

September 27, 2012

A regular meeting of the Borough Council was held in the Municipal Building on September 27, 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, Ms. LaMonica, Mrs. McSwiggan, Mrs. White and Mayor Barra. Mr. Strauch was absent. Mrs. Wilczynski arrived at 8:10 p.m. also present were Mrs. McCarthy and Mr. Bole.

Approval of Minutes

Mrs. White moved, seconded by Mrs. McSwiggan, to approve the minutes of September 13, 2012. On roll call, all Council members voted in favor.

Public Hearing for Advertised Ordinances

Ordinance 12-17 – Amend Chapter 270, “Zoning” – Certificates of Occupancy

Mr. Barra opened the meeting to the public for comments on Ordinance 12-17. There were none.

Resolution 12-261 – Introduced by Mrs. McSwiggan, seconded by Mrs. White

Be It Resolved that an Ordinance entitled 12-17 “An Ordinance to Amend Chapter 270 of the Code of the Borough of Allendale entitled ‘Zoning’ “ 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 12-17, attached and made a part hereof.)

Public Comments

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

There were none.

Introduction of Ordinances

Ordinance 12-19 – Local Pay to Play Ordinance

Resolution 12-262 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Be It Resolved that an Ordinance entitled 12-19, “An Ordinance to Establish Chapter 197 of the Code of the Borough of Allendale Entitled ‘Pay to Play’” 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 11th day of October, 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 12-19, attached and made a part hereof.)

Consent Agenda

Resolution 12-263 – Introduced by Mrs. White, 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 September 27, 2012.

On roll call, all Council members voted in favor.

Resolution 12-264 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Whereas, Keith Cauwenberghs is purchasing agent for the purpose of signing certain purchase orders pursuant to Borough Code, Practice and Procedures;

Whereas, due to Mr. Cauwenberghs’ retirement it is necessary to designate someone to sign purchase orders;

Now, Therefore, Be It Resolved by the Governing Body that Gwen McCarthy is hereby authorized to sign purchase orders effective immediately until further order from the Governing Body.

On roll call, all Council members voted in favor.

Resolution 12-265 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Be It Resolved that the Chief Financial Officer is hereby authorized to draw current account checks for petty cash to the following individual in the amount stated:

Mary Rottingen

Department of Public Works

\$150

On roll call, all Council members voted in favor.

Resolution 12-266 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Be It Resolved, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to cancel the taxes owed on the following list of uncollectible properties for 2012. The properties are as follows:

<u>BLOCK / LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
301 / 45	Rear Farley Place	\$212.61
2204 / 15	New Street	\$ 34.67

On roll call, all Council members voted in favor.

Resolution 12-267 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Whereas, there is a need for a flu program in the Borough of Allendale, and

Whereas, the County of Bergen will provide this program under the Department of Health Services, and

Whereas, the County of Bergen provided flu vaccine at a cost of \$125 per ten dose vial, and

Whereas, the Allendale Board of Health had a need for ten vials of flu vaccine, and

Whereas, the Chief Financial Officer has certified that there are funds for this agreement;

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 approved the agreement between the Borough of Allendale and the County of Bergen for the flu vaccination program;

Be It Further Resolved that the Mayor is hereby authorized to sign said agreement.

On roll call, all Council members voted in favor.

Resolution 12-268 - Introduced by Mrs. White, seconded by Mrs. McSwiggan

Be It Resolved that the Mayor and Council of the Borough of Allendale wishes to enter into a Grant Agreement with the County of Bergen for the purpose of using \$33,150 in 2012-13 for a Community Development Block for Handicapped Accessible Improvements to the Borough Hall; and

Be It Further Resolved that the Mayor and Council hereby authorizes Vince Barra to be a signatory to the aforesaid Grant Agreement; and

Be It Further Resolved, that the Mayor and Council hereby authorizes M. Alissa Mayer to sign all county vouchers submitted in connection with the aforesaid project; and

Be It Further Resolved that the Mayor and Council recognizes that the Borough of Allendale is liable for any funds not spent in accordance with the Grant Agreement and that the liability of the Mayor and Council is in accordance with HUD requirements.

On roll call, all Council members voted in favor.

Resolution 12-269 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Whereas, an emergency affecting the public health, safety and welfare at the Borough Police Department building requires the immediate delivery of goods and/or the performance of services; and

Whereas, the need for the goods and/or services could not have been reasonably foreseen; and

Whereas, it is necessary to retain the services of a contractor to commence the repairs and a plumber to assist in the process; and

Whereas, the contract(s) shall be of such limited duration as to meet only the immediate needs of the emergency; and

Whereas, the Director of Operations has notified the purchasing agent of the need for the performance of a contract, the nature of the emergency, the time of its occurrence and the need for invoking N.J.S.A. 40A:11-6; and

Whereas, the Chief Financial Officer has attached hereto a certification that adequate funds are available to pay for the contract(s) which aggregate amounts can only be estimated at this time;

Now, Therefore, Be It Resolved by the Governing Body of the Borough of Allendale for a good cause that pursuant to N.J.S.A. 40A:11-6 and implementing regulations at N.J.A.C. 5:34-6.1 et seq. that a contract is hereby authorized in order to address emergency building repairs aforesaid;

Be It Further Resolved, that the cost of such contract(s) shall not exceed the sum of \$30,000; and

Be It Further Resolved, that the Mayor and Municipal Clerk are authorized to sign the appropriate purchase order or contract to carry this resolution into effect;

Be It Further Resolved, that upon satisfactory completion of the aforesaid work, the Chief Financial Officer is authorized to make payment pursuant to the applicable contract(s).

Resolution 12-270 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Whereas, the tax payers, Dwight & Erica Kern, appealed the assessment levied on Block 1401, Lot 9 for the year 2011; and

Whereas, the subject property's street address is 260 Schuyler Road; 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 \$755,800 to \$635,800; and

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

Whereas, the assessor is of the opinion that the revised valuation is consistent with 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 Kern v. Borough of Allendale as hereinbefore set forth is approved and the Borough Tax 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 12-271 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Whereas, Peter L. Cauwenberghs worked for the Allendale's Department of Public Works from May 15, 1948 to the end of the calendar year in 1984, and

Whereas, Keith Cauwenberghs worked for the Allendale Department of Public Works from September, 20, 1971 to September 28, 2012,

Now, Therefore, Be It Resolved that in honor of over seventy years of service from the Cauwenberghs family to the Borough of Allendale, that the Department of Public Works building will henceforth be called the **Cauwenberghs Building**.

On roll call, all Council members voted in favor.

Resolution 12-272 – Introduced by Mrs. White, 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 individuals are appointed on a temporary basis to the Public Works positions noted below:

Name	Position	Term	Stipend
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Jeff Picinich	Director	October through December	\$1,000/month
Daniel Davis	Head Crew Chief	October	\$1,000
William Ziegelhofer	Head Crew Chief	November	\$1,000
Layne Simon	Head Crew Chief	December	\$1,000

On roll call, all Council members voted in favor.

Committee Reports

Water and Sewer

Mrs. McSwiggan said the Request for Proposals for the outsourcing of the Water Department is in progress. Answers are being provided to any questions that have been asked by the applicants. The Committee is hoping for good responses to the RFP. There has been a suggestion to change the bid date to October 11, 2012 to allow the companies to review the additional information which has been provided in an addendum.

The Sewer Committee met yesterday for the last time. Mrs. McSwiggan complimented the individuals who served on that Committee for their work, concentration, dedication and willingness to discuss ideas. To date there have been 86 inspections completed, nine of which uncovered illegal sump pumps. Those residents will be supported in the process of coming into compliance. In addition, sixty-five letters have been mailed to notify those residents to schedule a sump pump inspection. All residents will ultimately have their homes inspected.

Public Safety

Mr. Bernstein did not have a report.

Land Use and Construction Code

Mr. Strauch was absent.

Public Works

Mrs. White said she was able to drive directly down Crescent Avenue this evening because the detour has been removed at the intersection of Myrtle Avenue and West Crescent Avenue. Construction is not complete, however, and utility poles still need to be moved and the traffic signal needs to be installed. There will still be periodic closures on Crescent Avenue.

Personnel, Finance and Human Resources

Ms. LaMonica said her Committee met last week.

Facilities, Parks and Recreation

Mrs. Wilczynski said Sunday, September 30th was the dedication of Kunisch Field, and it was a wonderful day in Allendale. Mrs. Kunisch, her children and her grandchildren were in attendance for the ribbon cutting and the unveiling of two signs – one leading into the field and the other on the backstop. Mr. Kunisch and Mr. Chris Kunisch each gave speeches and the day concluded with a baseball game. The “Allendale Storm” players were happy to have been the first team to play on the new Kunisch Field.

Mayor Barra reiterated that it was a very special day for the Borough of Allendale.

Both Mr. Barra and Mrs. Wilczynski thanked the DPW for the time they spent to make the field look beautiful for the dedication. The bases were spray painted, the field was lined and dragged and the sign was concealed behind the American flag before its unveiling. The Star Spangled Banner was sung and it was a very emotional and memorable day for everyone.

Municipal Attorney

Mr. Bole recommended that the Clerk be authorized to advertise for a change of date for receipt of the Water Department RFP, should that become necessary.

Mrs. McSwiggan moved, seconded by Mrs. White to authorize the Clerk to put a notice in the newspaper extending the bid date from October 4th to October 11th, should that be required.

On roll call, all Council members voted in favor.

Municipal Clerk

Mrs. McCarthy announced that the Senior Flu Clinic will be held on October 26th from 10:30 to 11:30 a.m. The Rabies Clinic will be held on November 3rd from 1:00 to 3:00 at the Ambulance Corps.

On a motion by Mrs. White, seconded by Ms. LaMonica, the Council voted unanimously to adjourn at 8:15 p.m.

Respectfully submitted,

Gwen McCarthy
Municipal Clerk