

Borough of Allendale

September 10, 2015

Resolution 15-260

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 27, 2015 in the amounts of:

Current Fund	\$857,494.12
COAH/Housing Trust	\$2,893.41
Trust Fund	\$6,067.38
Improvement and Beautification	\$270.00
Payroll	\$218,079.44
<b>Total</b>	<b>\$1,084,804.35</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 September 10, 2015

  
Mayor Elizabeth White

  
Anne Dodd, RMC  
Municipal Clerk

Borough of Allendale

September 10, 2015

Resolution 15-261

Renewal of JIF Membership

**Whereas**, the Borough of Allendale is a member of the Bergen County Municipal Joint Insurance Fund; and

**Whereas**, said renewed membership terminates as of December 31, 2015 unless earlier renewed by agreement between the Municipality and the fund; and

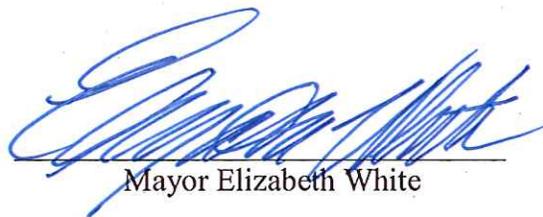
**Whereas**, the Municipality desires to renew said membership,

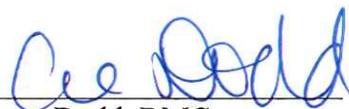
**Now, Therefore, Be It Resolved** as follows:

1. The Borough of Allendale agrees to renew its membership in the Bergen County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules, and Regulations, coverages and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Municipal Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Bergen County Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

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

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Mayor Elizabeth White

  
Anne Dodd, RMC  
Municipal Clerk

Borough of Allendale

September 10, 2015

Resolution 15-262

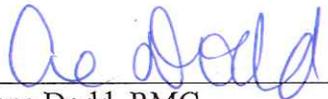
Accepting the Resignation of Dispatcher

Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that it hereby accepts the resignation of Ryan Post, Dispatcher, effective August 24, 2015.

	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

Borough of Allendale

September 10, 2015

Resolution 15-263

Approval of Phase 2 Water Restrictions

Whereas, it is necessary for the protection of the public health and safety for the Borough to conserve water;

Now, Therefore, Be It Resolved by the Governing Body pursuant to Section 262-23A of the Code, that Phase 2 water restrictions are deemed effective September 1, 2015; and

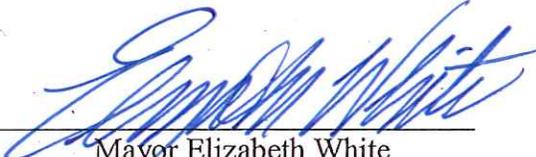
Be It Further Resolved that lawn and garden watering with both automatic and hose sprinklers are limited to the following schedule:

1. In-ground lawn sprinklers from 12 a.m. to 4 a.m.
2. Hose Supplied Lawn Sprinklers from 7 a.m. to 9 a.m. and 7 p.m. to 9 p.m.
3. Even house numbers: Tuesday, Thursday and Saturday.
4. Odd house numbers: Wednesday, Friday and Sunday;
5. No watering is permitted on Monday

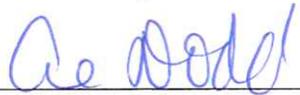
Be It Further Resolved that the Municipal Clerk shall cause an appropriate notice to be placed on the Borough web site.

	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 September 10, 2015



\_\_\_\_\_  
Mayor Elizabeth White



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

Borough of Allendale

September 10, 2015

Resolution 15-264

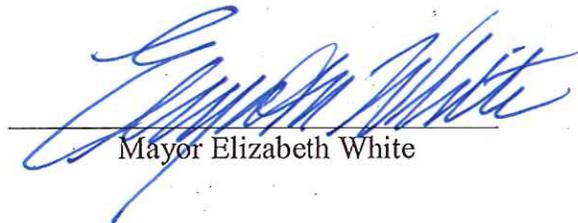
STATE TAX BOARD JUDGMENT

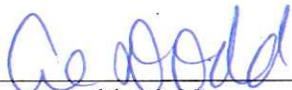
BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue a check to the following due to a State Tax Board Judgment for the tax year 2014:

Block/Lot	Name	Amount
1005/3	Harwood Lloyd, LLC 130 Main Street Hackensack, NJ 07601 Black Millwork	\$11,915.00

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

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\_\_\_\_\_  
Mayor Elizabeth White

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

Borough of Allendale

September 10, 2015

Resolution 15-265

County Board Judgments/State Board Judgments/  
Veteran Deduction/Senior Citizen Deduction

BE IT RESOLVED, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to reduce the 2015 tax levy due to County Board Judgments/State Tax Court Judgment as follows:

**County Board Judgments**

101/26	Dudas, Michele	\$ 1,113.52
103/13	Covello, Christian & Cheryl	\$ 1,232.51
104/17	Roth, Robert & Barbara	\$ 186.34
203/7	Rooney, Michael & Evelyn	\$ 1,488.44
301/42	Hayek, Matthew & Audrey	\$ 3,962.43
303/3	Myers, Garry & Rose Mary	\$ 1,102.30
408/15	Ege, Richard	\$ 3,226.07
511/19	Crowley, George & Frances	\$ 875.55
701/12	Dhir, Rachit & Aanchal	\$ 2,945.44
801/1.07	Velli, Joseph & Laura	\$ 455.74
801/5	Emery, Andrew	\$ 673.50
905/21	Jones, Douglas & Nancy	\$ 2,065.40
908/1	Kontogiannis, E & K & S	\$ 763.30
910/3	Eastern Christian Childrens Retreat	\$ 4,793.08
1102/1	Conte, Joseph	\$ 1,423.33
1304/23	Weichsel, John & Susan	\$ 1,656.81
1501/4	Gill, Timothy & Laura	\$ 776.77
1501/20	Romans, Thomas & Sharon	\$ 747.59
1502/2	Prince, Andrew & Fennell, Kate	\$ 1,122.50
1601/3	Sabino, Anthony & Arlene	\$ 493.90
1602/7	McDermott, Thomas & Debra	\$ 662.28
1705/21	Miller, Judith Howes	\$ 220.01
1804/5	Bender, Jennifer	\$ 1,719.67
2003/7	Bilow, Jonathan	\$ 3,183.41
2003/10.02	Abreu-Guerrero, Alejandro	\$ 1,472.72
2101/1.204	Falkenstern, Robert & Sinisi, Va	\$ 1,059.64
2201/12	Springer, Jay & Lauren	\$ 532.07
2201.01/1.02	Knowlton, John & Grace	\$ 1,416.60
2201.01/1.04	Cinelli, Tracy (Trste)	\$ 1,324.55
2202/8	Zenzius, August & Maria	\$ 1,638.85
<b>TOTAL</b>		<b>\$ 44,334.32</b>

**State Tax Court Judgment**

1005/3                                      Black Millwork                                      \$57,629.15

**TOTAL                                      \$101,963.47**

BE IT FURTHER RESOLVED, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to reduce the 2015 tax levy due to a Senior Citizen Deduction as follows:

1709/19                                      Finley, Daniel Post (Co-Trstes/Etal) \$250.00

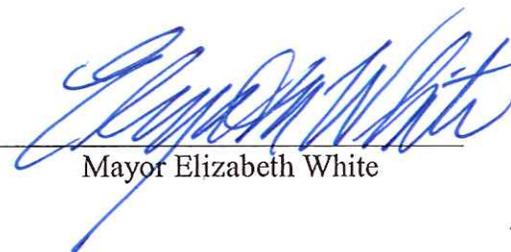
BE IT FURTHER RESOLVED, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to reduce the 2015 tax levy due to Veteran Deductions as follows:

511/8                                      Norelli, Robert & Joan                                      \$250.00  
 1709/19                                      Finley, Daniel Post (Co-Trstes/Etal) \$250.00  
 2101/9 C0074                                      Minck, Norma                                      \$250.00

**TOTAL                                      \$750.00**

	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 September 10, 2015

  
 \_\_\_\_\_  
 Mayor Elizabeth White

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

Borough of Allendale

September 10, 2015

Resolution 15-266

OVERPAYMENT

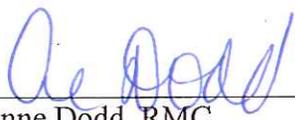
BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue the following check on the property listed below and charge same to Overpayment of 2015 Taxes:

Block/ Lot	Name	Property Location	Amount
2201/10	American Home Title Agency 2 Eves Drive, Suite 105 Marlton, NJ 08053 Murray	15 Oakwood Road	\$5,466.30

	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 September 10, 2015

  
Mayor Elizabeth White

  
Anne Dodd, RMC  
Municipal Clerk

Borough of Allendale

September 10, 2015

Resolution 15-267

REDEMPTION OF TAX SALE CERTIFICATE

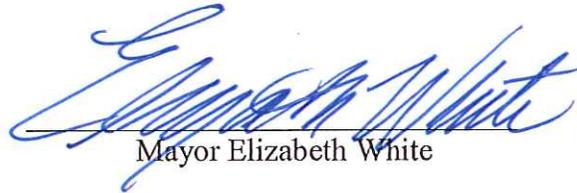
BE IT RESOLVED, that a Redemption has occurred, Block 2003 Lot 8, Certificate # 14-00001 and;

WHEREAS, by Resolution of the Governing Body of Allendale, the Tax Collector is hereby authorized to refund a check in the amount of \$43,976.04 which includes the redemption amount on the certificate of \$41,976.04, and the return of premium in the amount of \$2,000.00 to the following:

US Bank Cust-PC4 Firstrust Bank  
US Bank Global Corp Trust Svc-TLSG  
50 S. 16<sup>th</sup> Street-Suite 2050  
Philadelphia, PA 19102

	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 September 10, 2015

  
Mayor Elizabeth White

  
Anne Dodd, RMC  
Municipal Clerk

September 10, 2015

Resolution 15-268

Borough of Allendale

**Resolution Amending Health Care Flexible Spending Account**

**WHEREAS**, the Borough of Allendale (“Allendale”) presently maintains a Health Care Flexible Spending Account (the “Plan”) for the benefit of its employees; and

**WHEREAS**, Allendale has been advised that the Plan requires an amendment so as to be compliant with certain “non-discrimination” requirements; and

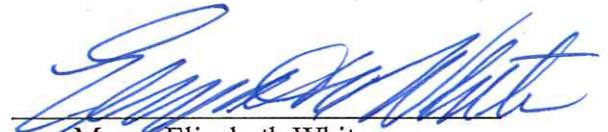
**WHEREAS**, by adoption of this Resolution, Allendale wishes to approve such amendment in the form attached to this Resolution and incorporated herein by reference; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Allendale that the Health Care Flexible Spending Account amendment in the form attached to this Resolution and incorporated by reference herein, is hereby approved and adopted, and that an authorized representative of Allendale is hereby authorized and directed to execute and deliver to the Administrator of the Plan, one or more counterparts of the amendment; 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					✓	
Sasso			✓			
McSwiggan	✓		✓			
Strauch		✓	✓			
Wilczynski					✓	
Homan					✓	
White						

I hereby certify the above to be a true copy of an Ordinance adopted by the **Governing Body of the Borough of Allendale** on September 10, 2015

  
Mayor Elizabeth White

  
Anne Dodd, RMC  
Municipal Clerk

HEALTH CARE FLEXIBLE SPENDING ACCOUNT AMENDMENT

ARTICLE I  
PREAMBLE

- 1.1 **Adoption and effective date of amendment.** The Employer adopts this Amendment to the Medical Care Expense Reimbursement (enter name of plan) ("Plan") to reflect changes to the Nondiscrimination Requirements of the Plan. The sponsor intends this Amendment as good faith compliance with the requirements of this provision. This Amendment shall be effective on or after the date the Employer elects in Section 2.1 below.
- 1.2 **Supersession of inconsistent provisions.** This Amendment shall supersede the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.

ARTICLE II  
NONDISCRIMINATION REQUIREMENTS

- 2.1 **Effective Date.** This Amendment is effective as of August 1, 2015.
- 2.2 **Nondiscrimination Requirements.** Notwithstanding any provision contained in this Health Care Flexible Spending Account Plan to the contrary, the "Adjustment to avoid test failure." shall read as follows:

(c) **Adjustment to avoid test failure.** If the Administrator deems it necessary to avoid discrimination or possible taxation to Key Employees or a group of employees in whose favor discrimination may not occur in violation of Code Section 125, it may, but shall not be required to, reduce contributions or non-taxable Benefits in order to assure compliance with the Code and regulations. Any act taken by the Administrator shall be carried out in a uniform and nondiscriminatory manner. With respect to any affected Participant who has had Benefits reduced pursuant to this Section, the reduction shall be made proportionately among Health Flexible Spending Account Benefits and Dependent Care Flexible Spending Account Benefits, and once all these Benefits are expended, proportionately among insured Benefits. Contributions which are not utilized to provide Benefits to any Participant by virtue of any administrative act under this paragraph shall be forfeited and deposited into the benefit plan surplus.

This Amendment has been executed this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Name of Employer:

\_\_\_\_\_

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

EMPLOYER

CERTIFICATE OF ADOPTING RESOLUTION

The undersigned authorized representative of Borough of Allendale  
(the Employer) hereby certifies that the following resolutions were duly adopted by Employer on \_\_\_\_\_ (date), and that such resolutions have not been modified or rescinded as of the date hereof;

RESOLVED, that the Amendment to the Medical Care Expense Reimbursement  
(name of the plan) (the Amendment) is hereby approved and adopted, and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the amendment.

The undersigned further certifies that attached hereto is a copy of the Amendment approved and adopted in the foregoing resolution.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

\_\_\_\_\_  
(print name/title)

**Alissa Mayer**

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**From:** WageWorks Service Notice <servicenotice@wageworks.com>  
**Sent:** Wednesday, July 15, 2015 8:01 PM  
**To:** Alissa Mayer  
**Subject:** Action needed to update your Flexible Benefits Plan document



**Dear M. Mayer,**

Your plan contains a provision for "Nondiscrimination Requirements." WageWorks has instituted a simplified process for remedying nondiscrimination should your plan be found discriminatory and participant account adjustments are needed.

To simplify this portion of your plan, it is necessary to amend your plan. We have prepared an amendment package to update your plan. This new amendment goes into effect on August 1, 2015.

Please go to [www.takecarewageworks.com/doc/lcDoc/Forms/FSA-Amendment-DiscriminationRequirements.docx](http://www.takecarewageworks.com/doc/lcDoc/Forms/FSA-Amendment-DiscriminationRequirements.docx) to access these amendment forms. Please review and complete these forms and retain the entire package with your plan documents (no need to return a signed copy to WageWorks).

**No Summary Plan Document Amendment needs to be provided to your employees.**

If you have any questions or concerns, please contact your Relationship Management Team.

Thank you,  
take care® by WageWorks

**Please do not reply to this email. This mailbox is not monitored and you will not receive a response.**

 Please consider the environment before printing this email.

take care by WageWorks  
1100 Park Place  
4th Floor  
San Mateo, CA 94403

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