

Regular Session Meeting
Mayor and Council
November 13, 2014

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 13, 2014. The meeting was called to order at 8:09 p.m. by Mayor Barra who announced that the requirements of the Open Public Meeting Act were met by the required posting and notices of publications.

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

The following individuals answered roll call: Councilmembers Bernstein, Sasso, Strauch, White, and Wilczynski, as well as Mayor Barra. Councilwoman McSwiggan was absent. Mr. Valenzuela and Mr. Bole were also present.

Approval of Minutes

August 28th Work Session and Regular Meeting

Councilwoman White made a motion to approve the Work and Regular Session Minutes of August 28, 2014 as submitted, seconded by Councilman Sasso.

On roll call: Aye – Sasso, Strauch, White. Abstain – Bernstein, Wilczynski

Public Comments: There were no comments from the public.

Continuation from the Public Hearing held on October 23, 2014

ORDINANCE 14-20: AN ORDINANCE TO AMEND AND SUPPLEMENT THE 2014 SALARY ORDINANCE, ORDINANCE 14-01 ENTITLED “AN ORDINANCE TO AMEND CHAPTER 53 OF THE CODE OF THE BOROUGH OF ALLENDALE TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF ALLENDALE FOR THE YEAR 2014”

WHEREAS, the 2014 Salary Ordinance was previously adopted; and

WHEREAS, the Salary Ordinance was amended by Ordinance No. 14-18, adopted September 22, 2014; and

WHEREAS, a further amendment to the Salary Ordinance is necessary;

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough, that the 2014 Salary Ordinance is amended and supplemented as follows:

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<u>Title</u>	<u>Min</u>	<u>Max</u>
Technical Assistant to Director of Operations/Borough Engineer, P/T Hourly	\$18.00	\$27.00

All other provisions of the 2014 Salary Ordinance not amended herein remain in full force and effect.

SEVERABILITY

If any portion of this ordinance is adjudged unconstitutional or invalid by the Court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this ordinance, but shall be confined, in its effect, to the provision directly involved in the controversy in which such judgment shall have been rendered.

REPEALER

All other ordinances of the Borough, or parts thereof, which are in conflict with this Ordinance, are hereby repealed to the extent of such conflict.

EFFECTIVE DATE

This ordinance shall take effect upon passage and publication, as required by law.

Councilman Sasso made a motion on Ordinance 14-20, Resolution 14-296; seconded by Councilwoman White.

On roll call: Aye – Bernstein, Sasso, Strauch, White, Wilczynski

Public Comments: There were no comments from the public.

RESOLUTIONS OFF CONSENT

RESOLUTION 14-310: Ordinance 14-22 Introduction of Amendment to Chapter 93: “Animals” (Deer Feeding Prohibition)

BE IT RESOLVED that Ordinance 14-22, “An Ordinance to Amend and Supplement Chapter 93 of the Code of the Borough of Allendale Entitled ‘Animals’ is introduced, and does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held the 11th day of December, 2014 at 8:00 p.m. or as soon thereafter, at Allendale Borough Hall, Council Chambers and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance.

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Councilman Strauch moved, seconded by Councilwoman White to amend resolution 14-310 to change the date for the public hearing on this Ordinance from November 13, 2014 to December 11, 2014.

On roll call: Aye – Bernstein, Sasso, Strauch, White, Wilczynski

Resolution 14-311: Ordinance 14-23 Introduction of Amendment to Chapter 147 entitled “Land Subdivision and Site Plan Review” (Change in amount of copies submitted)

BE IT RESOLVED that Ordinance 14-23, “An Ordinance to Amend Chapter 147 of the Code of the Borough of Allendale Entitled ‘Land Subdivision and Site Plan Review’ is introduced, and does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 11th day of December, 2014, at 8:00 p.m. or as soon thereafter, at Allendale Borough Hall, Council Chambers, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance.

Councilwoman White moved, seconded by Councilwoman Wilczynski to amend resolution 14-311 to change the date for the public hearing on this Ordinance from November 13, 2014 to December 11, 2014.

On roll call: Aye – Bernstein, Sasso, Strauch, White, Wilczynski

Public Comments: There were no comments from the public.

Mr. Bole indicated that Ordinance 14-23 may be voted on tonight but should also be submitted to the Planning Board for comments as a courtesy.

CONSENT AGENDA

RESOLUTION 14-312: 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 13, 2014.

RESOLUTION 14-313: Authorize Mayor to sign Inter-local Agreement with NWBCUA for TV Inspections of Sewers.

BE IT RESOLVED that the Mayor is hereby authorized to sign an Inter-local Service Agreement for TV Inspection with the Northwest Bergen County Utilities Authority.

RESOLUTION 14-314: Approval of Raffle License RA#405 Allendale Woman’s Club.

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it approves Raffle License Application No. RA: 405 as follows:

Allendale Woman's Club
Off Premises 50/50 Raffle
January 31, 2015
7:30 p.m. – 11:30 p.m.
Raffle Location: Guardian Angel Auditorium, 320 Franklin Turnpike, Allendale, NJ 07401
Prize: 50% of Raffle Proceeds

RESOLUTION 14-314 ^{315?} Appointment of Efren M. Baez as part-time 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 M. Baez	November 14, 2014	\$18.00/hour	Relief

RESOLUTION 14-316: Approval of Change Order #2 for 2014 Road Resurfacing Program NW Bergen Cooperative Pricing Program.

WHEREAS, the Borough Engineer has requested that certain changes are needed in the 2014 Road Resurfacing Program Northwest Bergen Cooperative Program contract; and

WHEREAS, a net increase of \$12,485.00 will result from the following items:

- Actual quantities of work measured and performed, and
- Additional inlet repairs. and,

WHEREAS, that Change Order Number Two resulting in an increase of \$12,485.00 be approved for the 2014 Road Resurfacing Program Northwest Bergen Cooperative Pricing program. The original contracted amount of \$315,653.79 has been increased by \$44,897.18, resulting in a new contract amount of \$360,550.97. A 14.2% increase in the original contracted amount; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Change Order Number Two for \$12,485.00 be approved for performance by D & L Contractors, Inc., 681 Franklin Avenue, Nutley, NJ 07110.

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RESOLUTION 14-317: Approval of Payment#2 for 2014 Road Resurfacing Program to NW Bergen Cooperative Program to D&L Paving Contractors, Inc.

WHEREAS, the Borough Engineer has recommended that approval of Payment No. 2 for work measured and performed in conjunction with the 2014 Road Resurfacing Program Northwest Bergen Cooperative Pricing Program contract; and

WHEREAS, the Borough Engineer has inspected and accepted work completed through October 23, 2014 and recommends Payment No. 2 of \$28,415.10 to D & L Contractors, Inc., 681 Franklin Avenue, Nutley, NJ 07110, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Payment No. 2 of \$28,415.10 is approved for payment to D & L Contractors, Inc., 681 Franklin Avenue, Nutley, NJ 07110.

RESOLUTION 14-318: Cancellation of General Capital Ordinances for a total of \$242,614.97.

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS it is necessary to formally cancel said balances so that the unexpended balances may be credited to Surplus/Deferred Charges Unfunded and/or Grants Receivable;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Allendale, that the following unexpended balances of General Capital appropriations be cancelled as follows:

ORDINANCE	ACCOUNT NO.	DESCRIPTION	AMOUNT
05-03	C-04-55-906-301	POLICE HEADQUARTERS	22,185.84
07-04	C-04-55-908-503	PARK AVE - MISCELLANEOUS ORCHARD COMMONS	0.01
07-13	C-04-55-908-902	ACQUISITION	104,400.00
08-09	C-04-55-909-101	SAFE ROUTES TO SCHOOL	103,502.68
08-09	C-04-55-909-505	FIRE DEPT. - MISCELLANEOUS	2,045.83
08-09	C-04-55-909-804	SEWER - MISCELLANEOUS	1,150.00
08-09	C-04-55-909-901	SEWER - MISCELLANEOUS	180.00
09-09	C-04-55-910-011	ROAD RESURFACING	1,440.00
12-01	C-04-55-917-101	TAX REFUND	7,579.60
13-09	C-04-55-920-301	DPW EQUIPMENT	131.01
TOTAL CANCELLATIONS			242,614.97

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RESOLUTION 14-319: Amendment to Resolution 14-130 Cancellation of Water Capital Bond Ordinances.

WHEREAS, certain Water Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Surplus/Deferred Charges Unfunded; and

WHEREAS, Resolution 14-130 which was formally adopted by the Governing Body on April 10, 2014 had stated that Ordinance 12-06 Acquisition of Equipment for \$16,000.00 should have been identified as Ordinance 11-02 on said Resolution 14-130, and

WHEREAS this typographical error has been amended below to identify the correct Ordinance as 11-02.

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 unexpended balances of Water Capital appropriations previously cancelled via resolution 14-130 on April 10, 2014 is hereby amended to replace the typographical error of Ordinance 12-06 to Ordinance 11-02:

Ordinance 03-05	Acquisition of Communication Equipment	\$850.75
Ordinance 04-03	Various Improvements	21,788.50
Ordinance 07-03	Various Improvements	3,983.48
Ordinance 08-04	Park Ave Water Improvements	13,780.00
Ordinance 09-10	Acquisition of Equipment	14,198.29
Ordinance 11-02	Acquisition of Equipment	16,000.00
	Total Cancellations	\$70,601.02

RESOLUTION 14-320: Approval of the Allendale Chamber of Commerce Holiday Walk on December 5, 2014.

WHEREAS, there is a request by the Allendale Chamber of Commerce to hold the Allendale Holiday Walk on Friday, December 5, 2014 from 6:30 p.m. to 9:00 p.m., and

WHEREAS, West Allendale Avenue will be closed for this event from the town clock to DeMercurio Drive beginning at 6:30 p.m.,

WHEREAS, the Chamber of Commerce will, after approval, coordinate the event with the Police Department, Fire Department and Department of Public Works;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that this request is hereby approved.

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RESOLUTION 14-322: Approval for the Municipal Attorney to defend Borough and Custodian of records in the matter of D'Antonio vs. Borough of Allendale GRC complaint 2014-220.

WHEREAS, the Borough and Records Custodian have been served with a Denial of Access Complaint from the New Jersey Government Records Council (GRC); GRC Complaint No. 2014-220;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that the Borough Attorney is authorized and directed to defend the Borough and the Custodian's interests in such matter.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that this request be and is hereby approved.

RESOLUTION 14-323: Approval of on-call pay for the Construction Official.

WHEREAS, Kevin Burnette has previously been appointed Construction Code Official; and

WHEREAS, the Construction Code Official's salary is set by the Annual Salary Ordinance and implementing Resolution; and

WHEREAS, the Governing Body deems it appropriate to make provisions for his overtime pay;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that if the Construction Code Official is called by the Borough to perform services beyond his normal work hours, he shall be entitled to three (3) hour minimum pay at the rate of \$43.85 per hour.

RESOLUTION 14-324: Approval of 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 2014 Budget Appropriations:

DEPARTMENT	ACCOUNT NUMBER	FROM	TO
Mayor & Council, Other Expenses	4-01-20-110-063		\$1,000
Municipal Clerk, S&W	4-01-20-120-011		9,000
Collection of Tax, S&W	4-01-20-145-011		500
Construction Code, Other Expenses	4-01-22-195-063		500
Plumbing Sub Code, S&W	4-01-22-197-012		3,500
Fire Sub Code, S&W	4-01-22-199-012		2,400
Prosecutor, S&W	4-01-25-275-012		1

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Streets & Roads, Other Expenses	4-01-26-290-063		5,000
Buildings & Grounds, Other Expenses	4-01-26-310-063		5,000
Board of Health, S&W	4-01-27-330-011		1
Crestwood, Other Expenses	4-01-28-371-096		500
Sewer, S&W	4-01-31-455-014		12,000
PERS	4-01-36-471-000	17,000	
PFRS	4-01-36-474-000	11,602	
Total Transfers		\$28,602	\$28,602

RESOLUTION 14-325: Amendment to Contract with Appraisal Systems, Inc.

WHEREAS, Resolution 14-277 dated September 22, 2014 was adopted by the Governing Body approving a reassessment Contract to Appraisal Systems, Inc. in the amount of \$40,000; and

WHEREAS, the amount of the contract needs to be amended due to additional inspections which will be required to implement the reassessment; and

WHEREAS, the Chief Financial Officer has attached a certification that the 2015 temporary and permanent budgets of the Borough will contain the necessary appropriations to be reasonably required for such professional service;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that the contract amount is hereby increased from \$40,000 to \$47,000; and

BE IT FURTHER RESOLVED, that the Mayor and acting Clerk are authorized to sign a contract with Appraisal Systems Inc. in the amount of \$47,000; and

BE IT FURTHER RESOLVED, that all other provisions of Resolution 14-277 not amended herein remain in full force and effect; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be filed with the acting Municipal Clerk and made available for inspection and that a brief notice of the passage thereof be published in the Record within ten (10) days of passage as required by law.

Councilman Strauch made a motion on the Consent Agenda; seconded by Councilwoman Wilczynski.

On roll call: Aye – Bernstein, Sasso, Strauch, White, Wilczynski

Unfinished Business: There was no unfinished business.

New Business: There was no new business.

Committee Reports and Comments:

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Councilman Bernstein: The next Public Safety meeting is tentatively scheduled for Wednesday, November 19, 2014.

Councilman Strauch: The next Land Use meeting is scheduled for Monday, December 1st at 8:00 a.m.

Councilwoman White: The Administration, Finance and Human Resources Committee is starting work on the 2015 budget.

Councilwoman White and the Mayor and Council expressed condolences to the Kunisch family on the passing of Mrs. Barbara Kunisch. Mayor Barra called Mrs. Kunisch "The Matriarch of Allendale".

Councilwoman White: Tuesday, November 11th was Veterans Day, and there was a ceremony held at Park Avenue to thank the Veterans for their service.

Councilwoman Wilczynski: The next Facilities, Parks and Recreation meeting will be held on December 3, 2014.

Councilman Sasso: The Public Works Committee met last week. Regarding the recycling vendor, we have an agreement which we will be voting on hopefully at the next meeting.

The DPW is getting ready for snow removal. The County owed the Borough of Allendale 200 tons of salt. We received a bonus of 40 tons for free because we picked up the salt instead of having it delivered to us.

Fall leaf pickups are ongoing. The street sweeper is repaired. The DPW yard has been cleaned up and organized, making it a more productive area.

Staff Reports:

Mr. Bole: Nothing to report.

Mr. Valenzuela: Melissa Daly, John Yakimik and I represented the town at the Veterans Day service while the Mayor and Council were at the funeral service. Also, the Election went very smoothly.

Public Comments:

Mark Savastano – 22 Vreeland Place

Mr. Savastano is concerned about the number of days a week that there are refuse pick-ups in Allendale for different kinds of items. It is possible that refuse is being collected up to six (6) days a week.

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Steve Sasso indicated that this concern was being considered with the prospective new vendor, and the Borough hopes to address this concern over the next few years.

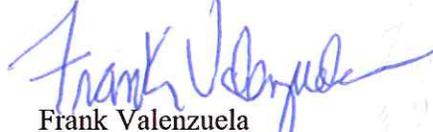
Mr. Savastano would like to see some kind of enforcement so that people don't put the incorrect refuse such as sofas and televisions out days ahead of the appropriate recycling day.

Steve Sasso agreed and indicated that education is key to enforcement.

ADJOURNMENT

On a motion by Councilwoman White, the Council voted unanimously to adjourn at 8:42 p.m.

Respectfully submitted,



Frank Valenzuela
Acting Municipal Clerk