

December 13, 2012

A regular meeting of the Borough Council was held in the Municipal Building on December 13, 2012. The meeting was called to order at 8:17 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: Ms. LaMonica, Mrs. McSwiggan, Mrs. White, Mrs. Wilczynski and Mayor Barra. Mr. Bernstein and Mr. Strauch were absent. Also present were Mrs. McCarthy and Mr. Bole.

Approval of Minutes

Mrs. McSwiggan moved, seconded by Mrs. White, to approve the Work, Regular and Executive Session minutes of November 19, 2012. On roll call, all Council members voted in favor.

Public Comments

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

Mr. Koster asked what the dollar amount was for the ordinance on Capital Improvements for Borough Buildings that is being introduced.

Mrs. White responded that the ordinance is for fifty thousand dollars.

Introduction of Ordinances

Ordinance 12-20 – Improvements to Borough Buildings

Be It Resolved that an Ordinance entitled 12-20, “Ordinance Appropriating \$50,000 from the General Capital Fund Balance for Improvements to Buildings by the Borough of Allendale, in the County of Bergen, New Jersey” 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 27th day of December, 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 12-20 attached and made a part hereof.)

Resolutions

Resolution 12-308 – Introduced by Mrs. White, seconded by Ms. LaMonica

Whereas, the there is a need to appoint a Municipal Engineer for the Borough of Allendale; and

Whereas, there is also a vacancy in the Office of the Director of Operations and Principal Public Works Manager by reason of the retirement of Keith Cauwenberghs;

Now, Therefore, Be It Resolved by the Governing Body that it does hereby appoint John Yakimik as Municipal Engineer for a one year term commencing January 1, 2013 until December 31, 2013; and

Be It Further Resolved that John Yakimik is appointed as Director of Operations effective January 1, 2013 to serve at the pleasure of the Governing Body pursuant to Code Section 53-53 et seq.

Be It Further Resolved that John Yakimik is appointed as interim Acting Principal Public Works Manager effective January 1, 2013 for a period of one year until December 31, 2013 pursuant to NJSA 40A:9-154.6g(c)

Be It Further Resolved that the salary for the aforesaid positions shall be in the total amount of \$144,500.

On roll call, all Council members voted in favor.

Mr. Barra congratulated and welcomed Mr. Yakimik to the position of Municipal Engineer and Director of Operations.

Mr. Yakimik responded that he was humbled and honored to have been selected for this position. He added that he can't wait to begin the job with the Borough of Allendale.

Mrs. White moved, seconded by Ms. LaMonica to remove Resolution 12-299 from the Consent agenda.

On roll call, all Council members voted in favor.

Resolution 12-299 – Introduced by Mrs. White, seconded by Ms. LaMonica

Be It Resolved, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to reduce the 2012 tax levy and issue the following overpayment checks due to County Board Judgments for the Tax Year 2012:

Block/Lot	Name	Property Location	Amount
101/26	Dudas, Michele & Pampulevski, Peter	10 Lori Ln	\$1,164.74

103/14	Batenhorst, Christopher	13 E Elbrook Dr	\$1,601.52
203/5	Lee, Yoon Ho & Min Sook	2 Leigh Ct	\$524.60
301/16	Del Gatto, Gennaro & Anna	120 Woodland Ave	\$896.67
404/22.01	Moor, Andrey & Inna	10 W Crescent Ave	\$501.49
406/1	Rohsler, Bruce	829 Franklin Tpk	\$1,310.34
406/9	Sanchez, Victor & Claudia	843 Franklin Tpk	\$1,220.21
502/12	Hassankani, Ali	1 Ackerson Rd	\$1,617.70
507/16	Wu, Xiao Chu & Mei	96 Knollton Rd	\$864.31
511/5.21	Bildner, Daniel & Melissa	23 Sawyer Ct	\$1,086.17
605/3	Herraiz, Claudio & Maria	2 Gloria Dr	\$1,030.71
801/5	Emery, Andrew & Karen	155 E Allendale Ave	\$554.64
801/36	McSwiggan, Daniel & Jacqueline	70 Green Way	\$894.36
801.01/53	Donahue, Patrick & Michelle	7 Green Way	\$415.98
904/9	Talerico, Steven	7 Delta Ct	\$746.45
905/10	Monk, Kathleen	107 Myrtle Ave	\$704.86
1102/15	Sullivan-Reed, Anne	125 Hillside Ave	\$1,210.96
1202/12	Harte Associates LLC	147 Forest Rd	\$441.40
1301/11	Foldessy, Edward & Andrea	402 Paul Ave	\$469.13
1303/11	Grisez, Frank	500 Brookside Ave	\$989.11
1501/19	Bockhoff, Celia	852 W Crescent Ave	\$1,821.07
1501/20	Romans, Thomas & Sharon	860 W Crescent Ave	\$379.00
1502/11	Karvellas, Michael	7 Stonefence Rd	\$1,069.99
1901/12	Rosa, Richard & Janice	85 E Orchard St	\$1,139.32
2004/20.01	Rohsler's Nursery Partners	8 Rozmus Ct	\$1,014.53
2004/20.08	Pensa, Laurry	27 Rozmus Ct	\$1,569.17
2201.01/8	Xu, Hunping & Jun Lu	21 Oakwood Rd	\$748.76
2204/3	Guevara, Ernest & McRae, Cheryl	333 Park Ave	\$744.14

TOTAL **\$26,731.33**

Be It Resolved, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to reduce the 2012 tax levy due to a County Board Judgment for the Tax Year 2012:

1501/17	Richard, Randall & Diana	816 W Crescent Ave	\$1,897.33
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TOTAL **\$1,897.33**

On roll call, Mrs. McSwiggan abstained. All other Council members voted in favor.

Consent Agenda

Resolution 12-297 – 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 December 13, 2012.

On roll call, all Council members voted in favor.

Resolution 12-298 – 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 issue the following check on the property listed below and charge same to Overpayment of 2012 Taxes:

2012

Block/ Lot	Name	Property Location	Amount
301/39.02	Blondin, Joseph & Barbara 127 Crescent Place Allendale, NJ 07401	127 Crescent Pl	\$32.12
801/4	Neill, Brian & Dana 159 E Allendale Avenue Allendale, NJ 07401	159 E Allendale Ave	\$3,230.18
2101/9 C0144	Chase Refund Dept C/O Core Logic 1 Core Logic Drive West Lake, TX 76262 Sardanopoli	144 Carriage Ct	\$2,976.32
TOTAL			\$6,238.62

On roll call, all Council members voted in favor.

Resolution 12-300 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Now, Therefore, Be It Resolved that the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby authorizes the Mayor and Municipal Clerk to sign an Interlocal Court Agreement with the Borough of Ho-Ho-Kus.

On roll call, all Council members voted in favor.

Resolution 12-301 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Whereas, there is a need for animal control services in the Borough of Allendale, and

Whereas, TYCO Animal Services has available such services as are needed; and

Whereas, TYCO Animal Services has agreed to provide mandated and additional services in the amount of \$8,700.00 and other services in accordance with the fee schedule that has been provided; and

Whereas, the Chief Financial Officer has certified that there are sufficient funds available for this contract;

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 contract between the Borough of Allendale and TYCO Animal Services; and

Be It Further Resolved, that the Mayor and Municipal Clerk be and they are hereby authorized to sign said contract.

On roll call, all Council members voted in favor.

Resolution 12-302 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Whereas, the Borough of Allendale, County of Bergen and State of New Jersey has publicly advertised for bids for the project known as Safe Routes to Schools Program AKA Pedestrian Safety Improvements on West Crescent Avenue from the vicinity of Franklin Turnpike to Ivers Road in the Borough of Allendale; and

Whereas, the Borough has been presented with a Federal Aid Agreement which calls for reimbursement of project funds under certain terms and conditions; Federal Project Number STP-8660(101)CON;

Now, Therefore, Be It Resolved that the Borough does hereby authorize and approve the Federal Aid Agreement between the Borough and the State of New Jersey, Department of Transportation, Division of Local Aid and Economic Development, Agreement Number 2012-DT-BLA-215; and

Be It Further Resolved that the Mayor and Municipal Clerk are authorized to execute said agreement following legal review; and

Be It Further Resolved that the Borough and its officials are authorized to take such other steps as may be necessary to complete the Federal Aid Agreement for the Safe Routes to Schools Program in the Borough of Allendale.

On roll call, all Council members voted in favor.

Resolution 12-303 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Be It Resolved by the Mayor and Council of the Borough of Allendale, that it does hereby appoint Michael J. Dalessio as Electrical Sub-Code Official to a four year term, retroactive from December 4, 2012 until December 31, 2016, for six hours a week at an annual salary of \$12,105.50.

On roll call, all Council members voted in favor.

Resolution 12-304 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Whereas, Sunesys LLC was approved by the New Jersey Board of Public Utilities to provide local exchange and inter exchange telecommunications services throughout the State of New Jersey by order of approval in Docket No. TE00040261 on May 9, 2001; and

Whereas, pursuant to such authority granted Sunesys LLC desires to enter into a Rights-of-Way Agreement which would allow it to install its fiber optic cabling on poles owned by Verizon and/or PSE&G and in underground conduit already installed in the public rights-of-way; and

Now, Therefore, Be It Resolved by the Governing Body of the Borough of Allendale that it does hereby grant consent to Sunesys LLC for the purpose of owning, constructing, installing, operating, repairing and maintaining the telecommunications system pursuant to the terms of a Rights-of-Way Use Agreement currently on file with the office of the Municipal Clerk and incorporated herein;

Be It Further Resolved that the Mayor and Municipal Clerk are authorized to execute the Rights-of-Way Use Agreement which shall be subject to review and approval of the Municipal Attorney.

On roll call, all Council members voted in favor.

Resolution 12-305 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Whereas, the Northwest Bergen County Utilities Authority entered into a service Agreement in March, 1965 with the Boroughs of Allendale, Ho-Ho-Kus, Midland Park, Ramsey, Waldwick and the Township of Wyckoff; and

Whereas, this Agreement called for these municipalities to provide the funding necessary to construct the treatment plant and pay the bonds necessary to finance this construction; and

Whereas, these bonds required the Authority to establish a debt service reserve funded by those participating municipalities; and

Whereas, this debt service reserve fund is no longer necessary as the bonds have or will be maturing over the next couple of years; and

Whereas, the Northwest Bergen County Utilities Authority has developed a concept of funding current capital improvements and utilizing other portions of these debt service reserve funds to offset future rate increases; and

Whereas, if this concept is adopted by the Authority municipalities other than the original funding communities will benefit from this action without their having contributed to the establishment of this reserve; and

Whereas, the original funding municipalities should be reimbursed so that they determine the use of those funds that they gave in trust, so that the Authority could receive financing to construct their facility.

Now, Therefore, Be It Resolved, by the Mayor and Council of the Borough of Allendale that we hereby oppose the Northwest Bergen County Utilities Authority proposed use of the unencumbered debt service reserve funds; and

Be It Further Resolved, that we request that those unencumbered debt service reserve funds be returned directly to only those communities that contributed based upon each communities level of contribution; and

Be It Further Resolved, that the Borough Clerk is hereby authorized to send a certified copy of this resolution to the Bergen County Executive, the Northwest Bergen County Utilities Authority, and the Boroughs of Waldwick, Ho-Ho-Kus, Midland Park, Ramsey and the Township of Wyckoff.

On roll call, all Council members voted in favor.

Resolution 12-306 – Introduced by Mrs. White, seconded by Mrs. McSwiggan

Be It Resolved by the Governing Body that the Chief of Police is authorized to hire two new police academy entry level positions for the Police Department.

On roll call, all Council members voted in favor.

Resolution 12-307 – 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 be appointed as Seasonal Employees:

Name	Department	Appointment Date	Salary
Stephen Brown	Public Works	Dec. 20, 2012	\$ 9.25/hour
Joe Burns	Public Works	Dec. 21, 2012	\$11.25/hour
Thomas Amarante	Public Works	Dec. 24, 2012	\$ 9.25/hour

On roll call, all Council members voted in favor.

Committee Reports

Water and Sewer

Mrs. McSwiggan said the sump pump project is continuing to progress. As of today there have been 223 inspections completed with 16 violations noted. There have been 176 voluntary requests for inspections and 285 letters have been sent out telling residents of the need to schedule an inspection.

A meeting was held with United Water which served to clarify issues relating to outsourcing the operations of the Water Department.

Public Safety

Mr. Bernstein was absent.

Land Use and Construction Code

Mr. Strauch was absent.

Public Works

Mrs. White said the weekend of December 15th will be the last weekend that storm debris will be accepted at the east side train station parking lot. As of Monday morning, December 17th, the lot will be closed to begin removing and disposing of the debris. It will be open from 9:00 a.m. to 5:00 p.m. on Saturday and from 1:00 p.m. to 5:00 p.m. on Sunday.

The mulch area will be closed for the winter after Sunday, December 16th. It will reopen in the Spring. The area will remain open for recycling.

Personnel, Finance and Human Resources

Ms. LaMonica said her Committee met on Friday, December 7th on a variety of topics including the budget. So far the financial picture for the upcoming year looks tight, but she believes it will be manageable.

Facilities, Parks and Recreation

Mrs. Wilczynski said she plans to have a meeting of her Committee on Wednesday, December 19th. Her last meeting was cancelled due to Hurricane Sandy.

She said the Lightning Detection System will be moved to the Police Station instead of being installed at the DPW. This change has caused installation costs to increase which has led to other delays. The representative from the company is trying to work this issue out.

Allendale is getting new chlorine lines at Crestwood and that project is almost finished.

A woman from town has volunteered to review swing set options for the grant Allendale has received from Bergen County for Crestwood Park. The entire playground area at Crestwood will be revamped. The playground that is currently there is not very old, but it is made out of wood and has become dangerous.

Mrs. Wilczynski noted that Ed Kalpagian from State Farm in town has collected money for Allendale beautification which has been used to purchase twelve new benches for the downtown area. They will look like the benches we have at Orchard Commons Park but they will be black. Borst Landscaping will also donate pots for plantings in the downtown area.

The second annual Menorah lighting was held on Tuesday, December 11th. It was well attended and a reception was held afterward.

Mayor Barra thanked Joanne Hart for making a stable for the crèche out of vegetative debris from Hurricane Sandy.

In addition, the evergreen tree at Borough Hall that is usually decorated with lights for Christmas had to be replaced. He thanked Mrs. Wilczynski for getting that done so quickly.

Municipal Attorney

Mr. Bole did not have a report.

Municipal Clerk

Mrs. McCarthy said a lady from town will be at the next Council meeting because she has donated her family's service flag to the Borough of Allendale. There were ten children in her family and seven of them served in World War II.

Mayor Barra noted that the tradition of service flags still continues today. He recently visited a friend whose son is a Green Beret and he has a service flag in his window.

Chief Scherb thanked the Council for approving the hiring of two additional Police Officers.

Boy Scout Kyle Alward asked if the metal swing set would also be replaced at Crestwood Park. Mrs. Wilczynski said that the metal swing set would stay and she noted that it has been at Crestwood for many years.

Mrs. Wilczynski said she has put in a grant application for a vortex slide at Crestwood Lake.

On a motion by Mrs. White, seconded by Mrs. Wilczynski, the Council voted unanimously to adjourn at 8:35 p.m.

Respectfully submitted,

Gwen McCarthy
Municipal Clerk