

Borough of Allendale  
Mayor and Council  
Regular Session  
April 23, 2015

A Regular meeting of the Borough Council was held in the Municipal Building on April 23, 2015. The meeting was called to order at 8:00 p.m. by Mayor White. Mrs. VanderWende announced that the requirements of the Open Public Meetings Act were met by the required postings and notice to publications. In addition, this evening's meeting is being recorded.

Mrs. White led those present in the Pledge of Allegiance.

The following members answered roll call: Bernstein, McSwiggan, Wilczynski and Mayor White. Mr. Strauch was in attendance by phone. Mrs. Homan and Mr. Sasso were absent. Mrs. VanderWende and Mr. Wiss were also present.

*Approval of Minutes*

Mrs. McSwiggan moved, seconded by Mrs. Wilczynski, to approve the Regular meeting minutes of January 22, 2015. On roll call, Mr. Strauch abstained, all other Council members voted in favor.

*Public Comments*

Mayor White opened the meeting to the public for comments on any agenda items. There were none.

*Resolutions*

**Municipal Budget to be Read by Title Only**

Resolution 15-145 – Introduced by Mr. Bernstein, seconded by Mrs. Wilczynski

**Whereas**, the Budget, as advertised, shall be read in full, or it may be read by title, if the following conditions have been met:

1. At least one week prior to the hearing date, copies of the approved Budget shall be distributed to the Municipal and County libraries.
2. At least one week prior to the date of the hearing, a complete copy of the approved Budget shall be made available to each person requesting the same, and
3. The Governing Body shall, by resolution passed by not less than a majority of the full membership, determine that the Budget shall be read by title only.

**Now, Therefore, Be It Resolved**, that having met those conditions, the 2015 Municipal Budget may be read by title only.

On roll call, all Council members voted in favor.

*Public Hearing on 2015 Municipal Budget*

Mrs. White opened the meeting to the public for comments on the 2015 Municipal Budget. There were none.

**Resolution to Adopt the 2015 Municipal Budget**

Resolution 15-146 - Introduced by Mr. Bernstein, seconded by Mrs. Wilczynski

**Be It Resolved** by the Governing Body of the Borough of Allendale, County of Bergen, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$12,794,296.18 for municipal purposes.

On roll call, all Council members voted in favor.

*Introduction of Ordinances*

**Ordinance 15-12  
Improper Disposal of Hazardous Materials**

Resolution 15-148 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

**Be It Resolved** that Ordinance 15-12, an Ordinance to establish Chapter 142 of the Code of the Borough of Allendale, entitled “Improper Disposal of Hazardous Materials” is introduced, and does now pass on first reading, and that said ordinance will be further considered for final passage at a meeting to be held on the 14<sup>th</sup> day of May, 2015 at 8:00 p.m. or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place, when and where, said ordinance will be further considered for final passage.

On roll call, all Council members voted in favor.

(See Ordinance 15-12, attached and made a part hereof.)

**Ordinance 15-13  
Improper Disposal of Waste**

Resolution 15-149 – Introduced by Mrs. McSwiggan, seconded by Mr. Bernstein

**Be It Resolved** that Ordinance 15-13, an Ordinance to establish Chapter 144 of the Code of the Borough of Allendale, entitled “Improper Disposal of Waste” is introduced, and does now pass on first reading, and that said ordinance will be further considered for final passage at a meeting to be held on the 14<sup>th</sup> day of May, 2015 at 8:00 p.m. or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized

and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place, when and where, said ordinance will be further considered for final passage.

On roll call, all Council members voted in favor.

(See Ordinance 15-13, attached and made a part hereof.)

**Ordinance 15-14**  
**Raffle and Bingo Licenses**

Resolution 15-150 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

**Be It Resolved** that Ordinance 15-14, an Ordinance to establish Chapter 90 of the Code of the Borough of Allendale, entitled “Raffle and Bingo Licenses” is introduced, and does now pass on first reading, and that said ordinance will be further considered for final passage at a meeting to be held on the 14<sup>th</sup> day of May, 2015 at 8:00 p.m. or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place, when and where, said ordinance will be further considered for final passage.

On roll call, all Council members voted in favor.

(See Ordinance 15-14, attached and made a part hereof.)

*Proclamation*

**Whereas**, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

**Whereas**, this holiday called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

**Whereas**, Arbor Day is now observed throughout the nation and the world, and

**Whereas**, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

**Whereas**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

**Whereas**, trees in our communities increase property values, enhance the economic vitality of business area, and beautify our community, and

**Whereas**, trees, wherever they are planted, are a source of joy and spiritual renewal.

**Now, Therefore, Be It Resolved**, that I, Elizabeth White, Mayor of the Borough of Allendale, do hereby proclaim that April 24<sup>th</sup> be celebrated as Arbor Day by the planting of a tree in Allendale, and

**Be It Further Resolved** that I urge all citizens to plant trees to gladden hearts and promote the well being of present and future generations.

*Consent Agenda*

Resolution 15-151 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

**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 April 23, 2015

On roll call, all Council members voted in favor.

Resolution 15-152 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

**Whereas**, the Borough of Ramsey acting as the lead agency through the Northwest Bergen Cooperative Pricing Program, advertised for bids for the resurfacing of certain streets within the Boroughs of Allendale, Glen Rock, Ho-Ho-Kus, Midland Park, Ramsey, Saddle River, Waldwick and Wyckoff; and

**Whereas**, a total of six (6) bids were accepted on April 2, 2015 and were reviewed by the appropriate recommending authorities; and

**Whereas**, D&L Paving Contractors, Inc. of 681 Franklin Avenue, Nutley, New Jersey 07110 is the lowest responsible, responsive bidder;

**Whereas**, the Borough of Allendale's share of the resurfacing is Three Hundred Ten Thousand, One Hundred Thirteen Dollars and Fifty-One Cents (\$310,113.51); and,

**Whereas**, the Chief Financial Officer has attached a Certification that adequate funds have been duly budgeted and appropriated to pay for the contract,

**Now, Therefore, be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the contract for resurfacing of designated streets in the Borough of Allendale is hereby awarded to D&L Paving Contractors, Inc. for the amount of Three Hundred Ten Thousand, One Hundred Thirteen Dollars and Fifty-One Cents (\$310,113.51); and,

**Be It Further Resolved** that the Mayor and Municipal Clerk are authorized to sign an agreement with D&L Paving Contractors, Inc., following legal review.

On roll call, all Council members voted in favor.

Resolution 15-153 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that is hereby approved Raffle License Application No. RA:414 as follows:

Applicant: Church of the Guardian Angel  
Address: 320 Franklin Turnpike, Allendale, New Jersey 07401  
Date of Raffle: June 2<sup>nd</sup> through June 6<sup>th</sup>, 2015  
Type: On Premises Non-Draw Raffle  
Place: 320 Franklin Turnpike, Allendale, New Jersey 07401  
Proceeds: Church Fundraiser for Operating Expenses

On roll call, all Council members voted in favor.

Resolution 15-154 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that is hereby approved Raffle License Application No. RA:415 as follows:

Applicant: Church of the Guardian Angel  
Address: 320 Franklin Turnpike, Allendale, New Jersey 07401  
Date of Raffle: June 6, 2015  
Type: On Premises 50/50 Raffle  
Place: 320 Franklin Turnpike, Allendale, New Jersey 07401  
Proceeds: Church Fundraiser for Operating Expenses

On roll call, all Council members voted in favor.

Resolution 15-155 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

**Whereas**, the Borough and the 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 Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the Borough Attorney is authorized and directed to defend the Borough and the Custodian's interests in such matter.

On roll call, all Council members voted in favor.

Resolution 15-156 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

**Now, Therefore, Be It Resolved** by the Borough of Allendale:

1. The Bergen County Multi-Jurisdictional Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on April 13, 2015 by the Bergen County Office of Emergency Management is hereby adopted as an official plan of the Borough of Allendale; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Borough of Allendale departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.

3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough of Allendale, and this resolution shall not be interpreted so as to mandate any such appropriation.
4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Bergen County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

**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 Bergen County Multi-Jurisdictional hazard Mitigation Plan.

On roll call, all Council members voted in favor.

Resolution 15-157 – Introduced by Mrs. McSwiggan, seconded by Mrs. Wilczynski

**Be It Resolved** that the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey do hereby accept the resignation of Dominick P. Preziosi from the position of Public Defender for the Borough of Allendale effective April 30, 2015.

On roll call, all Council members voted in favor.

#### *Committee Reports*

##### Water and Sewer

Mrs. McSwiggan said the Water and Sewer Committee continues to develop plans for the Ramsey tank renovation and other capital projects in town. They have a meeting on the third Wednesday of every month.

##### Administration, Finance and Human Resources

Mr. Bernstein said his Committee will meet again next Tuesday at 4:30 p.m.

##### Land Use

Mr. Strauch announced that the next meeting of the Land Use Committee will be on Monday, May 4<sup>th</sup>. It is the hope of his Committee that they will have additional Ordinances ready for introduction at the next meeting of the Council in May.

Mayor White thanked Mr. Strauch for attending the meeting by phone this evening.

##### Facilities, Parks and Recreation

Mrs. Wilczynski she met with the Shade Tree Commissioner today. In the past few years most of the Shade Tree budget has been spent in making trees safe and taking trees down. The Shade Tree Commissioner has recommended the planting of some interesting new species of trees in town.

Mrs. Wilczynski noted that everything is moving along on schedule for a Memorial Day opening at Crestwood Lake.

Mrs. Wilczynski complimented the Fire Chief on the excellent reenactment of a mock car crash at Northern Highlands. She said she hadn't known exactly what to expect but the reenactment was powerful for both the adults and the students in attendance.

Mayor White added her thanks to the Fire Chief for the time, effort and considerable resources he personally put into the presentation. She said it was an outstanding event that involved not only representatives from Allendale's Fire Department but from Upper Saddle River and Ho-Ho-Kus as well.

Chief Smith thanked the Mayor and Council for their ongoing support.

#### Municipal Attorney

Mr. Wiss has been working with the Mayor and the CFO on issues involving the Government Records Council which was the subject of a resolution this evening. He has worked with the Mayor on Allendale's ongoing COAH compliance issues and has been in discussions with the Personnel Committee on personnel matters. Mr. Wiss has also worked with the Borough Clerk with regard to OPRA requests that have been received. Additional ordinances are in the process of being prepared for introduction. Various Auditor response letters have been prepared on behalf of the Borough and the Library and they will be sent to Mr. Ferraioli in tomorrow's mail. He has worked with the Mayor on deed restriction issues and with the Construction Code Official on use issues. Lastly, he has been working with the Mayor and Planning Board Attorney on various Zoning Board matters.

#### Municipal Clerk

Mrs. VanderWende did not have a report.

Mayor White thanked Mrs. VanderWende for offering her assistance to the Mayor and Council this evening with very short notice.

#### CFO

Mrs. Mayer thanked Mr. Ferraioli and the ladies in her office for their assistance while she was away.

On a motion by Mrs. McSwiggan, seconded by Mr. Bernstein, the Council voted unanimously to adjourn at 8:30 p.m.

Respectfully submitted,

Diane VanderWende  
Deputy Municipal Clerk