

Mayor and Council of the Borough of Allendale
Work Session Meeting Minutes
August 11, 2016

PRESENT: Mayor Elizabeth White and Councilmembers Ari Bernstein, Liz Homan, Jackie McSwiggan, Steve Sasso, Jim Strauch, and Amy Wilczynski

ABSENT: None

ALSO PRESENT: Borough Attorney Ray Wiss
Municipal Clerk Anne Dodd

A Work Session Meeting of the Mayor and Council of the Borough of Allendale was held in the Municipal Building at 500 West Crescent Avenue, Allendale, NJ on August 11, 2016. The meeting was called to order at 7:35 p.m. by Mayor White who asked that the Municipal Clerk read the open public meetings statement:

“In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. The meeting dates for the year are confirmed at the Annual Meeting, are posted on the public bulletin board in the Municipal Building, published in the Record within the first 10 days of the New Year, and copies are sent to the Ridgewood News and Star Ledger.”

Administration:

A. Public Comment

Mark Savastano, Vreeland Place, inquired, on behalf of the Chamber of Commerce, whether a formal request would need to be made to hold Festival Day. He also requested that a link to this event be placed on the Borough website.

Mayor White advised that he should put a request in writing to hold this event and she will have the request placed on the next agenda for approval. She also suggested that he include the information for the website in this request.

Mr. Savastano requested an update on the W. Crescent Bridge project.

Mayor White advised that the bridge is scheduled to be paved tomorrow and the hope is that it will be opened within the next week. She thanked Ron Kistner, Administrative Officer/Director of Operations, as he has been instrumental in keeping the project progressing. She noted that the annual paving project is about to commence and the bridge needs to be open for this project.

Mr. Kistner stated that he will be distributing letters to the merchants along W. Allendale Avenue to notify them that the W. Allendale Avenue Pedestrian Walkway Improvements will begin on Monday.

B. Agenda Review

Mayor White reviewed the Regular Session agenda. She noted that the July 28th Minutes have been reviewed and are in good shape. She requested that Councilman Sasso provide an explanation of Ordinance 16-24 which is scheduled for introduction this evening.

Mayor and Council of the Borough of Allendale
Work Session Meeting Minutes
August 11, 2016

Councilman Sasso explained that although it is not currently an issue, he felt that the Land Use Committee should address the future of 24-hour businesses before an issue arises. He advised that they are looking to regulate this type of business in the central business district.

Councilman Bernstein inquired how the hours during which a business is permitted to be open was decided. Councilman Sasso advised that bars are currently permitted to be open until 2 a.m. Councilwoman McSwiggan added that businesses tend to get deliveries as early as 5 a.m.

Mayor White then reviewed the Consent Agenda. She thanked the Administration, Finance, and Human Resources Committee for their work in negotiating the UPSEU contract which is scheduled for adoption via Resolution #16-217. She noted that Resolution #16-219 authorizes the purchase of software that will replace Mitchell Humphrey in the Building Department as well as the pet licensing software. She advised that this software has many layers and will be used among the various departments as all aspects of this software are assigned to a block and lot.

Mayor White highlighted Resolution #16-221 which will be considered separately from the Consent Agenda and will authorize the appointment of special legal counsel.

C. Mayor's Report

In reference to Resolution #16-221, Mayor White read the following statement into the record:

"As many in our community are aware, for several decades there have been ongoing issues relating to the use of lighting to illuminate the fields on the Northern Highlands Campus.

At issue is the right, if not the obligation, of the Board of Education to provide safe and sufficient opportunities for its student athletes and the participants in its extra-curricular activities, to enjoy those fields as a part of their high school experience, versus the rights of adjacent property owners to peacefully enjoy their homes without undo and unwarranted adverse impacts.

Last fall, these two competing interests again became embroiled in litigation.

In the ensuing months, the litigants, including the Borough, which has been named as a defendant in the proceedings, have spent tens, if not hundreds of thousands of dollars in litigation and related costs. Much of these expenditures represent tax payer funds which could have been much better utilized for educational or municipal purposes.

During the course of the litigation, and even prior thereto, the Borough has attempted, on multiple occasions, to serve as an intermediary between the Board of Education and the homeowners in an attempt to find a way to amicably settle the dispute. Unfortunately, to date, our efforts in that regard have been unsuccessful, as a result of which the litigation and its attendant costs continues.

Recently, the Board of Education has provided the Borough with a series of proposed amendments to the Borough's Land Use Regulations. In a further attempt to reach an accommodation between the parties, the Borough has agreed to review these proposed

Mayor and Council of the Borough of Allendale
Work Session Meeting Minutes
August 11, 2016

amendments and is engaging a Land Use Specialist, which will be paid for by the Board of Education, to provide us with an analysis of the same in light of the opinions of the trial judge. It is the Borough's intention, once it receives the opinion of the Land Use Attorney, to provide the draft ordinances to the homeowners and their attorney for further input and comment.

While the Borough is unsure as to what the outcome of this process will be, the Governing Body believes, as it always has, that every effort should be made on its part to attempt to resolve this dispute in the best interests of all concerned and our community at large."

Councilman Bernstein agreed with Mayor White's sentiments, commenting that the Borough has spent many hours in an attempt to find a solution to this issue that balances the equities of all of the parties involved. He noted that, from his perspective, their mission has not changed and the appointment of Jonathan Drill will help the governing body to better understand the legal issues involved and potentially permit them to move forward.

Councilwoman Wilczynski remarked that she, too, agrees with Mayor White's comments. She noted that the Borough has spent countless hours in an attempt to reach an amicable agreement at a large expense which correlates to taxpayer dollars. She advised that their goal has always been to come to a solution that strikes a reasonable balance between the interests of all the parties involved. By moving forward and engaging this land use specialist, she expressed her hope that a fair resolution can be reached.

Mayor White advised that Mr. Drill's résumé is extensive in this field and commented that she is pleased to get such an expert to assist with this contentious issue.

D. Council Reports

Councilwoman Homan - Public Safety

Councilwoman Homan thanked the CFO for the financial reports that were provided and advised that she will be meeting with her committee members to review the status of their budget. She noted that she will need to reschedule the next Public Safety Committee meeting as she will be away.

Councilwoman McSwiggan – Water, Sewer and Public Utilities

Councilwoman McSwiggan reported that the next Water, Sewer and Public Utilities meeting is scheduled for August 22nd. She commented that Mr. Kistner is doing a terrific job in coordinating with Suez to determine whether there is a need to move to Phase 2 Water Restrictions. She asked that residents continue to be cognizant of water usage during this hot summer.

Councilman Sasso - Land Use and Construction Code

Councilman Sasso advised that the Land Use and Construction Code Committee met on August 5th and is currently looking at the future of drive-thru businesses, the way in which building height is calculated, and ways to tighten up the vacant property ordinance. He advised that the next committee meeting is scheduled for Friday, September 9th.

Mayor and Council of the Borough of Allendale
Work Session Meeting Minutes
August 11, 2016

Mayor White noted that the Construction Code Office is working with real estate agents to ensure that CCO inspections are conducted when a home is being sold. The inspections look at areas such as fire protection, outstanding building permits, and the condition of sidewalks.

Councilman Bernstein – Administration, Finance and Human Resources

Councilman Bernstein reported that the Administration, Finance and Human Resources Committee met this past Monday. He advised that the Personnel Manual has been adopted and is being distributed to the employees. The Administrative Officer will be emailing the Department Heads to inform them that annual reviews of all employees are to be completed by November 15th. He noted that the budget numbers are mostly in line with where they should be at this point in the year.

Councilwoman Wilczynski – Facilities, Parks and Recreation

Councilwoman Wilczynski commented that Crestwood Lake has been very active with events which have included a biathlon and concerts by the Nerds and Floyd Pink. She explained that these events are open to all residents, not just lake members. She noted that they are currently working on two projects, rehabilitating the tennis courts and making the Red Barn bathrooms ADA compliant.

Councilman Strauch – Public Works

Councilman Strauch advised that the Public Works Committee met last Wednesday. He noted that the Director of Operations is doing a great job. An Engineering meeting will be scheduled for Monday and Councilman Sasso will attend this meeting on behalf of Councilman Strauch as he will be away. The next Public Works Committee meeting is scheduled for September 7th.

E. Staff Reports

Due to time constraints, this item was carried to the Regular Session.

F. Correspondence

There were no correspondence items.

Adjournment:

There being no further business to come before the Mayor and Council, on a motion by Councilman Strauch, second by Councilwoman McSwiggan, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:06 p.m.

Respectfully submitted,

Anne Dodd, RMC
Municipal Clerk