

Borough of Allendale

October 22, 2015

Resolution 15-294

List of Bills

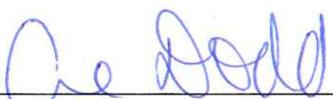
**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves the Bill List dated October 22, 2015 in the amounts of:

|                 |                       |
|-----------------|-----------------------|
| Current Fund    | \$1,272,238.21        |
| Capital         | \$24,469.67           |
| Housing Trust   | \$2,866.40            |
| Trust Fund      | \$1,740.50            |
| Dog Fund        | \$3.60                |
| Recycling Trust | \$543.30              |
| Water Capital   | \$6,025.00            |
| Payroll         | \$206,439.64          |
| <b>Total</b>    | <b>\$1,514,326.32</b> |

|            | Motion | Second | Yea | Nay | Absent | Abstain |
|------------|--------|--------|-----|-----|--------|---------|
| Bernstein  |        |        | ✓   |     |        |         |
| Homan      |        |        | ✓   |     |        |         |
| McSwiggan  |        |        | ✓   |     |        |         |
| Sasso      |        | ✓      | ✓   |     |        |         |
| Strauch    | ✓      |        | ✓   |     |        |         |
| Wilczynski |        |        | ✓   |     |        |         |
| White      |        |        |     |     |        |         |

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 22, 2015

  
 Mayor Elizabeth White

  
 Anne Dodd, RMC  
 Municipal Clerk

Borough of Allendale

October 22, 2015

Resolution 15-295

Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the West Maple Avenue (Section 2) project.

WHEREAS, the Borough of Allendale is requesting funding from the New Jersey Department of Transportation Local Aid Infrastructure Fund Program.

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Allendale formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LAIF-2016-West Maple Avenue (Section 2)-00029 for Allendale Borough to the New Jersey Department of Transportation on behalf of the Borough of Allendale.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Allendale and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

|            | Motion | Second | Yea | Nay | Absent | Abstain |
|------------|--------|--------|-----|-----|--------|---------|
| Bernstein  |        |        | ✓   |     |        |         |
| Homan      |        |        | ✓   |     |        |         |
| McSwiggan  |        |        | ✓   |     |        |         |
| Sasso      |        | ✓      | ✓   |     |        |         |
| Strauch    | ✓      |        | ✓   |     |        |         |
| Wilczynski |        |        | ✓   |     |        |         |
| White      |        |        |     |     |        |         |

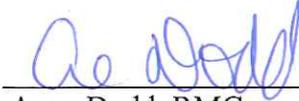
I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 22, 2015

  
Elizabeth White, Mayor

  
Anne Dodd, RMC  
Municipal Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL



Anne Dodd, RMC  
Municipal Clerk



Elizabeth White, Mayor

BE IT RESOLVED by the Mayor and Council of the municipality of ALLENDALE that application is made to the Commissioner of Transportation for aid under the New Jersey Trust Fund Authority Act for:

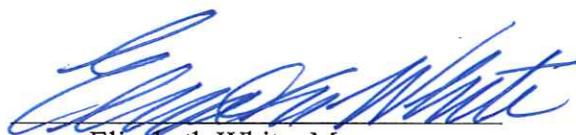
**2016 LAIF (Discretionary Aid) project- West Maple Avenue  
(Section 2)-00029**

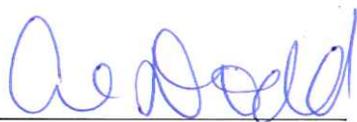
WHEREAS, the Council has determined that such application(s) should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the municipality for assistance in such matters.

RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble, and submit the necessary documentation on behalf of the municipality of ALLENDALE for the stated project(s).

|            | Motion | Second | Yea | Nay | Absent | Abstain |
|------------|--------|--------|-----|-----|--------|---------|
| Bernstein  |        |        | ✓   |     |        |         |
| Homan      |        |        | ✓   |     |        |         |
| McSwiggan  |        |        | ✓   |     |        |         |
| Sasso      |        | ✓      | ✓   |     |        |         |
| Strauch    | ✓      |        | ✓   |     |        |         |
| Wilczynski |        |        | ✓   |     |        |         |
| White      |        |        |     |     |        |         |

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 22, 2015

  
 Elizabeth White, Mayor

  
 Anne Dodd, RMC  
 Municipal Clerk

Borough of Allendale

October 22, 2015

Resolution 15-297

Halloween Curfew

**Whereas**, the Police Chief has requested a Halloween Curfew for children under the age of eighteen for the purpose of maintaining order beginning October 30<sup>th</sup> and extending through October 31<sup>st</sup>, 2015 to be put into effect starting at 8:00 p.m. until sunrise.

**Whereas**, the Governing Body believes that this curfew is in the best interest of the Borough.

**Now, Therefore, Be It Resolved** that a curfew shall be in place from October 30<sup>th</sup> through October 31<sup>st</sup>, 2015.

|            | Motion | Second | Yea | Nay | Absent | Abstain |
|------------|--------|--------|-----|-----|--------|---------|
| Bernstein  |        |        | ✓   |     |        |         |
| Homan      |        |        | ✓   |     |        |         |
| McSwiggan  |        |        | ✓   |     |        |         |
| Sasso      |        | ✓      | ✓   |     |        |         |
| Strauch    | ✓      |        | ✓   |     |        |         |
| Wilczynski |        |        | ✓   |     |        |         |
| White      |        |        |     |     |        |         |

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 22, 2015.

  
Elizabeth White, Mayor

  
Anne Dodd, RMC  
Municipal Clerk

Borough of Allendale

October 22, 2015

Resolution 15-298

**WHEREAS**, Human Trafficking, modern slavery, is a 365 days a year horrific crime that takes place at the local level and can most effectively be stopped by an abolitionist movement in every municipality in the State.

**WHEREAS**, Human Trafficking occurs when a person is recruited, harbored, obtained, or exported through force, fraud, or coercion for the purposes of sexual or labor exploitation, involuntary servitude, and other types of mental and physical enslavement; and

**WHEREAS**, Human Trafficking is modern slavery, a crime that is in direct opposition to the fundamental principles of liberty and human rights upon which our nation was founded and a violation of the 13th Amendment to the United States Constitution, which was ratified in 1865; and

**WHEREAS**, human traffickers target vulnerable and/or marginalized children, women and men, isolating them from society and supportive networks and exploiting them for personal and monetary gain. Traffickers use techniques to keep their victims enslaved that severely limit self-reporting. Many victims trafficked into the U.S. do not speak or understand English and are unable to communicate to seek rescue; and

**WHEREAS**, the U.N. International Labour Organization estimates that nearly 21 million people are exploited for labor or commercial sex worldwide. The Bureau of Justice Statistics, the FBI's Uniform Crime Statistics Program, and the National Human Trafficking Resource Center report thousands of victims are exploited in the United States every year, including in New Jersey and the surrounding metropolitan areas; and

**WHEREAS**, New Jersey is a prime location for Human Trafficking because it is a major national and international transportation corridor and a culturally diverse state. Under New Jersey and U.S. law, any person under 18 involved in the commercial sex industry is considered a Human Trafficking victim; and victims include U.S. citizens and documented immigrants; and

**WHEREAS**, NJ has increased its efforts to fight Human Trafficking through the passage of the Human Trafficking Prevention, Protection and Treatment Act, the creation of the NJ Commission on Human Trafficking, and the increased efforts of law enforcement and the Office of the Attorney General/Division of Justice's NJ Human Trafficking Task Force resulting in an increase in indictments and prosecutions throughout the State; and

**WHEREAS**, Because Human Trafficking is a borderless crime against individuals that violates the most basic human rights and deprives victims of every shred of personal freedom, state and national efforts alone will not eradicate this societal scourge; and

**WHEREAS**, it is vitally important that: all New Jersey residents be informed of and know how to identify suspicious behavior and potential victims; all local municipalities shall have zero tolerance laws and protocols in place; local municipalities take on responsibility for preventing this horrible crime in partnership with educators, community organizations, and faith based groups, and help to effectively uncover victims of modern slavery; and

**WHEREAS**, the New Jersey State League of Municipalities commends the proclamation project and comprehensive work of the NJ Coalition Against Human Trafficking. That through the efforts of over 100 diverse organizations work on community efforts to abolish Human Trafficking through education, advocacy, and assistance to survivors and to increase coordination and visibility of New Jersey's commitment to end Human Trafficking; and

**NOW, THEREFORE BE IT RESOLVED**, that the New Jersey State League of Municipalities urges all townships in New Jersey to locally observe the State and National Human Trafficking Awareness Day on January 11 of each year. Each town shall raise awareness and educate the public annually about the signs and consequences of Human Trafficking; promote opposition to Human Trafficking in all of its forms; encourage support for the survivors of Human Trafficking in order to restore their freedom and dignity; and support all efforts by individuals, businesses, organizations, and governing bodies to prevent Human Trafficking; and

**BE IT FURTHER RESOLVED**, that the New Jersey State League of Municipalities urges all townships in New Jersey containing Amtrak stations and ports of entry (including seaports, river ports and airports) to ensure that port/train employee awareness-raising efforts have been undertaken by local, state or national agencies. Townships shall strongly encourage hotel and motel operators within their township to undergo training on the prevention of human trafficking and the reporting laws with respect thereto;

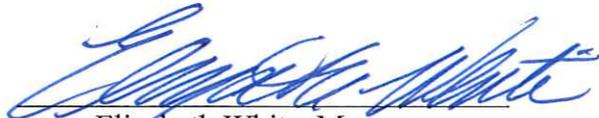
**BE IT FURTHER RESOLVED**, that it should be the public duty of every New Jersey resident to report human trafficking suspicions. Current 24-hour helplines are the National Human Trafficking Resource Center (888-3737-888 or text HELP or INFO to BeFree), a national, toll-free hotline, available to answer calls and texts in 175+ languages and the New Jersey Human Trafficking Hotline (855-END-NJ-HT).

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to the Governor and Lieutenant Governor of New Jersey, the New Jersey Attorney General's Office, the NJ Commission on Human Trafficking, the NJ Coalition Against Human Trafficking, the 565-member municipalities of the New Jersey State League of Municipalities, and members of the New Jersey Congressional Delegation.

|           | Motion | Second | Yea | Nay | Absent | Abstain |
|-----------|--------|--------|-----|-----|--------|---------|
| Bernstein |        |        | ✓   |     |        |         |
| Homan     |        |        | ✓   |     |        |         |
| McSwiggan |        |        | ✓   |     |        |         |
| Sasso     |        | ✓      | ✓   |     |        |         |

|            |   |  |   |  |  |  |
|------------|---|--|---|--|--|--|
| Strauch    | ✓ |  | ✓ |  |  |  |
| Wilczynski |   |  | ✓ |  |  |  |
| White      |   |  |   |  |  |  |

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 22, 2015

  
Elizabeth White, Mayor

  
Anne Dodd, RMC  
Municipal Clerk

Borough of Allendale

October 22, 2015

Resolution 15-299

Awarding a Contract to D&L Paving Contractors for West Allendale Avenue (Sec. 5), Erie Plaza (Sec. 2), and Park & Ride Lot Improvements.

Whereas, sealed bids were received on October 16, 2015 for the project "West Allendale Avenue (Sec. 5), Erie Plaza (Sec. 2), and Park & Ride Lot Improvements"; and

Whereas, one (1) bid was received: D&L Paving Contractors in the amount of \$140,403.30; and

Whereas, the bid documents have been reviewed and it is determined that the bid of D&L Paving is the lowest responsible, responsive bidder; and

Whereas, the Chief Financial Officer has attached a Certification that adequate funds are available to pay for the Contract pursuant to NJAC 5:30-5.4 et. seq;

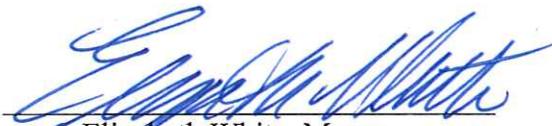
Now, Therefore, Be It Resolved, by the Governing Body that it does hereby award a Contract for the above referenced project to D&L Paving Contractors, Inc., Nutley, New Jersey in the amount of \$140,403.30; and,

Be It Further Resolved, that the Mayor and Borough Clerk are hereby authorized to execute a Contract with D&L Paving Contractors, Inc. following legal review; and

Be it Further Resolved, that the foregoing Contract award is subject to approval by the New Jersey Department of Transportation (NDOT) in accordance with the Borough's grant agreement with NJDOT.

|            | Motion | Second | Yea | Nay | Absent | Abstain |
|------------|--------|--------|-----|-----|--------|---------|
| Bernstein  |        |        | ✓   |     |        |         |
| Homan      |        |        | ✓   |     |        |         |
| McSwiggan  |        |        | ✓   |     |        |         |
| Sasso      |        | ✓      | ✓   |     |        |         |
| Strauch    | ✓      |        | ✓   |     |        |         |
| Wilczynski |        |        | ✓   |     |        |         |
| White      |        |        |     |     |        |         |

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Elizabeth White, Mayor

  
Anne Dodd, RMC  
Municipal Clerk

**Resolution Appointing Legal Counsel**

**WHEREAS**, there exists a need on the part of the Borough of Allendale (“Allendale”) to appoint legal counsel to represent Allendale in the matter entitled Walters, et al. v. Northern Highlands Regional High School Board of Education, et al., Docket No: BER-L-8862-15; and

**WHEREAS**, Allendale has determined that Raymond R. Wiss is qualified and experienced to be appointed to and to hold such position; and

**WHEREAS**, Allendale, by adoption of this Resolution wishes to appoint Raymond R. Wiss, the Borough Attorney to act as counsel for and defend Allendale in the above captioned matter; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Allendale that Raymond R. Wiss be and hereby is appointed as counsel to represent and defend Allendale in the above referenced litigation; and

**BE IT FURTHER RESOLVED** that the Mayor, the Borough Clerk, the Chief Financial Officer and the Borough Attorney are authorized to take all appropriate actions so as to implement this Resolution.

|            | Motion | Second | Yea | Nay | Absent | Abstain |
|------------|--------|--------|-----|-----|--------|---------|
| Bernstein  |        |        | ✓   |     |        |         |
| Homan      |        |        | ✓   |     |        |         |
| McSwiggan  |        |        | ✓   |     |        |         |
| Sasso      |        | ✓      | ✓   |     |        |         |
| Strauch    | ✓      |        | ✓   |     |        |         |
| Wilczynski |        |        | ✓   |     |        |         |
| White      |        |        |     |     |        |         |

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Elizabeth White, Mayor

  
Anne Dodd, RMC  
Municipal Clerk

**RESOLUTION ACCEPTING DONATION OF FIREFIGHTING FOAM AND AUTHORIZING EXECUTION OF AGREEMENT WITH THE COUNTY OF BERGEN REGARDING THE TERMS THEREOF.**

**WHEREAS**, the County of Bergen operates the Bergen County Law and Public Safety Institute (the "Institute"); and

**WHEREAS**, the New York City Fire Department ("FDNY") has removed from service 7,820 gallons of National Foam Kidd brand firefighting foam concentrate, ("Firefighting Foam") that is past its shelf life and has thus exceeded its operational life for firefighting purposes; and

**WHEREAS**, the City of New York ("the City"), acting by and through the FDNY, has agreed to donate the Firefighting Foam to the County for use by the Institute for training purposes; and

**WHEREAS**, the Bergen County Board of Chosen Freeholders, by Resolution No. 1198-15, adopted on October 14, 2015, authorized the County to share the donated Firefighting Foam with the Borough of Allendale for training purposes, subject to availability and the terms set forth in an "AGREEMENT TO SHARE DONATED FIREFIGHTING FOAM CONCENTRATE," (the "Agreement") annexed hereto as Exhibit A; and

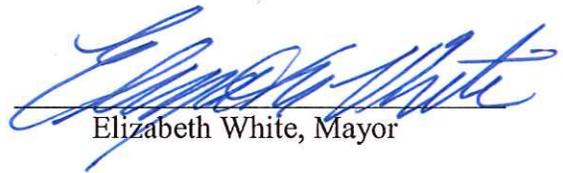
**WHEREAS**, the governing body of Borough of Allendale has determined that it is in the best interest of the residents and taxpayers of the municipality to accept the donation of the Firefighting Foam for training purposes, subject to the terms and conditions set forth in the Agreement,

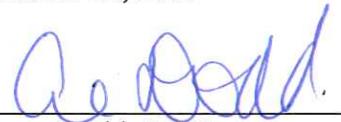
**NOW, THEREFORE, BE IT RESOLVED** by the governing body of Borough of Allendale as follows:

1. The recitals set forth above are incorporated into the body of this resolution as if set forth at length herein.
2. The Borough of Allendale hereby accepts the donation from the County of Bergen of the Firefighting Foam as set forth above, subject to the terms of the Agreement annexed hereto as Exhibit A.
3. Mayor Elizabeth White is hereby authorized to execute an Agreement with the County of Bergen in the form annexed hereto as Exhibit A, together with any other documents necessary to complete the above contemplated transaction.

|            | Motion | Second | Yea | Nay | Absent | Abstain |
|------------|--------|--------|-----|-----|--------|---------|
| Bernstein  |        |        | ✓   |     |        |         |
| Homan      |        |        | ✓   |     |        |         |
| McSwiggan  |        |        | ✓   |     |        |         |
| Sasso      |        | ✓      | ✓   |     |        |         |
| Strauch    | ✓      |        | ✓   |     |        |         |
| Wilczynski |        |        | ✓   |     |        |         |
| White      |        |        |     |     |        |         |

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 22, 2015

  
Elizabeth White, Mayor

  
Anne Dodd, RMC  
Municipal Clerk

# 15-301

**EXHIBIT A**

**AGREEMENT TO SHARE DONATED FIREFIGHTING FOAM CONCENTRATE**

**AGREEMENT** made as of this \_\_\_ day of \_\_\_\_\_, 2015, by and between the COUNTY OF BERGEN, a body politic and corporate of the State of New Jersey, with administrative offices located at One Bergen County Plaza, Fifth Floor, Hackensack, New Jersey 07601-7076 (the "County"), and the Borough of Allendale, a municipal corporation of the State of New Jersey, with offices located at 500 West Crescent Avenue, Allendale, New Jersey, 07401 (the "Municipality").

**WITNESSETH:**

**WHEREAS**, the County operates the Bergen County Law and Public Safety Institute (the "Institute"); and

**WHEREAS**, the Institute is a nationally-respected training institution, encompassing a Police Academy, Fire Academy, and EMS Academy, supporting the mission of serving emergency service personnel, prospective public safety students, municipal governments, corporate, governmental and civic leaders, and members of the general public; and

**WHEREAS**, the mission of the Institute is to educate and provide public safety training and instruction; and

**WHEREAS**, the City of New York, through the New York City Fire Department ("FDNY"), in the normal course of business, removes from service firefighting equipment that is obsolete, no longer needed, unusable, or has exceeded its operational life for firefighting purposes; and

**WHEREAS**, FDNY has removed from service a certain volume of National Foam Kidd brand firefighting foam concentrate, ("Firefighting Foam") that is past its shelf life and has thus exceeded its operational life for firefighting purposes; and

**WHEREAS**, the Firefighting Foam has no significant commercial value and would normally be responsibly disposed of in the ordinary course of business; and

**WHEREAS**, the Institute, on behalf of the County, has requested the Firefighting Foam for use for training and demonstration purposes in connection with its mission to educate public safety professionals and prospective public safety professionals about emergency services and firefighting; and

**WHEREAS**, FDNY has determined that donation of the Firefighting Foam to the County for use by the Institute is in the City's interest inasmuch as it will promote and be used for learning about emergency services and firefighting by members of the public who may be interested in pursuing a career in the emergency services and further that the Institute will be performing removal and transportation of the Firefighting Foam, thus saving FDNY the costs

associated with transporting and disposing of the Firefighting Foam, and

**WHEREAS**, the Municipality has requested that the County share a portion of the Firefighting Foam with the Municipality for training purposes, on the understanding that the Firefighting Foam has exceeded its operational life for firefighting purposes; and

**WHEREAS**, the County wishes to share the donated Firefighting Foam with the Municipality subject to availability and the terms set forth below; and

**NOW THEREFORE**, in consideration of the mutual covenants and agreements contained herein, the parties agree to be bound by the following terms and conditions:

**I. DONATION AND USE**

- A. The County hereby agrees to donate to the Municipality, and the Municipality hereby agrees to accept donation of \_\_\_\_\_ gallons of the Firefighting Foam received by the County from the City of New York through the FDNY. No compensation shall be paid by the Municipality for the Firefighting Foam.
- B. The Municipality shall not permit the Firefighting Foam to be utilized for any form of fire suppression.
- C. The Municipality represents that the Firefighting Foam is to be used by the Municipality solely for the purposes of training and instructional demonstration.
- D. The County makes no representation as to whether the Firefighting Foam is suitable for the Municipality's intended use. The Firefighting Foam is furnished "as is" and without any warranty, express or implied. The Municipality acknowledges that the Firefighting Foam being transferred has exceeded its shelf life and accepts it "as is."
- E. The Municipality acknowledges that the Firefighting Foam is a chemical substance and that it has consulted the Material Safety Data Sheet or other manufacturer or industry materials for pertinent information regarding the safe transportation, storage, handling, use, and disposal of the Firefighting Foam.
- F. The Municipality shall be solely responsible for the removal, transportation, storage, handling, use, and disposal of the Firefighting Foam upon transfer of custody pursuant to Section II of the Agreement.
- G. The Municipality shall comply with all applicable Federal, State, and City laws, rules, regulations for the removal, transportation, storage, handling, use, and disposal of the Firefighting Foam.
- H. If, for any reason, the County does not receive the Firefighting Foam from the City of New York, or if, for any reason, the County determines that it does not have sufficient Firefighting Foam to complete the contemplated donation, the County shall have no

obligation to donate the Firefighting Foam to the Municipality, and the Municipality shall have no recourse against the County.

## **II. TRANSFER OF CUSTODY AND TITLE**

- A. The Municipality shall take custody of the Firefighting foam at the Institute and shall be responsible for arranging transport of the Firefighting Foam from the Institute to the Municipality's chosen storage site. The Municipality shall be solely responsible for the costs of such transport.
- B. Arrangements for removal of the Firefighting Foam shall be made by contacting the Director of the Bergen County Law and Public Safety Institute or his designee.
- C. The transfer of custody of the Firefighting Foam shall be deemed complete upon removal of the Firefighting Foam from the Institute by the Municipality.
- D. The County assumes no responsibility whatsoever with respect to the Firefighting Foam once custody has been transferred to the Municipality.
- E. Upon such transfer of custody, ownership of the Firefighting Foam shall be deemed to have been transferred from the County to the Municipality.

## **III. TERM AND TERMINATION**

- A. This Agreement shall take effect on the date first written above.
- B. Either party may terminate this Agreement upon written notice to the other party prior to transfer of custody of the Firefighting Foam pursuant to Section II without liability to the other, except that the provisions of Sections VI and IX of this Agreement shall survive such termination.

## **IV. RELEASE OF LIABILITY AND INDEMNIFICATION**

- A. The Municipality hereby releases and discharges the County, including the County's officers, employees and agents, from any liability, including liability for personal injury or property damage, arising from the Municipality's removal, transportation, storage, handling, use, and disposal of the Firefighting Foam. The Municipality shall make this provision a condition of the contract with any contractor responsible for the removal, transportation, storage, handling, use, and disposal of the Firefighting Foam.
- B. The Municipality shall defend, indemnify and hold the County, including the County's officers, employees and agents, harmless from any and all liability, claims, causes of action, judgments, damages, penalties and expenses (including reasonable attorneys' fees) arising from the removal, transportation, storage, handling, use, and disposal of Firefighting Foam pursuant to this Agreement.

## V. NOTICES

- A. Any notices and communications to be given or made pursuant to this Agreement shall be delivered by personal delivery; or mailed by certified mail; or faxed and mailed by first class mail; to the following representatives of the parties, or such other representatives as may be designated in writing by the parties:

To the Municipality:

Thomas Smith, Fire Chief  
Borough of Allendale  
500 West Crescent Avenue  
Allendale, New Jersey 07401  
Phone: (201) 934-7015

To the County:

Richard Blohm, Director  
Bergen County Law and Public Safety Institute  
281 Campgaw Road  
Mahwah, New Jersey, 07430  
Phone: (201) 785-5702

## VI. APPLICABLE LAW AND VENUE

- A. This Agreement shall be governed, construed, applied and enforced in accordance with the laws of the State of New Jersey regardless of the domicile of any party.
- B. Any and all claims arising hereunder shall be heard and determined in the courts of the State of New Jersey, in Bergen County.

## VII. MERGER AND MODIFICATION

- A. This Agreement constitutes the entire agreement between the parties and merges all prior discussions, agreements or understandings into it. No prior agreement, oral or otherwise, regarding the subject matter of this Agreement, shall be deemed to exist or to bind any of the parties hereto.
- B. This Agreement may be modified only by a writing signed by authorized representatives of the parties. This Agreement may not be modified, rescinded or extended orally.

**VIII. NON-ASSIGNMENT CLAUSE**

A. The Municipality shall not assign this Agreement, or any interest in the Firefighting Foam conveyed herein.

**IX. NO THIRD PARTY BENEFICIARIES**

A. The provisions of this Agreement are solely for the benefit of the parties hereto, and shall not be construed to confer any right or benefit upon any other person or entity, including any employees or agents of the parties.

**IN WITNESS WHEREOF**, the parties hereto have duly executed this Agreement in duplicate as of the date first written above.

ATTEST:

COUNTY OF BERGEN

\_\_\_\_\_

By: \_\_\_\_\_

ATTEST:

MUNICIPALITY: BOROUGH OF ALLENDALE

*Acadodd*

By:

*[Signature]*

Borough of Allendale

October 22, 2015

Resolution 15-302

Rescind Phase 2 Water Restrictions

**Whereas**, the Governing Body pursuant to Section 262-23A of the Code, deemed that Phase 2 Water restrictions were effective September 1, 2015 via Resolution 15-263; and

**Whereas**, the Governing Body now wish to remove the Phase 2 Water Restrictions.

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale that Phase 2 Water Restrictions are hereby removed.

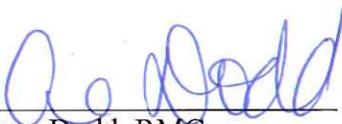
**Be It Further Resolved** that Phase 1 water restrictions are to remain in effect until further notice.

**Be It Further Resolved** that the Municipal Clerk shall cause an appropriate notice to be placed on the Borough website.

|            | Motion | Second | Yea | Nay | Absent | Abstain |
|------------|--------|--------|-----|-----|--------|---------|
| Bernstein  |        |        | ✓   |     |        |         |
| Homan      |        |        | ✓   |     |        |         |
| McSwiggan  |        |        | ✓   |     |        |         |
| Sasso      |        | ✓      | ✓   |     |        |         |
| Strauch    | ✓      |        | ✓   |     |        |         |
| Wilczynski |        |        | ✓   |     |        |         |
| White      |        |        |     |     |        |         |

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 22, 2015

  
Mayor Elizabeth White

  
Anne Dodd, RMC  
Municipal Clerk

**Resolution Appointing Administrative Assistant**

**WHEREAS**, there presently exists a need on the part of the Borough of Allendale (“Allendale”) to hire an Administrative Assistant; and

**WHEREAS**, Diane Vander Wende, who is presently Allendale’s Deputy Municipal Clerk, has agreed to serve as an Administrative Assistant in place of her present position as Deputy Municipal Clerk; and

**WHEREAS**, Allendale, by adoption of this Resolution, wishes to appoint Diane Vander Wende to the position of Administrative Assistant; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Allendale that Diane Vander Wende be and hereby is appointed as Administrative Assistant to serve at the pleasure of the Governing Body, with compensation and hours of employment to be fixed pursuant to implementing resolutions as may be hereafter adopted, and upon such appointment Diane Vander Wende shall no longer serve as Deputy Municipal Clerk for Allendale.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Mayor, the Chief Financial Officer, Municipal Clerk and the Borough Attorney are authorized to take all appropriate actions so as to implement this Resolution.

|            | Motion | Second | Yea | Nay | Absent | Abstain |
|------------|--------|--------|-----|-----|--------|---------|
| Bernstein  |        |        | ✓   |     |        |         |
| Homan      |        |        | ✓   |     |        |         |
| McSwiggan  |        |        | ✓   |     |        |         |
| Sasso      |        | ✓      | ✓   |     |        |         |
| Strauch    | ✓      |        | ✓   |     |        |         |
| Wilczynski |        |        | ✓   |     |        |         |
| White      |        |        |     |     |        |         |

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 22, 2015

  
 Mayor Elizabeth White

  
 Anne Dodd, RMC  
 Municipal Clerk

**Resolution Appointing Deputy Municipal Clerk**

**WHEREAS**, there presently exists a need on the part of the Borough of Allendale (“Allendale”) to hire a Deputy Municipal Clerk; and

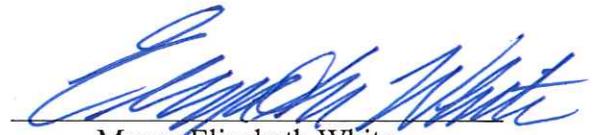
**WHEREAS**, Allendale, by adoption of this Resolution, wishes to appoint Michelle Ryan to the position of Deputy Municipal Clerk as set forth in this Resolution; and

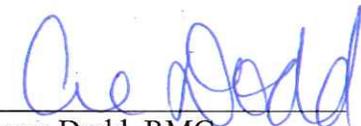
**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Allendale that Michelle Ryan be and hereby is appointed as Deputy Municipal Clerk to serve in such capacity part-time (25 hours per week) for the remainder of 2015 at an hourly rate of \$19.00 per hour, with no benefits or paid vacation time, and effective January 1, 2016 the position will become full-time with an annual salary of \$38,000 per year, with three (3) weeks paid vacation.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Mayor, the Chief Financial Officer, Deputy Municipal Clerk and the Borough Attorney are authorized to take all appropriate actions so as to implement this Resolution.

|            | Motion | Second | Yea | Nay | Absent | Abstain |
|------------|--------|--------|-----|-----|--------|---------|
| Bernstein  |        |        | ✓   |     |        |         |
| Homan      |        |        | ✓   |     |        |         |
| McSwiggan  |        |        | ✓   |     |        |         |
| Sasso      |        | ✓      | ✓   |     |        |         |
| Strauch    | ✓      |        | ✓   |     |        |         |
| Wilczynski |        |        | ✓   |     |        |         |
| White      |        |        |     |     |        |         |

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 22, 2015

  
Mayor Elizabeth White

  
Anne Dodd, RMC  
Municipal Clerk

Borough of Allendale

October 22, 2015

Resolution 15-305

**BE IT RESOLVED** that the Mayor and Council of the Borough of Allendale hereby recommends to the New Jersey Department of Transportation that the contract for

**West Allendale Avenue (Sec. 5), Erie Plaza (Sec. 2), and Park & Ride Lot Improvements**

in the Borough of Allendale County of Bergen be awarded to D&L Paving Contractors whose bid amounted to \$140,403.30 subject to the approval of the Department.

**BE IT FURTHER RESOLVED** that the presiding officer of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.

**BE IT FURTHER RESOLVED** that the clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and to attest to the same.

**Approved by the Borough of Allendale on October 22, 2015.**

  
(Presiding Officer)

10/23/15  
(Date)

  
(Clerk)

10/23/15  
(Date)

(Affix Seal)

|            | Motion | Second | Yea | Nay | Absent | Abstain |
|------------|--------|--------|-----|-----|--------|---------|
| Bernstein  |        |        | ✓   |     |        |         |
| Homan      |        |        | ✓   |     |        |         |
| McSwiggan  |        |        | ✓   |     |        |         |
| Sasso      |        | ✓      | ✓   |     |        |         |
| Strauch    | ✓      |        | ✓   |     |        |         |
| Wilczynski |        |        | ✓   |     |        |         |
| White      |        |        |     |     |        |         |

I hereby certify the above to  
be a true copy of a Resolution  
adopted by the Governing Body  
of the Borough of Allendale on  
October 22, 2015



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Mayor Elizabeth White



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Anne Dodd, RMC  
Municipal Clerk

October 22, 2015

Borough of Allendale  
Closed Executive Session

Resolution 15-306

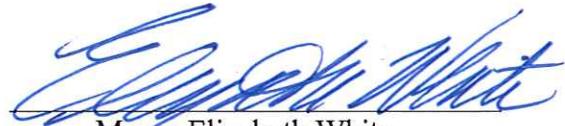
BE IT RESOLVED in compliance with N.J.S.A. 10:4-12, the Mayor and Council of the Borough of Allendale entered into Closed Executive Session to discuss the following matters:

A. Pending & Prospective Litigation

Minutes will be taken of the meeting and released to the public at the time that the matter is resolved.

|            | Motion | Second | Yea | Nay | Absent | Abstain |
|------------|--------|--------|-----|-----|--------|---------|
| Bernstein  |        |        | ✓   |     |        |         |
| Homan      |        |        | ✓   |     |        |         |
| McSwiggan  |        |        | ✓   |     |        |         |
| Sasso      | ✓      |        | ✓   |     |        |         |
| Strauch    |        |        | ✓   |     |        |         |
| Wilczynski |        | ✓      | ✓   |     |        |         |
| White      |        |        |     |     |        |         |

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 22, 2015



Mayor Elizabeth White



Anne Dodd, RMC  
Municipal Clerk