

December 12, 2013

Borough of Allendale

Resolution 13-408

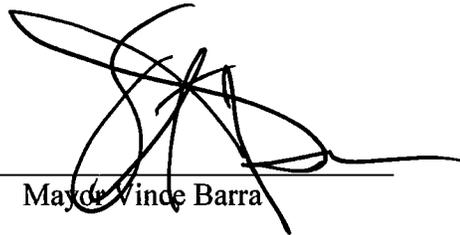
Adoption of Ordinance 13-17  
Amend Chapter 67 of the Code of the Borough of Allendale  
Salary Ordinance

**Be It Resolved** that an Ordinance entitled 13-17 "An Ordinance to Amend Chapter 67 of the Code of the Borough of Allendale Entitled 'Salaries and Compensation' " be passed upon second and final reading and that the Borough Clerk be and she is hereby authorized and directed to advertise the same according to law.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein					✓	
LaMonica	✓		✓			
McSwiggan			✓			
Strauch					✓	
White			✓			
Wilczynski		✓	✓			
Barra						

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on Dec. 12, 2013

Gwen McCarthy  
Gwen McCarthy, R.M.C.  
Municipal Clerk

  
\_\_\_\_\_  
Mayor Vince Barra

**BOROUGH OF ALLENDALE**

**ORDINANCE 13-17**

**AN ORDINANCE TO AMEND CHAPTER 67 OF THE CODE "SALARIES AND  
COMPENSATION"**

**BE IT ORDAINED** by the Governing Body of the Borough of Allendale, County of Bergen and State of New Jersey as follows:

Ordinance 13-14 adopted July 25, 2013 is hereby amended as follows:

<b><u>POSITION</u></b>	<b><u>MINIMUM</u></b>	<b><u>MAXIMUM</u></b>
Building Department Technical Assistant	\$16.00/hr	\$22.00/hr

**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All other ordinance of the Borough, or parts thereof, which are in conflict with this ordinance are hereby repealed to the extent of such conflict.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 provided, however, that this ordinance is intended to be retroactive to September 24, 2013.

Borough of Allendale

December 12, 2013

Resolution 13-409

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 December 12, 2013.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein					✓	
LaMonica		✓	✓			
McSwiggan			✓			
Strauch					✓	
White	✓		✓			
Wilczynski			✓			
Barra						

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\_\_\_\_\_  
Mayor Vince Barra

Gwen McCarthy  
Gwen McCarthy, RMC  
Municipal Clerk

Borough of Allendale

December 12, 2013

Resolution 13-410

Approval of Tax Appeal  
Nash-Ross v. Allendale

**Whereas**, the tax payers, Wayne Nash and Kathy Ross appealed the assessment levied on Block 1702, Lot 28 for the years 2012 and 2013; and

**Whereas**, the subject property is located at 50 Dale Avenue; and

**Whereas**, the Plaintiffs were represented by counsel in this matter and also retained an expert appraiser who provided a report; and

**Whereas**, the Borough's expert appraiser inspected the property and also issued a report; and

**Whereas**, the appraiser and the assessor have agreed to compromise the appeal on the following terms: a reduction in the 2012 and 2013 assessment on the property from \$1,276,600 to \$1,150,000; and

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

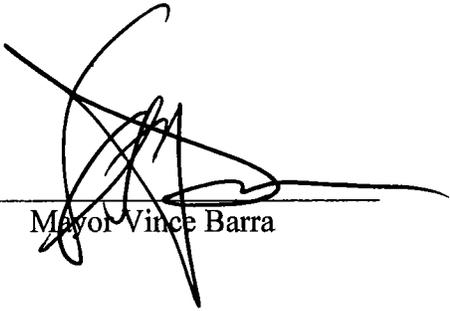
**Whereas**, the assessor is of the opinion that the valuation of the subject property is consistent with true value of the property.

**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 appeal encaptioned Nash-Ross v. Borough of Allendale 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.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein					✓	
LaMonica		✓	✓			
McSwiggan			✓			
Strauch					✓	
White	✓		✓			
Wilczynski			✓			
Barra						

I hereby certify the above to  
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adopted by the Governing Body  
of the Borough of Allendale on  
DEC.12, 2013



Mayor Vince Barra

Gwen McCarthy  
Gwen McCarthy, RMC  
Municipal Clerk

December 13, 2013

Borough of Allendale

Resolution 13-411

Approval of Tax Appeal  
Bygrave v. Allendale

**WHEREAS**, the tax payers, Martin and Susan Bygrave appealed the assessment levied on Block 2204, Lot 4 for the years 2012 and 2013; and

**WHEREAS**, the subject property is located at 323 Park Avenue; and

**WHEREAS**, the Plaintiffs were represented by counsel in this matter and also retained an expert appraiser who provided a report; and

**WHEREAS**, the Borough's expert appraiser inspected the property and also issued a preliminary report; and

**WHEREAS**, the appraiser and the assessor have agreed to compromise the appeal on the following terms: Plaintiff will withdraw the 2012 appeal and the 2013 assessment on the property will be reduced \$577,800 to \$552,800; and

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

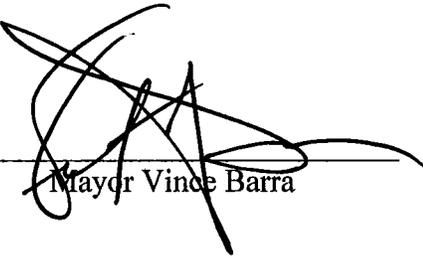
**WHEREAS**, the assessor is of the opinion that the valuation of the subject property is consistent with true value of the property.

**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 appeal encaptioned Bygrave v. Borough of Allendale 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.

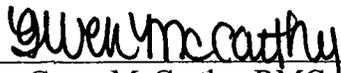
	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein					✓	
LaMonica		✓	✓			
McSwiggan			✓			
Strauch					✓	
White	✓		✓			
Wilczynski			✓			
Barra						

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Dec. 12, 2013



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Mayor Vince Barra



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Gwen McCarthy, RMC

Borough of Allendale

December 12, 2013

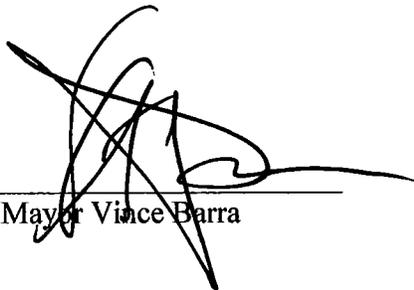
Resolution 13-412

Donation of Two Luau Tickets  
To Allendale Foundation for Educational Excellence

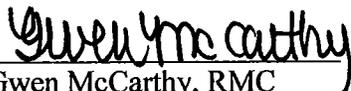
Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves the donation of two Luau tickets to the Allendale Foundation for Educational Excellence.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein					✓	
LaMonica		✓	✓			
McSwiggan			✓			
Strauch					✓	
White	✓		✓			
Wilczynski			✓			
Barra						

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\_\_\_\_\_  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

Borough of Allendale

December 12, 2013

Resolution 13-413

Amend Resolution 13-408

Whereas, The Governing Body adopted Resolution 13-408 on November 25, 2013 involving the appointment of Municipal Clerk/Administrative Officer ("the resolution"); and

Whereas, it is necessary to amend, in part, the resolution;

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale that the last paragraph of the resolution is deleted and the following is substituted in lieu thereof:

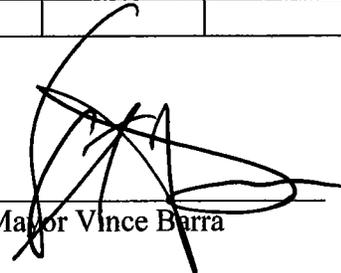
Be It Further Resolved that Andrew Casais will commence his position as Municipal Clerk on January 1, 2014, however, his employment with the Borough will officially commence on December 2, 2013 and he will be paid based upon his 2014 annual salary of \$62,000.00 pro rata from December 2, 2013 until December 31, 2013; and

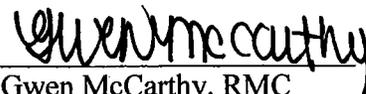
Be It Further Resolved that this resolution is intended to be retroactive to December 2, 2013; and

Be It Further Resolved that all other provisions of the resolution not amended herein remain in full force and effect."

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein					✓	
LaMonica		✓	✓			
McSwiggan			✓			
Strauch					✓	
White	✓		✓			
Wilczynski			✓			
Barra						

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\_\_\_\_\_  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

Borough of Allendale

December 12, 2013

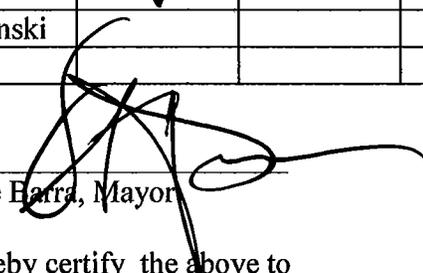
Resolution 13-414

County Board Judgments

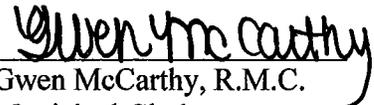
**Be It Resolved**, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to reduce the 2013 tax levy and issue the following overpayment checks due to County Board Judgments for the Tax Year 2013:

Block/Lot	Name	Property Location	Amount
410/4	Cusack, Joseph & Bernadette	419 Canterbury Dr	\$968.73
701/31	Natale, John & D'Arcy	51 Heather Ct	\$601.04
1102/11	Chewcaskie, Brian & Ellen	115 Fox Dr	\$1,326.99
1901/8	Cellary, Christopher & Patricia	125 E Orchard St	\$2,616.27
<b>TOTAL</b>			<b>\$5,513.03</b>

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein					✓	
LaMonica		✓	✓			
McSwiggan			✓			
Strauch					✓	
White	✓		✓			
Wilczynski			✓			
Barra						

  
 \_\_\_\_\_  
 Vince Barra, Mayor

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 \_\_\_\_\_  
 Gwen McCarthy, R.M.C.  
 Municipal Clerk

December 12, 2013

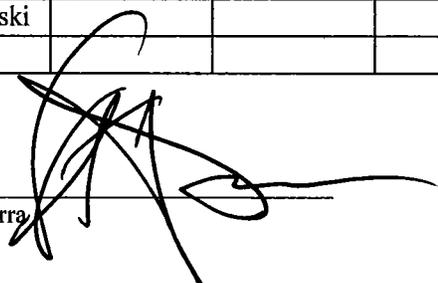
Borough of Allendale

Resolution 13-415

Authorization for Mayor to Sign  
Interlocal Court Agreement

Now, Therefore, Be It Resolved that 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 Interlocal Court Agreement with the Borough of Ho-Ho-Kus.

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein					✓	
LaMonica		✓	✓			
McSwiggan			✓			
Strauch					✓	
White	✓		✓			
Wilczynski			✓			
Barra						

  
\_\_\_\_\_  
Vince Barra  
Mayor

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Dec. 12, 2013

  
\_\_\_\_\_  
Gwen McCarthy, RMC  
Municipal Clerk

December 12, 2013

Borough of Allendale

Resolution 13-416

Cancelation of Current  
Operating Fund Appropriations

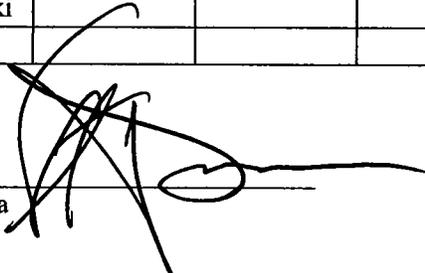
**Whereas**, the following Current Operating Fund budget appropriation balance remains unexpended:

Northwest Bergen Sewer Authority Sewer Charges \$199,608

**Whereas**, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Surplus;

**Now, Therefore, Be It Resolved** by the Council of the Borough of Allendale, that the above listed balances of the Current Operating Fund are hereby canceled.

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein					✓	
LaMonica		✓	✓			
McSwiggan			✓			
Strauch					✓	
White	✓		✓			
Wilczynski			✓			
Barra						

  
Vince Barra  
Mayor

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Gwen McCarthy, RMC  
Municipal Clerk

Borough of Allendale

December 12, 2013

Resolution 13-417

Property Maintenance Tax Lien  
84 East Crescent Avenue

**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 84 East Crescent Avenue, Allendale, New Jersey and expenditures incurred are authorized, ratified and confirmed:

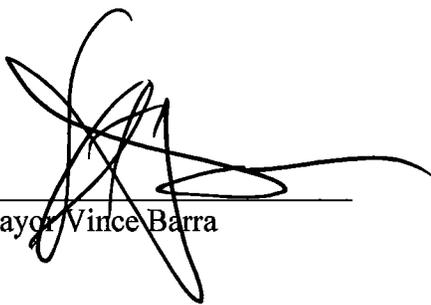
<u>Amount</u>	<u>Date</u>	<u>Work Description</u>
\$315.92	10/04/13	As per attached invoice

**Be It Further Resolved** that the total expenditure of \$315.92 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,

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein					✓	
LaMonica		✓	✓			
McSwiggan			✓			
Strauch					✓	
White	✓		✓			
Wilczynski			✓			
Barra						

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of the Borough of Allendale on  
Dec. 12, 2013



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Mayor Vince Barra

Gwen McCarthy  
Gwen McCarthy, R.M.C. J  
Municipal Clerk

Borough of Allendale

December 12, 2013

Resolution 13-418

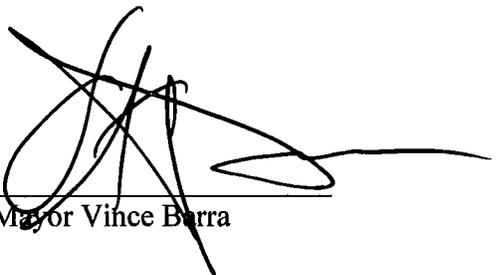
Approval of Raffle License #393

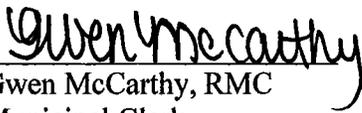
Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves Raffle License #393 as follows:

Ho-Ho-Kus Volunteer Fire Department  
May 3, 2014  
Off Premises Draw Raffle for Merchandise  
Guardian Angel Church  
Proceeds will be used for Scholarships and Charitable Donations

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein					✓	
LaMonica		✓	✓			
McSwiggan			✓			
Strauch					✓	
White	✓		✓			
Wilczynski			✓			
Barra						

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\_\_\_\_\_  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

Borough of Allendale

December 12, 2013

Resolution 13-419

Approval of Raffle License #394

**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 #394 as follows:

Ho-Ho-Kus Volunteer Fire Department

May 3, 2014

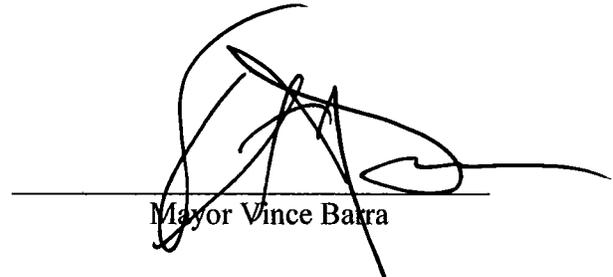
On Premises 50/50 Raffle

Guardian Angel Church

Proceeds will be used for Scholarships and Charitable Donations

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein					✓	
LaMonica		✓	✓			
McSwiggan			✓			
Strauch					✓	
White	✓		✓			
Wilczynski			✓			
Barra						

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\_\_\_\_\_  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

Borough of Allendale

December 12, 2013

Resolution 13-420

Recycling Agreement - Green Sky Industries

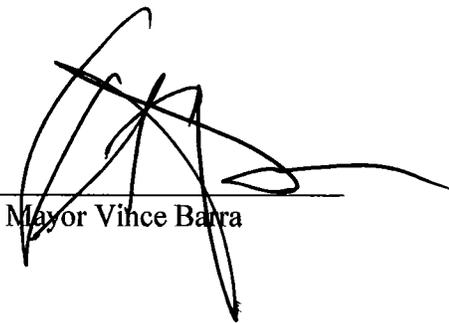
**Be It Resolved** by the Governing Body that a recycling agreement is hereby authorized between the Borough and Green Sky Industries, Inc. for a term of three years commencing January 1, 2014 through December 31, 2016 in accordance with the form of agreement currently on file in the office of the Municipal Clerk;

**Be It Resolved** that this contract is exempt from public bidding pursuant to N.J.S.A. 40A:11-5(S) and the term of same is further authorized pursuant to N.J. 40A:11-15(3);

**Be It Resolved** that the Mayor and Municipal Clerk are hereby authorized to sign such Recycling Agreement following legal review.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein					✓	
LaMonica		✓	✓			
McSwiggan			✓			
Strauch					✓	
White	✓		✓			
Wilczynski			✓			
Barra						

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\_\_\_\_\_  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

Borough of Allendale

December 12, 2013

Resolution 13-421

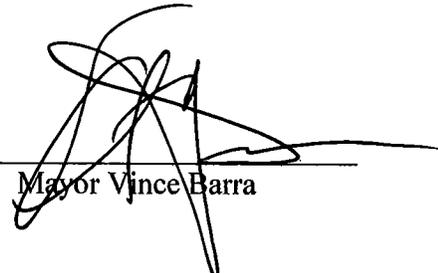
Appointment of Seasonal Employees

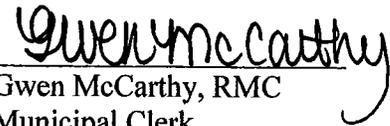
Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the following individuals be appointed as Seasonal Employees:

Name	Department	Appointment Date	Salary
Joe Burns	Public Works	December 20, 2013	\$11.75/hour
Stephen Brown	Public Works	December 20, 2013	\$10.00/hour

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein					✓	
LaMonica		✓	✓			
McSwiggan			✓			
Strauch					✓	
White	✓		✓			
Wilczynski			✓			
Barra						

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Gwen McCarthy, RMC  
Municipal Clerk