

May 23, 2013

A Regular meeting of the Borough Council was held in the Municipal Building on May 23, 2013. The meeting was called to order at 8:10 p.m. by Mr. 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: Mr. Bernstein, Mrs. McSwiggan, Mr. Strauch, Mrs. White, Mrs. Wilczynski and Mayor Barra. Ms. LaMonica arrived at 8:12 p.m. Also present were Mrs. McCarthy and Mr. Bole.

Approval of Minutes

Mrs. White moved, seconded by Mrs. McSwiggan, to approve the Work, Regular and Executive Session minutes of May 9, 2013. On roll call, all Council members voted in favor.

Public Hearings for Advertised Ordinances

Ordinance 13-12 Salary Ordinance - Teamsters

Resolution 13-275 – Introduced by Mrs. White, seconded by Mrs. Wilczynski

Mayor Barra opened the meeting to the public for comments.

Be It Resolved that an Ordinance entitled 13-12 “An Ordinance to Amend Chapter 67 of the Code of the Borough of Allendale Entitled ‘Salaries and Compensation’ “ be passed upon second and final reading and that the Borough Clerk be and she is hereby authorized and directed to advertise the same according to law.

On roll call, all Council members voted in favor.

Public Comments

Mr. Barra opened the meeting to the public for comments on any agenda items.

There were none.

Presentation of Proclamations, Petitions and Other Communications

Chief Scherb presented awards to individuals who offered assistance during Hurricane Sandy.

Unit citations were given to members of the Police Department as well as to the dispatchers. Chief Scherb said the awards were not just given for being present during Hurricane Sandy but for the care and sensitivity that they showed for residents throughout the storm and during the days that followed.

Chief Scherb presented an award to Pete Branigan, CERT Coordinator and the CERT Team for their efforts during Hurricane Sandy and the aftermath of the storm. CERT members managed the charging center, performed daily checks on homebound and special needs residents both by phone and in person, and helped with gasoline rationing.

Chief Scherb said the Borough of Allendale is very fortunate to have a CERT Team and we are grateful to them for their service.

Sgt. Carey read the names of the members of the CERT Team.

Mayor Barra said he has never been more proud of the Borough of Allendale than he was during Hurricane Sandy. The Police Department, the Fire Department, the Ambulance Corps, the CERT Team and the residents of Allendale all worked together and looked out for one another. He said he was pleased to see so many people honored this evening.

Mrs. Wilczynski stated that Mayor Barra went above and beyond any other Mayor in the area. He worked 24/7 around the clock as long as he was needed. She thanked him on behalf of the town.

Resolutions

Mayor Barra said this is a special night because of two Police promotions to the position of Sergeant.

He commented that a long time was spent on the process which the Public Safety Committee wanted to make sure was thorough, transparent and fair. The process was intensive and involved six applicants for two positions. It included interviews with the Chiefs Association, the Public Safety Committee and Chief Scherb and Sergeants Griffith and Carey. He added that the Public Safety Committee did not know the recommendations of the Chiefs Association. Two men exemplified themselves as being the choices of each of the individual components of the review processes. The two men who were selected are John Mattiace and Terry Lawler.

Mayor Barra said John Mattiace has been with the Borough of Allendale since 1989 and has been a detective for most of that time. He detailed the numerous citations Mr. Mattiace has received.

Mayor Barra said Terry Lawler has been with Allendale for nineteen years. He is especially interested in fire related issues and has served the Borough well in that capacity. Mr. Barra noted all the citations Mr. Lawler has received.

Mr. Barra said it was his privilege to swear in the two new Sergeants.

Resolution 13-276 – Introduced by Mr. Bernstein, seconded by Mrs. Wilczynski

Be It Resolved by the Governing Body that John Mattiace and Terrence Lawler are hereby appointed as Sergeants of the Allendale Police Department effective June 1, 2013 at a salary of \$121,929 each which shall be pro-rated as of June 1, 2013.

On roll call, all Council members voted in favor.

Resolution 13-277 – Introduced by Mrs. Wilczynski, seconded by Mrs. White

Whereas, the Port Authority of New York and New Jersey (the “Port Authority”) has agreed to convey to the Borough of Allendale (the “Borough”) that certain piece of steel of the former World Trade Center identified as I-0138 in the Port Authority’s Archive: Artifact Inventory Report of January 31, 2007 (the “Steel”);

Whereas, the Borough has requested that the Steel be made available to it in its present condition, subject to the terms and conditions of a certain letter agreement dated May 10, 2013 (“the agreement”), attached hereto;

Whereas, the Governing Body has reviewed said agreement and concurs in same;

Now, Therefore, Be It Resolved by the Governing Body that it does hereby agree to accept the Steel subject to the terms and conditions of the agreement;

Be It Further Resolved that the Mayor and/or Councilwoman Amy Wilczynski are authorized to sign the agreement and return same to the Port Authority.

On roll call, all Council members voted in favor.

Resolution 13-288 – Introduced by Mr. Strauch, seconded by Mr. Bernstein

Be It Resolved by the Governing Body that a “Farmer’s Market” is hereby authorized to commence on June 1, 2013 from 10 a.m., until 2 p.m. and each Saturday from 10 a.m. until 2 p.m. thereafter through November 16, 2013; and

Be It Further Resolved that said Farmer’s Market shall be located on West Allendale Avenue from the clock to and including Central Avenue; and

Be It Further Resolved that traffic and safety issues shall be subject to the supervision of the Allendale Police Department and the Police Department shall report back to the Governing Body regarding traffic and safety issues after the first two Farmer’s Market events; and

Be It Further Resolved that all vendors shall apply for, obtain and pay the fees for any permits required and shall be subject to all Board of Health regulations.

On roll call, all Council members voted in favor.

Consent Agenda

Resolution 13-278 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

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 23, 2013.

On roll call, Mrs. White abstained. All other Council members voted in favor.

Resolution 13-279 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski.

Be It Resolved that the following are the salaries for the Department of Public Works and Water Utility effective as of January 1, 2013.

Department of Public Works

Cameron, Steve	54,060
Davis, Dan	54,060
Frazier, Raymond	54,060
McDowell, Richard	54,060
Pasquino, John	42,840
Richard, Daniel	42,840
Simon, Lonnie	51,000
Ziegelhofer, William	53,040
Starting Salary	33,000
Standby Per Week	200

Water Utility

Simon, Layne	61,200
Moritz, James	54,060
Starting Salary	33,000
Standby Per Week	200

On roll call, Mrs. White abstained. All other Council members voted in favor.

Resolution 13-280 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

Whereas, the Borough of Allendale in the County of Bergen, New Jersey (the “Borough”) intends to issue \$2,218,840 of notes consisting of \$1,979,640 General Bond Anticipation Notes and \$239,200 Water Utility Bond Anticipation Notes, both issues dated May 9, 2014 (the “Notes”); and

Whereas, the Borough desires to designate the Notes as “qualified tax-exempt obligations” pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”);

Now, Therefore, Be It Resolved by the Borough Council of the Borough of Allendale, in the County of Bergen, New Jersey, as follows:

Section 1. The Notes are hereby designated as “qualified tax-exempt obligations” for the purpose of Section 265(b) (3) of the Code.

Section 2. It is hereby determined and stated that (1) said Notes are not “private activity bonds” as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2013.

Section 3. It is further determined and stated that the Borough has, as of the date hereof, issued the following tax-exempt obligations (other than the Notes) during the calendar year 2013:

Amount: \$1,404,850 Bond Anticipation Notes
Dated: 2/1/133
Due: 1/31/14

Section 4. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

Section 5. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2013 dated as of the date of delivery of the Notes.

Section 6. This resolution shall take effect immediately upon its adoption.

On roll call, Mrs. White abstained. All other Council members voted in favor.

Resolution 13-281 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

Whereas, the following licensees have made application for the renewal of their Alcoholic Beverage Licenses; and

Whereas, all requirements in connection therewith have been met,

Now, Therefore, Be It Resolved by the Mayor and Council that the following licenses are hereby renewed for the period July 1, 2013 to June 30, 2014.

PLENARY RETAIL CONSUMPTION LICENSES

Savini Restaurant, LLC

0201-33-006-007

168 West Crescent Avenue

On roll call, Mrs. White abstained. All other Council members voted in favor.

Resolution 13-282 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

Whereas, the Borough of Ramsey acting as the lead agency through the Northwest Bergen Corporative Pricing Program advertised for bids for the resurfacing of certain streets within the Boroughs of Allendale, Glen Rock, Franklin Lakes, Ho-Ho-Kus, Midland Park, Ramsey, Saddle River, Waldwick as well as the Township of Wyckoff and Village of Ridgewood; and

Whereas, a total of eight (8) bids were accepted on April 2, 2013 and were reviewed by the appropriate recommending authorities; and

Whereas, D&L Paving Contractors, Inc. 681 Franklin Avenue Nutley, New Jersey 07110 is the lowest responsive bidder;

Whereas, the Borough of Allendale's share of the resurfacing is Three Hundred Sixty-one Thousand, Nine Hundred Fifty-two Dollars and .97 Cents (\$361,952.97);

Whereas, the Chief Financial Officer has attached a Certification that adequate funds have been duly budgeted and appropriated to pay for the contract;

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale that the contract for resurfacing of designated streets in the Borough of Allendale is hereby awarded to D&L Paving Contractors, Inc. for the amount of Three Hundred Sixty-one Thousand, Nine Hundred Fifty-two Dollars and .97 Cents (\$361,952.97);

Be It Further Resolved that the Mayor and Municipal Clerk are authorized to sign an agreement with D&L Paving Contractors, Inc. following legal review.

On roll call, Mrs. White abstained. All other Council members voted in favor.

Resolution 13-283 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

Be It Resolved by the Governing Body that Dan Davis is hereby appointed as Crew Chief in charge of facilities through December 31, 2012;

Be It Further Resolved that the aforesaid Crew Chief will receive an additional \$3,000.00 per annum for said position. Said amount to be pro-rated retroactive from March 1, 2013 through December 31, 2013.

On roll call, Mrs. White abstained. All other Council members voted in favor.

Resolution 13-284 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

Whereas, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

Whereas, the Director may also approve the insertion of an item of appropriation for equal amount;

Now, Therefore, Be It Resolved, Mayor and Council of the Borough of Allendale in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$12,281.72, which is now available from the State of New Jersey, Clean Communities Grant, in the amount of \$12,081.72.

Be It Further Resolved, that the like sum of \$12,081.72 is hereby appropriated under the caption Clean Communities; and

Be It Further Resolved that the above is the result of funds from the State of new Jersey Clean Communities Fund in the amount of \$12,081.72.

On roll call, Mrs. White abstained. All other Council members voted in favor.

Resolution 13-285 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

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 salaries are hereby approved for the Crestwood Lake Swim Club 2013 Season as follows:

Lifeguards

Samantha Finkelstein	\$	8.50/hour
Eleni Backos	\$	8.50/hour

On roll call, Mrs. White abstained. All other Council members voted in favor.

Resolution 13-286 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Deborah Gravina be appointed as an hourly, part-time, seasonal Intern effective May 24, 2013 at a rate of \$10 an hour.

On roll call, Mrs. White abstained. All other Council members voted in favor.

Resolution 13-287 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

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 individual be appointed as a Seasonal Employee:

Name	Department	Appointment Date	Salary
Shawn Pospisil	Public Works	May 24, 2013	\$10.50/hour

Resolution 13-288 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

Be It Resolved by the Governing Body that a “Farmer’s Market” is hereby authorized to commence on June 1, 2013 from 10 a.m., until 2 p.m. and each Saturday from 10 a.m. until 2 p.m. thereafter through November 16, 2013; and

Be It Further Resolved that said Farmer’s Market shall be located on West Allendale Avenue from the clock to and including Central Avenue; and

Be It Further Resolved that traffic and safety issues shall be subject to the supervision of the Allendale Police Department and the Police Department shall report back to the Governing Body regarding traffic and safety issues after the first two Farmer’s Market events; and

Be It Further Resolved that all vendors shall apply for, obtain and pay the fees for any permits required and shall be subject to all Board of Health regulations.

On roll call, Mrs. White abstained. All other Council members voted in favor.

Resolution 13-289 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

Be It Resolved by the Governing Body that the Municipal Clerk is authorized to advertise for bids in a legal newspaper of the Borough for consulting services to assist in securing New Jersey Law Enforcement Accreditation for the Allendale Police Department.

On roll call, Mrs. White abstained. All other Council members voted in favor.

Resolution 13-290 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

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 Raffle License #388 as follows:

Waldwick Lions Club
Off Premises Draw Raffle for Merchandise
August 28, 2013
7:00 to 9:00 p.m.
Raffle Location: Allendale Bar and Grill

Prize: New York Giants Season Tickets

On roll call, Mrs. White abstained. All other Council members voted in favor.

Resolution 13-291 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

Whereas, the Borough of Allendale owns a 1999 Ford Crown Victoria 4 door sedan, VIN # 2FAFP71W9XX216271, License Plate MG27401, that is no longer needed by the Borough and which is inoperable due to engine failure, and the cost to repair the repair engine exceeds the value of the vehicle and;

Whereas, the emergency equipment, license plates and markings have been removed from the vehicle and it is out of service and;

Whereas, the cost to auction the vehicle meets or exceeds the vehicles junk value and;

Whereas, the Greenwood Forest Volunteer Fire Company, Hewitt, NJ, submitted letters to area Police Departments on April 23, 2012, looking for donated vehicles to refurbish as a Greenwood Forest Fire Department command vehicle, and the current Chief of the Greenwood Forest Volunteer Fire Company indicates on May 23, 2013 that they possess engine and parts and donated labor to refurbish the Borough of Allendale’s inoperable 1999 Ford Crown Victoria,

Now, Therefore, Be It Resolved that the Borough of Allendale donate and transfer title to the 1999 Ford Crown Victoria VIN #2FAFP71W9XX216271 to the Greenwood Forest Volunteer Fire Company.

On roll call, Mrs. White abstained. All other Council members voted in favor.

Resolution 13-292 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

Be it Resolved by the Governing Body that effective June 1, 2013 the position of Construction Code Clerk/Clerk Typist FT shall become an hourly, part-time position without benefits; and

Be It Further Resolved that said position shall be 25 hours per week at an hourly rate of \$15.38 hour.

On roll call, Mrs. White abstained. All other Council members voted in favor.

Committee Reports

Water and Sewer

Mrs. McSwiggan said the Water and Sewer department is still in the process of making the transition to United Water. The sump pump program is also continuing.

Public Safety

Mr. Bernstein congratulated the two new Sergeants on behalf of the Public Safety Committee. He stated that now that the Police Department is fully staffed, he is looking forward to addressing other issues.

Land Use and Construction Code

Mr. Strauch did not have a report.

Public Works

Mrs. White said the DPW department has been doing an outstanding job.

She noted that the Safe Routes to School sidewalks have been installed and it is wonderful to see children walking to school on them.

Mrs. White said she is looking forward to the beginning of the 2013 paving program.

Personnel, Finance and Human Resources

Ms. LaMonica did not have a report.

Facilities, Parks and Recreation

Mrs. Wilczynski said Saturday, May 25th, Crestwood Lake will open and admission will be free. Hotdogs and hamburgers will be served from 1:00 to 3:00 p.m.

The DPW has been working very hard to get the Lake ready and Mrs. Wilczynski said it looks “amazing”. The new agent to keep the water clear is also a big success.

The DPW has put up flower baskets for the Memorial Day parade and the new town benches have been installed. Memorial Park is in great shape and the entrance to Crestwood has received new plantings.

Municipal Attorney

Mr. Bole did not have a report.

Municipal Clerk

Mrs. McCarthy said the Primary Election will be held on June 4th and the polls will be open from 6 a.m. to 8 p.m.

Mr. Stephen Sasso and Mr. Ari Bernstein, Republican candidates for Council were present for this evening's meeting as was Ms. Carol Sheehan, the Democratic candidate for Council.

On a motion by Mr. Strauch, seconded by Mrs. Wilczynski, the Council voted unanimously to adjourn at 8:40 p.m.

Respectfully submitted,

Gwen McCarthy
Municipal Clerk