

September 13, 2012

Borough of Allendale

Resolution 12-252

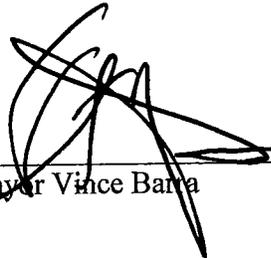
Adoption of Ordinance 12-16
Amend Chapter 220
"Sewer Use"

Be It Resolved that an Ordinance entitled 12-16 "An Ordinance to Amend Chapter 220 of the Code of the Borough of Allendale entitled 'Sewer Use' " 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 Sept. 13, 2012

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



Mayor Vince Barra

BOROUGH OF ALLENDALE

ORDINANCE NO. 12-16

**AN ORDINANCE TO AMEND CHAPTER 220 OF THE CODE ENTITLED
"SEWER USE"**

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale that Chapter 220 entitled "Sewer Use" is hereby amended and supplemented as follows:

I. **Section 220-1. Terms Defined** is amended to include or delete the following:

Code-Enforcement Official – the official described in Section 53-57 et seq. and authorized to enforce this Chapter.

Plumbing Inspector - is hereby deleted and repealed.

Plumbing Sub-Code Official – the Plumbing Sub-Code Official duly appointed by the Mayor and Council of the Borough of Allendale

Sump Pump – a pump used to remove water that has accumulated in a water collector sump basin commonly found in the basement of homes.

Superintendent – is hereby deleted and repealed.

Water and Sewer Utility Superintendent – an individual duly appointed by the Mayor and Council of the Borough of Allendale with the responsibilities set forth in Section 220-1A.

II. A new article I.A. entitled **Water and Sewer Utility Superintendent** is added as follows:

The Water Sewer Utility Superintendent shall be responsible for the general operation and maintenance of the water and sewer systems of the Borough and shall perform such other

duties as the Mayor and Council may from time to time prescribe.

III. Wherever the title Superintendent or Plumbing Inspector is referenced in this Chapter, the Code Enforcement Official shall be substituted in lieu thereof.

IV. **Section 220-27** is amended to delete the title "Superintendent of Public Works" and in lieu thereof to reference "Director of Operations."

V. **Section 220-43 WRITTEN NOTICE OF VIOLATION** is amended to read:

"any person found to be violating any provision of this Chapter except Article VI and Article X, shall be served by the Borough with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

VI. **SECTION 220-44 VIOLATIONS AND PENALTIES** is amended to read:

"Any person, partnership, firm or corporation violating any of the provisions of this Chapter, except Article X, shall upon conviction, be punishable as provided in §1-18 of Chapter 1, General Provisions, and each day that a violation continues or is permitted to continue shall constitute a separate offense."

VII. **WHEREAS**, it has been determined that an excess amount of "clean water" has been entering the sanitary sewer system thereby potentially jeopardizing the capacity and

functionality of the system as well as creating unnecessary treatment costs; and

WHEREAS, steps must be taken to eliminate any illicit connections which are taxing the sanitary system with clean water, and re-route that clean water to the storm sewer system or other less invasive areas.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Allendale that Chapter 220 entitled "Sewer Use" be amended to include a new Article X., entitled "Sump Pumps" as follows:

ARTICLE X.

Sump Pumps

220-47 Intent and Purpose

The implementation of this section will aid the Borough by limiting and reducing the inflow of additional water into the sanitary sewer systems. By prohibiting the discharge of water from any roof, surface ground, sump pump, swimming pool, other natural precipitation, and other sources of inflow into the Borough's sanitary sewer system, the Borough is seeking to reduce costs as well as protect against other damaging effects. The Borough's sanitary sewer system has had clean water enter the system which must be treated at the sewage treatment plant. Therefore, by reducing and eliminating this inflow of "clean water" into the sanitary sewer system and the subsequent unnecessary treatment, the expenses to

the Borough and its citizens will be reduced and will assist in protecting the health, safety and welfare of the residents of the Borough.

220-48 Violation

A. *Prohibited Discharges.* No person or entity shall discharge or cause to be discharged any stormwater, surface water, groundwater, yard drainage, yard fountain, swimming pool, pond overflow, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters, or any other substance other than sanitary sewage into the sanitary sewer collection system. No person, business or other entity shall discharge or cause to be discharged any hazardous substances into any public sewers. No person or entity shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

B. *Amnesty Period for Disconnection.*

1. On or before March 31, 2013, any person, business, or other entity who shall have a connection described above and who shall voluntarily report said connection to the Borough, so that said illicit connection shall be remedied, shall have any and all permit, connection and inspection fees waived by the Borough. This waiver of fees applies only to Borough fees, and does not include the actual cost of remediation.
2. After March 31, 2013, any person, business, or other entity who shall have a

connection described above, and shall fail to voluntarily report such connection by March 31, 2013 shall be liable for all permit fees, inspection fees, and connection fees as required by the Borough to remedy the illicit connection.

C. Manner of Disconnection

1. Any property owner, tenant, landlord, or other person with a property interest who shall have a connection in violation of this Ordinance, or who has not obtained a waiver pursuant to Section 220-51 shall immediately remove such connection and correct such situation. If not removed or corrected within one hundred and twenty (120) calendar days after receiving a Notice of Violation which shall be personally delivered or delivered via certified mail, the Borough may seek to impose a fine in the amount provided for in Section 220-53.
2. All disconnections of said illicit connections shall be accomplished by a complete and permanent method and performed in a competent manner and approved and inspected by the Code Enforcement Official. Any disconnection, plugging, capping, re-routing, altering, or modifying must be done in accordance with all applicable State and Municipal Building Codes.

220-49 Inspections

1. After the service of an initial notice of inspection, the Code Enforcement Official or his designee, as long as he displays the proper credentials and identification, shall be permitted to request entrance to any property for

the purpose of inspecting, observing, measuring, testing and sampling to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system in accordance with this Article.

2. Any owner, tenant, landlord, or other person with a property interest who shall refuse entrance to the Code Enforcement Official or his designee, shall receive a second notice of inspection. If said owner, tenant, landlord or other person with a property interest continues to refuse entrance for inspection, an external inspection of the said sewer system may be undertaken by the Borough. In the event said external investigation determines any illicit connections to the sewer system, said owner, tenant, landlord, or other person with a property interest will be subject to a fine as set forth herein and reimbursement to the Borough of the costs of such external investigation.

220-50 Municipal Assistance

The Borough shall assist and provide guidance to any property owner, tenant, landlord, or other person with a property interest in remedying the situation as it involves a matter of public concern to the resident's health, safety and welfare of the community in remedying the illicit connection. Except as specifically set forth in this Ordinance, all costs associated to comply with this Ordinance, shall be borne by the property owner, tenant, landlord, or other person with a property interest.

220-51 Waiver

Any person, business, or other entity, who shall by inspection or voluntary reporting is determined to be in violation of any section of this Ordinance, shall be permitted to file for a waiver of the fine requirement of Section 220-53, if they can prove that they have exhausted all possible remedial measures. Remedial measures include but are not limited to, the installation of a dry-well, the connection to a storm sewer, and/or use of one's own property for discharge of the water so long as such discharge does not adversely affect any neighboring property owner. Upon certification of the Code Enforcement Official, the person, business, or other entity shall be granted such waiver, but only for such time as to when a remedy becomes available. If such remedy is made available by the Borough, the Borough shall notify the person, business, or other entity, that they shall comply with this Ordinance within one hundred and twenty (120) days of receiving said notice. Failure to comply will result in the imposition of a fine as per Section 220-53.

220-52 Permit Required

After March 31, 2013, any property owner, tenant, landlord, or other person with an interest in the property must apply and pay for a permit to install a sump-pump. The permit fee shall be fifty (\$50) dollars.

220-53 Violations and Penalties

a. Any property owner, tenant, landlord or other person with an interest in

the property violating this Article shall, upon conviction, be subject to a fine of not less than \$1,000 per violation and \$100 per day for each day the violation continues.

b. Any property owner, tenant, landlord, or other person with an interest in the property found in violation of this Article as a result of an external investigation under Section 220-49 (2) shall, in addition to a fine, reimburse the Borough the actual costs of such external investigation.

220-54 Enforcement

The Code Enforcement Official is authorized to enforce this article and chapter and issue summonses for violations thereof.

220-55 Repealer

All other provisions of Chapter 220 which are not affected by this amendatory Ordinance are hereby ratified and confirmed and shall remain in full force and effect. However, all ordinances or parts of ordinances, which are inconsistent with the provisions of this amendatory Ordinance, are hereby repealed to the extent of such inconsistency.

220-56 Severability

If any portion of this Ordinance is adjudged unconstitutional or invalid by a

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.

220-57 Effective Date

This ordinance shall take effect after final passage and publication as required by law.

September 13, 2012

Borough of Allendale

Resolution 12-253

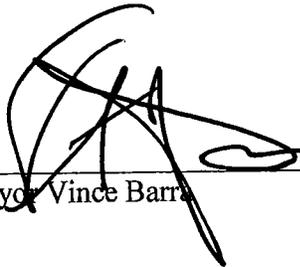
Adoption of Ordinance 12-18
Amend Chapter 53
"Officers and Employees"

Be It Resolved that an Ordinance entitled 12-18 "An Ordinance to Amend Chapter 53 of the Code of the Borough of Allendale entitled "Officers and Employees" 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 Sept. 13, 2012

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



Mayor Vince Barra

BOROUGH OF ALLENDALE

ORDINANCE 12-18

**AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 53 OF THE CODE ENTITLED "OFFICERS AND
EMPLOYEES"**

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Chapter 53 of the Code is amended and supplemented to read as follows:

Article XIV. CODE ENFORCEMENT OFFICIAL

53-57: OFFICE ESTABLISHED

There is hereby established the Office of Code Enforcement Official for the Borough of Allendale which shall collectively include the offices of Construction Code Official, Building Sub-Code Official, Fire Sub-Code Official and Plumbing Sub-Code Official.

53-58: TERM OF OFFICE

The Code Enforcement Official shall serve at the pleasure of the Governing Body.

53-59: POWERS AND DUTIES OF CODE ENFORCEMENT OFFICIAL

The Code Enforcement Official shall enforce the Uniform Construction Code, Building Sub-Code, Fire Sub-Code, Plumbing Sub-Code, and all applicable Chapters of this Code as required and may issue summonses for violations thereof.

53-60: COMPENSATION

The compensation to be paid to the Code Enforcement Official shall be as the Borough Council from time to time provide for in the annual salary ordinance and implementing resolutions.

Repealer

All ordinances or parts of ordinances, which are inconsistent with the provisions of this amendatory Ordinance are hereby repealed to the extent of such inconsistency.

Severability

If any portion of this Ordinance is adjudged unconstitutional or invalid by a 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.

Effective Date

This ordinance shall take effect after final passage and publication as required by law.

*Proclamation For
Kunisch Field*

Whereas, Michael Walter Kunisch was born and raised in Allendale, and

*Whereas, Mike attended Brookside School and graduated from
Ramsey High School in 1959, and*

Whereas, Mike owned and operated the Allendale Bar and Grill since 1967, and

Whereas, Mike was married to his true love, Bobbie, his wife of 46 years, and

Whereas, together they raised four children – Chris, Craig, Katie and Kenny, and

*Whereas, their family delighted in being together and sharing activities
especially in New Jersey and Vermont, and*

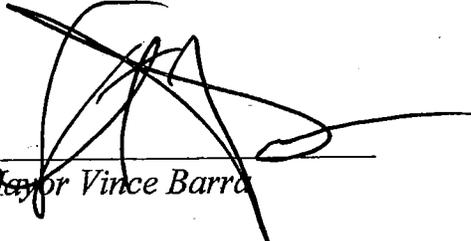
*Whereas, Mike passed away on March 1, 2012, but has left a legacy of
compassion, conviction and hard work, so in keeping with the
example of generations of the Kunisch family, and*

*Whereas, Mike and his brothers Robert and Art created what is known as
Field Four at Crestwood Park, and*

*Whereas, Field Four backs up to the home on West Maple Avenue where
the Kunisch brothers were raised,*

*Now, Therefore, Be It Resolved by the Mayor and Council of the
Borough of Allendale, that the name of Allendale's Field Four
be changed to **Kunisch Field** in honor of Mike Kunisch,*

*Be It Further Resolved that Kunisch Field will always be a place of
happiness and camaraderie – a true field of dreams.*



Mayor Vince Barra

Borough of Allendale

September 13, 2012

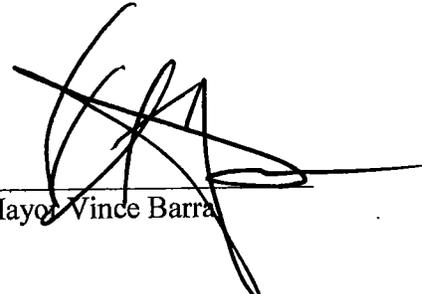
Resolution 12-254

List of Bills

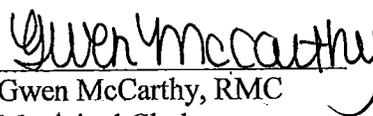
Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves the Bill List dated September 13, 2012.

	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 Sept. 13, 2012



Mayor Vince Barra


Gwen McCarthy, RMC
Municipal Clerk

September 13, 2012

Resolution 12-255

Crestwood Lake Staff Salaries for 2012

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 stipend is hereby approved retroactive to the start of the 2012 Crestwood Lake Swim Season:

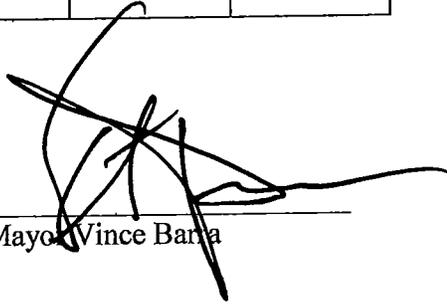
Lifeguards

Head Life Guard \$ 2.00/hour additional when on duty

	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 Sept. 13, 2012

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



Mayor Vince Barra

Borough of Allendale

September 13, 2012

Resolution 12-256

Chapter 159 – Insert an Item of Revenue
Community Development Block Grant

Whereas, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

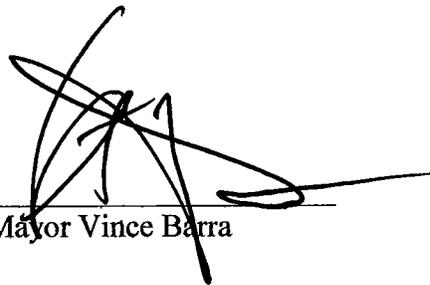
Whereas, the Director may also approve the insertion of an item of appropriation for equal amount;

Now, Therefore, Be It Resolved, Mayor and Council of the Borough of Allendale in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$33,150, which is now available from the County of Bergen, Community Development Block Grant, in the amount of \$33,150.

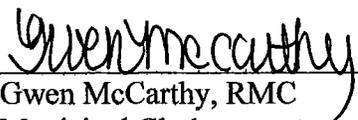
Be It Further Resolved that the above is the result of funds from the County of Bergen’s Community Development Block Grant in the amount of \$33,150.

	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 Sept. 13, 2012



Mayor Vince Barra


Gwen McCarthy, RMC
Municipal Clerk

Borough of Allendale

September 13, 2012

Resolution 12-257

Approval of Municipal Alliance Grant

Whereas, the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

Whereas, the Mayor and Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

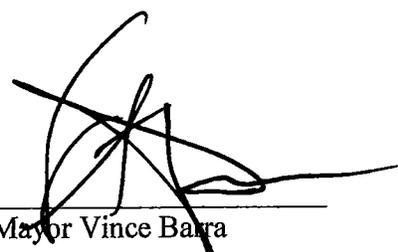
Whereas, the Mayor and Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

Now, Therefore, Be It Resolved that the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough Mayor and Council do hereby authorize submission of an application for the Borough of Allendale Municipal Alliance grant for calendar year 2013 in the amount of \$9,876.00.
2. The Borough Mayor and Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

	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 Sept. 13, 2012



 Mayor Vince Barra

Gwen McCarthy
Gwen McCarthy, RMC
Municipal Clerk

Borough of Allendale

September 13, 2012

Resolution 12-258

Appointment to Board of Health

Be It Resolved that the following individual is hereby appointed to the Board of Health to fulfill the unexpired term of Donna Fichera effective September 14, 2012.

Name of Board of Commission
Board of Health

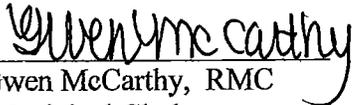
Member's Name
Susan Toron

Term Expires
December 31, 2014

	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

Sept. 13, 2012


Gwen McCarthy, RMC
Municipal Clerk


Mayor Vince Barra

Borough of Allendale

September 13, 2012

Resolution 12-260

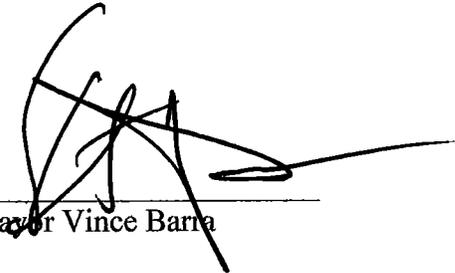
Appointment of Part-Time, Fill-In Dispatcher

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 individual is hereby appointed as part-time, fill-in dispatcher:

Name	Start Date	Rate of Pay
Tiffany Blauvelt	September 14, 2012	\$15.00/hour

	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