

Mayor and Council of the Borough of Allendale  
Regular Session Meeting Minutes  
September 22, 2016

PRESENT: Mayor Elizabeth White and Councilmembers Ari Bernstein, Steve Sasso, Jim Strauch and Amy Wilczynski

ABSENT: Councilmember Liz Homan and Jackie McSwiggan

ALSO PRESENT: Borough Attorney Thomas Bouregy  
Municipal Clerk Anne Dodd

A Regular Session Meeting of the Mayor and Council of the Borough of Allendale was held in the Municipal Building at 500 West Crescent Avenue, Allendale, NJ on September 22, 2016. The meeting was called to order at 8:06 p.m. by Mayor White who asked that the Municipal Clerk read the open public meetings statement: "In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. The meeting dates for the year are confirmed at the Annual Meeting, are posted on the public bulletin board in the Municipal Building, published in the Record within the first 10 days of the New Year, and copies are sent to the Ridgewood News and Star Ledger."

The Mayor led those present in a salute to the flag.

**Approval of Minutes:**

Motion by Councilman Bernstein, second by Councilwoman Wilczynski, that the Minutes of August 25, 2016 Work Session and August 25, 2016 Regular Session, are approved.

On a roll call, the vote was recorded as follows:

Councilman Bernstein:	aye	Councilman Sasso:	abstain
Councilwoman Homan:	absent	Councilman Strauch:	abstain
Councilwoman McSwiggan:	absent	Councilwoman Wilczynski:	aye

Motion by Councilman Strauch, second by Councilman Sasso, that the Minutes of September 8, 2016 Work Session and September 8, 2016 Regular Session are approved.

On a roll call, the vote was recorded as follows:

Councilman Bernstein:	abstain	Councilman Sasso:	aye
Councilwoman Homan:	absent	Councilman Strauch:	aye
Councilwoman McSwiggan:	absent	Councilwoman Wilczynski:	abstain

**Public Comment**

Craig Cinelli, 60 Burtwood Court, and Luis Ruelas, 62 Burtwood Court, expressed concern over cars parking on their street to gain access to Waldwick Middle School and inquired whether any measures can be taken to address this issue.

Mayor White responded that she will request that this matter be placed on the next Public Safety Committee meeting agenda to review and determine whether parking limitations can be imposed.

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**Public Hearings for Advertised Ordinances:**

**Ordinance 16-24**

Mayor White read into the record:

The following ordinance published herewith was first read by title only on August 11, 2016 and posted on the bulletin board of the municipal building.

ORDINANCE 16-24 - AN ORDINANCE OF THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 270-26 OF THE BOROUGH CODE ENTITLED "RESTRICTED USES AND ACTIVITIES"

Mayor White advised that the Planning Board has reviewed this ordinance and passed a resolution in support of its adoption.

Public Comments on Ordinance 16-24

No one came forward.

Motion by Councilman Sasso, second by Councilwoman Wilczynski, that Ordinance 16-24 be passed on second and final reading and is hereby adopted and notice of same shall be published according to law.

On a roll call, the vote was recorded as follows:

Councilman Bernstein:	aye	Councilman Sasso:	aye
Councilwoman Homan:	absent	Councilman Strauch:	aye
Councilwoman McSwiggan:	absent	Councilwoman Wilczynski:	aye

(See Ordinances 16-24, attached and made a part hereof.)

**Introduction of Ordinances**

Motion by Councilman Bernstein that the following ordinance be introduced and passed on first reading and setting October 13, 2016 at 8:00 p.m. or as soon thereafter as the as the matter can be heard as the date and time and the Council Chambers of the Allendale Municipal Building as the place for a hearing on said ordinance. Second by Councilman Sasso.

The Municipal Clerk read the title of the ordinance into the record:

ORDINANCE 16-26 – AN ORDINANCE TO AMEND CHAPTER 210 OF THE CODE OF THE BOROUGH OF ALLENDALE ENTITLED "RETAIL FOOD ESTABLISHMENTS"

On a roll call, the vote was recorded as follows:

Councilman Bernstein:	aye	Councilman Sasso:	aye
Councilwoman Homan:	absent	Councilman Strauch:	aye
Councilwoman McSwiggan:	absent	Councilwoman Wilczynski:	aye

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(See Ordinances 16-26, attached and made a part hereof.)

**Consent Agenda**

- A. **16-243**/Approval of Bill List
- B. **16-244**/Authorize Refund – Water Overpayment
- C. **16-245**/Authorize Auction – GovDeals.com
- D. **16-246**/Appoint Members of Allendale Volunteer Goose Patrol Commission
- E. **16-247**/Authorize Refunds – County Board Judgments
- F. **16-248**/Acknowledge Bergen County Open Space Trust Fund Application – Concerned Citizens of Allendale
- G. **16-249**/Recognize October 6, 2016 as Knock Out Opiate Abuse Day
- H. **16-250**/Authorize Lease Extension Agreement – Allendale Board of Education
- I. **16-251**/Authorize Agreement – 2016 Hopper Avenue Rehabilitation & Paving Project
- J. **16-252**/Designate Bus Stops on County Roads
- K. **16-253**/Approve Phase 2 Water Restrictions

Motion by Councilman Strauch, second by Councilwoman Wilczynski, that the Consent Agenda be approved.

On a roll call, the vote on the Consent Agenda was recorded as follows:

Councilman Bernstein:	aye	Councilman Sasso:	aye
Councilwoman Homan:	absent	Councilman Strauch:	aye
Councilwoman McSwiggan:	absent	Councilwoman Wilczynski:	aye

All members present voting in favor, the Consent Agenda was approved.

**Resolution 16-243**

**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 22, 2016 in the amounts of:

Current Fund	\$1,376,003.08
General Capital	\$55,892.96
COAH/Housing Trust	\$3,211.25
Water Operating	\$56,991.89
Water Capital	\$8,971.68
Trust Fund	\$5,410.00
Payroll	\$157,670.11
Improvement & Beautification	\$0.00
Animal Fund	\$8.40
Unemployment Fund	\$0.00
<b>Total</b>	<b>\$1,664,159.37</b>

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**Resolution 16-244**

Return of Water Overpayment

**Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the Water Collector is hereby authorized to issue the following check on the account listed below and charge same to Water Rents for 2016 in connection with an overpayment:

<b>Account Number</b>	<b>Name</b>	<b>Amount</b>
311 8021136318	Simon Day 80 Sheri Drive Allendale, NJ 07401	\$76.43

**Resolution 16-245**

WHEREAS, the Borough of Allendale is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, N.J.S.A. 40A 11-36 authorizes municipalities to offer for sale, public property which is no longer needed for public service; and

WHEREAS, the Mayor and Council of the Borough of Allendale is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals.com pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough Clerk.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold attached as Exhibit A
- (5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Borough of Allendale reserves the right to accept or reject any bid submitted.

EXHIBIT A

Police Department Vehicles:

1. 2007 Ford Crown Victoria Police Interceptor  
VIN#2FAFP71W37X154446  
Mileage: ~80,000 (Odometer Does Not Work)
2. 2000 Ford Expedition  
VIN#1FMPU16L5YLC25563  
Mileage: ~44,000

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3. 2001 Ford Expedition  
VIN#1FMPU16LX2LA87607  
Mileage: Over 100,000 (Does not start, needs new battery)
4. 1989 GMC Vandura 2500  
VIN#2GTEG25H5K4528568  
Mileage: 69,882

Police Department Equipment:

1. Various Jewelry (Necklaces, Rings, Watches, Bracelets, Earrings, Pin)
2. Specialized Mountain Bike PX427549 17 Speed Purple
3. Pacific Aries Mountain Bike C69T8601 Silver
4. Schwinn Safari 1.6 Red Mini Bicycle SNCAB04D21543
5. Globe Mini Skateboard Camo Design
6. Rear Seat from Ford Crown Victoria
7. Rear Door Panels from Ford Crown Victoria
8. Two (2) 35MM Film Cameras
9. Mobile Vision VHS In-Car Recording System Components
10. Trailer Hitch

Fire Department Vehicles:

1. 1989 Pierce Lance Firetruck  
VIN#E4547 Chassis S/N 1P9CT02JXKA040213  
Mileage: 34,858

DPW Equipment:

1. 52" Scag
2. Heating Units
3. Numerous Bags of Soda Ash
4. Numerous Barrels of Alum

Library Equipment:

1. Three (3) Chandeliers

**Resolution 16-246**

Board Appointments

**Be It Resolved** that the following individuals are appointed to the Allendale Volunteer Goose Patrol Commission for a term to expire on December 31, 2016:

Carlton Frost  
Jen Klemchalk Gill  
Darcy Litt  
John Merchant  
Jim Strauch

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**Resolution 16-247**

County Board Judgments

BE IT RESOLVED, by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to reduce the 2016 tax levy due to County Board Judgments/State Tax Court Judgments as follows:

**County Board Judgments**

509/7	Hegy, Andrew & Lauren	\$ 389.47
511/11	Vinogradov, Nikolay & Natalia	\$ 160.37
1303/11	OConnor, Robert & Elizabeth	\$ 735.41
1401/7	Franchi, Eric & Sarah	\$ 1,214.23
1404/9	Leipzig, Steven & Julie	\$ 3,253.22
1406/3	Karvellas, Michael	\$ 6,075.73
1708/8	Lago, Margaret	\$ 1,024.08
1710/8	Larkin, John & Judith	\$ 84.77
2201.01/1.04	Cinelli, Tracy	\$ 1,122.59
2204/6	Jasper, Kyoko	\$ 1,713.67
<b>TOTAL</b>		<b>\$ 15,773.54</b>

**Resolution 16-248**

Municipal Resolution of Acknowledgement

**Whereas**, the Bergen County Open Space Acquisition Program of the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund provides grants to non-profit organizations for assistance in the preservation of historic buildings, districts and sites; and

**Whereas**, as part of the 2016 application by the Concerned Citizens of Allendale to the County of Bergen is the requirement that the applicant must obtain a resolution of acknowledgement that the municipality in which the project it is located knows that the application is being made; and

**Whereas**, the Concerned Citizens of Allendale has informed the Borough of Allendale of its intent to apply for a Bergen County Open Space Trust Fund in the amount of \$62,500 for assistance in the historic preservation of the John Fell property located at 475 Franklin Turnpike, Allendale, Block 1809, Lot 14 on the tax map of the Borough of Allendale.

**Whereas**, the Borough of Allendale does not assume any financial liability or other responsibilities related to the application or the project.

**Now, Therefore, Be It Resolved** that the Borough of Allendale acknowledges that Concerned Citizens of Allendale is applying to the Bergen County Open Space Trust Fund.

**Resolution 16-249**

Recognize October 6, 2016 as  
Knock Out Opiate Abuse Day

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WHEREAS, New Jersey is in the midst of a life threatening opiate abuse epidemic; and

WHEREAS, the Partnership for a Drug-Free New Jersey has designated October 6, 2016 as Knock Out Opiate Abuse Day – an initiative with a dual purpose: to educate families of the addictive qualities of opioid pain medicines and their link to heroin abuse rates in New Jersey, and outreach to physicians with safer prescribing messages found in the Centers for Disease Control and Prevention guidelines for prescribing opiates, which include considering other therapies, setting realistic treatment goals with patients and discussing with patients the pros and cons of opioids; and

WHEREAS, the Borough of Allendale supports initiatives designed to raise awareness about opiate abuse in New Jersey and take steps to prevent addiction.

THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Allendale that October 6, 2016 be recognized as Knock Out Opiate Abuse Day in Allendale.

**Resolution 16-250**

**Authorizing Lease Extension Agreement  
With the Board of Education of Allendale**

**WHEREAS**, the Borough of Allendale (the “Borough”) and the Allendale Board of Education (the “Board”) previously entered into a lease dated January 22, 2002 (the “Lease”) whereby the Borough leased to the Board certain real property described in Schedule A to said Lease for a term beginning on November 1, 2002 and ending on October 31, 2016; and

**WHEREAS**, the Board has requested and the Borough has agreed to extend the term of the Lease for an additional period of time commencing on November 1, 2016 and ending on October 31, 2031.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Allendale that it hereby authorizes the Mayor and Municipal Clerk of the Borough of Allendale to sign an agreement, in the form attached to this Resolution, to extend the term of the Lease for the period beginning on November 1, 2016 and ending on October 31, 2031.

**Resolution 16-251**

**Authorize Agreement for 2016 Hopper Avenue  
Rehabilitation and Paving Project**

**Whereas**, the Borough of Waldwick is seeking to rehabilitate and pave Hopper Avenue, a section of which street is within the borders of the Borough of Allendale, specifically the east side of Hopper Avenue, known as Chestnut Street in Allendale; and

**Whereas**, the Mayor and Council have determined that it is in the best interest of the Borough of Allendale to enter into an agreement with the Borough of Waldwick to arrange for the repaving of said street section within Allendale; and

**Whereas**, the Chief Financial Officer of Allendale has advised that funding is available for this

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project; and

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that an Agreement, in the form attached hereto, to arrange for paving services for the paving of said street section be entered into with the Borough of Waldwick in the amount of \$10,500.00; and

**Be It Further Resolved** that the Mayor, Borough Clerk and Borough Attorney are hereby authorized to take such action as may be necessary to implement this Resolution, including the execution of the aforesaid Agreement with the Borough of Waldwick for the above services.

**Resolution 16-252**

BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen and State of New Jersey that pursuant to N.J.S.A. 39-4-8(e) the following described locations are **designated as bus stops:**

**COUNTY ROADS**

**ADDED STOPS**

**1. Along Franklin Turnpike (CR 507), northbound on the easterly side thereof at:**

- a. Waibel Drive – (near side)  
Beginning at the southerly curbline of Waibel Drive and extending 105 feet southerly therefrom (location 10954).
- b. Elmwood Avenue – (near side)  
Beginning at the southerly curbline of Elmwood Avenue and extending 105 feet southerly therefrom (location 10955).
- c. East Allendale Avenue – (far side)  
Beginning at the northerly curbline of East Allendale Avenue and extending 105 feet northerly therefrom (location 10956).
- d. Ivers Road – (near side) (prolongation)  
Beginning at the prolongation of the southerly curbline of Ivers Road and extending 105 feet southerly therefrom (location 10957).
- e. Green Way – (far side)  
Beginning at the northerly curbline of Green Way and extending 100 feet northerly therefrom (location 10958).
- f. Cherokee Road – (far side)  
Beginning at the northerly curbline of Cherokee Road and extending 100 feet northerly therefrom (location 10959).

**ADDED STOPS**

**2. Along Franklin Turnpike (CR 507), southbound on the westerly side thereof at:**

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- a. Cherokee Road – (far side)  
Beginning at the prolongation of southerly curblineline of Cherokee Road and extending 100 feet southerly therefrom (location 10960).
- b. Green Way – (near side)  
Beginning at the prolongation of northerly curblineline of Green Way and extending 105 feet northerly therefrom (location 10961).
- c. Ivers Road – (near side)  
Beginning at the northerly curblineline of Ivers Road and extending 105 feet northerly therefrom (location 10962).
- d. West Allendale Avenue – (near side)  
Beginning at the northerly curblineline of West Allendale Avenue and extending 105 feet northerly therefrom (location 10963).
- e. West Orchard Street – (near side)  
Beginning at the northerly curblineline of West Orchard Street and extending 105 feet northerly therefrom (location 10964).
- f. Elmwood Avenue – (far side)  
Beginning at the prolongation of the southerly curblineline of Elmwood Avenue and extending 100 feet southerly therefrom (location 10965).
- g. Waibel Drive– (near side)  
Beginning at the northerly curblineline of Waibel Drive and extending 105 feet northerly therefrom (location 10966).

BE IT FURTHER RESOLCED that the Mayor and Council of the Borough of Allendale will enforce the needed traffic regulations governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the traveling public.

**Resolution 16-253**

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 26, 2016; 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;

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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.

***Unfinished Business:***

There was no unfinished business

***New Business:***

There was no new business

***Council Committee Reports and Comments***

**Councilman Sasso** - Land Use and Construction Code

Councilman Sasso advised that the Land Use and Construction Code Committee is scheduled to meet on October 7<sup>th</sup>.

**Councilman Bernstein** – Administration, Finance and Human Resources

Councilman Bernstein reported that the Administration, Finance and Human Resources Committee met on September 13<sup>th</sup> and reviewed the budget. He noted that there are a few problem areas and urged everyone to be vigilant with their numbers. There was also a discussion regarding having a review of the Borough Code conducted to determine whether there are any conflicts among the various sections or with State Statute. The decision was to have this review conducted at the beginning of next year so that all of the ordinances that have been adopted through the end of this year will be included. The next committee meeting is scheduled for October 27<sup>th</sup>.

**Councilwoman Wilczynski** – Facilities, Parks and Recreation

Councilwoman Wilczynski advised that the Red Barn/Van Houten Pavilion has been getting a lot of use. The September 11<sup>th</sup> ceremony was held there and she remarked that it was a beautiful event. She thanked Councilman Bernstein for serving as Master of Ceremonies. She commented that Brian Clark was a great guest speaker and he will also be speaking at the high school on October 5<sup>th</sup>. A wedding and the Hope and Healing vigil were also both held at the Red Barn. The dedication of the Red Barn as the Van Houten Pavilion is scheduled to take place tomorrow night. A grant is being sought to have the floors redone and another grant has been obtained to have the bathrooms redone. In addition, they will be seeking donations to have the kitchen renovated. A facilities meeting was held to discuss the condition of the fields and an ASA meeting took place to discuss the needs of the sports teams.

**Councilman Strauch** – Public Works

Councilman Strauch reported that the Public Works Committee is scheduled to meet on October 5<sup>th</sup> at 9 a.m.

Mayor White advised that she has learned that there may be an issue with a resident on Brookside Avenue pertaining to a stream or pond. She will be asking Engineering to investigate this matter.

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***Staff Reports:***

Thomas Bouregy, Municipal Attorney, advised that he has no report.

Anne Dodd, Municipal Clerk, advised that there was a training for the new municipal management software and commented that she believes this program will be a great tool for both the employees and residents. She advised that her office is preparing for the General Election, noting that October 18<sup>th</sup> is the deadline to register to vote and her office will be open until 9 p.m. for Late Night Voter Registration.

Mayor White advised that although the Borough does its best to be as transparent as possible, the Borough Clerk has been receiving a large number of OPRA requests recently. She explained that one request was for the 2006 Mayor and Council Minutes in electronic format. Although the minutes are available, they are not currently available in electronic format. She noted how thick the minute books are and advised that they are currently trying to determine how they can scan these documents. She advised that she would just like Council to be aware of the cost, time, energy and loss of productivity that will be entailed with fulfilling this request.

***Public Comment on any issue:***

No one came forward.

***Adjournment:***

There being no further business to come before the Mayor and Council, on a motion by Councilman Strauch, second by Councilwoman Wilczynski, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:28 p.m.

Respectfully submitted,

Anne Dodd, RMC  
Municipal Clerk