

Borough of Allendale

February 9, 2012

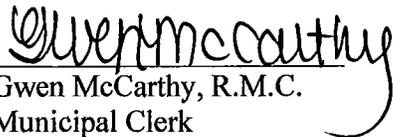
Resolution 12-66

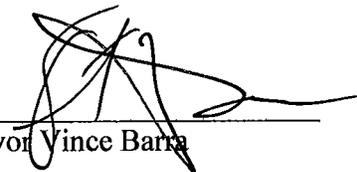
Adoption of Ordinance 12-01
Refunding Bond Ordinance

Be It Resolved that an Ordinance entitled 12-01, "Refunding Bond Ordinance Providing for Payment of Amounts Owing to Others for Taxes Levied In, By and For the Borough of Allendale, in the County of Bergen, New Jersey, to Appropriate the Sum of \$605,000 to Pay the Cost Thereof and to Authorize the Issuance of \$605,000 of Bonds or Notes to Finance Such Appropriation" 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			✓			
Schoepflin			✓			
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 Feb. 9, 2012


Gwen McCarthy, R.M.C.
Municipal Clerk



Mayor Vince Barra

Borough of Allendale

February 9, 2012

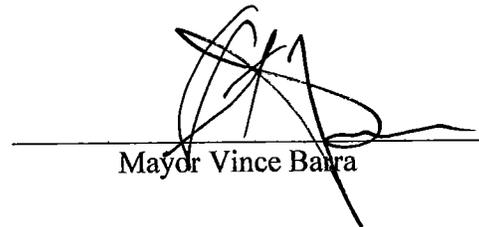
Resolution 12-67

Introduction of Ordinance 12-02
Water Rate Ordinance

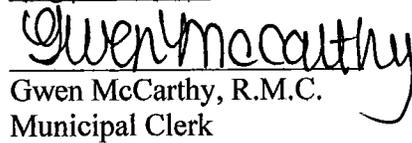
Be It Resolved that an Ordinance entitled 12-02, "An Ordinance to Amend Chapter 262 of the Code of the Borough of Allendale entitled 'Water' " heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 23rd day of February, 2012, 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.

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

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Mayor Vince Barra


Gwen McCarthy, R.M.C.
Municipal Clerk

Borough of Allendale

AN ORDINANCE TO AMEND CHAPTER 262 OF THE CODE
ENTITLED "WATER"
OF THE BOROUGH OF ALLENDALE

BE IT ORDAINED, by the Mayor and Council of the Borough of Allendale, County of Bergen and State of New Jersey that Section 262-11 **WATER CHARGES** is hereby amended and supplemented as follows:

Section I.

A. Metered Water:

(1) The rates to be charged for the use of water through each meter shall be as follows:

- (a) For the Borough, churches, schools, restaurants, plant and flower nurseries, geriatric care facilities, Allendale Senior Housing Corporation/Allendale Urban Renewal, L.P., Allendale Housing, Inc., and for businesses located in Zoning Districts C-1 and C-2.

Gallons Per Quarter
0 to 9,000

9,001 to 15,000
15,001 to 50,000
50,001 to 70,000
70,001 to 100,000
More than 100,000

Rate per 1,000 Gallons
Minimum of \$44.25 per quarter
per metered account
\$4.92
\$5.79
\$8.88
\$9.19
\$9.80

- (b) All other customers with the exception of those qualifying under sections (c) and (d) immediately following:

Gallons Per Quarter
0 to 9,000

9,001 to 15,000
15,001 to 50,000
50,001 to 70,000
70,001 to 100,000

Rate Per 1,000 Gallons
Minimum of \$44.25 per quarter
per metered account
\$4.92
\$5.79
\$9.26
\$9.85

More than 100,000 \$10.42

(c) Citizens qualifying for real property tax deductions:

Gallons Per Quarter	Rate Per 1,000 Gallons
0 to 9,000	Minimum of \$14.75 per quarter per metered account
9,001 to 15,000	\$4.92
15,001 to 50,000	\$5.79
50,001 to 70,000	\$9.26
70,001 to 100,000	\$9.85
More than 100,000	\$10.42

(d) Residents of affordable housing subject to regulation by the Council on Affordable Housing, "COAH": a fixed charge of \$44.25 per quarter irrespective of the amount of water used, or, for those qualifying for real property tax deductions, or for renters who would qualify for real property tax deductions if they were owners and paid property taxes, a fixed rate of \$14.75 per quarter irrespective of the amount of water used.

All other provisions of Section 262-11 not amended herein shall remain in full force and effect.

Section II.

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.

Section III.

Severability

If any section, subsection, paragraph, sentence, clause, phrase, or word contained in this ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall remain in full force and effect and to this end the provisions of this ordinance are hereby declared to be severable.

Section IV.

Effective Date

This ordinance shall take effect upon passage and publication as required by law; provided, however, that the water rates herein shall be effective from and after April 1, 2012.

Borough of Allendale

February 9, 2012

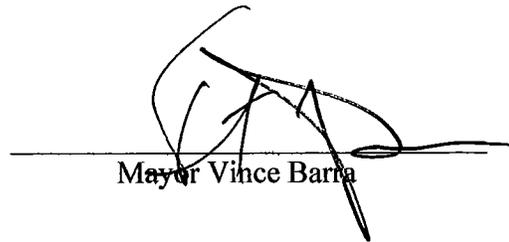
Resolution 12-68

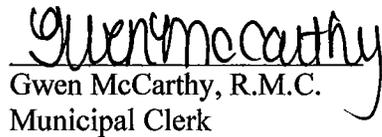
Introduction of Ordinance 12-03
 Salary Ordinance – Non Contractual Employees

Be It Resolved that an Ordinance entitled 12-03, “An Ordinance to Amend Chapter 53 of the Code of the Borough of Allendale to Fix the Salaries, Wages and Compensation of the Non-Contractual Employees of the Borough of Allendale for the Year 2012” heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 23rd day of February, 2012, 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.

	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 Feb. 9, 2012


 Mayor Vince Barra


 Gwen McCarthy, R.M.C.
 Municipal Clerk

Borough of Allendale
Salary Ordinance
Ordinance 12-03

AN ORDINANCE TO AMEND CHAPTER 53 OF THE CODE OF THE BOROUGH OF ALLENDALE TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE NON-CONTRACTUAL EMPLOYEES OF THE BOROUGH OF ALLENDALE FOR THE YEAR 2012.

Be It Resolved, by the Governing Body of the Borough of Allendale that the salaries of the following officers and employees of the Borough of Allendale shall be paid bi-weekly and fixed in the amounts as set forth below:

TITLE	MINIMUM	MID	MAXIMUM
Borough Clerk/Administrative Officer	\$60,000	\$77,500	\$95,000
Chief Financial Officer	65,000	82,500	100,000
Tax Collector	7,000	8,500	10,000
Tax Assessor	30,000	35,000	42,000
Municipal Magistrate	10,000	12,000	14,000
Municipal Prosecutor	4,000	6,000	8,000
Chief of Police	135,000	145,000	150,000
Director of Operations	85,000	100,000	115,000
Superintendent of Water Utility	75,000	82,500	90,000
Construction Code Official	50,000	59,000	68,000
Building Sub Code Official	3,500	4,050	4,600
Plumbing Sub Code Official	3,500	4,050	4,600
Zoning/Property Maintenance	9,000	10,500	12,000
Fire Sub Code	1,500	1,650	1,800
Property Maintenance Inspector	\$15/Hour	\$16/Hour	\$17/Hour
Electrical Sub Code Official	20,000	22,500	25,000
Fire Inspectors	\$13.50/hour	\$16.50/hour	\$18/hour
Fire Prevention Official	3,800	4,650	5,500

Borough of Allendale

February 9, 2012

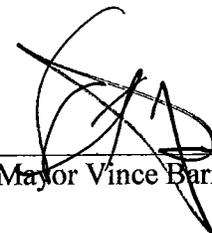
Resolution 12-69

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 February 9, 2012.

	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 Feb. 9, 2012



Mayor Vince Barra


Gwen McCarthy, RMC
Municipal Clerk

Borough of Allendale

February 9, 2012

Resolution 12-70

Temporary Budget Appropriations

Whereas, an emergent condition has arisen with respect to certain budget appropriations and no adequate provision has been made in the 2012 Temporary Budget, and N.J.S.A. 40A: 4-20 provides for the creation of emergency temporary appropriations for said purpose; and

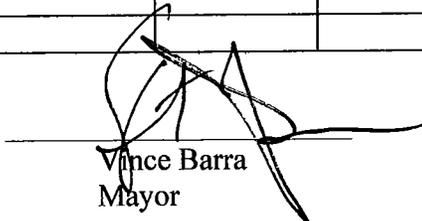
Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale that in accordance with the provisions of N.J.S.A. 40A: 4-20;

1. An emergency temporary appropriation be and the same is hereby made in the total amount of:

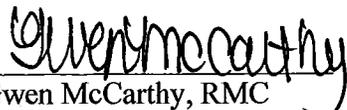
Senior Citizen Activities	\$2,000
NW Bergen Sewer Authority	\$3,000
Total	\$5,000

2. That said emergency temporary appropriation will be provided in the 2012 budget;
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

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


 Vince Barra
 Mayor

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on Feb. 9, 2012


 Gwen McCarthy, RMC
 Municipal Clerk

Borough of Allendale

February 9, 2012

Resolution 12-71

Renewal of Janitorial Contract

Whereas, there currently exists a contract between the Borough and Maverick Building Services, Inc. ("Maverick") for janitorial services for the Borough ("The Contract");

Whereas, the contract was for an initial period of one year from March 1, 2011 until February 29, 2012 with the Borough having the sole and exclusive right to extend the contract for two (2) one (1) year options;

Whereas, upon recommendation of the Director of Operations, the Borough believes it would be in its best interests to extend the contract for another one year period;

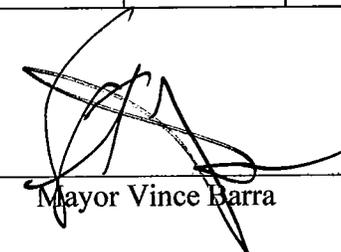
Now, Therefore, Be It Resolved by the Governing Body that the contract is hereby extended for an additional one year period from March 1, 2012 until February 28, 2013 upon the same terms and conditions as the initial year provided however that the contract price shall be adjusted (a) 2 % of the previous year's price or (b) the annual increase in the Consumer Price Index "New York, NY – Northeastern, NJ" applied to the prior year price whichever is less;

Be It Further Resolved that the Mayor and Municipal Clerk are authorized to assign an extension agreement following legal review.

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

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



Mayor Vince Barra

Borough of Allendale

February 9, 2012

Resolution 12-72

Renewal of Crestwood Concession

Whereas, a concession contract for the Crestwood Lake swim season was previously awarded to P&M Food Concessions, Inc.;

Whereas, the specifications incorporated into contract call for the Borough to have the exclusive right to renew the contract for additional one (1) year periods;

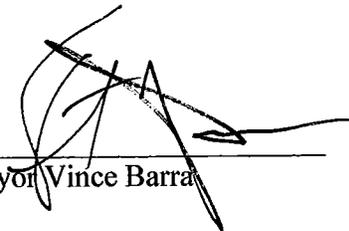
Whereas, P&M Food Concessions, Inc. has satisfactorily performed its obligations and the Borough finds it in its best interest to renew the contract for the 2012 swim season;

Now, Therefore, Be It Resolved by the Governing Body that it does hereby renew the contract with P&M Food Concessions, Inc. of 186 Mallinson St., Allendale, New Jersey for the 2012 swim season at Crestwood Lake in the amount of \$4,000 based upon the same terms and conditions as the original 2009 contract;

Be It Further Resolved that the Mayor and Municipal Clerk are hereby authorized to execute a renewal and extension agreement with P&M Food Concessions, Inc. 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, R.M.C.
Municipal Clerk

Borough of Allendale

February 9, 2012

Resolution 12-73

Professional Services

Whereas, the Borough of Allendale requires the service of professionals for the year 2012, and

Whereas, it is contemplated that the temporary and permanent budgets will contain the necessary appropriations estimated to be reasonably required for each such professional service; and

Whereas, the professionals named herein will be required to execute a contract for the services to be rendered which shall set forth the compensation for such services therein;

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale that the following appointments be and they are hereby made for the year:

Whereas, a Certification of availability of funds has been received from the Chief Financial Officer or that such funds will be encumbered by Purchase Order on an as-needed basis pursuant to the provisions of NJAC 5:30-5.4 et seq;

Whereas, in any instance where it is anticipated that the expenditure for each such professional service will exceed the sum of \$17,500 for said calendar year, the named professionals have completed, submitted and filed a Business Entity Certification Disclosure which certifies that the above named persons and/or entities have not made any reportable contributions to any political or candidate committee including (Republicans for Responsible Government, Allendale Republican Club, Allendale Democratic Club, Candidates for Allendale Municipal Government, Bergen County Democratic Organization, Bergen County Republican Organization) in the previous one (1) year, and that the contract will prohibit the above named professionals/business entities from making any reportable contributions through the term of the contract;

Be It Further Resolved that these contracts are being awarded as a non-fair and open contract, pursuant to the provisions of NJSA 19:44A-20.5;

Be It Further Resolved that the Business Disclosure Entity Certification and the determination of value be placed on file with this Resolution.

Bond Counsel
Labor Attorney
Municipal Engineer

Rogut McCarthy LLC
Wiss & Bouregy, PC
John Yakimik of Dewberry

The compensation for the aforesaid positions to be established by the salary ordinance or the contract for such services which shall be executed by each of the professionals named herein; and

Be It Further Resolved that the aforesaid appointments were made without competitive bidding under the provisions of NJSA 40A:11-5(1)(a) which excepts from competitive bidding Professional Services rendered by persons authorized by law to practice a recognized profession and whose practice is regulated by law; and

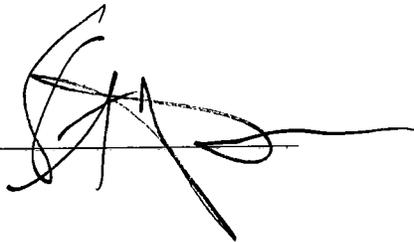
Be It Further Resolved that the appropriate Borough Officials be and they are hereby authorized to execute contracts with each of the professionals named herein for the services to be rendered; and

Be It Further Resolved that the compensation to be paid for the professionals named herein shall not exceed the budget appropriation for such services unless properly ordained in accordance with law, and

Be It Further Resolved that a copy of this resolution be filed with the Borough Clerk and made available for inspection and that a brief notice of the passage thereof be published in The Record within ten days of the passage as required by law.

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

Vince Barra
Mayor



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be a true copy of a Resolution
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of the Borough of Allendale on
Feb. 9, 2012.


Gwen McCarthy, RMC
Municipal Clerk

February 9, 2012

Borough of Allendale

Resolution 12-74

State 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 for 2010 and 2011 overpayments due to a State Tax Board Judgment:

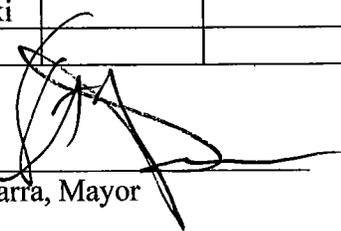
2011

Block/Lot	Name	Amount
1405/9	John J. D'Anton Trust Account 21 Franklin Turnpike Suite 2119 Mahwah, NJ 07430	\$4,475.60

2010

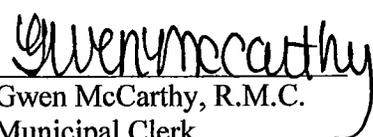
1405/9	John J. D'Anton Trust Account 21 Franklin Turnpike Suite 2119 Mahwah, NJ 07430	\$4,425.35
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	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein					✓	
LaMonica	✓		✓			
McSwiggan		✓	✓			
Strauch			✓			
White			✓			
Wilczynski			✓			
Barra						



Vince Barra, Mayor

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Gwen McCarthy, R.M.C.
Municipal Clerk

Borough of Allendale

February 9, 2012

Resolution 12-75

Approval of "Turn the Town Teal"

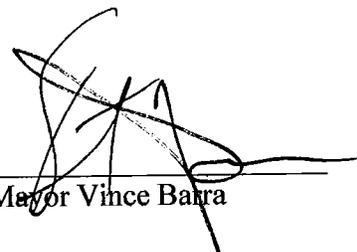
Whereas, there is a request by the Allendale Woman's Club to tie teal ribbons around town during the month of September, 2012, and

Whereas, the purpose of this activity is to help raise awareness of ovarian cancer and its symptoms,

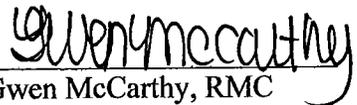
Now, Therefore, Be It Resolved by the Mayor and Council that this request is hereby approved.

	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

February 9, 2012

Borough of Allendale

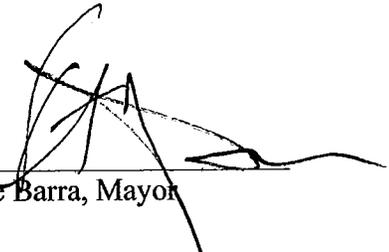
Resolution 12-76

Transfer of Overpayment

Be It Resolved by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to transfer the following overpayment listed below from overpayment of 2011 Taxes to Taxes Receivable for 2012:

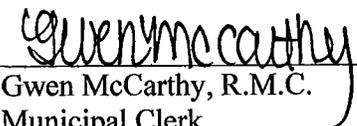
<u>Block/ Lot</u>	<u>Name</u>	<u>Property Location</u>	<u>Amount</u>
404/15	Bullen, Theresa & Thomas	7 Ethel Avenue Allendale, NJ 07401	\$5,372.16

	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

Borough of Allendale

February 9, 2012

Resolution 12-77

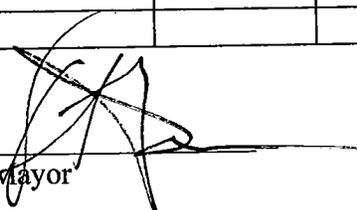
Overpayment

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 2012 Taxes:

2012

Block/ Lot	Name	Property Location	Amount
913/3	Barbacini, Daniela C/O McDonnell and Whitaker, LLC 345 East Main Street PO Box 379 Ramsey, NJ 07446	51 Pittis Avenue	\$979.40

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


Vince Barra, Mayor

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Feb. 9, 2012


Gwen McCarthy, R.M.C.
Municipal Clerk

February 9, 2012

Resolution 12-78

* * * * *

Member Lamonicq introduced and moved
the adoption of the following resolution and Member
McSwiggan seconded the motion:

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF ALLENDALE AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$1,447,000 BOND ANTICIPATION NOTE, DATED FEBRUARY 1, 2012, PAYABLE FEBRUARY 1, 2013, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Allendale, in the County of Bergen, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough desires to designate a \$1,447,000 Bond Anticipation Note, dated February 1, 2012, payable February 1, 2013 (the "Note"), as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Allendale, in the County of Bergen, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Note) be and remain excluded from

gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) said Note is not a "private activity bond" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2012.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2012.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on

issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough be and they hereby are authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2012 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

The foregoing resolution was adopted by the following roll call vote:

Ayes: La Monica, Meswigan, Strauch,
White, Wilczynski

Nays:

[SEAL]

ATTEST: Gwen McCarthy
Borough Clerk

Borough of Allendale

February 9, 2012

Resolution 12-79

Appointment of Senior Housing Representative

Be It Resolved that the following individual is hereby appointed to the Senior Housing Commission for the period specified:

Name and Board or Commission

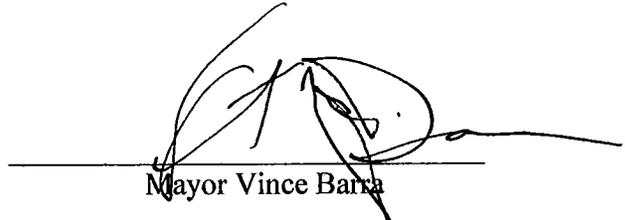
Term Expires

Dan Manning

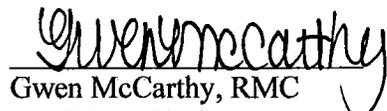
December 31, 2012

	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 Feb. 9, 2012



Mayor Vince Barra


Gwen McCarthy, RMC
Municipal Clerk