



**BOROUGH OF ALLENDALE**  
**MAYOR AND COUNCIL**  
**MEETING AGENDA & MATERIALS**  
**THURSDAY,**  
**MARCH 21, 2024**  
**7:30 P.M.**

# AGENDA

BOROUGH OF ALLENDALE

MAYOR AND COUNCIL

COMBINED WORK AND REGULAR SESSION

MARCH 21, 2024 AT 7:30 P.M.

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A combined Work and Regular Session of the Mayor and Council of the Borough of Allendale will be held in-person on March 21, 2024 beginning at 7:30 pm in the Mayor & Council Chambers at the Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey 07401.

## CALL TO ORDER

## OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT

## ROLL CALL

## SALUTE TO FLAG

## APPROVAL OF MINUTES

1. February 22, 2024
2. March 7, 2024

## AGENDA REVIEW

## PUBLIC COMMENT ON AGENDA ITEMS ONLY

## INTRODUCTION OF ORDINANCE

Motion that the following ordinance be introduced and passed on first reading and setting March 7, 2024 at 7:30 p.m. or as soon thereafter 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.

- **ORDINANCE 24-04**: AN ORDINANCE TO AMEND CHAPTER 185, OUTDOOR CAFES, CHAPTER 185-1, ENTITLED "PURPOSE", AND CHAPTER 185-16 ENTITLED "MONTHS OF OPERATION", OF THE CODE OF THE BOROUGH OF ALLENDALE.

## CONSENT AGENDA

Matters listed below are considered routine and will be enacted by one motion of the Council and one roll call vote. There will be no separate discussion of these items unless a Council member requests an item be removed for consideration.

[RES 24-100](#): AUTHORIZATION TO SOLICIT BIDS FOR MA-22-23 WEST ALLENDALE STREETSCAPE PROJECT – PHASE V & VI (NJDOT FUNDED).

[RES 24-101](#): APPOINTMENT OF FIRE SUB-CODE INSPECTOR.

[RES 24-102](#): REVISED 2024 FEES FOR CRESTWOOD CRUISERS.

[RES 24-103](#): APPROVAL OF 2024 CRESTWOOD LAKE FAMILY MEMBERSHIP DONATION - ALLENDALE WOMAN’S CLUB.

[RES 24-104](#): RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING WITH UNITED PUBLIC SERVICE EMPLOYEES UNION (UPSEU).

[RES 24-105](#): RESOLUTION CALLING FOR REVIEW AND REFORM OF OPRA.

[RES 24-106](#): A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR THE ACCEPTANCE OF DONATIONS FOR THE ALLENDALE MURAL PROJECT REQUIRED BY THE BOROUGH OF ALLENDALE.

[RES 24-107](#): AUTHORIZING EMERGENCY TEMPORARY BUDGET APPROPRIATIONS.

[RES 24-108](#): APPOINTMENT OF POLICE CHAPLAIN.

[RES 24-109](#): APPOINTMENT OF RADIO POLICE DISPATCHER, FILL-IN PER DIEM, HOURLY – PEGGY TIMONY.

[RES 24-110](#): BILL LIST OF MARCH 21, 2024.

## **ADMINISTRATION**

- A. Council Report
- B. Mayor’s Report
- C. Staff Reports

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

## **PUBLIC COMMENTS ON ANY MATTER**

Those wishing to speak will have a three (3) minute time limit to address the governing body. Large groups are asked to have a spokesperson represent them.

## **ADJOURNMENT**

This agenda was prepared as of 03/18/2024 with all available information as of this date. Additional items may be added to this agenda. Final action may be taken on all matters listed or added to this agenda.

**BOROUGH OF ALLENDALE  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

**ORDINANCE #24-04**

**AN ORDINANCE TO AMEND CHAPTER 185, OUTDOOR CAFES, CHAPTER 185-1, ENTITLED “PURPOSE”, AND CHAPTER 185-16 ENTITLED “MONTHS OF OPERATION”, OF THE CODE OF THE BOROUGH OF ALLENDALE.**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Chapter 185-1, entitled “Purpose”, and Chapter 185-16 entitled “Months of Operation”, of the Code of the Borough of Allendale is amended as follows:

§185-1, be and hereby is amended, supplemented and revised in its entirety to read as follows:

The purpose of this chapter is to establish a procedure and authorize rules and regulations thereunder for the licensing of all outdoor cafes located within the Borough of Allendale.

§185-16, be and hereby is amended, supplemented and revised in its entirety to read as follows:

Outdoor cafes shall be permitted to operate from March 1 to November 30 in any calendar year, provided that application for such operation is submitted to, and reviewed and approved by, the Borough Construction Code Official. The license for such operation, when issued, shall be valid for one season. The application fee for such license set forth in §185-4(F) shall be paid annually.

**BE IT FURTHER ORDAINED** that, except as modified herein, all other provisions of Chapter 185 shall remain in full force and effect as previously adopted.

Council	Motion	Second	Yes	No	Abstain	Absent
Daloisio						
Homan						
Lovisololo						
O’Connell						
O’Toole						
Yaccarino						
Mayor Wilczynski	-----	-----				

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I hereby certify the above to be a true copy of an Ordinance introduced by the Governing Body of the Borough of Allendale on March 21, 2024.

Linda Louise Cervino, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 03/21/2024**

**RESOLUTION# 24-100**

Council	Motion	Second	Yes	No	Abstain	Absent
Daloisio						
Homan						
Lovisollo						
O'Connell						
O'Toole						
Yaccarino						
Mayor Wilczynski	-----	-----				

- Carried
- Defeated
- Tabled
- Approved on Consent Agenda

**AUTHORIZATION TO SOLICIT BIDS FOR MA-22-23 WEST ALLENDALE STREETSCAPE  
PROJECT – PHASE V & VI (NJDOT FUNDED)**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Allendale, Bergen County, New Jersey upon the recommendation of the Project Engineer, David Juzmeski, Neglia Group that the plans and specifications for:

**MA-22-23 West Allendale Streetscape Project – Phases V & VI (NJDOT Funded)**

**Borough of Allendale  
Bergen County**

Are hereby approved and the Borough Clerk is hereby authorized to advertise for bids. This Resolution to take effect immediately.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on March 21, 2024.

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Linda Louise Cervino, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 03/21/2024**

**RESOLUTION# 24-101**

Council	Motion	Second	Yes	No	Abstain	Absent
Daloisio						
Homan						
Lovisolo						
O'Connell						
O'Toole						
Yaccarino						
Mayor Wilczynski	-----	-----				

- Carried
- Defeated
- Tabled
- Approved on Consent Agenda

**APPOINTMENT OF FIRE SUB-CODE INSPECTOR**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Allendale, that it does hereby appoint Keith Dalton as Fire Sub-Code Inspector effective March 4, 2024, for six hours per week at \$50.00 per hour.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on March 21, 2024.

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Linda Louise Cervino, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 03/21/2024**

**RESOLUTION# 24-102**

Council	Motion	Second	Yes	No	Abstain	Absent
Daloisio						
Homan						
Lovisolo						
O'Connell						
O'Toole						
Yaccarino						
Mayor Wilczynski	-----	-----				

- Carried
- Defeated
- Tabled
- Approved on Consent Agenda

**REVISED 2024 FEES FOR CRESTWOOD CRUISERS**

NOW, THEREFORE, BE IT RESOLVED, that the following rates be and are hereby approved for Crestwood Lake Cruisers for the 2024 season:

**2024 RATES**

**Crestwood Cruisers**

Swim Team for all ages	\$ 90
Dive Team for all ages	\$ 55
Both Swim & Dive Teams for all ages	\$ 140

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on March 21, 2024.

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Linda Louise Cervino, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 03/21/2024**

**RESOLUTION# 24-103**

Council	Motion	Second	Yes	No	Abstain	Absent
Daloisio						
Homan						
Lovisolo						
O'Connell						
O'Toole						
Yaccarino						
Mayor Wilczynski	-----	-----				

- Carried
- Defeated
- Tabled
- Approved on Consent Agenda

**APPROVAL OF 2024 CRESTWOOD LAKE FAMILY MEMBERSHIP DONATION -  
ALLENDALE WOMAN'S CLUB**

**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 donation of a family (parents and children) Crestwood Lake 2024 Season Pass to the Allendale Woman's Club.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on March 21, 2024.

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Linda Louise Cervino, RMC  
Municipal Clerk



March 2024

Dear AWC Friend,

**The Allendale Woman's Club (AWC)** is excited to announce our annual Fashion Show, **Fashions helping Families**, will be held on Wednesday, April 24, 2024. We are proud to share that **Families for Families** has been chosen as the primary beneficiary of our Signature Event. We will once again gather for an evening of fashion, food, and fundraising at the elegant Seasons of Washington Township. Over 330 women from the Bergen County area attended our exciting and successful Fashion Show last year, and we look forward to topping that number this year.

**Families for Families** is dedicated to supporting less fortunate families in their transition out of homelessness. Their overarching objective is to build enduring relationships between families, volunteers, and donors that extend beyond immediate assistance (food, clothing, housewares, and furniture). The ultimate goal is to empower clients to achieve financial self-sufficiency. Furnishing Great Starts, its most impactful program, is specifically designed to assist families as they face an overwhelming transition from homelessness to permanent living spaces.

Your contributions to **Fashions helping Families** will play a pivotal role in expanding the Furnishing Great Starts Program to meet the demand, which has grown over 30% in the last year alone. As Families for Families partners with additional agencies and more families seek assistance in their journey out of homelessness, the additional funding will enable Families for Families to extend its reach and make a greater impact.

Please consider assisting us this year in advancing this work by becoming a benefactor, advertising, placing a message of support in the event program, or by donating goods or services for baskets. Your generosity greatly benefits the AWC and the local charities we support, and you will be recognized in our Fashion Show Program. **The deadline for Benefactors, Ads, and Messages of Support is Friday, March 22, 2024.**

For further information about the Allendale Woman's Club please visit our website, [allendalewomansclub.org](http://allendalewomansclub.org).

For information about Families for Families visit [www.families4families.com](http://www.families4families.com).

Thank you for your support of the AWC and our community endeavors. Together we can help bring about a better quality of life in our community!

**For pick up of donations or questions, please contact Liz at 201-914-1106 or Diana at 201-788-5822 or email [AWCFASHIONSHOW@gmail.com](mailto:AWCFASHIONSHOW@gmail.com)**

With sincere appreciation,

*Diana Davis and Liz Simendinger*

Ads and Acquisition Co-Chairs

Allendale Woman's Club of New Jersey, Inc., PO Box 284, Allendale NJ 07401

A 501(c)(3) Non-Profit Corporation EIN # 52-1822476

Member of The General Federation of Women's Clubs & The New Jersey State Federation of Women's Clubs

# Allendale Woman's Club

## 2024 Fashion Show

### Donation Form



**Donations must be received by Friday, March 22, 2024 to be included in the program**

Donor Name: \_\_\_\_\_  
(as it is to appear on event materials)

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail address: \_\_\_\_\_

I would like to make a tax-deductible monetary donation of \$ \_\_\_\_\_

I would like to donate the following merchandise or service in support of the event:

Item Name \_\_\_\_\_

Item Value \$ \_\_\_\_\_

AWC Use _____
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Description \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Restrictions, if any \_\_\_\_\_

All donors will be acknowledged in the event program. If your charitable gift is over \$250 you will receive a letter of receipt, all others can use this form for tax purposes. Upon donation or collection, your tax-deductible donation becomes the property of the AWC.

To arrange for a donation pick-up contact Liz at 201-914-1106 or Diana at 201-788-5822  
or email [awcfashionshow@gmail.com](mailto:awcfashionshow@gmail.com)

**Thank you for your support of The Allendale Woman's Club  
and our Fashion Show Primary Beneficiary - Families for Families!**

The AWC is a nonprofit organization able to receive donations EIN # 52-1822476

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 03/21/2024**

**RESOLUTION# 24-104**

Council	Motion	Second	Yes	No	Abstain	Absent
Daloisio						
Homan						
Lovisolo						
O'Connell						
O'Toole						
Yaccarino						
Mayor Wilczynski	-----	-----				

- Carried
- Defeated
- Tabled
- Approved on Consent Agenda

**RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING WITH  
UNITED PUBLIC SERVICE EMPLOYEES UNION (UPSEU)**

**WHEREAS**, the Collective Bargaining Agreement (“CBA”) between the Borough of Allendale (“Allendale”) and the United Public Service Employees Union (the “Union”) expires on December 31, 2023; and

**WHEREAS**, Allendale and the Union have engaged in ongoing negotiations to discuss and agree upon the terms and conditions of a successor CBA; and

**WHEREAS**, as part of the negotiations for a successor CBA, a Memorandum of Understanding (“MOU”) between Allendale and the Union was agreed to and approved between the parties for the term January 1, 2024 through December 31, 2027; and

**WHEREAS**, the Union has indicated its approval of the terms and provisions of the MOU by executing the same; and

**WHEREAS**, Allendale wishes to memorialize its approval of the terms and provisions of the MOU by adoption of this Resolution; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Allendale that the Memorandum of Understanding as between the Borough of Allendale and the Union for the term January 1, 2024 through December 31, 2027, be and hereby is **APPROVED**; and

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

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on March 21, 2024.

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Linda Louise Cervino, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 03/21/2024**

**RESOLUTION# 24-105**

Council	Motion	Second	Yes	No	Abstain	Absent
Daloisio						
Homan						
Lovisollo						
O'Connell						
O'Toole						
Yaccarino						
Mayor Wilczynski	-----	-----				

- Carried
- Defeated
- Tabled
- Approved on Consent Agenda

**RESOLUTION CALLING FOR REVIEW AND REFORM OF OPRA**

**WHEREAS**, the New Jersey Open Public Records Act (OPRA), N.J.S.A. 47:1A-1 et seq., enacted in 2002, has been in effect long enough to review the impact on Municipalities; and

**WHEREAS**, it is the position of the Mayor and Council of the Borough of Allendale, that OPRA can and must be improved upon to make it less onerous on municipalities and protect the safety and welfare of the public; and

**WHEREAS**, municipal staff and budgets are increasingly utilized to accommodate the requestors and commercial entities who bombard municipalities with public records requests to the extent that in some instances, additional personnel are hired primarily to handle such requests; and

**WHEREAS**, municipalities are already required by state law to post and provide certain information and documentation on their municipal websites, including but not limited to, annual budgets, annual financial statements, annual audits, public meeting notices and meeting minutes; and

**WHEREAS**, under existing law, OPRA fees are woefully inadequate for the amount of time and effort needed to search for documents; it takes valuable time away from staff— not only in the Clerk's office — but also among other departments that may be involved in the same request; and

**WHEREAS**, OPRA has become broadly construed in favor of access and the requestor and, a requestor who prevails in any proceeding in appealing a denial of access is permitted to collect exorbitant attorney's fees; **conversely, however, the resources and guidance available to record custodians and municipal counsel tasked with responding to such requests has narrowed drastically in the ever-changing OPRA arena, muddled by subsequent, voluminous and often-conflicting court decisions that contradict the original intent of the law and will continue to do so in the absence of necessary legislative reform;** and

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 03/21/2024**

**RESOLUTION# 24-105**

**WHEREAS**, OPRA law allows outside businesses, and activist groups to utilize municipal time and services for marketing leads or private commercial gain, and for litigants to use OPRA as a method of discovery; and

**WHEREAS**, a clear distinction needs to be made between individual and commercial and discovery requests; and

**WHEREAS**, serious concerns about breaches or misuse of personal information exist along with the potential for OPRA to be exploited and abused by requestors, as a threat, harassment, or retaliatory measure to bury local governments in hundreds of requests, not necessarily because the requested records are of any particular interest, but merely because they can and have been emboldened by the courts to do so, to the significant detriment of all other municipal business; and

**WHEREAS**, most importantly, OPRA must be reformed to enable municipalities, their respective record custodians and legal counsels to **protect the safety and welfare of the general public**;

**WHEREAS**, over the years, court decisions have chipped away at the reasonable expectation of privacy provision of the law, thus allowing the law to be molded and wielded as a tool that severs any sensible balance of transparency, and instead, **now perpetuates rampant and dangerous degrees of for-profit data-mining, unsolicited marketing and uncontrolled publications of records on internet search engines specifically designed to circumvent and bypass what few protective measures currently exist under OPRA**, and all while allowing the requestor to remain cloaked in **anonymity**, should they choose to exercise that option; and

**WHEREAS**, the pandemic has resulted in a startling and exponential rise in fraud and identity theft, crimes that were already notoriously difficult to investigate, track and prosecute; OPRA, left unchecked and unreformed, continues to add fuel to this already dangerous fire; and

**WHEREAS**, in a most reprehensible instance in the midst of the pandemic, the unthinkable happened when the young son of a U.S. District Court Judge was senselessly killed by an individual who had managed to compile a dossier of personal information about the Judge including a home address, ushering in the passage of Daniel's Law; and

**WHEREAS**, while this law as intentioned provides for necessary strides and long overdue amendments to OPRA, the scope of protection provided is critically deficient, the implementation creates challenges for custodians and municipal officials that remain unaddressed by law, with limited channels for guidance, while the vast remainder of the Open Public Records Act continues to be left recklessly unreformed, potentially leaving any officials not covered under Daniel's Law or even, the general public at-large exposed to the whim of any nefarious OPRA requestor lurking in the shadows of those demanding transparency at any cost;

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 03/21/2024**

**RESOLUTION# 24-105**

**WHEREAS**, Assembly Bill No. 4894, introduced January 17, 2019, calling for the creation of a study commission to review OPRA, to-date, has been left negligently stagnant and, to-date the legislative approach to addressing the dangers of OPRA have been fragmented, haphazard and contradictory at best, leading to a dire need for streamlined overhaul and reform, which, at a minimum should include the following:

- Immediate creation of a study commission on OPRA.
- **Uniformity under the law: municipalities shall not be subject to any provision under OPRA that the legislature or other state agencies are, by contrast, exempt from.**
- **Provide a universal platform for clear and concise guidance for records custodians. Such guidance should be in place prior to any laws that impact OPRA going into effect.**
- Require that official OPRA Request forms be used in order to be considered valid, including certifications by the requestor of (1) non-conviction of an indictable offense and (2) that information obtained will not be used for profit, solicitation, marketing or commercial gain, or published as part of a separate internet database or search engine.
- Prohibit OPRA requestors from remaining anonymous.
- Require that requestors provide a State of New Jersey address in order to be valid (OPRA should not apply to out-of-state requests).
- Prohibit requests for commercial purposes.
- Exempt email addresses (also serves as a deterrent to spoofing, phishing and other cyber scams and crimes).
- Exempt information maintained for emergency notification purposes.
- Exempt any information related to minor individuals, disabled persons and senior citizens as well as classes of citizens who are vulnerable to exploitation of their information.
- Exempt personal identifying information from Motor Vehicle Accident Reports, including driver's license numbers, dates of birth (DOBs), home addresses, VINs and registration/plate numbers, unless the requestor is a subject of the record, or their designated legal or insurance representative.
- Exempt pet license information to a need-to-know basis only (health department, police department, veterinarian of record, hospital, bite victim) to deter rising pet thefts and potential for targeted thefts of non-large-breed dog owners.
- Reaffirm exemption of unlisted telephone numbers, including personal cell phones.
- Exempt property owner names, CAMA Data and reaffirm the exemption of property record cards.
- Protections afforded under Daniel's Law should be afforded to all government officials, employees, volunteers and members of the general public as the threats from the disclosure of personal information is not unique to those rightfully protected under Daniel's Law.
- Provide a carve out for fee-shifting where a municipality in good faith and without clear guidance through Statute or case law denies a request or redacts information which could reasonably be interpreted as not subject to disclosure.

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 03/21/2024**

**RESOLUTION# 24-105**

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Allendale finds it imperative that the New Jersey Senate and Assembly review and reform the New Jersey Open Public Records Act.

**BE IT FURTHER RESOLVED**, that copies of this resolution are sent to all New Jersey State Legislators, the New Jersey State League of Municipalities, the New Jersey Municipal Clerks' Association, the Bergen County Municipal Clerks' Association, the New Jersey State Association of Chiefs of Police and the Bergen County Police Chiefs' Association.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on March 21, 2024.

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Linda Louise Cervino, RMC  
Municipal Clerk

**BERGEN COUNTY LEAGUE OF MUNICIPALITIES**  
**RESOLUTION CALLING FOR REVIEW AND REFORM OF OPRA**

**WHEREAS**, the New Jersey Open Public Records Act (OPRA), N.J.S.A. 47:1A-1 et seq., enacted in 2002, has been in effect long enough to review the impact on Municipalities; and

**WHEREAS**, it is the position of the Bergen County League of Municipalities (BCLOM), which represents all 70 municipalities in Bergen County, that OPRA can and must be improved upon to make it less onerous on municipalities and protect the safety and welfare of the public; and

**WHEREAS**, municipal staff and budgets are increasingly utilized to accommodate the requestors and commercial entities who bombard municipalities with public records requests to the extent that in some instances, additional personnel are hired primarily to handle such requests; and

**WHEREAS**, municipalities are already required by state law to post and provide certain information and documentation on their municipal websites, including but not limited to, annual budgets, annual financial statements, annual audits, public meeting notices and meeting minutes; and

**WHEREAS**, under existing law, OPRA fees are woefully inadequate for the amount of time and effort needed to search for documents; it takes valuable time away from staff – not only in the Clerk’s office – but also among other departments that may be involved in the same request; and

**WHEREAS**, OPRA has become broadly construed in favor of access and the requestor and, a requestor who prevails in any proceeding in appealing a denial of access is permitted to collect exorbitant attorney’s fees; **conversely, however, the resources and guidance available to record custodians and municipal counsel tasked with responding to such requests has narrowed drastically in the ever-changing OPRA arena, muddled by subsequent, voluminous and often-conflicting court decisions that contradict the original intent of the law and will continue to do so in the absence of necessary legislative reform;** and

**WHEREAS**, OPRA law allows outside businesses, and activist groups to utilize municipal time and services for marketing leads or private commercial gain, and for litigants to use OPRA as a method of discovery; and

**WHEREAS**, a clear distinction needs to be made between individual and commercial and discovery requests; and

**WHEREAS**, serious concerns about breaches or misuse of personal information exist along with the potential for OPRA to be exploited and abused by requestors, as a threat, harassment, or retaliatory measure to bury local governments in hundreds of requests, not necessarily because the requested records are of any particular interest, but merely because they can and have been emboldened by the courts to do so, to the significant detriment of all other municipal business; and

**WHEREAS**, most importantly, OPRA must be reformed to enable municipalities, their respective record custodians and legal counsels to **protect the safety and welfare of the general public;**

**WHEREAS**, over the years, court decisions have chipped away at the reasonable expectation of privacy provision of the law, thus allowing the law to be molded and wielded as a tool that severs any sensible balance of transparency, and instead, **now perpetuates rampant and dangerous degrees of for-profit data-mining, unsolicited marketing and uncontrolled publications of records on internet search engines specifically designed to circumvent and bypass what few protective measures currently exist under OPRA**, and all while allowing the requestor to remain cloaked in **anonymity**, should they choose to exercise that option; and

**WHEREAS**, the pandemic has resulted in a startling and exponential rise in fraud and identity theft, crimes that were already notoriously difficult to investigate, track and prosecute; OPRA, left unchecked and unreformed, continues to add fuel to this already dangerous fire; and

**WHEREAS**, in a most reprehensible instance in the midst of the pandemic, the unthinkable happened when the young son of a U.S. District Court Judge was senselessly killed by an individual who had managed to compile a dossier of personal information about the Judge including a home address, ushering in the passage of Daniel’s Law; and

**WHEREAS**, while this law as intentioned provides for necessary strides and long overdue amendments to OPRA, the scope of protection provided is critically deficient, the implementation creates challenges for custodians and municipal officials that remain unaddressed by law, with limited channels for guidance, while the vast remainder of the Open Public Records Act continues to be left recklessly unreformed, potentially leaving any officials not covered under Daniel’s Law or even, the general public at-large

exposed to the whim of any nefarious OPRA requestor lurking in the shadows of those demanding transparency at any cost;

**WHEREAS**, Assembly Bill No. 4894, introduced January 17, 2019, calling for the creation of a study commission to review OPRA, to-date, has been left negligently stagnant and, to-date the legislative approach to addressing the dangers of OPRA have been fragmented, haphazard and contradictory at best, leading to a dire need for streamlined overhaul and reform, which, at a minimum should include the following:

- **Immediate creation of a study commission on OPRA.**
- **Uniformity under the law: municipalities shall not be subject to any provision under OPRA that the legislature or other state agencies are, by contrast, exempt from.**
- **Provide a universal platform for clear and concise guidance for records custodians. Such guidance should be in place prior to any laws that impact OPRA going into effect.**
- Require that official OPRA Request forms be used in order to be considered valid, including certifications by the requestor of (1) non-conviction of an indictable offense and (2) that information obtained will not be used for profit, solicitation, marketing or commercial gain, or published as part of a separate internet database or search engine.
- Prohibit OPRA requestors from remaining anonymous.
- Require that requestors provide a State of New Jersey address in order to be valid (OPRA should not apply to out-of-state requests).
- Prohibit requests for commercial purposes.
- Exempt email addresses (also serves as a deterrent to spoofing, phishing and other cyber scams and crimes).
- Exempt information maintained for emergency notification purposes.
- Exempt any information related to minor individuals, disabled persons and senior citizens as well as classes of citizens who are vulnerable to exploitation of their information.
- Exempt personal identifying information from Motor Vehicle Accident Reports, including driver's license numbers, dates of birth (DOBs), home addresses, VINs and registration/plate numbers, unless the requestor is a subject of the record, or their designated legal or insurance representative.
- Exempt pet license information to a need-to-know basis only (health department, police department, veterinarian of record, hospital, bite victim) to deter rising pet thefts and potential for targeted thefts of non-large-breed dog owners.
- Reaffirm exemption of unlisted telephone numbers, including personal cell phones.
- Exempt property owner names, CAMA Data and reaffirm the exemption of property record cards.
- Protections afforded under Daniel's Law should be afforded to all government officials, employees, volunteers and members of the general public as the threats from the disclosure of personal information is not unique to those rightfully protected under Daniel's Law.
- Provide a carve out for fee-shifting where a municipality in good faith and without clear guidance through Statute or case law denies a request or redacts information which could reasonably be interpreted as not subject to disclosure.

**NOW, THEREFORE BE IT RESOLVED**, that the BCLOM finds it imperative that the New Jersey Senate and Assembly review and reform the New Jersey Open Public Records Act.

**BE IT FURTHER RESOLVED**, that copies of this resolution are sent to all New Jersey State Legislators, the New Jersey State League of Municipalities, the New Jersey Municipal Clerks' Association, the Bergen County Municipal Clerks' Association, the New Jersey State Association of Chiefs of Police and the Bergen County Police Chiefs' Association.

Unanimously approved by those in attendance at a duly constituted meeting of the Bergen County League of Municipalities on Monday, April 11, 2022.

*Ann Fay*  
 Executive Director

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 03/21/2024**

**RESOLUTION# 24-106**

Council	Motion	Second	Yes	No	Abstain	Absent
Daloisio						
Homan						
Lovisollo						
O'Connell						
O'Toole						
Yaccarino						
Mayor Wilczynski	-----	-----				

- Carried
- Defeated
- Tabled
- Approved on Consent Agenda

**A RESOLUTION REQUESTING PERMISSION FOR THE  
DEDICATION BY RIDER FOR THE ACCEPTANCE OF DONATIONS FOR THE  
ALLENDALE MURAL PROJECT  
REQUIRED BY THE BOROUGH OF ALLENDALE**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, the Borough of Allendale provides for receipt of Donations for The Allendale Mural Project by the municipality to provide for the operating costs to administer this act; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Donations for the Allendale Mural Project are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Police Donations Trust Fund account - NJSA 40A:5-29; and
2. The Municipal Clerk of the Borough of Allendale, County of Bergen, State of New Jersey is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on March 21, 2024.

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Linda Louise Cervino, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

DATE: 03/21/2024

RESOLUTION# 24-107

Council	Motion	Second	Yes	No	Abstain	Absent
Daloisio						
Homan						
Lovisollo						
O'Connell						
O'Toole						
Yaccarino						
Mayor Wilczynski	-----	-----				

- Carried
- Defeated
- Tabled
- Approved on Consent Agenda

**AUTHORIZING EMERGENCY TEMPORARY BUDGET APPROPRIATIONS**

**WHEREAS**, an emergent condition has arisen with respect to certain budget appropriations and no adequate provision has been made in the 2024 Temporary Budget, and N.J.S.A. 40A: 4-20 provides for the creation of emergency temporary appropriations for said purpose; and

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Allendale that in accordance with the provisions of N.J.S.A. 40A: 4-20;

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

<b>Current Fund</b>	
Tax Collection – OE	1,000
Engineering - OE	10,000
Police – OE	15,000
Emergency Management – OE	500
Fire – OE	4,000
Animal Control – OE	800
Parks – OE	4,000
Electricity – OE	6,000
Public Defender – OE	800
<b>Total Current Fund Appropriations</b>	<b>\$42,100</b>

2. That said emergency temporary appropriation will be provided in the 2024 budget;
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on March 21, 2024.

\_\_\_\_\_  
Linda Louise Cervino, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 03/21/2024**

**RESOLUTION# 24-108**

Council	Motion	Second	Yes	No	Abstain	Absent
Daloisio						
Homan						
Lovisolo						
O'Connell						
O'Toole						
Yaccarino						
Mayor Wilczynski	-----	-----				

- Carried
- Defeated
- Tabled
- Approved on Consent Agenda

**APPOINTMENT OF POLICE CHAPLAIN**

**BE IT RESOLVED** that Reverend Raul E. Ausa of Trinity Episcopal Church, 55 George Street in Allendale, New Jersey be and is hereby appointed as Police Chaplain of the Borough of Allendale for the year 2024.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on March 21, 2024.

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Linda Louise Cervino, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 03/21/2024**

**RESOLUTION# 24-109**

Council	Motion	Second	Yes	No	Abstain	Absent
Daloisio						
Homan						
Lovisollo						
O'Connell						
O'Toole						
Yaccarino						
Mayor Wilczynski	-----	-----				

- Carried
- Defeated
- Tabled
- Approved on Consent Agenda

**APPOINTMENT OF RADIO POLICE DISPATCHER, FILL-IN PER DIEM, HOURLY –  
PEGGY TIMONY**

**WHEREAS**, a need exists to hire a Radio Police Dispatcher, P/T, hourly on a fill-in per diem basis; and

**WHEREAS**, Peggy Timony is qualified for the position, having previously served as a Radio Police Dispatcher, full-time; and

**WHEREAS**, the Allendale Police Department has recommended her hire.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Peggy Timony be hired for the Radio Police Dispatcher, Fill-in Per Diem, hourly position in the Allendale Police Department at the rate of \$22.00/hour effective March 21, 2024.

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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on March 21, 2024.

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Linda Louise Cervino, RMC  
Municipal Clerk

**RESOLUTION  
BOROUGH OF ALLENDALE  
BERGEN COUNTY, NJ**

**DATE: 03/21/2024**

**RESOLUTION# 24-110**

Council	Motion	Second	Yes	No	Abstain	Absent
Daloisio						
Homan						
Lovisollo						
O'Connell						
O'Toole						
Yaccarino						
Mayor Wilczynski	-----	-----				

- Carried
- Defeated
- Tabled
- Approved on Consent Agenda

**APPROVAL OF MARCH 21, 2024 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 March 21, 2024 in the amounts of:

Bill List Numbers	March 21, 2024
Current Fund	\$ 1,527,211.46
Payroll Account	169,297.51
General Capital	16,373.81
Animal Fund	
Grant Fund	
COAH/Housing Trust	
Improvement & Beautification	
Unemployment Fund	
Trust Fund	2,072.72
Water Operating	
Water Capital	
<b>Total</b>	<b>\$ 1,714,955.50</b>

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on March 21, 2024.

\_\_\_\_\_  
Linda Louise Cervino, RMC  
Municipal Clerk



# THE BOROUGH OF ALLENDALE

N E W J E R S E Y

500 WEST CRESCENT AVENUE, ALLENDALE, NJ 07401

WWW.ALLENDALENJ.GOV

OFFICE OF TAX COLLECTOR  
OFFICE OF CHIEF FINANCIAL OFFICER

201-818-4400 EXT 205

I, Alison Altano, Chief Financial Officer of the Borough of Allendale, having reviewed the bill list for the Borough, do hereby certify that funds are available in the accounts so designated.

Certified 3/21/24

  
Alison Altano  
Chief Financial Officer

# BILL LIST For MARCH 21, 2024

<b>PAYROLL ACCOUNT</b>	<b>\$ 169,297.51</b>
<hr/>	
<b>Borough of Allendale Payroll Fund, Bank Transfer 3/6/2024</b>	<b>\$ 169,297.51</b>
Salaries and Wages	\$ 157,566.09
FICA	\$ 11,648.19
DCRP	\$ 83.23
<b>TOTAL</b>	<b><u>\$ 169,297.51</u></b>