

Mayor and Council of the Borough of Allendale  
Special Session Meeting Minutes  
November 1, 2016

PRESENT: Mayor Elizabeth White and Councilmembers 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 Special 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 November 1, 2016. The meeting was called to order at 8:33 a.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. Notice of this meeting by the October 28, 2016 Sunshine Notice has been sent to the Record, the Ridgewood News, and Star Ledger and has been posted on the public bulletin board in the Municipal Building and Borough website."

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

**Public Comment**

No one came forward.

**Resolutions**

**16-269/Authorize Letter of Intent – Acquisition of Property**

Borough Attorney Wiss advised that this resolution authorizes Mayor White to sign a letter of intent with respect to the acquisition of the properties located at 220 W. Crescent Avenue and 230 W. Crescent Avenue. He explained that the need for this matter to be expedited and scheduled as special meeting was due to the conceptual agreement that was reached on Friday between the Borough and the owners of these properties not being enforceable absent this letter of intent. As such, the Borough could have potentially been exposed to the seller of the property changing its mind with respect to the business terms that had been negotiated. On Friday, the seller was advised that a finalized letter of intent executed by them needed to be received no later than Monday. Said letter was provided and the purpose of this meeting is to also allow the Borough to execute same allowing for a binding, enforceable letter of intent which will ultimately be subject to a detailed contract setting forth all of acquisition terms.

Councilman Bernstein questioned whether the word "general" should be inserted in the second "whereas" clause before "terms" as all of the terms have not been set forth in a detailed contract.

Borough Attorney Wiss responded that he is comfortable with the wording as is as it states in the letter of intent that it is subject to the terms of a formal contract.

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Mayor White noted that, in April, the governing body discussed how this property is integral in terms of municipal purposes including the Borough’s affordable housing plan, municipal purposes, and public recreation. She advised that the Finance Committee is working on the financing for this acquisition and will keep the governing body informed as this process will be very hands on with the entire Council moving forward.

Motion by Councilman Bernstein, second by Councilwoman Wilczynski, that the Resolution #16-269 be approved.

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

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

**Resolution 16-269**

Approval of Letter of Intent Between Borough of Allendale  
and West Crescent Realty, LLC

**Whereas**, the Borough of Allendale (“Allendale”) and West Crescent Realty, LLC (“West Crescent”) have engaged in ongoing negotiations to discuss and agree upon the terms and conditions of a Letter of Intent for the Allendale’s purchase of certain real property known as 220 West Crescent Avenue and 230 West Crescent Avenue, Allendale, New Jersey; and

**Whereas**, Allendale and West Crescent have agreed upon the terms of the purchase of said property in a Letter of Intent dated October 31, 2016 (“LOI”), the terms and conditions of which LOI are fully incorporated herein by reference; and

**Whereas**, Allendale wishes to memorialize its approval of the terms and conditions of the LOI.

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale that the LOI be and hereby is **APPROVED**:

**Be It Further Resolved**, that the Mayor and the Borough Attorney are authorized to take all appropriate actions so as to implement this Resolution, including but not limited to, the execution of the LOI by the Mayor.

**Adjournment:**

There being no further business to come before the Mayor and Council, on a motion by Councilwoman Wilczynski, second by Councilman Bernstein, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:38 a.m.

Respectfully submitted,

Anne Dodd, RMC  
Municipal Clerk