

Regular Session Meeting
Mayor and Council
October 23, 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 October 23, 2014. The meeting was called to order at 8:01 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, McSwiggan, Sasso, White, and Wilczynski, as well as Mayor Barra. Councilman Strauch was absent. Mr. Valenzuela, Mr. Bole, and Mrs. Mattiace were also present.

Approval of Minutes

Councilwoman White made a motion to continue the Work and Regular Session Minutes of Work Session and Regular Meeting on August 28th to the next meeting, on November 13th; seconded by Councilwoman Wilczynski.

On Roll Call: All Council members voted in favor

PUBLIC HEARINGS FOR ADVERTISED ORDINANCES

Resolution 14-296: Ordinance 14-20
Adoption of Amendment to Salary Ordinance
(Technical Assistant to Director of Operations)

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 of Allendale that the 2014 Salary Ordinance is amended and supplemented as follows:

TITLE

Technical Assistant to Director of Operations/Borough Engineer,

	Min	Max
P/T Hourly	\$18.00	\$27.00

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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.

Councilwoman White made a motion for a continuance of the hearing on the Amendment to Salary Ordinance 14-20, Resolution 14-296, to the next meeting on November 13th; seconded by Councilwoman McSwiggan.

On Roll Call: All Council members voted in favor

Resolution 14-297: Ordinance 14-21
Adoption of Amendment to Allendale
Tree Ordinance

ADOPTION OF ORDINANCE 14-21

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 244 OF THE CODE ENTITLED "TREES"

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Section 244 of the Code is hereby amended and supplemented as follows:

SECTION I: Section 244-17, Application for Permit is amended and supplemented to read as follows:

- A. (1)-(4) No Change.
- B. At the time of filing an application, the applicant shall pay a fee of \$20.00 pursuant to Section 120-23.

SECTION II: Severability

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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.

SECTION III: Repealer

All other ordinances of the Borough, and parts thereof, which are in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION IV: Effective Date

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

Public Comments: There were no comments from the public.

Councilwoman Wilczynski made a motion on Ordinance 14-21, Resolution 14-297; seconded by Councilwoman White.

On Roll Call: All Council members voted in favor

Public Comments: There were no comments from the public.

CONSENT AGENDA

Resolution 14-298: 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 the Bill List dated October 23, 2014 is approved.

Resolution 14-299: Authorizing Curfew for Cabbage Night.
Halloween Curfew

WHEREAS, the Police Chief has requested a Halloween Curfew for children under the age of eighteen, for the purpose of maintaining order, beginning at 8:00 p.m. on October 30th extending through sunrise on October 31st, 2014 be put into effect.

WHEREAS, the Governing Body believes that this curfew is in the best interest of the Borough.

NOW, THEREFORE, BE IT RESOLVED that a curfew shall be in place from October 30th through October 31st, 2014.

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Resolution 14-300: Approval of Raffle License#404 for
Northern Highlands Home & School Association

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 #404 as follows:

Northern Highlands Home and School Association
December 5, 2014
Off Premises Draw Raffle for Merchandise
Northern Highlands Regional High School

Proceeds will be used for the support of educational programs and activities.

Prizes include Samsung 55" UCD curved television, Bose Sound Bar, Bose headphones, Weber Baby Q with stand (plus 4 Giants tickets) Vitamix Pro Blender 750 Series, and a Go-Pro Camera with accessories.

Resolution 14-301: Approval of County Board Judgment for reduction
of 2014 Tax Levy for McAuliffe, Mark & Mary

COUNTY BOARD ADJUSTMENTS

BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is authorized to reduce the 2014 tax levy due to a County Board Judgment as follows:

801/26	McAuliffe, Mark & Mary	\$ 1,417.89
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Resolution 14-302: Approval of State Tax Board Judgments
STATE TAX BOARD JUDGMENT

BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue a check to the following due to State Tax Board Judgments for the tax years 2012 & 2013:

Block/Lot	Name	Amount
2013		
601/4.05 C0004	Wells, Jaworski & Liebman, LLP Attorney Trust Account 12 Route 17 North PO Box 1827 Paramus, NJ 07653-1827 Allendale Properties	\$7,071.00
2012		

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601/4.05
C0004

Wells, Jaworski & Liebman, LLP \$3,466.50
Attorney Trust Account
12 Route 17 North
PO Box 1827
Paramus, NJ 07653-1827

Resolution 14-303: Appointment of Full-Time School Guards
Appointment of School Guards

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 individuals are hereby appointed as school guards:

Name	Hire Date	Hourly Rate	Regular or Relief
Rachel Kaplan	October 23, 2014	\$18.00/hour	Regular
Sarah Kaplan	October 23, 2014	\$18.00/hour	Regular

Resolution 14-304: Approval of inter-local service agreement for
sanitary sewer cleaning with NWBCUA

**APPROVAL OF INTERLOCAL SERVICE AGREEMENT WITH THE
NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY FOR SANITARY
SEWER CLEANING.**

WHEREAS, the Borough of Allendale seeks to enter into an inter-local service agreement with the Northwest Bergen County Utilities Authority whereby provide sanitary sewer jetting services on an as-needed basis to the Municipality for 2013 and 2014; the Municipality will pay to the NWBCUA price of forty-six cents (\$0.46) per foot in 2013 and forty-seven cents (\$0.47) per foot in the year 2014; and

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 authorizes the Mayor and Municipal Clerk to sign an Inter-local service agreement offered through the North West Bergen County Utilities Authority (NBCUA) for sanitary sewer jetting services effective October 23, 2014 until December 31, 2014.

Resolution 14-305: Authorization for Director of Operations
to prepare bid specifications for Water Service Repairs

BE IT RESOLVED, by the Governing Body that the Director of Operations is hereby authorized to prepare bid specifications for Water Service Repairs.

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Resolution 14-306: Approval of Bergen County Trust Fund Application.

A RESOLUTION - AUTHORIZING THE SUBMISSION FOR BERGEN COUNTY OPENSOURCE GRANT FUNDS

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (County Trust Fund), provides matching grants to municipal governments and nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and

WHEREAS, the Borough of Allendale desires to further the public interest by obtaining a matching grant of \$78,000.00 from the County Trust Fund to fund the following project: Rehabilitation of the Crestwood Park Tennis Court (Phase 1); and,

WHEREAS, the governing body reviewed the County Trust Fund program statement, the Trust Fund Municipal Program Park Improvement Application and instructions, and desires to make an application for a matching grant and provide application information, and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body will receive public comments on the proposed park improvements in the application on November 13, 2014; and

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes is willing to enter into an agreement with the County of Bergen for the above names project, and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale:

THAT it is hereby authorized to submit the above completed project application to the County by the deadline of October 31, 2014, as established by the County; and,

THAT, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Mayor and Council has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,

THAT the Mayor and Council is committed to providing a dollar for dollar cash match for the project.

Resolution 14-306: Approval of Bergen County Trust Fund Application

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THAT only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.

THAT the Mayor and Council agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,

THAT this resolution shall take effect immediately.

Resolution 14-307: Approval of Change order #1 for
2013 NJDOT Municipal Aid Program

CHANGE ORDER NUMBER ONE FOR THE NJDOT 2013 MUNICIPAL AID PROGRAM ON WEST ALLENDALE AVENUE (SEE SECTION 4), IVERS ROAD (SEE SECTION 2)—D&L PAVING CONTRACTORS, INCORPORATED.

WHEREAS, the Borough Engineer has requested that certain changes are needed in the NJDOT 2013 Municipal Aid Program Contract, and

WHEREAS, a net increase of \$3,342.10 will result from the actual quantities of work measured and performed; and

WHEREAS, that Change Order Number One resulting in an increase of \$3,342.10 is approved for the NJDOT Municipal Aid Program. The original contracted amount of \$146,299.87 has been increased by \$3,342.10, resulting in a new contract amount of \$149,641.97. A 2.3% 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 One for \$3,342.10 is approved for performance by D & L Contractors, Incorporated, 681 Franklin Avenue, Nutley, NJ 07110.

Resolution 14-308: Approval of payment #1 for 2013
NJDOT Municipal Aid Program

APPROVAL OF PAYMENT NUMBER 1 FOR THE NJDOT 2013 MUNICIPAL AID PROGRAM ON WEST ALLENDALE AVENUE (SEE SECTION 4) AND IVERS ROAD (SEE SECTION 2)—D&L PAVING CONTRACTORS, INCORPORATED.

WHEREAS, the Borough Engineer has recommended that approval of Payment No. 1 for work measured and performed in conjunction with the NJDOT 2013 Municipal Aid Program contract; and

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WHEREAS, the Borough Engineer inspected and accepted work completed through October 16, 2014 and recommends Payment No. 1 of \$132,421.98 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. 1 of \$132,421.98 be approved for payment to D & L Contractors, Inc., 681 Franklin Avenue, Nutley, NJ 07110.

Resolution 14-309: Resolution to amend resignation date
James Birmingham from 10/1/14 to 10/17/14

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 James Birmingham from the position of School Guard that he currently holds for the Borough of Allendale to be effective on October 17, 2014.

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

On Roll Call: All Council members voted in favor

Unfinished Business: There was no unfinished business.

New Business: There was no new business.

Committee Reports and Comments:

- Councilwoman McSwiggan: The Water Committee reviewed capital projects and ongoing maintenance projects for the upcoming year.
- Councilman Bernstein: Public Safety met October 13th. Officer Michael Dillon is spearheading work on tightening up the Borough's Solicitor's/Canvassing Ordinance.

There are parking issues at Crestwood Lake during sporting events. Public Safety is looking into this with the help of John Yakimik, who is reviewing Ordinances in order to address this problem.

- Councilwoman White: The Administration Finance and Human Resources meeting had to be canceled and will rescheduled.
- Councilwoman Wilczynski: Facilities, Parks and Recreation is working on getting a gas line at the concession stand at Crestwood Lake following a propane issue there. The Committee is also working on a grant for ADA compliance for

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the restrooms at the Red Barn. The money for the purchase of a wheelchair would also be included in the grant.

- Councilman Sasso: The Public Works Committee is meeting this Tuesday, October 28th at 7:30 a.m. The Committee visited the new recycling company, where the staff was very informative. We have a verbal agreement with them now, but we will be entering into a short term agreement which, could lead to a long term agreement. The Committee is cautiously optimistic that the residents will have an improved recycling experience.

Councilwoman White: This recycling company has the capability of disposing of construction material. They also have recycling educational programs.

Staff Reports:

- Mr. Bole – Nothing to report.
- Mr. Valenzuela – The library will sponsor a Halloween Parade at the Borough Hall on Friday, October 31st at 11:00 a.m.

The voting machines have been delivered.

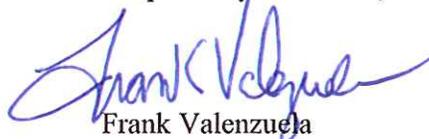
The Borough Hall will be open until 6:30 p.m. for residents on Monday, November 10th.

Tuesday, October 28th is the last day a mail in ballot application can be received by the County Clerk for issuance of a mail in ballot. Residents can go to the Bergen County Administration Building until the day before the election to vote by absentee ballot.

Public Comments: There were no comments from the public.

On a motion by Councilwoman White, seconded by Councilwoman McSwiggan, the Council voted unanimously to adjourn at 8:45 p.m.

Respectfully submitted,



Frank Valenzuela
Acting Municipal Clerk