police Department nor the DPW have a light duty program.

Mrs. Mayer added that this year's questions were clearer than last year's and there was also an response choice that the municipality would comply with items in the future if they weren't in compliance at the present time.

Mr. Bole commented on the Best Practices question about whether the municipality has adopted a Play to Pay ordinance. He said although Allendale has not adopted a more restrictive ordinance than the state law, we do comply with the state law.

#### *Group Affidavit for Audit*

Mrs. McCarthy said a group affidavit would be passed to the Council members for their original signatures saying they have read at a minimum the Group Comments and Recommendations in the 2010 audit.

### *D Industrial Zone Proposal*

Mr. Strauch said the D Zone is primarily the triangle created by the train tracks, West Crescent Avenue and Hamilton. There is also a small D zone by the Waldwick border on Chestnut Street. The changes that are proposed by the Land Use Committee will focus mostly on the areas presently occupied by Black Millwork, Borst Landscaping and the former Corinthian building.

The reason the Land Use Committee is looking to revise the D zone is because the criteria for the zone have not been updated for years and it doesn't reflect current economic needs. As a result, almost every applicant that wants to have a business in the D zone must go before the Board of Adjustment and it is very costly to do so.

During the past few months the Land Use Committee met with Ed Snieckus who agreed that the current criteria for the D zone is antiquated. He made recommendations to discontinue some of the uses that are allowed presently and made other recommendation for allowable uses. Mr. Strauch would like to make the public aware of this issue and give them the ability to provide their input on how to alter the D zone. The Planner feels that the issue should be passed on to the Planning Board for their review and as such, Mr. Bole will discuss it with Mr. Dunn, the attorney for that Board.

Mr. Strauch said he would like to have a separate meeting with this being the only item on the agenda. Mr. Bole recommended the meeting take place before the issue goes to the Planning Board.

Mr. Schoepflin asked if there was a recommendation in the Master Plan about this location.

Mr. Strauch said the Master Plan wants uses that are consistent with current economic needs.

Mr. Barra said input will be taken from all interested parties before making a decision.

Mr. Bernstein said the D zone is not compatible with what everyone thinks Allendale should look like. The idea of the Land Use Committee is to bring the D zone current and have it in keeping with the rest of Allendale and acceptable to the neighborhood.

Mr. Strauch said when the town goes through a D zone review it will hopefully become what the residents want and can utilize.

Mr. Barra suggested discussions begin with a public meeting. Then the Council could draft an ordinance that they feel is appropriate and send it to the Planning Board, but there is a 35 day time constraint for the Planning Board to respond to the Mayor and Council. The other option is to have a public meeting and then forward the issue to the Planning Board. After their review the issue could come back to the Council to draft an ordinance. Mr. Barra prefers that option.

Mrs. White said she was concerned about the lack of time constraints if the issue goes to the Planning Board first.

Mr. Barra said a timeline could be given to the Planning Board.

Mr. Bernstein noted that the Planning Board's review is supposed to be whether the proposed changes are consistent with the Master Plan.

Mrs. White asked if the uses that were mentioned earlier in the evening will be the only permitted uses.

Mr. Barra said the ideas presented earlier were not part of an ordinance but only preliminary ideas. He asked for traffic to be a consideration for any use ideas for the D zone.

Mr. Strauch said the height limit for the D zone is 35 feet but they are allowed 75% impervious coverage.

Mr. Strauch stated that the basis for today's discussion was to introduce the concept of altering the D zone and if no one had any objections, to plan what the next step should be. He would like to have the public made aware of the issue by having a stand-alone meeting to introduce the concept to the neighbors. The meeting would be run by the Mayor and Council and the Planning Board would be invited to attend.

Mr. Barra suggested having time constraints for the special meeting to then be followed by the scheduled Work and Regular Sessions of the Mayor and Council. He added that the public should need to know what could be put in the D zone and what wouldn't be put there.

Mr. Schoepflin recommended inviting the residents of the surrounding area to come to the meeting.

Mr. Bernstein suggested having the Planner come to the meeting to make the presentation to the public.

Mr. Barra recommended the second meeting in September to hold this special session from 7 to 8 p.m.

#### *Mayor's Report*

Mr. Barra did not have a report for this evening.

#### *Adjournment to Executive Session*

Mrs. McCarthy read the following resolution into the record:

**Whereas**, the public body is of the opinion that such circumstances presently exist; and

**Whereas**, the Governing Body wishes to discuss:

Legal

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

**Now, Therefore, Be It Resolved** that the public be excluded from this meeting.

Following a motion by Mrs. White, seconded by Ms. LaMonica, the Council voted unanimously to adjourn to Executive Session at 8:20 p.m.

Respectfully submitted,

Gwen McCarthy  
Municipal Clerk