

Regular Session Meeting  
Mayor and Council  
February 27, 2014

A Regular Session meeting of the Borough Council was held in the Municipal Building on February 27, 2014. 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 members answered roll call: Sasso, Strauch, White, Wilczynski, and Mayor Barra. Councilman Bernstein and Councilwoman McSwiggan were absent. Also present were Mr. Casais and Mr. Bole.

*Approval of Minutes*

None

*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*

None

*Consent Agenda*

**RESOLUTION 14-92: 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 February 27, 2014.

**RESOLUTION 14-93: APPOINTMENT OF OEM COORDINATOR**

**Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Scott Zieber is appointed Emergency Management Coordinator for a term of three (3) years pursuant to N.J.S.A App.A:9-40.1 with an annual stipend of \$2000; and,

**Be It Further Resolved** that Terry Lawler shall serve as Deputy Emergency Management Coordinator.

**RESOLUTION 14-94: REDEMPTION OF TAX SALE CERTIFICATE BLOCK 911, LOT 14**

**Whereas**, a Redemption has occurred, Block 911 Lot 14, Certificate # 13-00001, and;

**Now, Therefore, 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 refund a check in the amount of \$63,834.15 which includes the redemption amount on the certificate of \$24,834.15, and the return of premium in the amount of \$39,000.00 to the following:

US Bank Cust for Pro Cap III, LLC  
US Bank TLSG  
50 S 16<sup>th</sup> Street Suite 1950  
Philadelphia, PA 19102

**RESOLUTION 14-95: CONDITIONAL APPROVAL OF TOWING LICENSE APPS**

**Whereas**, Allendale Towing, Inc., and NAR Towing, Inc., (Applicants) have applied to the Borough of Allendale to be approved as official towers; and,

**Whereas**, the Police Department has reviewed the applications of both Applicants and issued a supplemental recommendation dated January 30, 2014 and forwarded same to the Mayor and Council by Memorandum of the Chief of Police dated January 31, 2014 recommending denial of said applications; and,

**Whereas**, on February 19, 2014, a Hearing on said applications was conducted before the Governing Body at which time the applicants and their counsel appeared and were heard; and,

**Whereas**, the Governing Body considered the evidence and exhibits produced at the Hearing;

**Now, Therefore, Be It Resolved**, by the Governing Body that it does hereby approve the applications of Allendale Towing, Inc., and NAR Towing, Inc., for a three (3) year license term effective upon adoption of this Resolution until December 31, 2016 subject to the following conditions:

1. The applicants shall have an employee on duty during normal weekday business hours and for four (4) hours on Saturdays;
2. Applicants shall install an audible bell so that a customer shall have accessibility to an employee;
3. By March 15, 2014 applicants shall install signage to identify the business location, phone numbers and hours of operation;
4. Applicants shall amend their application to identify their corporate address at 99 West Main Street, Ramsey, New Jersey with the storage facility at 536 Route 17 North, Ramsey, New Jersey;
5. Applicants shall promptly pay the balance of licensing application fee of \$100.00 to the Borough of Allendale;
6. Compliance with the foregoing conditions as well as adherence to the standards of the Towing Ordinance shall be subject to periodic inspection of the Police Department. Any violations of same may subject the Applicants to revocation of their license.

**Be It Further Resolved** that a true copy of this Resolution be forwarded to the applicants and their attorney following adoption.

## **RESOLUTION 14-96: AWARDING CONTRACT TO ETOMIC FOR ADA IMPROVEMENT**

**Whereas**, the Borough of Allendale wishes to undertake a project to improve Borough Hall according to the provisions of the Americans with Disabilities Act; and,

**Whereas**, understanding the project will exceed the threshold for competitive quotations, but is not expected to exceed the Borough's bid threshold, two (2) competitive quotations were received by the Director of Operations; and,

**Whereas**, upon receipt of such quotations the proposal submitted by ETomic General Contracting & Construction Management, Inc. has been determined to contain the most advantageous price and other factors considered.

**Now, Therefore, Be It Resolved**, that the Mayor and Council of the Borough of Allendale, State of New Jersey, County of Bergen do hereby award a contract to ETomic General Contracting & Construction Management, Inc. to perform improvements to Borough Hall in accordance with regulations promulgated within the Americans with Disabilities Act in the amount not to exceed \$27,035.00; and,

**Be It Further Resolved** that the project herein initiated shall be executed in accordance with the plans and specifications prepared by Christopher J. Gremiel, PE, RA, PP marked 'Phase A' and dated September 4, 2013, and Bergen County Contract No. CD-All-BH-2012 as a 2012 Community Development Block Grant.

## **RESOLUTION 14-97: AUTHORIZING RECYCLING TONNAGE GRANT APPLICATION**

**Whereas**, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and,

**Whereas**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and,

**Whereas**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and,

**Whereas**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and,

**Whereas**, a resolution authorizing this municipality to apply for the 2013 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Borough of Allendale to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and,

**Whereas**, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale that they hereby endorse the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and that they designate Mary Rottingen to ensure that the application is properly filed; and,

**Be It Further Resolved** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**RESOLUTION 14-98: AUTHORIZATION OF PROPERTY MAINTINANCE EXPENSE**

**Whereas**, Chapter 199 of the Borough Code of Allendale, Property Maintenance, provides that if a property is not being maintained to the standards of the Property Maintenance Code, the Property Maintenance Officer may secure compliance; and,

**Whereas**, in the event that any person or entity refuses or neglects to abate, remove or resolve any violation after notice thereof, the Governing Body, by Resolution, may abate a nuisance as defined therein, correct a defect or put the premises in proper condition so as to comply with the requirements of the Code at the cost of the owner or lessor and may expend municipal funds for such purpose and charge the same against the premises; and,

**Whereas**, the Property Maintenance Officer has deemed that such situation exists and certain work is required to be performed since the person or entity, after proper notice thereof, neglected to abate, remove or resolve the violation that is negatively affecting the public’s health, safety and wellbeing.

**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 work is hereby authorized to be performed at 196 Hillside Avenue, Allendale, New Jersey in an amount not to exceed \$5,000.00:

**Work Description**

Remove four (4) dead trees in front of yard to a low stump

Remove four (4) dead Maple trees along sidewalk on Hillside Avenue all to a low stump

Remove all wood and chips offsite

**Be It Further Resolved** that if upon completion of aforementioned abatement the responsible party does not pay the Borough the full, final, authorized amount, and upon certification by the Chief Financial Officer and filing with the Tax Collector, such associated costs shall become a lien against the premises collectible as provided by law; and,

**Be It Resolved** that a true copy of this Resolution be sent by certified mail, return receipt requested, to the owner of said premises.

**RESOLUTION 14-99: TERMINATING EMPLOYMENT OF MIMI MARINKOVIC**

**Whereas**, Article V, Section D of the current contract between the Borough of Allendale and the United Public Service Employees Union stipulates provisions for a nine (9) month probationary employment period for employees wherein the Borough may “discharge the employee for any reason whatsoever,” and;

**Whereas**, Mimi Marinkovic was hired by the Borough of Allendale effective August 1, 2013 to a part-time position as clerical staff in the Office of the Borough Clerk and holds the designation of probationary employee; and,

**Whereas**, a Rice Notice was issued to Mimi Marinkovic pursuant to N.J.S.A. 10:4-12(b)(8) and the Borough does now wish to execute a separation of employment with Mimi Marinkovic.

**Now, Therefore, Be It Resolved** that the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, in its sole discretion and in accordance with the aforementioned contractual provisions, does hereby terminate employment with Mimi Marinkovic effective immediately.

All Resolutions on the Consent Agenda were moved for approval by Councilman Sasso.  
Seconded by Councilwoman White.  
On Roll Call – Yeas: Sasso, Strauch, White, Wilczynski. Nays: None.  
Motion Carried.

*Unfinished Business*

None

*New Business*

None

*Committee Reports and Comments*

Councilman Strauch

- The Land Use Committee has its first meeting of the year earlier in the day and it was productive; the 4<sup>th</sup> Thursday of the month has been established as the day for Land Use Committee Meetings. The next Committee meeting will be on Thursday, March 27<sup>th</sup> at 8:00 a.m.

Councilwoman White

- Next Tuesday will be the next Finance, Administration, and HR Committee Meeting
- The Municipal Budget has been set for introduction on March 13<sup>th</sup>
- Monday, March 10<sup>th</sup> will be a Finance Advisory Committee meeting

Councilwoman Wilczynski

- The Facilities Committee met last week and are in preparation for the new season at Crestwood Lake
- The first Green Team meeting has been held in connection with Sustainable Jersey

Councilman Sasso

- DPW Committee met last week to discuss a variety of matters including, but not limited to, snow removal

*Staff Reports*

Borough Attorney, Mr. Bole

- No Report

Borough Clerk, Mr. Casais

- Wished Deputy Municipal Clerk, Coleen Goddel, much luck on her Local Finance Administration exam as part of the RMC certification process

*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 Councilman Strauch, seconded by Councilwoman Wilczynski, the Council voted unanimously to adjourn at 8:11 p.m.

Respectfully submitted,

Andrew Casais  
Municipal Clerk