

September 26, 2013

A Regular meeting of the Borough Council was held in the Municipal Building on September 26, 2013. The meeting was called to order at 8:35 p.m. by Mr. Barra who announced that the requirements of the Open Public Meetings Act were met by the required posting and notice of publications.

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

The following Council members answered roll call: Mr. Bernstein, Mrs. McSwiggan, Mr. Strauch, Mrs. White, Mrs. Wilczynski and Mayor Barra. Ms. LaMonica was absent. Also present were Mrs. McCarthy and Mr. Bole.

Approval of Minutes

Mr. Strauch moved, seconded by Mrs. White to approve the Work and Regular Session minutes of September 12, 2013. On roll call, Mrs. McSwiggan, Mr. Bernstein, Mr. Strauch, Mrs. White and Mrs. Wilczynski voted in favor.

Consent Agenda

Resolution 13-371 – Introduced by Mrs. McSwiggan, seconded by Mr. Strauch

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 September 26, 2013.

On roll call, all Council members voted in favor.

Resolution 13-372 - Introduced by Mrs. McSwiggan, seconded by Mr. Strauch

Whereas, Sunesys LLC was approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunication services throughout the State of New Jersey by Order of Approval and Docket No. TE0040261 on May 9, 2001; and

Whereas, the Borough of Allendale and Sunesys have previously entered into a Right of Way Use Agreement dated as of December 19, 2012 (“the Agreement”); and

Whereas, Sunesys has filed a new, additional application with the Borough for permission to install its fiber optic cabling on poles owned by Verizon and/or Rockland Electric or in underground conduit already installed in the public right of way; and

Whereas, the Governing Body has reviewed the application and finds just cause;

Now, Therefore, Be It Resolved by the Governing Body of the Borough of Allendale that it does hereby grant permission to Sunesys for the purpose of owning, constructing, installing, operating, repairing and maintaining the telecommunications system pursuant to its new

application and the terms of the Agreement currently on file with the office of the Municipal Clerk and incorporated herein;

Be It Further Resolved that the Mayor and Municipal Clerk are authorized to execute any documents which may be necessary to implement the terms of this permission subject to review of the Municipal Attorney;

Be It Further Resolved that the installation contemplated herein shall, if necessary, be performed under the supervision of the Borough Engineer.

Resolution 13-373 - Introduced by Mrs. McSwiggan, seconded by Mr. Strauch

Whereas, Chapter 199 of the Borough Code of Allendale, Property Maintenance, provides that if a property is not being maintained to the standards of the Property Maintenance Code, the Property Maintenance Officer may secure compliance; and

Whereas, in the event that any person or entity refuses or neglects to abate, remove or resolve any violation after notice thereof, the Governing Body, by Resolution, may abate a nuisance as defined therein, correct a defect or put the premises in proper condition so as to comply with the requirements of the Code at the cost of the owner or lessor and may expend municipal funds for such purpose and charge the same against the premises; and

Whereas, the Property Maintenance Officer has deemed that certain work was required to be performed since the person or entity, after proper notice thereof, neglected to abate, remove or resolve the violation; and

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale that the following work performed at 200 West Crescent Avenue, Allendale, New Jersey and expenditures incurred are authorized, ratified and confirmed:

<u>Amount</u>	<u>Date</u>	<u>Work Description</u>
\$203.04	8/27/2013	As per attached invoice

Be It Further Resolved that the total expenditure of \$203.04 shall be certified by the Chief Financial Officer and filed with the Tax Collector and shall be charged to and become a lien against the premises, collectible as provided by law; and

Be It Further Resolved that a true copy of this Resolution shall be sent by certified mail, return receipt requested to the owner of said premises,

Resolution 13-374 - Introduced by Mrs. McSwiggan, seconded by Mr. Strauch

Whereas, Chapter 199 of the Borough Code of Allendale, Property Maintenance, provides that if a property is not being maintained to the standards of the Property Maintenance Code, the Property Maintenance Officer may secure compliance; and

Whereas, in the event that any person or entity refuses or neglects to abate, remove or resolve any violation after notice thereof, the Governing Body, by Resolution, may abate a nuisance as defined therein, correct a defect or put the premises in proper condition so as to comply with the requirements of the Code at the cost of the owner or lessor and may expend municipal funds for such purpose and charge the same against the premises; and

Whereas, the Property Maintenance Officer has deemed that certain work was required to be performed since the person or entity, after proper notice thereof, neglected to abate, remove or resolve the violation; and

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale that the following work performed at 200 West Crescent Avenue, Allendale, New Jersey and expenditures incurred are authorized, ratified and confirmed:

<u>Amount</u>	<u>Date</u>	<u>Work Description</u>
\$203.04	8/27/2013	As per attached invoice

Be It Further Resolved that the total expenditure of \$203.04 shall be certified by the Chief Financial Officer and filed with the Tax Collector and shall be charged to and become a lien against the premises, collectible as provided by law; and

Be It Further Resolved that a true copy of this Resolution shall be sent by certified mail, return receipt requested to the owner of said premises,

Resolution 13-375 - Introduced by Mrs. McSwiggan, seconded by Mr. Strauch

Tax Liens for Abandoned Properties

Whereas, Chapter 199 of the Borough Code of Allendale, Property Maintenance, provides that if a property is not being maintained to the standards of the property maintenance code, the Property Maintenance Officer may secure compliance, and

Whereas, in the event that any person or entity refuses or neglects to abate, remove or resolve any violation after notice thereof, the Governing Body, by Resolution may abate a nuisance as defined therein, to correct the defect or put the premises in proper condition so as to comply with the requirements of the code at the cost of the owner or lessor and may expend municipal funds for such purpose and charge the same against the premises; and

Whereas, there are certain abandoned, properties (200 West Crescent Avenue; 84 East Crescent Avenue and 65 New Street, Allendale) which continue to have property maintenance violations and which after due notice, have not been remedied; and

Whereas, for purposes of this Resolution abandoned properties are deemed to mean and include those properties which are vacant and unoccupied for thirty (30) consecutive days or more and which, after due notice, have failed to remedy any property maintenance violations; and

Whereas, it is in the interest of public health, safety, and welfare that the Property Maintenance Officer be given authority to correct any property maintenance violation(s) which may continue to exist on the aforesaid properties; and

Now, Therefore, Be It Resolved, by the Governing Body of the Borough of Allendale that the Property Maintenance Officer is hereby authorized, following due notice to the aforesaid property owners to take whatever measures are deemed necessary and appropriate to correct any property maintenance violations on the aforesaid properties; and

Be It Further Resolved, that the expenditures incurred to remedy such property maintenance violations shall be submitted by the Property Maintenance Officer to the Chief Financial Officer who shall certify same and file same with the Tax Collector and which shall be charged to and become a lien against the properties, collectible as provided by law; and

Be It Further Resolved, that a true copy of this Resolution shall be sent by Certified Mail, Return Receipt Requested to the owner of each of the aforesaid properties; and

Be It Further Resolved that this Resolution shall take effect immediately upon passage and shall remain in effect until further order of the Governing Body.

Resolution 13-376 - Introduced by Mrs. McSwiggan, seconded by Mr. Strauch

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 appoints the following individual as a part-time hourly employee not to exceed twenty-five hours a week.

Name	Department	Effective Date	Rate of Pay
Julie Scutaro	Building Dept.	September 24, 2013	\$17/hour

Committee Reports

Water and Sewer

Mrs. McSwiggan stated that their next meeting is on Wednesday, October 2nd.

Public Safety

Mr. Bernstein announced that they postponed the meeting of the Public Safety Committee that was scheduled for this week, and he asked the Mayor to go over his schedule with him to reschedule the next meeting.

Land Use and Construction Code

Mr. Strauch next meeting is Thursday October 24th to start at 8:00 a.m.

Public Works

Mrs. White stated that the next meeting will be 8:30 tomorrow morning. She also announced that JIF is now offering an online class for the Bloodborne Pathogen training.

Facilities, Parks and Recreation

Mrs. Wilczynski stated that the next meeting is Wednesday October 9th.

Municipal Attorney

Mr. Bole did not have a report.

Municipal Clerk

Mrs. McCarthy stated that the High School Bond referendum was approved this week and the next election to elect a State Senator from New Jersey will be Wednesday, October 16th.

Director of Operations

Mr. Yakimik did not have a report.

Public Comments

Mr. Barra opened the meeting to the public for comments on any topic.

There were none.

On a motion by Mrs. White, seconded by Mr. Strauch, the Council voted unanimously to adjourn at 8:40 p.m.

Respectfully submitted,

Gwen McCarthy
Municipal Clerk