

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
November 12, 2015

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 November 12, 2015. The meeting was called to order at 8:09 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.

Approval of Minutes:

Motion by Councilwoman McSwiggan, second by Councilman Strauch, that the Minutes of the July 9, 2015 Work Session, October 22, 2015 Work Session, October 22, 2015 Regular Session, and October 22, 2015 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:	aye

Public Hearings for Advertised Ordinances:

Ordinance 15-26

The Municipal Clerk read into the record:

The following ordinance published herewith was first read by title only on October 22, 2015 and posted on the bulletin board of the municipal building.

ORDINANCE 15-26 – AN ORDINANCE TO ESTABLISH CHAPTER 61 OF THE CODE OF THE BOROUGH OF ALLENDALE ENTITLED "PROPERTY TAXES, PAYMENT"

Public Comments on Ordinance 15-26

No one came forward.

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Motion by Councilman Bernstein, second by Councilwoman McSwiggan, that Ordinance 15-26 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law.

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 Ordinance 15-26, attached and made a part hereof.)

Public Comment on any agenda item:

There were no comments from the public.

Consent Agenda

- A. **15-307**/Approval of Bill List
- B. **15-308**/Authorize Release of Performance Guarantee – 184 Donny Brook Drive
- C. **15-309**/Approve Effective Date – Deputy Municipal Clerk Appointment
- D. **15-310**/Approve Effective Date & Salary Increase – Administrative Assistant Appointment
- E. **15-311**/Approve Salary Increase – Hedy Abad & Tatiana Marquis
- F. **15-312**/Approve Tax Appeal Settlement – Kontogiannis v. Borough of Allendale
- G. **15-313**/Approve State Board Judgment – Block 1101 Lot 4
- H. **15-314**/Authorize Cancellation of Taxes – Uncollectible Properties
- I. **15-315**/Authorize Receipt of Bids – Solid Waste Collection & Disposal
- J. **15-316**/Accept Resignation – Part-Time Laborer
- K. **15-317**/Accept Resignation – School Crossing Guard
- L. **15-318**/Appoint School Crossing Guard
- M. **15-319**/Authorize Budget Transfers
- N. **15-320**/Designate Official Depository

Motion by Councilwoman Wilczynski, second by Councilman Sasso that the Consent Agenda 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

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

Resolution 15-307

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 November 12, 2015 in the amounts of:

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Capital	\$40,099.56
Housing Trust	\$2,533.69
Improvement & Beautification	\$2,429.62
Trust Fund	\$1,880.00
Dog Fund	\$0.00
Recycling Trust	\$8,152.47
Water Capital	\$0.00
Unemployment	\$18,287.26
Payroll	\$151,687.32
Total	\$2,786,558.80

Resolution 15-308

Release of Performance Guarantee

Whereas, the Borough Engineer has issued a letter dated October 26, 2015 which has also been reviewed by the Chief Financial Officer regarding 184 Donny Brook Drive/Torres Residence New Single Family Plot Plan Review & Soil Movement Permit, 184 Donny Brook Drive, Block 1203, Lot 5;

Whereas, the project has been reviewed for a release of performance guarantees;

Whereas, the Governing Body has reviewed the letter, a copy of which is attached hereto and incorporated herein;

Now, Therefore, Be It Resolved by the Governing Body that the amount of \$9,520 plus interest of the performance guarantee for soil movement be returned to the Kyle White Construction, LLC at this time.

Resolution 15-309

WHEREAS, Michelle Ryan was appointed to the position of Deputy Municipal Clerk as set forth in Resolution 15-304.

WHEREAS, the effective date of this appointment was omitted in error.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that the effective date for the appointment of Michelle Ryan to the position Deputy Municipal Clerk shall be November 9, 2015.

NOW THEREFORE BE IT FURTHER RESOLVED that the Mayor, the Chief Financial Officer, Municipal Clerk and the Borough Attorney are authorized to take all appropriate actions so as to implement this Resolution.

Resolution 15-310

WHEREAS, Diane Vander Wende was appointed to the position of Administrative Assistant as set forth in Resolution 15-303.

WHEREAS, the effective date of this appointment was omitted in error.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that the effective date for the appointment of Diane Vander Wende to the position Administrative Assistant shall be November 9, 2015.

BE IT FURTHER RESOLVED that Diane Vander Wende be granted an increase in pay to \$19.00 per hour effective November 2, 2015.

BE IT FURTHER RESOLVED that Mayor, the Chief Financial Officer, Municipal Clerk and the Borough Attorney are authorized to take all appropriate actions so as to implement this Resolution.

Resolution 15-311

Be It Resolved by the Governing Body of the Borough of Allendale that the following employees be granted an increase in pay to \$19.00 per hour effective November 2, 2015:

Hedy Abad, Clerk Typist, P/T Hourly	\$19.00
Tatiana Marquis, Clerk Typist, P/T Hourly	\$19.00

Resolution 15-312

**Approval of Tax Appeal
Emmanuel Kontogiannis v. Allendale**

WHEREAS, the tax payer, Emmanuel Kontogiannis, appealed the assessment levied on the subject property for the year 2015; and

WHEREAS, the subject property is located on Block 301, Lot 4 (101 Woodland Ave.); and

WHEREAS, the Plaintiff represented himself in this matter; and

WHEREAS, the assessor reviewed the data on this property and determined there was a need for and adjustment to the land value due to the proximity of the property to the rail road tracks; and

WHEREAS, the parties have agreed to compromise the appeal on the following terms: for the tax year 2015 the assessed value will be reduced from \$464,200 to \$430,700; and

WHEREAS, there are sufficient funds available in the reserve for tax appeals account to satisfy the tax refund for the tax year 2015; and

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WHEREAS, the assessor is of the opinion that the valuation of the subject property 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 appeal encaptioned Emmanuel Kontogiannis 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 15-313

STATE TAX BOARD JUDGMENT

BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to reduce the 2015 tax levy and issue the following overpayment check due to a State Tax Court Judgment for the tax year 2015:

Block/Lot	Name	Amount
1101/4	Kossar, Robert & Michelle C/O Zipp Tannenbaum & Caccavelli, LLC 280 Raritan Center Parkway Edison, NJ 08837	\$2,422.36

Resolution 15-314

UNCOLLECTIBLE PROPERTIES

BE IT RESOLVED, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to cancel the taxes owed on the following list of uncollectible properties for 2015. The properties are as follows:

BLOCK / LOT	ADDRESS	AMOUNT
301 / 45	Rear Farley Place	\$197.56
2204 / 15	New Street	\$ 33.68

Resolution 15-315

Authorize Bids for Solid Waste Collection and Disposal

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that advertisement for Solid Waste Collection and Disposal is hereby approved.

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Resolution 15-316

Accepting the Resignation of Part-Time Laborer

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that it hereby accepts the resignation of Luis Alvelo, Part-Time Laborer, effective November 11, 2015.

Resolution 15-317

Accepting the Resignation of School Crossing Guard

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that it hereby accepts the resignation of Tracy Merop Gusta, School Crossing Guard, effective October 30, 2015.

Resolution 15-318

Appointment of School Guard

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 is hereby appointed as a school guard:

Name	Hire Date	Hourly Rate	Regular or Relief
Efren Baez	November 13, 2015	\$18.00/hour	Regular

Resolution 15-319

BUDGET TRANSFERS

WHEREAS, Budget Transfers are permitted during the last two months of the current year and the first three months of the following year;

NOW THEREFORE, BE IT RESOLVED, BY THE Mayor & Council of the Borough of Allendale that the following transfers be made between the 2015.

Budget Appropriations:

DEPARTMENT	ACCOUNT NUMBER	FROM	TO
Municipal Clerk, S&W, P/T	5-01-20-120-012		\$8,900
Collection of Tax, S&W, F/T	5-01-20-145-011		\$1
Collection of Tax, S&W, P/T	5-01-20-145-012		\$170
Construction Code, S&W	5-01-22-195-012		\$6,500
Payment of Bond Interest	5-01-45-930-000		\$25,629
Fire, Other Expenses	5-01-25-255-043		\$17,000
Crestwood, S&W	5-01-28-371-012	\$28,000	

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Salary & Wage Adjustment	5-01-30-411-012	\$15,571	
Health Benefits	5-01-23-220-227	\$14,629	
Totals		\$58,200	\$58,200

Resolution 15-320

Official Depository

Be It Resolved that Lakeland Bank be designated as an official depository for the Borough funds for the year 2015.

Unfinished Business:

There was no unfinished business

New Business:

There was no new business

Council Committee Reports and Comments

This agenda item was addressed during the Work Session.

Staff Reports:

This agenda item was addressed during the Work Session.

Public Comment on any issue:

No one came forward

Closed Executive Session:

Mayor White recognized Municipal Clerk Anne Dodd, who read into the record Resolution 15-321.

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 Councilman Bernstein, seconded by Councilwoman McSwiggan, and all present voting in favor, the meeting was adjourned to the Closed Executive Session in the Council Chambers at 8:14 p.m.

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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 8:21 p.m.

Respectfully submitted

Anne Dodd, RMC
Municipal Clerk