

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
May 12, 2016

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

ABSENT: None

ALSO PRESENT: Borough Attorney Ray Wiss
Municipal Clerk Anne Dodd

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 May 12, 2016. The meeting was called to order at 8:01 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."

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

As Council wished to review the balance of the items on the Work Session agenda, motion by Councilman Strauch, second by Councilwoman Homan, and all members present voting in favor, to adjourn to the Work Session at 8:02 p.m.

The Regular Session was reopened at 8:26 p.m.

Approval of Minutes:

Motion by Councilwoman McSwiggan, second by Councilman Strauch, that the Minutes of April 28, 2016 Work Session, April 28, 2016 Regular Session, and April 28, 2016 Closed Executive Session (not to be released) are approved.

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

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

Public Comment

No one came forward.

Introduction of Ordinances

As the time did not allow for Agenda Review during the Work Session, Mayor White explained that the purpose of Ordinance 16-18 is to amend the fees for the Construction Code Office and the purpose of Ordinance 16-19 is to amend the portion of the code pertaining to trees.

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
May 12, 2016

Councilman Bernstein expressed his opinion that there needs to be some editing of the verbiage in Ordinance 16-19. Based upon discussion of the revisions being proposed by Councilman Bernstein, Borough Attorney Wiss expressed his legal opinion that these revisions are mainly grammatical rather than substantive, and as a result, the ordinance can be introduced in its current form and amended in between introduction and adoption.

Motion by Councilman Sasso that the following ordinances be introduced and passed on first reading and setting May 26, 2016 at 8:00 p.m. or as soon thereafter as the as the matter can be heard as the date and time and the Council Chambers of the Allendale Municipal Building as the place for a hearing on said ordinances. Second by Councilman Strauch.

The Municipal Clerk read the title of the ordinances into the record:

ORDINANCE 16-18 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE CHAPTER 100 OF THE CODE OF THE BOROUGH OF ALLENDALE ENTITLED “BUILDING CONSTRUCTION”, AND, MORE PARTICULARLY, SECTION 100-3 THEREOF, ENTITLED “FEES”

ORDINANCE 16-19 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, PROTECTION OF TREES, CHAPTER 244

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

Councilman Bernstein:	aye	Councilman Sasso:	aye
Councilwoman Homan:	aye	Councilman Strauch:	aye
Councilwoman McSwiggan:	aye	Councilwoman Wilczynski:	aye

(See Ordinances 16-18 and 16-19, attached and made a part hereof.)

Consent Agenda

Councilman Bernstein noted that the municipal certification portion of one of the purchase orders on the bill list was not signed. Municipal Clerk Dodd advised that the CFO has been out of the office but will sign upon her return; the check will be held until that time.

- A. **16-147**/Approval of Bill List
- B. **16-148**/Approve Tax Appeal Settlement – Greene v. Borough of Allendale
- C. **16-149**/Approve Tax Appeal Settlement – Sinclair v. Borough of Allendale
- D. **16-150**/Appoint Hourly Seasonal Intern – Olivia Callaghan
- E. **16-151**/Appoint Hourly Seasonal Intern – Avery Baratz
- F. **16-152**/Approve Rugby Event – Upper Field at Crestwood Park
- G. **16-153**/Approve Refunds – Overpayment of 2015 Taxes

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

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

Councilman Bernstein:	aye	Councilman Sasso:	aye
Councilwoman Homan:	aye	Councilman Strauch:	aye
Councilwoman McSwiggan:	aye	Councilwoman Wilczynski:	aye

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
May 12, 2016

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

Resolution 16-147

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 May 12, 2016 in the amounts of:

Current Fund	\$2,371,006.31
General Capital	\$11,223.99
Housing Trust	\$3,231.07
Improvement & Beautification	\$1,500.00
Trust	\$2,388.00
Water Capital	\$2,583.95
Payroll	\$158,720.98
Total	\$2,550,654.30

Resolution 16-148

Approval of Tax Appeal Nancy Greene v. Allendale

WHEREAS, the tax payer, Nancy Greene, appealed the assessment levied on two properties she owned for the tax years 2013 and 2015; and

WHEREAS, the subject properties are: 42 Park Avenue (Block 1709, Lot 8) and 299 Brookside Avenue (Block 1406, Lot 16); and

WHEREAS, the Plaintiff was represented by counsel and retained an appraiser in this matter and

WHEREAS, the assessor and the Borough's appraiser reviewed the data on these properties and determined that 42 Park Avenue was properly assessed but a minor adjustment on 299 Brookside was warranted; and

WHEREAS, the parties have agreed to compromise the appeals on the following terms: the appeals for 2013 and 2015 on 42 Park Avenue shall be withdrawn; as to 299 Brookside, for the tax year 2013 the assessed value will be reduced from \$398,800 to \$388,800 and for 2015 from \$434,300 to \$424,300; and

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

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
May 12, 2016

WHEREAS, the assessor is of the opinion that the valuation of the subject properties is consistent with true value of the properties.

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 appeals encaptioned Greene 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 16-149

Approval of Tax Appeal Mark Sinclair v. Allendale

WHEREAS, the tax payer, Mark Sinclair, appealed the assessment levied on residential property he owned for the tax year 2014; and

WHEREAS, the subject property is located at 139 Arcadia Road (Block 1902, Lot 13); and

WHEREAS, the Plaintiff was represented by counsel and retained an appraiser in this matter and

WHEREAS, the assessor and the Borough's appraiser reviewed the data on this property and determined that a minor adjustment was warranted; and

WHEREAS, the parties have agreed to compromise the appeal on the following terms: the assessment for the 2014 tax year shall be reduced from \$1,450,800 to \$1,350,800; and

WHEREAS, there are sufficient funds available in the reserve for tax appeals account to satisfy the 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 Sinclair 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 16-150

Appointment of an Hourly Seasonal Intern

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Olivia Callaghan be appointed as an hourly, part-time, seasonal intern effective May 16, 2016 at a rate of \$12.00 per hour; and,

Be It Further Resolved that this appointment shall expire September 5, 2016.

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
May 12, 2016

Resolution 16-151

Appointment of an Hourly Seasonal Intern

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Avery Baratz be appointed as an hourly, part-time, seasonal intern effective June 15, 2016 at a rate of \$12.00 per hour; and,

Be It Further Resolved that this appointment shall expire September 5, 2016.

Resolution 16-152

Approval of Rugby Event

Now, Therefore, Be It Resolved that the Mayor and Council of the Borough of Allendale does hereby grant permission to the Allendale Recreation Commission to conduct a Rugby Game on Monday, May 30, 2016 at 1:00 p.m. at the Upper Field at Crestwood Park.

Resolution 16-153

OVERPAYMENT

BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue the following check on the property listed below and charge same to Overpayment of 2015 Taxes:

Block/ Lot	Name	Property Location	Amount
1809/8 C0086	Im, Ung Bin & Mi Chung 240 A 10 th Street Palisades Park, NJ 07650	86 Elm Street	\$2,515.86
1905/7	Akkaway, Daniel & Jennifer 45 Sutton Drive Ho Ho Kus, NJ 07423	36 Crescent Bend	\$1,126.64

Unfinished Business:

There was no unfinished business.

New Business:

There was no new business.

Council Committee Reports and Comments

Councilwoman Homan – Public Safety

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
May 12, 2016

Councilwoman Homan expressed her opinion that the presentation of the Accreditation Certificate to the Allendale Police Department was excellent. She thanked the department for their professionalism and thanked Councilman Bernstein for the role that he played in the accreditation process. She advised that the next Public Safety Committee meeting is scheduled for May 20th.

Councilwoman McSwiggan – Water, Sewer and Public Utilities

Councilwoman McSwiggan advised that the Water, Sewer and Public Utilities Committee is focusing on infrastructure issues. Hydrant flushing has taken place. The next committee meeting is scheduled for May 16th.

Councilman Sasso - Land Use and Construction Code

Councilman Sasso reported that the Land Use and Construction Code Committee met last Friday and are scheduled to meet again on June 3rd. He advised that the two ordinances that were introduced earlier this evening were discussed, noting that Ordinance 16-19 eliminates the exception regarding properties that are a half acre or less. He explained that the goal is to ensure that the code is relevant and easy to understand. They are also looking into addressing the use of generators. In terms of Zoning, they are looking at the future of 24-hour businesses and drive-thru businesses. Councilman Sasso, the Director of Operations, and Property Maintenance Officer viewed a webinar earlier today pertaining to abandoned properties and how to best manage them. He noted that the Garage Sale Ordinance received some good press which proved helpful in notifying residents.

Councilman Bernstein – Administration, Finance and Human Resources

Councilman Bernstein expressed his gratitude to Councilwoman Homan for the part she played in the accreditation process.

He advised that the next meeting of the Administration, Finance and Human Resources Committee is scheduled for May 23rd.

Councilwoman Wilczynski – Facilities, Parks and Recreation

Councilwoman Wilczynski reported that Pat Finn from the Fell House was awarded the 2016 Bergen County Historic Preservation Award. She advised that he spearheaded saving the Fell House and expressed her opinion that he deserves this award. She noted that Crestwood Lake will open on May 28th. There is a new boardwalk and the new island will be installed next week. The next Facilities, Parks and Recreation Committee meeting is scheduled for May 18th.

Councilman Strauch – Public Works

Councilman Strauch advised that he has no report.

Councilman Bernstein thanked the *Town Journal* for their article on the Borough's 0% municipal tax increase.

Councilman Sasso noted that the purpose of Ordinance 16-19 is to make life easier for the residents and to become more customer-friendly.

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
May 12, 2016

Staff Reports:

Ray Wiss, Municipal Attorney, deferred his report to Closed Session.

Anne Dodd, Municipal Clerk, reported that the first garage sale license was issued earlier today. She advised that her department is very busy issuing compost permits and registering residents for Crestwood Lake. She advised that Tuesday, May 18th is the last day to register to vote for the Primary Election and her office will be open until 9 p.m. to accept registrations. She further advised that the Primary Election is on June 7th and the polls will be open from 6 a.m. to 8 p.m.

Public Comment on any issue:

No one came forward.

Closed Session:

Mayor White read into the record Resolution 16-154.

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. Pending & Prospective Litigation

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 public meeting.

There being no further business to come before the Council, on a motion from Councilwoman McSwiggan, seconded by Councilman Sasso, and all present voting in favor, the meeting was adjourned to the Closed Executive Session in the Council Chambers at 8:44p.m.

Adjournment:

There being no further business to come before the Mayor and Council, on a motion by Councilwoman McSwiggan, second by Councilwoman Homan, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 9:13 p.m.

Respectfully submitted,

Anne Dodd, RMC
Municipal Clerk