

Mayor and Council of the Borough of Allendale
Work Session Meeting Minutes
August 13, 2015

PRESENT: Mayor Elizabeth White and Council members Ari Bernstein, Jackie McSwiggan, Steve Sasso, Jim Strauch, and Amy Wilczynski

ABSENT: Council member Liz Homan

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 13, 2015. The meeting was called to order at 7:34 p.m. by Mayor White who asked that the Municipal Clerk read the open public meetings statement:

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of August 13, 2015, was included in the list of meetings notice sent to the Record, Ridgewood News, Star Ledger on January 7, 2015 and advertised in said newspapers on January 10, 2015, posted on the bulletin board in the municipal building on January 7, 2015 and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Administration:

A. Finance Office – Receipt of Cash Tax Payments

Mayor White explained that there are residents who pay their taxes in cash and when the amount being deposited is greater than \$10,000, it becomes an issue. She proposed the idea of either eliminating the acceptance of cash or limiting the amount that is accepted.

Councilwoman McSwiggan inquired whether such a policy would be permitted. Borough Attorney Wiss advised that he has seen examples of limiting cash, but he is unsure whether its acceptance can be eliminated. CFO Mayer commented that the Borough of Emerson does not accept cash tax payments.

Councilman Bernstein noted that cash needs to be safeguarded until it is deposited and unlike with a check, there is a lack of a paper trail. He also noted that there is a risk to the employee who is walking the deposit to the bank. Councilwoman Wilczynski suggested that a police escort be used when the deposit is being brought to the bank.

Borough Attorney Wiss stated that although a deposit over \$10,000 should not be a violation of the Bank Secrecy Act if the cash was received from different residents, the bank probably views the Borough as one source.

Councilman Sasso suggested that residents be permitted to deposit the payment directly into the Borough's account.

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Council requested that Borough Attorney Wiss look into Emerson's policy to see whether it can be implemented in Allendale. If Emerson's policy cannot be implemented, Borough Attorney Wiss is to investigate whether it would be possible to limit the amount of cash that is accepted to \$500.

B. Agenda Review

Mayor White reviewed the Regular Session agenda. As Ordinance 15-11 is a zoning ordinance, she explained that it needs to go before the Planning Board. As they have not had the opportunity to meet to provide their input as to whether this ordinance is consistent with the Master Plan, the public hearing will be opened for public comment and the hearing will be adjourned to August 27th for adoption. It was decided that Councilwoman McSwiggan would make this motion.

Mayor White noted that although Ordinance 15-20 is listed for adoption, this ordinance will need to be reintroduced as the revisions that have been made are substantial. Councilman Bernstein will make the motion to introduce the revised ordinance. Mayor White thanked all those involved in drafting this ordinance.

In terms of the ordinances which are listed for introduction, Mayor White advised that Ordinance 15-22 separates the positions of Municipal Clerk and Administrative Officer and Ordinance 15-23 separates the salaries for these positions in the salary and wage ordinance. Ordinance 15-24 amends Chapter 270 in terms of certificates of compliance. Mayor White explained that the code currently calls for much more than is needed or being done in terms of inspections for a Certificate of Compliance. The ordinance is being amended to strictly have the Zoning Officer inspect the outside of the property.

Borough Attorney Wiss explained that, based upon the current code, it is implied that an interior inspection is being conducted. As the proposed ordinance calls for strictly visible exterior violations to be cited, it will limit the Borough's liability.

Councilman Bernstein questioned how the prospective buyer would know whether there is an existing code violation in the interior of the house. Borough Attorney Wiss responded that there would be a home inspection conducted privately with which the Borough would not be involved.

Councilman Strauch explained that the purpose of keeping the inspection to the exterior is to address violations that may be a safety issue such as a pool that is not fenced or a property that is not being maintained. Mayor White added that the Zoning Official will be checking on open permits to ensure that they are closed out prior to the Certificate of Compliance being issued. Councilwoman McSwiggan commented that if the inspector sees a sump pump that is illegally connected, it will be noted.

Mayor White remarked that as this ordinance is also a zoning ordinance, it will need to be sent to the Planning Board for review for consistency with the Master Plan.

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Mayor White noted that there is a resolution to approve the Corrective Action Plan. She congratulated CFO Mayer on a great audit and explained that most of the issues that arose were as a result of the transition in the Office of the Municipal Clerk.

As the time required Council to commence the Regular Session, on a motion by Councilwoman McSwiggan, second by Councilman Bernstein, and unanimously carried, the meeting was closed at 8:05 p.m. Council will resume reviewing the balance of items upon conclusion of the Regular Session.

On a motion by Councilwoman McSwiggan, second by Councilman Bernstein, the Work Session was reopened at 8:29 p.m.

C. Mayor's Report

This item was addressed during the Regular Session.

Executive Session:

Mayor White recognized Municipal Clerk Dodd who read into the record Resolution 15-238.

BE IT RESOLVED in compliance with N.J.S.A. 10:4-12, the Mayor and Council of the Borough of Allendale entered into Closed Executive Session to discuss the following matters:

A. Personnel

1. Administrative Officer Position

Minutes will be taken of the meeting and released to the public at the time that the matter is resolved. After Closed Executive Session, the Mayor and Council will reconvene in the Council Chambers to adjourn this work session meeting.

On a motion by Councilman Bernstein, second by Councilman Sasso, and all present voting in favor, the meeting was adjourned to the Executive Session in the Council Chambers at 8:29 p.m.

Adjournment

There being no further business to come before the Mayor and Council, on a motion by Councilwoman McSwiggan, second by Councilwoman Wilczynski, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:48 p.m.

Respectfully submitted

Anne Dodd, RMC
Municipal Clerk