

Work Session  
Mayor and Council  
October 13, 2011

A Work Session of the Mayor and Council was called to order at 7:36 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. Mrs. McCarthy and Mr. Bole were also present.

*Public Comments*

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

Mr. Pete Branigan of 81 Chestnut Street said his street was repaved during the last year. He thanked the Council for getting this done because it had been needed for years. He gave pictures to the Council of borings made on his street. He believes they were made in order to review the quality of work that was done by the contractor. Photos number six and seven were not borings but showed the beginnings of potholes.

Mr. Branigan said he brought the photos to the Borough Hall in order to speak to the Engineer about this issue. He wasn't happy with the Engineer's response to him. He does not believe the Engineer saw the photos about the potholes and only saw photographs of the borings. The Engineer did not seem to be concerned about the deteriorating condition of the road.

Mr. Branigan said photos six and seven were taken in front of Mr. Branigan's house. He is concerned that if nothing is done about the street that it will begin to deteriorate again.

Mr. Barra said this was a State DOT project which was subject to more scrutiny than a more general paving job.

Mrs. White said the issue would be discussed with the Borough Engineer. She added that the Council had concerns with the contractor who did this work.

Mr. John Koster asked for the name of the contractor who did the work and the cost of the contract. Mrs. White and Mr. Strauch replied it was AJM contractor of Clifton and the price of the contract was \$176,000.

*Agenda Review*

Resolution 11-289 – Salary Resolution for the Water Department

Mayor Barra commented that Diane Knispel has done a "phenomenal" job filling in at the Water Department. She has been "awesome" and is deserving of a pay increase for the work she has been doing.

Resolution 11-294 – Refer D Zone Amendments to the Planning Board

Councilman Strauch said the topic of D Zone Amendments will be sent to the Planning Board. They will be asked to give a recommendation back to the Council no more than ninety days after receiving it. At that point an ordinance will be introduced.

A synopsis of the public hearing held on September 22<sup>nd</sup> will be sent to the Planning Board members. No pre-disposed outcome will be given to them. Mr. Snieckus who is also the Planning Board Planner will be present at that meeting of the Board. After their review, the issue will return to the Land Use Committee and they will make a recommendation to the Council.

Mr. Bernstein asked if the Planning Board will take testimony and entertain public comments on this issue.

Mr. Barra said his recommendation would be for the Board to take public comments. Mr. Barra added that the public will be notified of meetings to be held on this topic when it is before both the Planning Board and the Council.

Mr. Barra suggested that perhaps something could be put on Allendale's website about this issue. That will ensure that when the topic is before the Planning Board there will be full disclosure about the subject to the public.

Resolution 11-295 – Section 125 – Cafeteria Plan – Revised

Mr. Barra said employees will be able to contribute pre-tax money into health plans to be used to pay for items not covered by their health plans. They can also put money aside for child care or adult care.

There is no cost to the Borough for this program and it is handled as a withholding from the employees' paychecks. He stated there is no fiscal impact on the Borough and is good for employees.

Resolution 11-296 – Qualified Purchasing Agent

Allendale does not have a Qualified Purchasing Agent which is a position that requires more coursework than a regular Purchasing Agent. State law has been revised so that quotes up to \$35,000 will be allowed to be taken if a municipality has a QPA. Allendale has several items that would be eligible for these larger quotes.

Mr. Citro, the gentleman being appointed this evening is currently a part time CFO in Ho-Ho-Kus and was previously the CFO in Paramus.

This resolution will remain in effect through the end of the year and will likely be acted on again in 2012. Mr. Barra said if there was an employee who was interested in becoming a QPA they would be encouraged to do so, but no one has expressed an interest to this point.

Resolution 11-297 – Resolution Regarding OPRA Litigation

Mr. Barra said the Borough needs to respond to OPRA litigation that has been filed against the Borough. This resolution authorizes the defense of the litigation. More information will be given to the Council members about this topic in Executive Session later this evening.

*Administration*

DPW Committee Report Regarding Garbage and Recycling

Mrs. White said last year the Council decided to switch from sorted recycling to commingled recycling and she has numbers that show the progress that has been made because of this change. In 2010 there was a total of 238.07 tons of recycling and at the same point this year that number has increased to 294.66 tons or 56.59 tons over last year. In addition the town was paying \$30/ton to have its glass taken away last year and now the Borough is receiving \$15 per ton for commingled recycling. Also the number of days to collect recycling has been reduced from three to two, and the number of employees doing the collection has also been reduced from three to two.

In 2010 we also collected 1672.72 tons of solid waste and in 2011, 1587.89 tons were collected, a decrease of 84.73 tons from last year.

*Mayor's Report*

Mayor Barra did not have a report.

*Legal*

Drive-Thru Banking Hours in the C-1 Zone

Mr. Barra said the Bank of America has a drive-thru window around the corner from the bank. Initially, restricted hours were approved for the drive-thru because it was located in a residential zone. Mr. Barra has received comments from individuals stating that they would like to have the hours extended because the current hours are so limited. The bank has an ATM in the lobby but the parking for the bank is mostly located in the back of the building and some people feel that is a security issue.

Mr. Strauch said he too has heard from the residents about this topic. He said the Land Use Committee has recommended modest changes to the C-1 zone. It is proposed that the drive-thru will be closed on Sunday and the hours will be expanded to 7 a.m. to 8 p.m. on Monday through Saturday.

Currently the drive-thru hours are limited to an additional half hour before and after the lobby hours.

Mr. Strauch said the Land Use Committee was sensitive to the impact of vehicle lights and car radios on the neighbors if the drive-thru was open during longer hours.

Mr. Barra said this will be introduced by ordinance at the next meeting of the Council.

Mrs. McCarthy read the following resolution into the record:

**Whereas**, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

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

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

OPRA Litigation

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.

On a motion by Mr. Schoepflin, seconded by Mr. Bernstein, the Council voted unanimously to adjourn to Executive Session at 8:57 p.m. On voice vote, all Council members voted in favor.

Respectfully submitted,

Gwen McCarthy  
Municipal Clerk