

Regular Session Meeting  
Mayor and Council  
December 30, 2013

A Regular Session meeting of the Borough Council was held in the Municipal Building on December 30, 2013. The meeting was called to order at 8:00 p.m. by Mayor 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: Councilman Bernstein, Councilwoman LaMonica, Councilwoman McSwiggan, Councilwoman White, Councilwoman Wilczynsk and Mayor Barra. Mr. Strauch was absent. Also present were Mr. Casais, Mr. Bole, Mr. Yakimik, and Mrs. Mayer.

*Approval of Minutes*

The work, regular, and executive session minutes of December 12, 2013 were moved for approval by Councilwoman McSwiggan; Seconded by Councilwoman White.  
On Roll Call – Aye: LaMonica, McSwiggan, White, Wilczynski. Nay: None. Abstain: Bernstein.

*Presentation of Proclamations*

Mayor Barra announced that this meeting would be the last for Councilwoman LaMonica, and read a prepared proclamation of gratitude

Councilwoman McSwiggan thanked Councilwoman LaMonica for being a great friend and colleague throughout the years. She also commended Councilwoman LaMonica on her clarity and ability to stay on task when the Council was considering a variety of important issues.

Councilman Bernstein stated that he will always be reminded of the day that he and Councilwoman LaMonica stood together as they waited to be sworn into office for the first time. He also stated that Allendale is a better place because of Councilwoman LaMonica's hard work.

Councilwoman White stated that it has been a pleasure to work with Councilwoman LaMonica over the last six years, especially on the Finance Committee.

Councilwoman Wilczynski stated that it is hard for people to understand how much time and work it takes to be a member of Council. She thanked Councilwoman LaMonica for all of her time and hard work that she put into the job.

Gwen McCarthy came forward and stated that she had numerous employees approach her stating how much good Councilwoman LaMonica did in her time on Council. She also stated that she will miss Councilwoman LaMonica and that it was a pleasure to work with her.

Bob Pash (Councilwoman LaMonica's husband) came forward and stated that his wife is an incredible person and that he has the privilege to live what everyone has described every day at home. He thanked the Borough Council for supporting his wife, and each other and for working so well together throughout the years.

Roseann Barra (Mayor Barra's wife) came forward and stated that her husband raves about Councilwoman LaMonica and thanked her for supporting her husband during his time as Mayor.

Councilwoman LaMonica thanked everyone for their kind words and the proclamation. She stated that she has mixed emotions about leaving the Council and will miss the comrodary and functionality of the current group on the governing body. She thanked each of the members of the Council for their friendship over the years. She thanked her family for their loving support and patience because the job of a Councilperson is very time consuming.

Mayor Barra announced that the Borough's current Municipal Clerk/Administrative Officer, Gwen McCarthy, would be retiring at the end of the year and presented her with a plaque thanking her for her 15 years of service to the community.

Mrs. McCarthy thanked all of the governing body for everything that has been said, and everything that has been done for her in the days leading up to her retirement. She further stated that Allendale has been a wonderful place to work for 15 years.

*Public Comment*

Mayor Barra opened the meeting for public comment on general matters

There being no one wishing to speak Mayor Barra closed the public comment without objection

*Resolutions*

Resolution 13-430  
2013 Budget Transfers

**Whereas**, Budget Transfers are permitted during the last two months of the current year and the first three months of the following year.

**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 transfers be made between the 2013 Budget Appropriations:

DEPARTMENT	ACCOUNT NUMBER	FROM	TO
Finance, Other Expenses	3-01-20-130-063		\$2,000
Planning & Zoning, S&W	3-01-21-180-012	\$2,000	
Fire Official, S&W	3-01-25-265-015	\$200	
Fire Official, Other Expenses	3-01-25-265-063		\$200
<b>Total Transfers</b>		<b>\$2,200</b>	<b>\$2,200</b>

Resolution 13-430 was motioned for approval by Councilwoman LaMonica; Seconded by Councilwoman White.

On Roll Call – Aye: Bernstein, LaMonica, McSwiggan, White, Wilczynski. Nay: None.  
Motion Carried.

*Consent Agenda*

Resolution 13-422  
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 December 30, 2013.

Resolution 13-423  
Amendment to Wingspan Cafeteria Plan

**Whereas**, the Borough of Allendale continues to require the services of a Cafeteria Plan/FSA Provider; and,

**Whereas**, the Borough of Allendale finds it necessary to amend the Flexible Spending Account (FSA) information of the current Wingspan Cafeteria Plan.

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the aforementioned plan be amended to reflect the 2014 Plan year and beyond so that the unreimbursed maximum annual expense per participant requested by the employer shall be set at \$2,500.00 reflecting changes to Internal Revenue Code Section 125(i); and,

**Be It Further Resolved** that the governing body establishes a Carryover of \$500.00 for any amount that remains unused in the health FSA as of the end of the Plan year, and that such amount may be used to pay or reimburse medical expenses under the health Flexible Spending Account incurred during the entire Plan year to which it is carried over; and,

**Be It Further Resolved** that the notwithstanding the forgoing provisions, any Plan participant shall be assumed to be enrolled in a Limited Purpose Health FSA if such participant has already enrolled in a health care savings account for the following Plan year; and,

**Be It Further Resolved** that a certified copy of this Resolution shall be forwarded to the Borough Chief Financial Officer.

**Be It Further Resolved** that M. Alissa Mayer, Chief Financial Officer of the Borough, is authorized and directed to sign all appropriate amendment documentation and file the forgoing resolution with the Plan sponsor (Aflac).

Resolution 13-424  
Approval of 2014 Interlocal Service Agreement With  
Waldwick for Well Child Services

**Whereas**, there is a need for Well Child Services in the Borough of Allendale; and,

**Whereas**, the Waldwick Board of Health is able to provide Well Child Services as mandated by the Public Health Council of the State of New Jersey; and

**Whereas**, the Waldwick Board of Health has agreed to provide Well Child Services for the 2014 Calendar year in the amount of a onetime \$125 administrative fee and a \$35 per child per visit fee and a \$20 per child fee for immunizations only, to be billed directly by the medical provider; 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 the Waldwick Board of Health; and,

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

Resolution 13-425  
Approval of Tax Appeal  
Elfers v. Allendale

**Whereas**, the tax payers, Peter and Jane Elfers appealed the assessment levied on Block 1401, Lot 1 for the years 2012 and 2013; and

**Whereas**, the subject property is located at 130 Schuyler Road; and

**Whereas**, the Plaintiffs were represented by counsel in this matter and also retained an expert appraiser who provided a report; and

**Whereas**, the Borough's expert appraiser inspected the property and also issued a report; and

**Whereas**, the appraiser and the assessor have agreed to compromise the appeal on the following terms: Plaintiff will withdraw 2012, 2013 assessment on the property from \$1,982,400 to \$1,882,400 and the 2014 assessment will be reduced to \$1,800,000; and

**Whereas**, Plaintiff has agreed that any refund attributed to the 2014 change shall be taken as a credit; and

**Whereas**, there are sufficient funds available in the reserve for tax appeals account to satisfy the 2013 tax refund; and

**Whereas**, the assessor is of the opinion that the valuation of the subject property is consistent with true value of the property.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that:

The proposed settlement for the tax appeal encaptioned Elfers v. Borough of Allendale as hereinbefore set forth is approved and the Borough Tax Attorney or a member of his firm is authorized to execute all documents necessary to effectuate its terms.

Resolution 13-426  
Approval of Retroactive Pay

**Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that retroactive pay be and is hereby approved for Pam Knispel in the total amount of \$2,665.00.

Resolution 13-427  
Refund of Tax Overpayments

**Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the Tax Collector is hereby authorized to issue the following checks on the properties listed below and charge same to Overpayment of 2013 Taxes:

<b>Block/ Lot</b>	<b>Name</b>	<b>Property Location</b>	<b>Amount</b>
301/41	Yu, Nelson & Tedesco, Lynelle 58 Farley Place Allendale, NJ 07401	58 Farley Place	\$1,280.88
1201/4	Zitolo, Joseph & Susan 123 Duffy Drive Allendale, NJ 07401	123 Duffy Drive	\$10.51
1304/27	Baik, Peter & Shin, Hyo Sung 465 Brookside Avenue Allendale, NJ 07401	465 Brookside Avenue	\$3,121.11
1403/15	Lee, Nan Hyoung & David 111 Schuyler Road Allendale, NJ 07401	111 Schuyler Road	\$39.13
1703/3	Gibbon, Brian & Margaret 202 Park Avenue Allendale, NJ 07401	202 Park Avenue	\$2,195.35
2101/9 C0026	Swinarton, Lorraine 26 Trotters Lane Allendale, NJ 07401	26 Trotters Lane	\$959.19
2500/1	Verizon PO Box 152206 Irving, TX 75015-2206	Various	\$45,069.61
<b>TOTAL</b>			<b>\$52,675.78</b>

Resolution 13-428  
Change Order Number Two  
2013 Road Resurfacing Program  
D&L Paving Contractors, Inc.

**Whereas**, the Engineer has requested that certain changes are needed in the 2013 Road Resurfacing contract; and,

**Whereas**, an increase of \$10,933.90 will result from an unanticipated rise in the cost of asphalt.

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Change Order Number Two resulting in an increase of \$10,933.90 be approved for the 2013 Allendale Road Resurfacing Program.

**Be It Further Resolved** that the original amount of \$361,952.97 has seen a net increase from Change Order Number One and Change Order Number Two of \$9,438.90, resulting in a new contract amount of \$371,391.87.

Resolution 13-429  
Waiver of Certain Water and Sewer Fees  
for Crescent Commons

**Whereas**, Crescent Commons is an affordable housing project located at Lot 10.01, 10.02 and 14 in Block 904 on the Tax Map of the Borough; and

**Whereas**, Crescent Commons operates on a non-profit basis and has as its principal uses attached dwellings reserved for individuals with developmental disabilities or multiple sclerosis; unrestricted attached dwellings reserved for low and moderate income households and group homes for special needs residents; and

**Whereas**, due to the status of Crescent Commons, the Water Committee has recommended that charges for water and sewer hookups be waived; and

**Whereas**, the Governing Body has reviewed the recommendation and concurs;

**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 Water and Sewer fees relating to Crescent Commons are hereby waived;

<u>Fee Description</u>	<u>Code Section</u>
New Water Service Connection Fee	262-14C(2)
Inspection Fee (water)	262-20A
Water Main Extension Fee	262-20B
Sewer Capacity Charge	220-29C
Sewer Permits and Inspection Fee for new dwellings	220-20B

Resolution 13-431  
Acceptance of Resignation

**Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey accept the resignation of Daniel Davis from the position of Crew Chief of the Allendale Department of Public Works effective immediately.

With no member of Council wishing to remove any item from the Consent Agenda Councilwoman LaMonica made a motion to approve all items on the consent agenda; Seconded by Councilwoman McSwiggan.

On Roll Call – Aye: Bernstein, LaMonica, McSwiggan, White, Wilczynski. Nay: None.

Motion Carried.

*Unfinished Business*

None

*New Business*

None

*Committee Reports and Comments*

Councilwoman McSwiggan

- A meeting is being set up with United Water to discuss projected capital expenditures for next year

Councilman Bernstein

- Is speaking with the Chief to discuss possible Public Safety Committee meetings for 2014 and will advise when the dates and mornings are confirmed

Councilwoman White

- Thanked the DPW for all of their work in conjunction with recent snow events
- Reminded that as of the beginning of 2014 the Borough will be switching to curbside recycling pickup as noted in the fliers mailed to Borough homes

Councilwoman LaMonica

- No Report

Councilwoman Wilczynski

- No Report

*Staff Reports*

Borough Attorney, Mr. Bole

- Extended thanks and best wishes to Councilwoman LaMonica and Mrs. McCarthy on their departure and wished them all the best for the future

Borough Clerk, Mr. Casais

- Thanks Mrs. McCarthy for all of her help during the transition period over the course of the previous month and wished her well in her future endeavors
- Stated that being a Councilperson himself he can appreciate the amount of time and energy it takes to do the job she does. He further congratulated Councilwoman LaMonica on her departure and wished her well for the future.

Director of Operations, John Yakimik

- Wished the best of luck to both Councilwoman LaMonica and Mrs. McCarthy, and stated that he truly enjoyed working with each of them

Chief Financial Officer, Alissa Mayer

- Stated that it was a pleasure and honor to work with both Councilwoman LaMonica and Mrs. McCarthy

*Public Comment*

Mayor Barra opened the meeting for public comment on general matters

There being no one wishing to speak Mayor Barra closed the public comment without objection

*Adjournment*

On a motion by Councilwoman White, seconded by Councilwoman Wilczynski, the Council voted unanimously to adjourn at 8:30 p.m.

Respectfully submitted,

Andrew Casais  
Municipal Clerk