

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
August 27, 2015

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

ABSENT: Council member Jim Strauch

ALSO PRESENT: Borough Attorney Ray Wiss
Interim Municipal Clerk Gwen McCarthy

A Regular 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 27, 2015. The meeting was called to order at 8:02 p.m. by Mayor White who asked that the Interim Municipal Clerk read the open public meetings statement: "This meeting is called pursuant to the provisions of the Open Public Meetings Act. This meeting of August 27, 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."

The Mayor led those present in a salute to the flag.

Approval of Minutes:

Councilwoman Wilczynski noted that there was an error in the August 13, 2015 Regular Session minutes as the year within Resolution #15-248 reflected the contract date for the Bergen County Open Space Trust Fund application as being 2014 when it should have been 2015. She asked that the minutes be amended to correct this error. Council agreed to this change.

Motion by Councilwoman McSwiggan, second by Councilwoman Wilczynski, to approve minutes of the August 13, 2015 Work Session, August 13, 2015 Regular Session, and August 13, 2015 Executive Session as amended.

On a roll call, the vote was recorded as follows:

Councilman Bernstein:	aye	Councilman Sasso:	aye
Councilwoman Homan:	abstain	Councilman Strauch:	absent
Councilwoman McSwiggan:	aye	Councilmember Wilczynski:	aye

Public Hearings for Advertised Ordinances:

Ordinance 15-11

The Interim Municipal Clerk read into the record:

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
August 27, 2015

The following ordinance published herewith was first read by title only on July 9, 2015 and posted on the bulletin board of the municipal building.

ORDINANCE NO. 15-11 - AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, ZONING, CHAPTER 270

Mayor White noted that the Public Hearing for this ordinance was held on August 13, 2015. She explained that the ordinance was forwarded to the Planning Board for their review and consent which was provided.

Motion by Councilwoman McSwiggan, second by Councilman Bernstein, that Ordinance 15-11 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law.

On a roll call, the vote was recorded as follows:

Councilmember Bernstein: aye	Councilmember Sasso: aye
Councilmember Homan: aye	Councilmember Strauch: absent
Councilmember McSwiggan: aye	Councilmember Wilczynski: aye

(See Ordinance 15-11, attached and made a part hereof.)

Ordinance 15-20

The Interim Municipal Clerk read into the record:

The following revised ordinance published herewith was first read by title only on August 13, 2015 and posted on the bulletin board of the municipal building.

ORDINANCE 15-20 – “CRIMINAL HISTORY RECORD BACKGROUND CHECKS”

Public Comments on Ordinance 15-20

No one came forward.

Motion by Councilwoman Homan, second by Councilman Bernstein, that Ordinance 15-20 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law.

On a roll call, the vote was recorded as follows:

Councilmember Bernstein: aye	Councilmember Sasso: aye
Councilmember Homan: aye	Councilmember Strauch: absent
Councilmember McSwiggan: aye	Councilmember Wilczynski: aye

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
August 27, 2015

(See Ordinance 15-20, attached and made a part hereof.)

Ordinance 15-22

The Interim Municipal Clerk read into the record:

The following ordinance published herewith was first read by title only on August 13, 2015 and posted on the bulletin board of the municipal building.

ORDINANCE 15-22 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, OFFICERS AND EMPLOYEES, CHAPTER 53

Public Comments on Ordinance 15-22

No one came forward.

Motion by Councilwoman Bernstein, second by Councilman Sasso, that Ordinance 15-22 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law.

On a roll call, the vote was recorded as follows:

Councilmember Bernstein:	aye	Councilmember Sasso:	aye
Councilmember Homan:	aye	Councilmember Strauch:	absent
Councilmember McSwiggan:	aye	Councilmember Wilczynski:	aye

(See Ordinance 15-22, attached and made a part hereof.)

Ordinance 15-23

The Interim Municipal Clerk read into the record:

The following ordinance published herewith was first read by title only on August 13, 2015 and posted on the bulletin board of the municipal building.

ORDINANCE 15-23 - AN ORDINANCE TO AMEND CHAPTER 53 OF THE CODE OF THE BOROUGH OF ALLENDALE TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF ALLENDALE FOR THE YEAR 2015.

Public Comments on Ordinance 15-23

No one came forward.

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
August 27, 2015

Motion by Councilwoman Bernstein, second by Councilwoman Wilczynski, that Ordinance 15-23 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law.

On a roll call, the vote was recorded as follows:

Councilmember Bernstein: aye	Councilmember Sasso: aye
Councilmember Homan: aye	Councilmember Strauch: absent
Councilmember McSwiggan: aye	Councilmember Wilczynski: aye

(See Ordinance 15-23, attached and made a part hereof.)

Bergen County Open Space Grant Application – Phase 2 Improvements to Tennis Courts in Crestwood Park

Public Comments of Grant Application

No one came forward.

15-250/Authorize Submission of Bergen County Open Space Trust Fund Municipal Program Park Improvement Application – Phase 2 Improvements to Tennis Courts in Crestwood Park

Motion by Councilwoman Wilczynski, second by Councilman Sasso that Resolution #15-250 be approved.

On a roll call, the vote was recorded as follows:

Councilmember Bernstein: aye	Councilmember Sasso: aye
Councilmember Homan: aye	Councilmember Strauch: absent
Councilmember McSwiggan: aye	Councilmember Wilczynski: aye

All members present voting in favor, Resolution #15-250 was approved.

Resolution 15-250

**A RESOLUTION - AUTHORIZING THE SUBMISSION FOR BERGEN COUNTY
OPENSOURCE GRANT FUNDS**

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
August 27, 2015

WHEREAS, the Borough of Allendale desires to further the public interest by obtaining a matching grant of \$78,000.00 from the County Trust Fund to fund the following project: Phase 2 Improvements to Tennis Courts in Crestwood Park; and,

WHEREAS, the governing body has reviewed the County Trust fund program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body will receive public comments on the proposed park improvements in the application on August 27, 2015; and

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above names project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of September 3, 2015, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Mayor and Council has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Mayor and Council is committed to providing a dollar for dollar cash match for the project; and,
4. That the Mayor and Council agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
5. That this resolution shall take effect immediately.

Public Comment on any agenda item:

There were no comments from the public.

Correspondence:

A. Fire & Safety Services

RE: Request for Use of Arrow XT Pumper –
2015 NJ State Firemen’s Convention

Mayor White commented that this item was discussed during the Work Session and that the Council looks forward to seeing photographs from this event.

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
August 27, 2015

Resolutions:

15-251/Appoint Ron Kistner – Administrative Officer

Motion by Councilman Sasso, second by Councilman Bernstein that Resolution #15-251 be approved.

On a roll call, the vote was recorded as follows:

Councilmember Bernstein:	aye	Councilmember Sasso:	aye
Councilmember Homan:	aye	Councilmember Strauch:	absent
Councilmember McSwiggan:	aye	Councilmember Wilczynski:	aye

All members present voting in favor, Resolution #15-251 was approved.

Resolution 15-251

Appointment of Ron Kistner as Administrative Officer

Whereas, there will exist a vacancy in the office of Administrative Officer of the Borough of Allendale (“Allendale”) effective August 27, 2015; and,

Whereas, Ron Kistner has been selected to perform all of the necessary functions of the Administrative Officer; and

Now, Therefore, Be It Resolved, by the Mayor and Council of the Borough of Allendale that Ron Kistner is hereby appointed Administrative Officer of Allendale pursuant to Code Section 53-48 et. seq. for the term of one year; and,

Be It Further Resolved that the annual salary for the position of Administrative Officer shall be \$17,500.00 prorated for 2015; and,

Be it Further Resolved that the Mayor, Chief Financial Officer, Municipal Attorney and Municipal Clerk are authorized to take all appropriate actions so as to implement this resolution.

Consent Agenda

- A. **15-252/** Approval of Bill List
- B. **15-253/** Amend Appointment Termination Date – Summer Intern Avery Baratz
- C. **15-254/** Waive Municipal Raffle License Fee – Allendale Volunteer Fire Association
- D. **15-255/** Designate Warming Station – Allendale Fire Department
- E. **15-256/** Accept Resignation – Crew Chief – Layne Simon
- F. **15-257/** Appoint Tyler Yaccarino – Clerk Typist
- G. **15-258/** Authorize Surplus Policy
- H. **15-259/** Authorize Lease Agreements Refunds – Intersection Improvements – Block 1604 Lot 17 & Block 1001 Lot 1

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
August 27, 2015

Motion by Councilwoman Wilczynski, second by Councilwoman McSwiggan that the Consent Agenda be approved.

On a roll call, the vote on the Consent Agenda was recorded as follows:

Councilmember Bernstein: aye	Councilmember Sasso: aye
Councilmember Homan: aye	Councilmember Strauch: absent
Councilmember McSwiggan: aye	Councilmember Wilczynski: aye

All members present voting in favor, the Consent Agenda was approved.

Resolution 15-252

List of Bills

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 August 27, 2015 in the amounts of:

Current Fund	\$1,932,829.35
General Capital	\$13,776.00
COAH/Housing Trust	\$2,778.82
Trust Fund	\$2,353.50
POAA Fund	\$2,500.00
Water Capital	\$17,954.00
Total	\$1,972,191.67

Resolution 15-253

Amend Appointment Expiration Date – Summer Intern

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the appointment expiration date of Summer Intern Avery Baratz is hereby amended to August 17, 2015.

Resolution 15-254

Waive Raffle License Fee – Allendale Volunteer Fire Association

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the municipal raffle license fee for Allendale Volunteer Fire Association in the amount of \$20.00 is hereby waived.

Resolution 15-255

Whereas, during emergencies such as Super Storm Sandy and Hurricane Irene, the need to provide shelter for those residents without power arose; and

Whereas, the Allendale Fire Department has been used as a warming station during said emergencies.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the Allendale Fire Department is hereby designated as a warming station during emergencies.

Resolution 15-256

Accepting the Resignation of Crew Chief

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that it hereby accepts the resignation of Layne Simon, Crew Chief, effective August 24, 2015.

Resolution 15-257

Appointment of Tyler Yaccarino as Clerk Typist

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Tyler Yaccarino be appointed as an hourly, part-time, Clerk Typist effective August 24, 2015 at a rate of \$12.00 per hour.

Resolution 15-258

RESOLUTION AUTHORIZING A SURPLUS POLICY

WHEREAS, New Jersey local governments have faced specific economic challenges in the last several years which has resulted in increased pressure from credit rating agencies and the Division of Local Government Services to ensure that financial practices, methods and procedures are in place and well documented; and

WHEREAS, policies and plans provide assurance that current financial position will be maintained or even improved upon; and

WHEREAS, the result of such strength has been improved interest on debt offerings and ultimate savings to the taxpayer.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that the surplus policy attached hereto and incorporated herein by reference is hereby implemented effective immediately.

REFUNDS PER LEASE AGREEMENTS

BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that the Chief Financial Officer is hereby authorized to issue the following checks in connection with the Lease Agreements pertaining to Intersection Improvements of Hillside and West Crescent Avenue as follows:

Block 1604 Lot 17 Merchant, John and Teresa	\$528.47
Block 1001 Lot 1 Thompson, James H. and Frances	\$510.06

Unfinished Business:

There was no unfinished business

New Business:

There was no new business

Council Committee Reports and Comments

Councilman Sasso - Public Works

Councilman Sasso advised that the Public Works Committee continued the honoring of veterans through the Gold Star Street Project. A marker was added for DeMercurio Drive and excellent feedback has been received. This program will be continued with the help of Ron Kistner. A sign company has been retained and a design has been created. The signs are currently being proofed to ensure that the names are correct and the goal is to have all signs installed by Veterans Day as a ceremony is scheduled to take place. A meeting was held today at 4 p.m. with members of the DeMercurio family to gain closure to this portion of the project and kick off the rest of the project. Liam Wilczynski was in attendance at this meeting along with his mother, Councilwoman Wilczynski, as he raised all of the funds for this project through donations.

Councilwoman Wilczynski commented that it was great for her son to be able to speak to Rocco J. DeMercurio's relatives. As times were different back then, she remarked that it is important for veterans to have recognition now as they did not receive this recognition at the time that they returned from war.

Mayor White commended Councilman Sasso for spearheading this program. She noted that everyone is grateful to him for his efforts in recognizing veterans.

Councilman Sasso thanked the Liam Wilczynski, the Mayor and Council, and Mr. Kistner for their support without which he commented that this project would not have been successful.

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
August 27, 2015

Police Chief Scherb noted that there are two veterans for whom streets have not been named. Councilman Sasso responded that a street behind the Calvary Lutheran Church is being built and it will be named Couch Court for one of the two remaining veterans. He further advised that should another street be built in the future, it will be dedicated to the remaining veteran.

Councilwoman Wilczynski – Facilities, Parks and Recreation

Councilwoman Wilczynski reported that the committee is working on the 2015 Bergen County Open Space grant for the Phase 2 Improvements to the Tennis Courts in Crestwood Park which is due on September 3rd. Notification was received that a CDBG grant in the amount of \$30,000 was awarded for the Crestwood bathrooms which is \$5,000 more than was anticipated. An application will be submitted for phase two of these improvements as well as a handicap wheelchair for Crestwood Lake. She noted that they had a great season at Crestwood Lake as revenues were up and many compliments were received on the condition of the lake. As Labor Day is late this year and school is starting early, there will be no swimming on September 1st through September 3rd due to a lack of lifeguards and managers. There will be limited hours on Friday, September 4th. The last band night is this Saturday. The committee is getting ready for the September 11th Memorial.

Councilwoman Homan – Public Safety

Councilwoman Homan thanked everyone on the Public Safety Committee for their work on Ordinance 15-20. She commented that she is glad to report that the accreditation process for the Police Department is almost complete and advised that a mock assessment will be held. She thanked the Fire Chief for his involvement with this committee. She advised that the next meeting will take place on September 18th.

Councilman Bernstein – Administration, Finance and Human Resources

Councilman Bernstein reported that the Administration, Finance, and Human Resources Committee met on August 19th and will meet again on September 29th. They are continuing to look into the issue of cash payments for taxes and will report back. A formal surplus policy was implemented by resolution this evening. Councilman Bernstein advised that monthly budget reports were reviewed and stressed the importance of keeping the budget numbers in line. He noted that the budget is a 12-month process and there is a need to be prudent in the dollars that are being spent as expenses that are unforeseen could arise.

Councilman Bernstein reported that he ran into Karen Kleimann and she has accepted a position with Englewood Hospital. He commended Darius Amos for the accurate and thorough job that he has done on reporting the issues in Allendale.

Councilwoman McSwiggan – Water, Sewer and Public Utilities

Councilwoman McSwiggan advised that the Water, Sewer and Public Utilities met last week and reviewed their list of items to be completed which she is happy to report is gradually shrinking. She thanked the residents who were affected by the two water main breaks that took place last

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
August 27, 2015

week for their patience. As there has not been any soft rain, she requested that residents continue to be conservative in their water use and adhere to the restrictions that have been imposed. She noted that the NJ DEP is watching water use and advocating for conservation programs

Staff Reports:

Ray Wiss, Municipal Attorney, congratulated Mr. Kistner on his appointment to the position of Administrative Officer and expressed that he looks forward to working with him. He noted that he worked with the Clerk's office on preparing the resolutions that appeared on tonight's agenda in addition to providing assistance in responding to OPRA requests. He will be attending a Land Use Committee meeting on September 14th and has an upcoming telephone conference with the Administrative Law Judge on the GRC matter. He advised that the COAH motion was adjourned by the judge to September 1st.

Mayor White thanked Gwen McCarthy who filled in this evening for the new Municipal Clerk, Anne Dodd, who had a planned vacation for this week prior to accepting this position.

Ron Kistner, Director of Operations/Administrative Officer, thanked the Mayor and Council for this opportunity and for their confidence in him. He also thanked his coworkers at the DPW as his style is aggressive and noted that although they have adapted very well, it is still a work in progress. He expressed gratitude to the residents and commented that Allendale is an impressive community with wonderful residents. He finished by recognizing his wife and daughter for their support.

George Scherb, Police Chief, reported that the Police Department is status quo.

Tom Smith, Fire Chief, advised that the Fire Department responded to 14 calls during the month of August. Three members attended a training regarding the Bakken oil in Colorado. The wet down is scheduled for September 12th.

Public Comment on any issue

Mayor White asked a member of the Boy Scouts to come forward and recognized him for his attendance at this meeting.

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 8:34 p.m.

Respectfully submitted

Anne Dodd, RMC
Municipal Clerk