

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
November 16, 2017

PRESENT: Mayor Elizabeth White and Councilmembers Ari Bernstein, Liz Homan
Steve Sasso, Jim Strauch, and Amy Wilczynski

ABSENT: Councilmember Jackie McSwiggan

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 16, 2017. The meeting was called to order at 8:00 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 Councilman Strauch, second by Councilwoman Wilczynski, that the Minutes of October 26, 2017 Work Session and October 26, 2017 Regular Session are approved.

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

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

Public Comment

No one came forward.

Introduction of Ordinances:

Ordinance 17-16

Mayor White explained that this ordinance provides for the issuance of a permit as well as sets a timeframe for use of a dumpster. Councilman Sasso noted that this ordinance also regulates use of dumpster bags.

Motion by Councilman Sasso that the following ordinance be introduced and passed on first reading and setting November 30, 2017 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 ordinance. Second by Councilwoman Homan.

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

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
November 16, 2017

ORDINANCE 17-16 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE
BOROUGH OF ALLENDALE, SOLID WASTE, CHAPTER 228

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

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

Ordinance 17-17

Mayor White noted that this ordinance requires thirty-five days between introduction and adoption for referral to the Planning Board to determine consistency with the Master Plan. She explained that this ordinance is being adopted in regard to the Allendale Heights development. She noted that although the Planning Board reviewed the site plan, the setbacks could not be determined as the architectural drawings had not been completed yet. This ordinance allows for 15-foot side yard setbacks in this development and only pertains to the zone in which the Allendale Heights development is located.

Motion by Councilman Sasso that the following ordinance be introduced and passed on first reading and setting December 28, 2017 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 ordinance. Second by Councilwoman Wilczynski.

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

ORDINANCE 17-17 - AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE
BOROUGH OF ALLENDALE, ZONING, CHAPTER 270-159

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

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

Consent Agenda

As the agenda review was not conducted during the Work Session, Mayor White briefly reviewed the resolutions on the Consent Agenda. With respect to Resolution #17-272, she announced that the wording will be revised to read substitute Police Dispatcher in place of part-time in the second line of the resolution.

- A. **17-269**/Approval of Bill List
- B. **17-270**/Support Widening of George Washington Bridge Sidewalks
- C. **17-271**/Authorize Refunds – Overpayment of 2017 Taxes – Various Properties
- D. **17-272**/Authorize Hire – Allendale Police Department – Per Diem Dispatcher
- E. **17-273**/Waive Building Permit Fees – Calvary Lutheran Church
- F. **17-274**/Approve Tax Appeal Settlement – Novak v. Borough of Allendale
- G. **17-275**/Authorize Holiday Walk – Chamber of Commerce
- H. **17-276**/Authorize Receipt of Bids – Fire Ladder Truck
- I. **17-277**/Authorize Budget Transfers

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
November 16, 2017

Motion by Councilwoman Homan, second by Councilwoman Wilczynski, 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:	absent	Councilwoman Wilczynski:	aye

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

Resolution 17-269

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 16, 2017 in the amounts of:

Current Fund	\$1,255,251.61
Payroll Account	\$402,777.38
General Capital	\$26,346.85
Animal Fund	\$3.60
Grant Fund	\$0.00
COAH/Housing Trust	\$18,302.89
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$9,313.25
Water Operating	\$0.00
Water Capital	\$1,613.23
TOTAL	\$1,713,608.81

Resolution 17-270

Whereas, the George Washington Bridge's sidewalks are the only connection across the Hudson River between New York City and New Jersey for pedestrians, runners, and bicyclists; and

Whereas, the paths are heavily used, with an average of 1,700 cyclists and 900 pedestrians crossing each day; and

Whereas, the sidewalks are ten feet wide except where the bridge's suspender ropes pass through, where they are less than seven feet wide; and

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
November 16, 2017

Whereas, according to Federal Highway Administration guidelines, shared-use paths should be at least ten feet wide and up to fourteen feet wide if they are heavily used; and

Whereas, the Port Authority of New York and New Jersey is planning an extensive renovation that will replace all of the bridge’s suspender ropes beginning in 2017 and lasting until 2024; and

Whereas, as part of the project, the sidewalks will be replaced and new ramps that will provide access to the sidewalks will be constructed, but the sidewalks will not be widened; and

Whereas, New York City has made efforts in recent years to make its roadways safer and more convenient for pedestrians and bicyclists, particularly through the Vision Zero street safety initiative and the expansion of the bicycle lane network; and

Whereas, the Port Authority’s own Bicycle Policy states that its goals are to integrate “improved bicycle access” and “safe bicycle lanes,” and to “promote the safe co-existence of motor vehicles, bicycles and pedestrians” at its facilities; and

Whereas, the width of the bridge’s sidewalks does not meet federal standards for high-use pedestrian and bicycle paths, and

Whereas, the planned renovation project presents a unique opportunity to build sidewalks that would be able to safely and comfortably accommodate the increasing number of pedestrians and bicyclists expected to use the bridge in the decades to come.

Now, Therefore, Be It Resolved, that the Mayor and Council of the Borough of Allendale calls upon the Port Authority of New York and New Jersey to widen the George Washington Bridge’s sidewalks.

Resolution 17-271

OVERPAYMENT

BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue the following checks on the properties listed below and charge same to Overpayment of 2017 Taxes:

Block/ Lot	Name	Property Location	Amount
1701/36	Wells Fargo Real Estate Mortgage Attn: Financial Support 1 Home Campus Des Moines, IA 50328	78 Allen Street	\$2,979.13
1710/8	Larkin, John & Judith 170 W. Orchard Street Allendale, NJ 07401	170 W. Orchard Street	\$387.89
		TOTAL	\$3,367.02

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
November 16, 2017

Resolution 17-272

Hire of Substitute Police Dispatcher

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the following substitute Police dispatcher be hired at the corresponding hourly rate effective November 16, 2017:

Name/Address	Rate
Brendan Joseph Gerity 47 Edgecumb Road West Milford, NJ	\$15.30 per hour

Resolution 17-273

Waiver of Building Permit Fees
for Calvary Lutheran Church

Whereas, Calvary Lutheran Church has applied for a building permit to remove and replace the front concrete landing at its property located at 165 W. Crescent Avenue, Block 910 Lot 2 on the Tax Map of the Borough; and

Whereas, Calvary Lutheran Church is a house of worship which by design and construction is intended for conducting organized religious services, and accessory uses customarily associated with educational services, facilities for weddings, funerals, religious ceremonies, parish houses, rectories, convents, and other similar functions directly related to the principal function of the house of worship, places of assembly for self-help and support groups, indoor and outdoor activities particularly related to said use and other similar accessory functions relating to ministry; and

Whereas, due to the use of Calvary Lutheran Church as a house of worship, the Land Use Committee has recommended that the fees for building permits be waived; and

Whereas, the Governing Body has reviewed the recommendation and concurs.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that all local building fees relating to the proposed construction at Calvary Lutheran Church are hereby waived; and

Be It Further Resolved that the State UCC fees shall remain payable and are not waived.

Resolution 17-274

**Approval of Tax Appeal Settlement
Barbara Nowak v. Borough of Allendale**

WHEREAS, the taxpayer, Barbara Nowak, appealed the assessment levied on residential property she owned for the tax years 2016 & 2017; and

WHEREAS, the subject property is located at 20 Fairhaven Drive (Block 104, Lot 15); and

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
November 16, 2017

WHEREAS, the Plaintiff was represented by counsel in this matter; and

WHEREAS, the assessor and appraiser reviewed the documents submitted by Plaintiff and other data pertaining to this property and determined that an adjustment to the assessments for 2016 and 2017 was warranted; and

WHEREAS, the parties have agreed to compromise the appeals on the following terms: The assessment for the 2016 and 2017 tax years shall be reduced from \$1,640,600 to \$1,400,000, with the provisions of the Freeze Act, N.J.S.A. 54:51A-8, applicable to years 2018 and 2019; and

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

WHEREAS, the assessor is of the opinion that the adjusted 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 appeals captioned Barbara Nowak v. Borough of Allendale, bearing Tax Court docket numbers 013367-2016 and 006285-2017, 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 17-275

Allendale Holiday Walk

Whereas, there is a request by the Allendale Chamber of Commerce to hold the Allendale Holiday Walk on Friday, December 1, 2017 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, the Fire Department and the Department of Public Works;

Now, Therefore, Be It Resolved by the Mayor and Council that this request be and is hereby approved.

Resolution 17-276

Authorize Bids for Fire Ladder Truck

Be It Resolved by the Council of the Borough of Allendale that advertisement for bids for a Fire Ladder Truck is hereby authorized and the Municipal Clerk is directed to advertise in accordance with the law.

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 following 2017 Budget Appropriations:

DEPARTMENT	FROM	TO
M&C, S&W	\$4,000	
M&C, Other Expenses		\$4,000
M&C, S&W	\$17,000	
Fire, Other Expenses		\$17,000
Workers Compensation	\$10,000	
Crestwood S&W	\$3,300	
Health Benefits		\$12,100
Disability		\$1,200
Totals	\$34,300	\$34,300

Unfinished Business:

There was no unfinished business.

New Business:

There was no new business.

Mayor's Report

Mayor White thanked the VFW for the wonderful service that they held on Veterans Day at Memorial Park. She advised that Commander Cassidy's speech as well as photos of this service have been placed on the Borough website.

Mayor White attended two ribbon-cutting ceremonies, one for Posche Prism Med Spa and the other for a new jewelry store. She commented that the governing body is happy to see new businesses in town.

She thanked Diane Vander Wende, Administrative Assistant, Michelle Ryan, Deputy Clerk, and Anne Dodd, Municipal Clerk, for their professionalism and hard work on Election Day, noting that they did an outstanding job.

The Allendale Volunteer Ambulance Corps will hold its dinner on Saturday night.

Mayor White reminded the governing body members to RSVP to the Thanksgiving dinner being held at Allendale Housing, Inc. on Tuesday night.

Council Committee Reports and Comments:

Councilman Strauch – Public Works

Councilman Strauch expressed his opinion that the DPW continues to do a fabulous job. They are currently getting ready for the installation of the new compactors. An auction was held and approximately \$6,000 was collected for unused equipment, with a total of almost \$30,000 being collected from the various auctions that have been held thus far. A new mason dump truck was purchased along with a plow that has been installed for use during the winter. The last week of leaf pickup for the west side of town is December 4th through December 8th and the last week for the east side of town is December 11th through December 15th. If a resident misses the last pickup, the Recycling Center will be open until Christmas. The next Public Works Committee meeting is scheduled on November 10th at 9:30 a.m. with the Engineering meeting to follow at 10 a.m.

Councilwoman Homan – Public Safety

Councilwoman Homan thanked all of the volunteer members of CERT, Allendale Volunteer Ambulance Corps, and Allendale Fire Department for their service to the community. She also thanked the members of the Fire Department for their research on the various options for purchasing a fire truck. The Ambulance Corps dinner is scheduled on Saturday and will feature 3 Allendale bands. The Police Department recently completed 16 hours of active shooter training which is one of the many types of mandated training that officers must complete. The next Public Safety meeting is scheduled tomorrow morning at 7:30 a.m.

Councilwoman Homan left the meeting at 8:20 p.m.

Councilwoman Wilczynski – Facilities, Parks & Recreation

Councilwoman Wilczynski reported that the sprinkler system is being winterized. Fall sports came to an end this past weekend. On behalf of the DPW, she thanked all of the coaches, particularly George Mamunes and Tim Cagney, for their help in making the transition smooth. The netting will be taken down at the batting cages in order to avoid damage should there be an early snowstorm. Holiday wreaths will be installed next Monday and Tuesday and the planters will be redone by Borst in order to prepare for the Holiday Walk which is scheduled on December 1st. The pads have been poured for the compactors. The Recycling Newsletter is currently being prepared. The next Facilities, Parks & Recreation meeting is scheduled on November 28th and ASA meeting on November 29th.

Councilwoman Wilczynski thanked everyone for their support in her reelection. She thanked Christina Montanye for her efforts in running and wanting to make Allendale a great place to live. She commented that she is looking forward to working with Ed O'Connell in the future.

Councilman Sasso – Land Use and Construction Code

Councilman Sasso announced that the Land Use and Construction Code Committee met last Friday and discussed the ordinance concerning solid waste containers which was introduced earlier this evening. He noted that the committee remains busy and will meet again on the first Friday in December.

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
November 16, 2017

Councilman Bernstein – Administration, Finance, and Human Resources

On behalf of Councilwoman McSwiggan, Councilman Bernstein reported that the Water, Sewer and Public Utilities Committee met a few weeks ago. The cleaning and relining of the water main located on Colonial, Surrey and Dogwood is moving along nicely and will be completed no later than the middle of next month. Suez has filed a report concerning the Borough's new lead and copper policy as well as the new water sampling plan with the NJDEP and approval is awaited. Two water main breaks occurred this month, one on West Crescent and one on Princeton, and both were repaired in a timely manner. Councilman Bernstein commended Councilwoman McSwiggan for the phenomenal job that she does as Chair of this committee.

The Administration, Finance, and Human Resources Committee met on October 30th. The 2017 budget was reviewed and meeting dates to review the 2018 budget were set. Department Heads will be meeting with their committees to review their respective budget requests. Councilman Bernstein requested that the committees review and vet these requests line by line. The document management program is progressing. A report is awaited from the Borough Code company with recommendations on areas that are in need of updating. This report should be received in January 2018. The committee is working on creating a Box account which will allow documents to be centrally located for access by the governing body and certain members of Borough staff.

Councilwoman Wilczynski advised that she and the Borough Clerk have started to set up this account.

Councilman Bernstein announced that the next budget meeting is scheduled on December 7th and the next Administration, Finance and Human Resources Committee meeting is scheduled on December 19th.

Councilman Sasso thanked the members of the Fire Department who, despite being volunteers, traveled to Texas on their own time to look at the used fire truck discussed earlier this evening.

Staff Reports:

Ray Wiss, Municipal Attorney, advised that he has been working with the Borough Clerk on OPRA requests. He has also been preparing for the Fairness Hearing which is scheduled on November 29th. He has been working with the Affordable Housing Consultant and noted that a conference call will be scheduled with her in the near future.

Anne Dodd, Municipal Clerk, reported that the General Election went smoothly. She advised that it was a busy day with a 42% voter turnout. As the Borough Attorney mentioned, she met with him earlier this evening to review OPRA requests. She reported that 8 requests have been received this week, with 2 being rather extensive. This month, 16 requests have been received to date and 23 were received during the previous month. So far this year, 254 requests have been received, making an average of approximately 24 requests being submitted per month. She commented that, although some requests are fairly routine, others are more extensive and time-consuming. She thanked all of the departments for cooperating with her and working within the legal timeframe to ensure that the deadline is met.

Mayor White remarked that as custodian of records, all OPRA requests are Ms. Dodd's responsibility to handle and she noted that Ms. Dodd is so diligent and conscientious in how she manages these requests. Mayor White advised that she had requested that a report be given this

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
November 16, 2017

evening on the number of requests as a large amount of time is spent by Ms. Dodd, the Borough staff, and Borough Attorney in responding to these requests.

Councilwoman Wilczynski commented that a lot of municipalities are experiencing the same issue as OPRA was a common topic at the NJ League of Municipalities conference. She expressed her hope that legislation will be passed to help address this issue.

Ron Kistner, Administrative Officer/Director of Operations, advised that the PSE&G work is complete, noting that the road was paved curb to curb. With respect to the compactors, he advised that a specialized panel is needed and should be received shortly. In preparation for snow removal, one hundred tons of salt has been ordered and received. The 4th quarter JIF safety meeting was held and a presentation on sexual harassment in the workplace was given for Borough employees. As a result, the Borough has met all of the insurance requirements.

Mayor White thanked Mr. Kistner for the outstanding job that he has done in following up on the JIF requirements which are always a moving target, noting that he has put in a lot of time and effort into doing so.

Public Comment on any issue:

Mark Savastano, 22 Vreeland Place, inquired whether it would be possible to revive the Green Team as he has spoken to a number of people who have expressed an interest.

Councilwoman Wilczynski responded that she would love to put the Green Team back in place, noting that those who would like to join should keep in mind that there is a lot of work involved.

Mr. Savastano questioned whether ordinances are being posted to the website as they are adopted. He was advised that all ordinances can be found on the website. He further inquired whether people can still join the Vision Committee.

Mayor White advised that the committee is currently closed due to the large number of members, but stated that she will advise if a spot becomes available.

Mr. Savastano congratulated Councilwoman Wilczynski on her reelection, commenting that he feels it was a good election as it was about people having a voice and a choice. He expressed his opinion that public participation is positive and he commented that he enjoys attending meetings.

Councilman Bernstein commented that the governing body enjoys the public attending the meetings as input is welcomed. He expressed that, although people may have different approaches, he believes they all have the same goal.

Councilwoman Wilczynski added that Council members are willing to meet with anyone who may have questions or would like their voices to be heard.

Kenneth Morrissey, 10 Bonnie Way, advised that he is working on his Citizenship in the Community merit badge. He is currently a Star Scout and is working towards becoming a Life Scout.

Councilwoman Wilczynski requested that Captain Smith of the Allendale Fire Department provide more information on how the purchase of the fire truck will help the Borough's ISO rating.

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
November 16, 2017

Captain Smith explained that the insurance underwriters assign a number to the Borough based on the equipment, manpower, age of the equipment, how the equipment is tested, the water system, record keeping, etc. The Borough's insurance premiums are based on this rating. He explained that, as per the ISO, fire trucks are to be replaced every 20 years. The Borough is currently between ISO cycles and the current truck will need to be replaced by the next ISO cycle in order to prevent a negative effect on the Borough's ISO rating.

Adjournment:

There being no further business to come before the Mayor and Council, on a motion by Councilman Strauch, second by Councilman Bernstein, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Anne Dodd, RMC
Municipal Clerk