

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 08/25/2016**

**RESOLUTION# 16-223**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>	✓		✓			
<b>Homan</b>						✓
<b>McSwiggan</b>			✓			
<b>Sasso</b>						✓
<b>Strauch</b>						✓
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

**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 August 25, 2016 in the amounts of:

Current Fund	\$1,926,016.30
General Capital	\$172.00
COAH/Housing Trust	\$125.00
Water Operating	\$52,104.41
Water Capital	\$0.00
Trust Fund	\$3,129.00
Payroll	\$174,125.76
Improvement & Beautification	\$500.00
Animal Fund	\$0.00
Unemployment Fund	\$0.00
<b>Total</b>	<b>\$2,156,172.47</b>

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 25, 2016.

Anne Dodd, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 08/25/2016**

**RESOLUTION# 16-224**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>	✓		✓			
<b>Homan</b>						✓
<b>McSwiggan</b>			✓			
<b>Sasso</b>						✓
<b>Strauch</b>						✓
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

**Authorize Purchase of Compactor & Receiving Container**

**Whereas**, the Borough of Allendale wishes to purchase a new 4 cubic yard stationary compactor and receiving container; and

**Whereas**, quotations and pricing were sought by the Borough's Director of Operations; 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 a contract for the purchase of a PTR Baler & Compactor Model TP-4000 Four Cubic Yard, Stationary Compactor and Model TP-40 Forty Cubic Yard, Octagonal, Roll-Off, Compactor Receiver Container be awarded to BE Equipment, Inc., 1775 Wentz Road, P.O. Box 139, Quackertown, Pennsylvania 18951 in the amount of \$22,750.00.

**Be It Further Resolved** that the solicitation of quotes record be kept on file with the award of contract in the Municipal Clerk's office and that the Mayor is authorized to execute said contract or proposal with BE Equipment, Inc.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 25, 2016.

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Anne Dodd, RMC  
Municipal Clerk

### Certification of Availability of Funds

This is to certify to the Borough of Allendale that funds for the following resolution will be available in the 2016 Budget.

Resolution Date: 8/25/2016

Resolution Number: 16-224

Vendor: BE Equipment, Inc.  
1775 Wentz Road  
PO Box 139  
Quakertown, PA 18951

Contract: Compactor & Receiving Container

Account Number: T-14-55-920-017

Amount: \$22,750

  
Chief Financial Officer

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

DATE: 08/25/2016

RESOLUTION# 16-225

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>	✓		✓			
<b>Homan</b>						✓
<b>McSwiggan</b>			✓			
<b>Sasso</b>						✓
<b>Strauch</b>						✓
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

Waive Building Permit Fees

**Whereas**, the VFW is undertaking a project to build a ramp for a resident residing at 146 W. Orchard Street;

**Whereas**, said resident is a veteran who lost his leg; and

**Whereas**, the VFW has requested that the building permit fees be waived as this project is being completed by volunteers with donated material.

**Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the municipal building permit fees for the project being completed at 146 W. Orchard Street are hereby waived.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 25, 2016.



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Anne Dodd, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

DATE: 08/25/2016

RESOLUTION# 16-226

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>	✓		✓			
<b>Homan</b>						✓
<b>McSwiggan</b>			✓			
<b>Sasso</b>						✓
<b>Strauch</b>						✓
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

Allendale Festival Day and Car Show

**Whereas**, there is a request by the Allendale Chamber of Commerce to hold the Allendale Festival Day and Car Show on Saturday, October 1, 2016 from 7:00 a.m. to 6:00 p.m.; and

**Whereas**, West Allendale Avenue will be closed for this event from the town clock to DeMercurio Drive; and

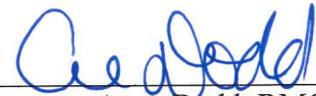
**Whereas**, the event will also take place in the NJ Transit parking area; and

**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.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 25, 2016.



Anne Dodd, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 08/25/2016**

**RESOLUTION# 16-227**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>	✓		✓			
<b>Homan</b>						✓
<b>McSwiggan</b>			✓			
<b>Sasso</b>						✓
<b>Strauch</b>						✓
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

2016 Crestwood Lake Salary Resolution – Supplement Six

**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 hires the following individuals at the corresponding rates of pay for the Crestwood Lake Swim Club 2016 Season as follows:

Mark Cinotti	Sub Lifeguard	\$8.50 per hour
Caity Eufer	Sub Lifeguard	\$8.50 per hour
Zaina Jouejati	Sub Lifeguard	\$8.50 per hour
Arista Meneve	Sub Lifeguard	\$8.50 per hour

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 25, 2016.

Anne Dodd, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

DATE: 08/25/2016

RESOLUTION# 16-228

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>	✓		✓			
<b>Homan</b>						✓
<b>McSwiggan</b>			✓			
<b>Sasso</b>						✓
<b>Strauch</b>						✓
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

Appointment of Z+ Architects, LLC

**Whereas**, the Borough of Allendale has a need to retain an architect to provide architectural services for the Conceptual Master Plan for the properties located at 220 West Crescent Avenue Block 1005, Lot 20 and 230 West Crescent Avenue Block 1005, Lot 3; and

**Whereas**, it is not anticipated that the scope and cost of services will exceed Seventeen Thousand Five Hundred (\$17,500.00) Dollars; and

**Whereas**, Z + Architects of Allendale, New Jersey, has submitted a proposal dated August 15, 2016; and

**Whereas**, the Chief Financial Officer has attached hereto a certification that adequate funds have been or will be duly budgeted and appropriated to pay for the contract;

**Now, Therefore, Be It Resolved** by the Governing Body of the Borough of Allendale that Michael Scro of Z+ Architects of Allendale, New Jersey is hereby appointed as an Architectural Services Consultant; and

**Be It Further Resolved** that the fee for such services shall be in accordance with the proposal attached hereto; and

**Be It Further Resolved** that the services set forth herein shall not exceed the sum of \$6,700.00 unless further approved by resolution of the Governing Body, excluding reimbursable expenses, which shall be billed in addition to the base fee in accordance with the proposal aforesaid; and

**Be It Further Resolved** that the Mayor and Municipal Clerk are authorized to execute a contract or a proposal with Z+ Architects, LLC for the services to be rendered; and

**Be It Further Resolved** that the foregoing appointment is made without competitive bidding as a professional service, which is exempt from such requirements pursuant to law which do not involve "Pay to Play" requirements since the amount is under Seventeen Thousand Five Hundred (\$17,500.00) Dollars; and

**Be It Further Resolved** that a copy of this Resolution be filed with the Municipal Clerk and be made available for inspection.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 25, 2016.

  
 Anne Dodd, RMC  
 Municipal Clerk

**Certification of Availability of Funds**

This is to certify to the Borough of Allendale that funds for the following resolution will be available in the 2016 Budget.

Resolution Date: 8/25/2016

Resolution Number: 16-228

Vendor: Z+ Architects, LLC  
634 Franklin Turnpike  
Allendale, NJ 07401

Contract: Conceptual Master Plan  
220 & 230 West Crescent Avenue

Account Number: 6-01-21-180-063

Amount: \$6,700

  
Chief Financial Officer



Initial\_\_\_\_\_

August 15, 2016

Borough of Allendale  
Mayor Liz White  
100 E Crescent Ave  
Allendale, NJ 07401

**RE: Architectural Services – Conceptual Master Plan  
220-230 Crescent Ave, Allendale, NJ**

Dear Mayor White:

It is a pleasure to continue our collaboration on projects that continue to strive to make Allendale a better town. We offer you this proposal for architectural services for the Conceptual Master Plan for the 220-230 Crescent Avenue properties. We take special pride in working on such meaningful, rewarding projects. We look forward to helping you forward your mission to not only create affordable housing as prescribed by the State, but also a new complex with a new Borough Hall, Senior Center, Senior Housing and variety of fields and courts, among other additional uses yet to be defined.

### 1. Project Description

- a. The scope of this project is Schematic Design services for a Conceptual Master Plan, which looks to both repurpose and reinvigorate the existing structures, as well as propose additions and/or new structures to maximize the use of the properties.
- b. The Building/Spaces required will include:
  - i. Low to Moderate income housing, across a variety of populations (injured veterans, seniors, Special Needs, etc)...
  - ii. New Borough Hall offices, meeting rooms, support/common spaces and accommodations for the various departments (Building Department, Tax, , Planning and Zoning, General Office).
  - iii. Senior Center and Senior Housing.
  - iv. Lacrosse fields, basketball (indoor and outdoor/covered) courts, turf fields and other sport-centered uses.
  - v. File storage for the Borough, as well as potentially for other neighboring communities.
  - vi. ADA, Barrier free access to all buildings from the site, as well as ADA bathrooms.
  - vii. Mechanical spaces, storage, etc as required.

## 2. Project Phases

### a. Schematic Design Phase

- i. Develop conceptual plan alternatives and review with project team. Plans will not include full layouts for each apartment, for instance, but rather, will depict extents, locations and overall adjacencies for the variety of uses that the buildings will aim to include.
- ii. Refine design to meet design standards particular to the needs of the occupants.
- iii. Layout parking and conceptual traffic/circulation patterns.
- iv. Incorporate feedback from the project team and revise plans as required.
- v. Obtain client sign-off on schematic design.

### b. Design Development/Approvals Phase

- i. Finalize all schematic plans and incorporate into the 3D model so that square footages, dimensions, etc can be understood.
- ii. Present concept to Board(s) and secure approvals.
- iii. Submit drawings to client for review, revisions & approval.

### c. Construction Documentation and Construction Observation (Future, TBD)

## 3. Compensation

- a. The Client shall pay to the Architect as total compensation for its services the amounts set forth herein after each phase or as percentage complete on a 30 day cycle:

	<i>Total</i>
Schematic Design	<b>\$4900</b>
Design Development/Town Approvals	<b>\$1800</b>
Construction Documentation	TBD
Construction Observation	TBD
<b>Total</b>	<b><u>\$6700</u></b>

### b. Hourly Rates

Principal/Partner	\$175.00
Project Architect	\$145.00
Project Manager	\$125.00
Designer/Draftsperson	\$ 90.00
Administrative	\$ 70.00

### c. Reimbursable Expenses

Client shall reimburse Architect for the costs and expenses in connection with its services under this proposal. Reimbursement shall be at One Hundred (100%) Percent of Architects direct costs with a Fifteen (15%) Percent mark-up, including but not limited to the following:

- i. Plotting documents, reproduction and printing of drawings and/or specifications.
  - ii. Expense of additional insurance coverage or limits, including professional liability insurance requested by the client.
  - iii. Faxes, postage, express mail, messenger services, etc...
  - iv. Three dimensional physical models.
- d. Payments are due upon receipt of invoice.

#### 4. Clarifications

- a. This proposal is an agreement between Z+ Architects of 240 W. Crescent Ave, Allendale, NJ (Architect) and, Mayor Liz White, C/O of the Borough of Allendale, 100 E Crescent Ave, Allendale, NJ (Client). This agreement is valid when agreed to and executed within 45 days of August 15, 2016.
- b. Z+ Architects is not liable for damages caused by delays in performance of the services, which, may arise from events beyond its reasonable control.
- c. Z+ Architects' liability for this project is limited to the total cost of the project as outlined in this proposal.
- d. Payment of invoices is due prior to receipt of signed and sealed plans or final deliverables.
- e. The retainer will be held until the completion of Architectural Services for this project. The retainer will be applied to the final invoice.
- f. Should the owner elect to not execute the project for any reason, all work completed to date of that decision remains in full effect and will be duly compensated.
- g. Although unlikely, any dispute between owner and architect will utilize mediation as sole legal recourse in lieu of any other.
- h. Z+ Architects is not responsible for the accuracy of any information provided by others for review and incorporation into the final report.
- i. All late payments beyond 30 days will be subject to interest charge at the legal rate as set forth by NJ law.
- j. Additional services will be billed on an hourly basis at our rates stated in this proposal. Any major changes to the Scope of Work as requested by the Owner or due to unforeseen conditions on site will constitute an additional service. Once a design is approved at the Schematic Design level, any requested changes to the design will be executed, on an additional time and materials basis.

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*Signed: Mayor Liz White, C/O Borough of Allendale*

*Date*



Initial \_\_\_\_\_

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*Signed: Michael Scro, Principal, Z+ Architects LLC*

*Date*

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<b>Bernstein</b>	✓		✓			
<b>Homan</b>						✓
<b>McSwiggan</b>			✓			
<b>Sasso</b>						✓
<b>Strauch</b>						✓
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

**State Board Judgment**

BE IT RESOLVED, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue the following overpayment check due to a State Board Judgments for the tax year 2015:

<b>Block/Lot</b>	<b>Name</b>	<b>Amount</b>
<b><u>2015</u></b>		
1304/17	Spiotti & Esposito, P.C.- Attorney Trust Account 271 U.S. Highway 46 Suite F105-106 Fairfield, NJ 07004-2471	\$6,667.65

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 25, 2016.

  
 \_\_\_\_\_  
 Anne Dodd, RMC  
 Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 08/25/2016**

**RESOLUTION# 16-230**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>	✓		✓			
<b>Homan</b>						✓
<b>McSwiggan</b>			✓			
<b>Sasso</b>						✓
<b>Strauch</b>						✓
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

**REFUNDS PER LEASE AGREEMENTS**

BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that the Chief Financial Officer is hereby authorized to issue the following checks in connection with the Lease Agreements pertaining to Intersection Improvements of Hillside and West Crescent Avenue as follows:

Block 1604 Lot 17 Merchant, John and Teresa	\$539.30
Block 1001 Lot 1 Thompson, James H. and Frances	\$520.52

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 25, 2016.

  
 Anne Dodd, RMC  
 Municipal Clerk

**RESOLUTION  
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BERGEN COUNTY, NJ**

**DATE: 08/25/2016**

**RESOLUTION# 16-231**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>	✓		✓			
<b>Homan</b>						✓
<b>McSwiggan</b>			✓			
<b>Sasso</b>						✓
<b>Strauch</b>						✓
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

**OVERPAYMENT**

BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue the following check on the property listed below and charge same to Overpayment of 2016 Taxes:

<b>Block/ Lot</b>	<b>Name</b>	<b>Property Location</b>	<b>Amount</b>
301/44	Kensington Vanguard Attn: C. Rodriguez-Escrow 39 W 37 <sup>th</sup> Street, 3 <sup>rd</sup> floor New York, NY 10018	84 Farley Place	\$4,992.79

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 25, 2016.



Anne Dodd, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 08/25/2016**

**RESOLUTION# 16-232**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>	✓		✓			
<b>Homan</b>						✓
<b>McSwiggan</b>			✓			
<b>Sasso</b>						✓
<b>Strauch</b>						✓
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

Approval of Amendment to Agreement Between the Borough of Allendale and Local No. 11, Affiliated with International Brotherhood of Teamsters

**WHEREAS**, the Borough of Allendale (“Allendale”) and the Local No. 11, Affiliated with International Brotherhood of Teamsters (“Teamsters”) have previously entered into a Collective Bargaining Agreement for the period of January 1, 2016 through December 31, 2019 (“CBA”); and

**WHEREAS**, Allendale and the Teamsters have agreed to amend in its entirety Article XXI(D) regarding uniforms and safety equipment to provide as follows:

The Borough agrees to provide a uniform allowance of \$700.00 for uniforms and \$200.00 for safety boots for all full time employees annually less applicable taxes. This allowance will be paid in 2016 by September 15<sup>th</sup>, and the allowance of \$900 will be paid by June 1<sup>st</sup> of 2017, 2018, 2019. The Borough will purchase uniforms for part time employees including one pair of safety boots. All uniforms will then be cleaned, maintained and kept in satisfactory condition by each individual DPW employee. Uniforms and boots must be purchased at a Borough approved vendor. Any purchases made by the Borough prior to this amendment being formalized will be absorbed by the Borough. If an employee is terminated or resigns for any reason over the course of the year, this allowance will be prorated and deducted for any salary due the employee. Additionally, if a new employee is hired after Jan 1<sup>st</sup>, the amount of the annual allowance due that employee shall be reduced accordingly.

It will be the Director of Operations’ decision whether or not an employee’s clothing appearance requires improvement.

Allendale and the Teamsters have also agreed to amend in its entirety the **Schedule “A”** referenced in Article X regarding Salary and Wages to correctly reflect the agreed upon annual salaries.

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**RESOLUTION# 16-232**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Allendale that the foregoing amendment be and hereby is **APPROVED**:

**BE IT FURTHER RESOLVED**, that the Mayor, the Borough Administrator and the Borough Attorney are authorized to take all appropriate actions so as to implement this Resolution, including but not limited to the preparation and execution of a written amendment to the CBA memorializing such amendment.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 25, 2016.



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Anne Dodd, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
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**RESOLUTION# 16-233**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>	✓		✓			
<b>Homan</b>						✓
<b>McSwiggan</b>			✓			
<b>Sasso</b>						✓
<b>Strauch</b>						✓
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

**WHEREAS**, the Borough of Allendale (the “Borough”) has previously established an affordable housing trust fund (the “trust fund”) as a dedicated source for affordable housing pursuant to the Mt. Laurel series of court decisions and the Council on Affordable Housing (“COAH”); and

**WHEREAS**, on October 5, 2009, COAH approved the Borough’s third round spending plan; and

**WHEREAS**, on April 15, 2010, the Borough adopted an amendment to its COAH-approved third round spending plan which amended spending plan was approved by COAH on October 6, 2010; and

**WHEREAS**, at this time, the trust fund has a current balance of approximately \$425,000 and the Borough desires to expend an estimated \$50,000 of such balance toward fulfilling its affordable housing obligations as set forth in the amended/updated spending plan dated on or about August 18, 2016 prepared by the Borough’s consultants, Clarke Caton Hintz (the “second amended spending plan”); and

**WHEREAS**, COAH’s rules at *N.J.A.C. 5:97-8.11* “Consideration for Mechanisms not in the Adopted Fair Share Plan” anticipate municipalities funding such emergent affordable housing opportunities and, although COAH's third round rules were invalidated, these rules provide the best guidance for municipalities desiring to continue to address their fair share obligations. Thus, these rules are as follows:

- (a) A municipality may request authorization for expenditure of affordable housing trust funds on emergent affordable housing mechanisms not included in the municipal Fair Share Plan, in the form of an amendment to the spending plan.
- (b) In addition to the requirements for approval of a spending plan or amendment to an approved spending plan set forth at *N.J.A.C. 5:96-5*, the resolution submitted by the municipality shall include a certification that the affordable housing opportunity addresses the Council’s [COAH’s] criteria set forth in *N.J.A.C. 5:97-6*, and the municipality shall submit information regarding the proposed mechanism in a format to be provided by the Council.
- (c) The municipality shall submit an amendment to its Fair Share Plan to include the mechanism at the earlier of two years after the Council’s [COAH’s] approval of the spending plan amendment or the next planned amendment to the Fair Share Plan resulting from plan evaluation pursuant to *N.J.A.C. 5:96-10*.

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**RESOLUTION# 16-233**

(d) The municipality shall submit monitoring pursuant to *N.J.A.C. 5:96-11* relating to the affordable units created using affordable housing trust funds; and

**WHEREAS**, the governing body hereby adopts the second amended spending plan; and

**WHEREAS**, the Borough, in this resolution, desires to request the approval of the Superior Court of New Jersey of the second amended spending plan prior to spending of funds pursuant to the amended spending plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Allendale, County of Bergen, that the Borough hereby requests that the Superior Court of New Jersey, Bergen County, review and approve the second amending spending plan; and

**BE IT FURTHER RESOLVED** that the Borough's proposed emergent affordable housing opportunity for a group home for developmentally disabled adults addresses COAH's criteria set forth in *N.J.A.C. 5:93-5.3* and *5.8*. See attached Second Amended Spending Plan, dated August 18, 2016; and

**BE IT FURTHER RESOLVED** that the Borough of Allendale shall submit an amendment to its Fair Share Plan to include the new affordable housing opportunity outlined in the second amended spending plan and accompanying certification at the earlier of two years after the Court's approval of the second amended spending plan or the next planned amendment to the Fair Share Plan; and

**BE IT FURTHER RESOLVED** that the Borough of Allendale shall submit monitoring reports relating to the use of trust funds to create affordable housing units through the mechanism described in the second amended spending plan and accompanying certification; and

**BE IT FURTHER RESOLVED**, that the Mayor, Borough Clerk and Borough Attorney be and hereby are directed to take all necessary and desirable actions to submit and present the second amended spending plan, which has hereby been approved by the Borough, to the Superior Court of New Jersey, Bergen County, for the review and approval of said Court.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 25, 2016.



Anne Dodd, RMC  
Municipal Clerk

#16-233



## ALLEDALE BOROUGH | SPENDING PLAN

Clarke Caton Hintz

### Introduction

Allendale Borough's third round Housing Element and Fair Share Plan was certified by the Council on Affordable Housing ("COAH") on October 14, 2009 in accordance with N.J.S.A. 40:55D-28b(3), the Fair Housing Act and the regulations of COAH. Although the Borough awaits the Court's determination of its regional fair share of the affordable housing need, the Borough prepared a court-required affordable housing plan summary on December 10, 2015 (resubmitted on January 27, 2016) and received temporary immunity from the Honorable Menelaos W. Toskos on March 24, 2016. On July 12, 2016, immunity was further extended to September 30, 2016.

The Borough's third round spending plan was approved by COAH in 2009 and a spending plan amendment was approved by COAH in 2010. A development fee ordinance creating a dedicated revenue source for affordable housing was adopted on December 9, 1992 and amended and approved by COAH in December of 2008. The ordinance establishes Allendale Borough's affordable housing trust fund for which this spending plan is prepared, and sets development fees at 1.5% and 2.5% of equalized assessed property value, for residential development and non-residential development, respectively.

As of June 2016, Allendale Borough has collected a total of \$3,625,581.87 in development fees, payments in lieu of construction, interest, and other income. It has spent a total of \$3,201,148.21, leaving a balance of \$424,433.66. All development fees, payments in lieu of constructing affordable units on site, "other" income, and interest generated by the fees are deposited in separate interest-bearing affordable housing trust fund accounts in Bank of America and New Jersey Community Bank for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:93-8.16, as described in the sections that follow.

This updated spending plan is submitted to the Superior Court of New Jersey for approval to expend \$50,000 of Affordable Housing Trust Fund monies on the already constructed Eastern Christian Children's Retreat ("Eastern Christian") group home, which is the subject of an agreement with Allendale Borough to contribute \$50,000 in



exchange for 30-year affordability controls, to help satisfy Allendale's yet-to-be determined third round fair share obligation.

### Revenues for Certification Period

To calculate a projection of revenue anticipated during the period of third round Judgement of Repose ("JoR"), Allendale Borough considered the following:

- (a) Development fees:
  - 1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
  - 2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
  - 3. Future development that is likely to occur based on historical rates of development.

- (b) Payment in lieu (PIL): \$0  
Actual and committed payments in lieu (PIL) of construction from developers. The Borough received \$2,542,486 from Garden Homes (aka The Whitney), Allendale Glen Estates, and other developments. No additional revenues from PILs are expected over the JoR period.

- (c) Other funding sources: \$0  
Allendale Borough has previously collected funds from other sources, but does not anticipate future funds from this category at this time. Funds from other sources, include, but are not limited to the sale of units with extinguished controls, repayment of affordable housing program loans, rental income, and proceeds from the sale of affordable units. All monies in the Affordable



Housing Trust fund are anticipated to come from development fees and interest.

(d) Projected interest:

Based on the current average interest rate, interest earned in recent years, and projected rates of development fee revenue, Allendale Borough anticipates collecting \$3,550 in interest through 2025.



**ALLENDALE BOROUGH | SPENDING PLAN**

Clarke Caton Hintz

**Source of Funds – Housing Trust Fund 2016 through 2025**

Year Source of Funds	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2016-2025 Total
Projected Residential Development	\$55k	\$55k	\$40k	\$30k	\$35k	\$35k	\$55k	\$50k	\$40k	\$60k	\$455k	
Projected Non-Residential Development	0	0	0	\$5k	0	0	0	\$5k	0	0	\$10k	
Interest	\$400	\$400	\$400	\$350	\$200	\$200	\$400	\$400	\$300	\$500	\$3,55k	
<b>Total</b>	<b>\$55.4k</b>	<b>\$55.4k</b>	<b>\$40.4k</b>	<b>\$35.35k</b>	<b>\$35.2k</b>	<b>\$35.2k</b>	<b>\$55.4k</b>	<b>\$55.4k</b>	<b>\$40.3k</b>	<b>\$60.5k</b>	<b>\$468.55k</b>	

\$424,434 STARTING BALANCE (June 2016)



Allendale Borough projects a total of \$468,550 in revenue to be collected between 2016 and 2025, from residential and non-residential development fees and accrued interest. Development fees are projected based on historic development fee receipts, expected development patterns, and recently approved residential subdivisions. Nearly all development fees received over the life of the trust fund have come from residential developments and additions. The Borough expects future fee generating development to come in the form of additions and tear downs. One project, Couch Court, is a three-unit subdivision that is valued at approximately \$900,000 per unit. The developer has paid the first half of the development fee upon issuance of a building permit, and is expected to pay the second half at the issuance of a certificate of occupancy in late 2016 or early 2017. Although the Borough is not aware of any non-residential subdivision, and although no non-residential development fees have been received for over a decade, the spending plan assumes that at least one non-residential improvement might occur which would generate development fees.

Calculations also consider development fees still owed by property owners and developers who have not yet obtained certificates of occupancy, which is estimated at approximately \$63,000. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing.

### **Administrative Mechanism to Collect and Distribute Funds**

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by Allendale Borough:

(a) Collection of development fee revenues:

All collection of development fee revenues will be consistent with local regulations which follow COAH administrative models for both residential and non-residential developments and in accordance with N.J.S.A. 40:55D-8.1 through 8.7.

(b) Distribution of development fee revenues:

The Planning Board adopts and forwards a resolution to the governing body recommending the expenditure of development fee revenues as set forth in this spending plan. The governing body reviews the request for consistency with the spending plan and adopts the recommendation by resolution.



ALLEDALE BOROUGH | SPENDING PLAN

The release of funds requires the adoption of the governing body resolution. Once a request is approved by resolution, the Chief Financial Officer releases the requested revenue from the trust fund for the specific use approved in the governing body's resolution.

**Description of Anticipated Use of Affordable Housing Funds**

- (a) **Affordability Assistance (N.J.A.C. 5:93-8.16(c))**  
 Allendale Borough is required to spend a minimum of 30 percent of development fee revenue to render existing affordable units more affordable and at least one-third of that amount must be dedicated to very low-income households or to create very-low income units (i.e. households earning less than 30 percent of the regional median income). The actual affordability assistance minimums are calculated on an ongoing basis in COAH's on-line monitoring system known as the CTM system based on actual revenues.

**Projected minimum affordability assistance requirement**

Actual development fees since 7/17/2008		\$423,420
Actual interest earned since 7/17/2008	+	\$13,289
Development fees projected 2015-2025	+	\$465,000
Interest projected 2015-2025	+	\$3,550
<b>Total</b>	=	<b>\$905,259</b>
30 percent requirement	x 0.30 =	\$271,578
Less Affordability assistance expenditures to date	-	\$321,578
<b>PROJECTED MINIMUM Affordability Assistance Requirement</b>	=	<b>\$0</b>
<b>PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement</b>	÷ 3 =	<b>\$0</b>



Based on fees and interest collected since July 17, 2008, and projected revenues, Allendale Borough must dedicate at least \$271,578 from the affordable housing trust fund to render units more affordable, including \$90,526 to render units more affordable to households earning 30 percent or less of median income by region. It may use a variety of vehicles to do this, including but not limited to the following:

- Down-payment assistance;
- Rental assistance;
- Security deposit assistance;
- Low interest loans;
- Assistance with homeowners association or condominium fees and special assessments; and/or
- Converting low-income units to very-low-income units or creating new very-low income units, etc.

The Borough has expended more than the minimum required affordability assistance amount through the creation of very-low income units, including the eight very-low income units at Crescent Commons and five very-low income units from the Eastern Christian Children's Retreat site, described below. As such, it has no affordability assistance requirement for the period of the JoR.

**Eastern Christian: \$50,000**

Eastern Christian Children's Retreat ("Eastern Christian") and Allendale entered into a development agreement which requires the Borough to contribute \$50,000 to Eastern Christian upon Court approval of the spending plan, agreement, or the full third round housing element and fair share plan. In exchange, Eastern Christian will guarantee that the five units in the group home will remain affordable for a period of 30 years or longer. The group home has been constructed and received a certificate of occupancy on April 26, 2016.



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(b) Administrative Expenses (N.J.A.C. 5:93-8.16(e))

Allendale Borough may use affordable housing trust fund revenue for related administrative costs up to a 20 percent limitation pending funding availability after programmatic and affordability assistance expenditures. The actual administrative expense maximum is calculated on an ongoing basis in the CTM system based on actual revenues.

Projected Administrative Expenses

Development fees/interest collected to date		\$780,799
Payment-in-lieu of construction through July 17, 2008		\$1,842,486
Development fees projected 2016-2025		\$465,000
Interest projected 2016-2025	+	\$3,550
<b>Total</b>	=	<b>\$3,091,835</b>
20 percent maximum permitted administrative expenses	x 0.20 =	\$618,367
Less administrative expenditures through 12/31/15	-	\$366,747
<b>Projected allowed administrative expenditures</b>	=	<b>\$251,619</b>

Allendale Borough projects that \$251,619 may be available from the affordable housing trust fund to be used for administrative purposes. It does not expect to spend nearly that much. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

- Borough Attorney, Engineer, and Planner fees related to plan preparation and implementation, and to obtaining Judgment of Compliance and Repeal;
- Rehabilitation program administration fees, if required.

Expenditure Schedule

Allendale Borough intends to use affordable housing trust fund revenues for the creation of very-low income units. Where applicable, the funding schedule below will parallel the implementation schedule to be set forth in the Housing Element and Fair Share Plan and is summarized as follows.



Projected Expenditure Schedule 2016 Through 2025

Program	Units/ Bedrooms	2016- 2017	2018- 2019	2020- 2021	2022- 2023	2024- 2025	Total
Affordability Assistance							
<i>Eastern Christian Group Home</i>	5	\$50k	\$0	\$0	\$0	\$0	\$50k
Administration		\$80k	\$20k	\$10k	\$10k	\$50k	\$170k
<b>TOTAL</b>		<b>\$130k</b>	<b>\$20k</b>	<b>\$10k</b>	<b>\$10k</b>	<b>\$50k</b>	<b>\$220k</b>

**Excess or Shortfall of Funds**

The Borough has sufficient funds for the \$50,000 group home contribution. No shortfall of funds is anticipated.

**Summary**

The Borough of Allendale intends to spend affordable housing trust fund revenues pursuant to the extant regulations governing such funds and consistent with the housing program outlined in the August 18, 2016 certification to address COAH's rules at N.J.A.C. 5:97-8.11 "Consideration for Mechanisms not in the Adopted Fair Share Plan". Allendale had a balance of \$424,434 as of June 2016 and anticipates an additional \$468,550 in revenues before the expiration of a Third Round Judgement of Repose for a total of \$892,484. The Borough has exceeded its affordability assistance expenditure requirement through previous and planned future spending toward the creation of very-low income units (including five units at the Eastern Christian group home). The Borough may also expend up to \$251,619 of trust funds on administrative costs during the period of repose, but it anticipates spending no more than \$170,000 for administrative functions. At this time, the Borough desires to spend \$50,000 of trust fund money to create very-low income units through the placement of affordability controls on the Eastern Christian group home.



ALLENDALE BOROUGH | SPENDING PLAN

Clarke Caton Hintz

Spending Plan Summary

Revenues	
Balance as of June, 2016	\$424,434
Projected Revenue from 2016 through 2025	\$468,550
1. Development fees	+ \$465,000
2. Payments in lieu of construction	+ \$0
3. Other funds	+ \$0
Interest	+ \$3,550
<b>Total Projected Revenue</b>	<b>= \$892,984</b>
Expenditures	
Funds used for Rehabilitation	- \$0
Affordability Assistance	- \$50,000
New Construction	- \$0
Administration	- \$170,000
<b>Total Projected Expenditures</b>	<b>= \$220,000</b>
<b>POTENTIAL SURPLUS</b>	<b>= \$672,984</b>

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**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 08/25/2016**

**RESOLUTION# 16-234**

Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>	✓		✓			
<b>Homan</b>						✓
<b>McSwiggan</b>			✓			
<b>Sasso</b>						✓
<b>Strauch</b>						✓
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

**SALARY RESOLUTION**

**Be It Resolved** that the following are the salaries for Borough employees for the year 2016. All salaries are retroactive to January 1, 2016.

Jean Manus, Board of Health/Registrar/Tax Assessor Clerk	\$47,096
Alice Palmer, Bookkeeper	\$59,693
Nancy Donnelly, Tax/Finance Clerk	\$52,038
Diana Bradley, Administrative Secretary, Police	\$35,700
Michael, Schell, Radio Police Dispatcher, Full-time	\$34,000
Anthony Iacovo, Radio Police Dispatcher, Full-time	\$35,106
Shafeq Zariff, Radio Police Dispatcher, Full-time	\$34,000
Ryan Berger, Radio Police Dispatcher, Full-time	\$34,000
Melissa Daly, Technical Assistant to Borough Engineer, P/T Hourly	\$26.01
Stephanie Geisler, Building Department Technical Assistant, P/T Hourly	\$25.00
Diane Vander Wende, Administrative Assistant, P/T Hourly	\$19.38
Tyler Yaccarino, Clerk Typist, P/T Hourly	\$15.00
Tatiana Marquis, DPW Clerk, P/T Hourly	\$19.38

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 25, 2016.

Anne Dodd, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 08/25/2016**

**RESOLUTION# 16-235**

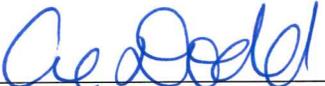
Council	Motion	Second	Yes	No	Abstain	Absent
<b>Bernstein</b>	✓		✓			
<b>Homan</b>						✓
<b>McSwiggan</b>			✓			
<b>Sasso</b>						✓
<b>Strauch</b>						✓
<b>Wilczynski</b>		✓	✓			
<b>Mayor White</b>	---	---				

Approval of Retroactive Pay

**Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that retroactive pay be and is hereby approved for Patricia Mullen in the total amount of \$328.71.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on August 25, 2016.

  
\_\_\_\_\_  
Anne Dodd, RMC  
Municipal Clerk