

Mayor and Council of the Borough of Allendale  
Work Session Meeting Minutes  
March 24, 2016

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 Thomas Bouregy  
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 March 24, 2016. The meeting was called to order at 7:39 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. Agenda Review

Mayor White reviewed the Regular Session agenda. In terms of the ordinances being introduced, she requested that Alissa Mayer, CFO, explain the purpose of Ordinance 16-08.

CFO Mayer advised that a municipality is permitted to increase the budgeted numbers by a certain amount to allow for the Cost of Living Adjustment. She noted that by establishing a cap bank, it allows a municipality to increase by more than 2% and to bank this amount to be used only if needed.

In reference to Ordinance 16-09, Mayor White explained that the purpose of this ordinance is to limit drones to private property with some exceptions as needed for public safety.

Councilman Bernstein questioned what would comprise a constitutional use under § 118-3. Borough Attorney Bouregy explained that the FAA came down with some regulations in December and are still in the process of working out how these regulations will be implemented. Within these regulations, the FAA has recognized that there is a place for regulations on the local level when it comes to issues of privacy and safety. The purpose of including language regarding constitutional use is to recognize that the municipality has a limited role in regulating the use of drones and does restrict use by law enforcement or the State and Federal government.

Sgt. Griffith of the Police Department added that the Police Department does use drones to draw the roads in place of using a tape measure when handling a fatal accident.

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Mayor White then moved to Ordinance 16-10 which establishes Chapter 135 of the Borough Code entitled "Glue Sales and Head Shops." She explained that this ordinance prohibits the sale of glue containing solvents for illegal purposes. She expressed that she is thrilled that this ordinance is on for introduction this evening.

Councilwoman Wilczynski questioned whether this ordinance would prohibit the sale of glue in all establishments. Borough Attorney Bouregy commented that the prohibition of the sale would be dependent on establishing intent. In an establishment such as CVS, the customer service representative would not know the purpose for which the consumer is purchasing glue whereas in a head shop, the intention is clear that it is being purchased for an illegal purpose.

Based upon the language in §135-3, Councilman Bernstein questioned whether glue can be sold to someone who intends to use it outside of the Borough of Allendale for an illegal purpose. He expressed his opinion that this ordinance would be stronger if the sale of glue containing solvents was prohibited in all cases but noted that doing so may not pass constitutional muster. Borough Attorney Bouregy clarified that the illegal act would be the act of the sale within the Borough of Allendale. He noted that there cannot be a blanket prohibition of the sale of a certain product; the sale would be prohibited if it is known that the intent of the purchase is for the person to engage in or to aide another person to engage in an illegal act.

Councilman Sasso added that this area is already covered under State law and this ordinance will be adding a local overlay. He noted that the main intent of this ordinance is to prevent businesses of this nature from opening a location in Allendale.

As the time required Council to commence the Regular Session, on a motion by Councilman Sasso, second by Councilwoman McSwiggan, and unanimously carried, the meeting was adjourned to the Regular Session at 8:02 p.m.

On a motion by Councilman Sasso, second by Councilwoman Wilczynski, the Work Session was reopened at 8:04 p.m.

Borough Attorney Bouregy expressed his opinion that it is important to move forward with the introduction of this ordinance and noted that it can always be amended in the future.

Mayor White advised that the budget is being introduced this evening. She thanked the Administration, Finance, and Human Resources Committee, and in particular, the CFO as well as the Department Heads and employees for bringing forward a fiscally prudent budget. She advised that the budget is being scheduled for adoption on April 28, 2016 and the Borough Auditor will attend to give a presentation.

Councilman Bernstein expressed his belief that this budget is a very good one and commented that he is very proud of the final product. He noted that everyone involved in the process understood the need to be conservative and took the process seriously. In terms of the capital budget, he advised that they invested in the infrastructure and future of Allendale and paid down debt to the lowest level. He noted that the fund balance is reasonably adequate and the tax rate has been kept flat for the sixth year in

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a row. He thanked Mayor White, Councilwoman Wilczynski, the Administrative Officer/Director of Operations, and the CFO.

Mayor White reviewed the resolutions on the Consent Agenda. She highlighted Resolution #16-119, noting that the Solid Waste contract is being awarded to Suburban Disposal who is the current contractor. She expressed her opinion that residents will be happy as Suburban has done a wonderful job for the Borough. She then advised that Resolution #16-122 authorizes the appointment of Diana Bradley as Administrative Secretary in the Police Department. She advised that Patricia Mullen will be retiring after 35 years of service to the Borough.

B. Mayor's Report

Mayor White thanked Councilwoman Wilczynski and Councilwoman McSwiggan for handling Meals on Wheels for her this past week.

Mayor White advised that the Municipal Judge, Judge Norton, was honored by the Passaic County Bar Association at an event and representatives from Allendale attended to show their support. She expressed her congratulations and commented that he does a great job.

C. Council Reports

This item was carried to the Regular Session.

D. Staff Reports

This item was carried to the Regular Session.

E. Correspondence

There were no correspondence items.

**Adjournment**

There being no further business to come before the Mayor and Council, on a motion by Councilwoman McSwiggan, second by Councilman Sasso, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:16 p.m.

Respectfully submitted,

Anne Dodd, RMC  
Municipal Clerk