

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
APRIL 29, 2021
8:00 P.M.

A Regular Meeting of the Mayor and Council of the Borough of Allendale will be held on April 29, 2021 beginning at 8:00pm via a video and teleconferencing meeting on GoToMeeting due to the State of Emergency.

The public can join the meeting by taking the following steps:

- **From a computer, tablet or smartphone**, enter the website <https://global.gotomeeting.com/join/302918517>
- **From a phone**, dial [+1 \(872\) 240-3212](tel:+18722403212) and then enter Access Code: [302-918-517](https://global.gotomeeting.com/join/302918517)

Anyone from the public who does not have GoToMeeting may install the app prior to the start of the meeting at <https://global.gotomeeting.com/install/302918517>

The public is asked to please mute their devices until such time that the public comment portions are held so as not to distract from the business of the meeting.

I. CALL TO ORDER

- A. Open Public Meetings Act Announcement
- B. Salute to Flag

II. ROLL CALL

III. PUBLIC COMMENT ON AGENDA ITEMS ONLY

Audience members wishing to speak will have a five (5) minute time limit to address the governing body on agenda items only. Large groups are asked to have a spokesperson represent them.

IV. RESOLUTIONS

- A. **Bergen County Open Space Grant Application – Improvements at Crestwood Lake**
 - 1. Public comments on Grant Application
 - 2. **21-127**/Authorize Submission of 2021 Bergen County Open Space Trust Fund Municipal Program Park Improvement Application – Improvements at Crestwood Lake
- B. **21-128**/Approve Application of Hampshire Allendale MF Urban Renewal, LLC for Tax Exemption & Financial Agreement

V. INTRODUCTION OF ORDINANCES

Motion that the following ordinance be introduced and passed on first reading and setting May 13, 2021 at 8:00 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 21-07 – ORDINANCE OF THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH HAMPSHIRE ALLENDALE MF URBAN RENEWAL, LLC

Motion that the following ordinance be introduced and passed on first reading and setting May 27, 2021 at 8:00 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 21-08 – AN ORDINANCE BY BOROUGH OF ALLENDALE (“ALLENDALE”)

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
APRIL 29, 2021
8:00 P.M.

IN BERGEN COUNTY, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING SECTION 270-26(M)(1) OF THE ALLENDALE MUNICIPAL CODE

VI. 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.

- A. **21-129**/Authorize Final Payment and Release of Retainage – Paving Program 2020 – D&L Paving Contractors, Inc.
- A. **21-130**/Covenant to Comply with Provisions of Internal Revenue Code of 1986 & Designate \$4,176,518 of Bond Anticipation Notes as “Qualified Tax-Exempt Obligation”
- B. **21-131**/Authorize Refunds – 2018 & 2021 Tax Overpayments
- C. **21-132**/Authorize Submission of 2020 Recycling Tonnage Grant Application
- D. **21-133**/Authorize 2021 Salaries – Non-Union Employees
- E. **21-134**/Authorize 2021 Salaries – Crestwood Lake Employees
- F. **21-135**/Establish 2021 Crestwood Lake Fees
- G. **21-136**/Waive 2021 Red Barn Fees – Non-Profits/Community Organizations
- H. **21-137**/Appoint Police Department Personnel – Police Radio Dispatcher, Full-Time – John Rubino III & Jonathan Huber
- I. **21-138**/Approve Extension of Temporary Modification and Relaxation of Portions of Chapter 185 (Outdoor Cafes) in the Borough of Allendale due to COVID-19
- J. **21-139**/Approve April 29, 2021 Bill List
- K. **21-140**/Approve First Amendment to Amended and Restated Agreement of Purchase of Real Estate between Borough of Allendale and Hampshire Venture Partners, LLC
- L. **21-141**/Approve and Authorize Execution of Subdivision Deed for 220-230 West Crescent Avenue
- M. **21-142**/Approve and Authorize Execution of Warehouse Redevelopment Agreement between Borough of Allendale and THC Allendale Industrial Renewal LLC for Redevelopment of Property to be designated Block 1005, Lot 3.01
- N. **21-143**/Authorize and Approve Execution of Water Main Easement Agreement

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

VIII. COMMITTEE REPORTS AND COMMENTS

IX. STAFF REPORTS

X. PUBLIC COMMENTS

Audience members wishing to speak will have a five (5) minute time limit to address the governing body. Large groups are asked to have a spokesperson represent them.

XI. ADJOURNMENT

Bulletin Board
Borough Website

*****AGENDA AND AGENDA ITEMS ARE SUBJECT TO CHANGE*****

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

DATE: 04/29/2021

RESOLUTION# 21-127

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**AUTHORIZING SUBMISSION OF A 2021 BERGEN COUNTY OPEN SPACE TRUST
FUND MUNICIPAL PARK IMPROVEMENT GRANT APPLICATION**

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Borough of Allendale desires to further the public interest by obtaining a matching grant of \$75,000.00 from the County Trust Fund to fund the following project: Improvements at Crestwood Lake; and,

WHEREAS, the Mayor and Council of the Borough of Allendale has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the Mayor and Council of the Borough of Allendale held the required Public Hearing to receive public comments on the proposed park improvements in the application on April 29, 2021; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above-named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of May 14, 2021 as established by the County; and,

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DATE: 04/29/2021

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2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Mayor and Council has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Mayor and Council is committed to providing a dollar for dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the Mayor and Council agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 04/29/2021

RESOLUTION# 21-128

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
ALLENDALE, BERGEN COUNTY, APPROVING THE APPLICATION
OF HAMPSHIRE ALLENDALE MF URBAN RENEWAL, LLC FOR A TAX
EXEMPTION AND FINANCIAL AGREEMENT**

WHEREAS, on April 29, 2021 the Mayor of the Borough of Allendale (the "Borough") having received from Hampshire Allendale MF Urban Renewal, LLC, an urban renewal entity, an application (the "Application"), pursuant to the Long Term Exemption Law, N.J.S.A. 40A:20-1, et seq., for a tax exemption and proposed financial agreement with respect to a portion of the redevelopment project located at Block 1005, Lots 3 and 20 and a portion of Lot 11 in the Borough of Allendale (the "Redevelopment Area"); and

WHEREAS, the portion of the Redevelopment Area for which the Application has been submitted (the "Residential Redevelopment Area") is located at a portion of Lot 20, at Block 1005, and a portion of Lot 3, Block 1005, said area being further described as Block 1005, Lot 20.02 in the January 20, 2021 resolution of the Land Use Board of the Borough of Allendale, designated as Resolution #LUB-21-10, approving the application dated September 30, 2020 for Preliminary and Final Site Plan and Minor Subdivision approval, submitted by Hampshire Venture Partners, LLC, for Block 1005, Lots 3, 11, 20 (a/k/a 220/230 West Crescent Avenue); and

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BERGEN COUNTY, NJ**

DATE: 04/29/2021

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WHEREAS, the Mayor, having reviewed the Application, and the attachments thereto, and finding same to be in the best interests of the Borough, recommended that the Borough Council approve same at the April 15, 2021 meeting of Allendale's Governing Body; and

WHEREAS, the Mayor on April 29, 2021, submitted to the Borough Council for the Borough of Allendale (the "Borough Council") a letter, pursuant to N.J.S.A. 40A:20-8, recommending that the Borough Council approve the Application; and

WHEREAS, the Borough Council having reviewed the Application and the aforesaid letter from the Mayor recommending that the Borough Council approve the Application; and

WHEREAS, the Borough Council having determined that it is in the best interests of the Borough to approve the Application;

NOW, THEREFORE, BE IT RESOLVED that the aforesaid Application of Hampshire Allendale MF Urban Renewal, LLC be, and hereby is approved; and

BE IT FURTHER RESOLVED THAT the Mayor, Acting Borough Clerk, and Borough Council be and hereby are authorized to take such further actions as may be necessary and desirable to effectuate the foregoing.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 04/29/2021

RESOLUTION# 21-129

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**AUTHORIZATION OF FINAL PAYMENT (RELEASE OF RETAINAGE) – PAVING
PROGRAM 2020 – D&L PAVING CONTRACTORS, INC.**

WHEREAS, the Borough of Allendale awarded D&L Paving Contractors, Inc. a contract for the Paving Program 2020 via Resolution 20-154 on July 23, 2020; and

WHEREAS, the Borough Engineer has recommended that the final payment (release of retainage) be made; and

WHEREAS, the CFO has previously certified that sufficient funds are available.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that final payment (release of retainage) to D&L Paving Contractors, Inc., 675 Franklin Avenue, Nutley, New Jersey 07110 be and is hereby approved in the amount of \$3,428.08 for the Paving Program 2020 project.

BE IT FURTHER RESOLVED that the CFO and Acting Municipal Clerk be and are hereby authorized to take the necessary action to implement this resolution.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk



Since 1972 • Consulting Civil Engineers | Land Development | Municipal |
Bridges | Highways | Construction Management | Construction Inspection |
Dams | Geotechnical | Hydraulics/Hydrology | Water/Wastewater |
Stormwater Management | Surveying | Planning | Landscape Architecture

Neil I. Van Cleef, P.E., L.S. & P.P.
Robert J. Clerico, P.E., P.P., CME, CPWM
Samuel D. Costanzo, P.E. & P.P.
Cynthia V. Norfleet, COO
Mark A. Bahnick, P.E.
Lawrence M. Diffley, P.E., PTOE
Michael K. Ford, P.E., P.P.
Jeffrey W. Munzing, P.E.
Stanley J. Schrek, P.E., A.I.A., P.P., CME, LEED AP
Herbert J. Seeburger, Jr., P.E., CME, CPWM

MEMORANDUM

TO: Mayor and Council Members

CC: M. Ryan, Acting Borough Clerk / R. Wiss, Borough Attorney /
R. Kistner, Director of Operations / A. Mayer, CFO

FROM: Michael Vreeland, Borough Engineer *Michael Vreeland*

RE: Paving Program (2020)
Application for Payment Final (Release of Retainage)
Borough of Allendale
VCEA Project No. ALN-1003.005

DATE: April 14, 2021

We have received final payment request from D&L Paving Contractors, Inc. and have prepared the attached information. The request totals \$3,428.08 and is for final payment (release of retainage) associated with the above referenced project.

We have no engineering objection regarding the Borough processing this invoice subject to approval by all other appropriate Departments.

Attachments

Filename:[M-ALN-1003.005-210414-Payapp-03-final.docx]

VanClefEngineering.com

Please Reply To:

NORTHERN NJ OFFICE

111 Howard Boulevard, Suite 110 • Mt. Arlington NJ 07856
862.284.1100 • Fax: 862.284.2033

With Other Offices In:

Hillsborough NJ • Lebanon NJ • Freehold NJ • Phillipsburg NJ
Toms River NJ • Hamilton NJ • Doylestown PA • Bethlehem PA
Mechanicsburg PA • Leesport PA • Newark DE



Project: Paving Program (2020)
 Contractor: D & L Paving Contractors
 675 Franklin Avenue
 Nutley, New Jersey 07110

PAYMENT NO. 3 - Final
 (Release of Retainage)

Item #	Item Description	Unit	Quantity	Bid Unit Price	Amount	Prev. Period	Quantity Completed Through This Period	To Date	Amount To Date
1	TRAFFIC DIRECTOR, FLAGGER	MAN-HOURS	64	\$ 76.23	\$ 4,878.72	48.00	0.00	48.00	\$ 3,659.04
2	HMA MILLING, 2" or LESS	S.Y.	8,500	\$ 3.95	\$ 33,575.00	12,000.00	0.00	12,000.00	\$ 47,400.00
3	HMA 9.5M64 SURFACE COURSE	TONS	1,000	\$ 71.70	\$ 71,700.00	1,347.26	0.00	1,347.26	\$ 96,598.54
4	RESET EXISTING CASTING	EACH	7	\$ 1.00	\$ 7.00	0.00	0.00	0.00	\$ -
5	RECONSTRUCTED INLET USING EXISTING CASTING, 2 INCREMENTS	EACH	20	\$ 475.00	\$ 9,500.00	10.00	0.00	10.00	\$ 4,750.00
6	BICYCLE SAFE GRATE	EACH	12	\$ 285.00	\$ 3,420.00	13.00	0.00	13.00	\$ 3,705.00
7	CURB PIECE	EACH	8	\$ 300.00	\$ 2,400.00	8.00	0.00	8.00	\$ 2,400.00
8	CLEANING DRAINAGE STRUCTURE	EACH	10	\$ 300.00	\$ 3,000.00	10.00	0.00	10.00	\$ 3,000.00
9	CONCRETE SIDEWALK, IF AND WHERE	SY	1.5	\$ 150.00	\$ 225.00	0.00	0.00	0.00	\$ -
10	DETECTABLE WARNING SURFACE, IF AND WHERE	EACH	1	\$ 240.00	\$ 240.00	0.00	0.00	0.00	\$ -
11	CONCRETE CURB, IF AND WHERE	L.F.	50	\$ 50.00	\$ 2,500.00	0.00	0.00	0.00	\$ -
12	TRAFFIC MARKING LINES, 4"	L.F.	3,500	\$ 1.25	\$ 4,375.00	0.00	0.00	0.00	\$ -
13	FUEL PRICE ADJUSTMENT	L.S.	1	\$ 2,000.00	\$ 2,000.00	700.50	0.00	700.50	\$ 8,000.00
14	ASPHALT PRICE ADJUSTMENT	L.S.	1	\$ 3,000.00	\$ 3,000.00	740.99	0.00	740.99	\$ 700.50
A-1	CURB PLATE	EACH	3.00			3.00	0.00	3.00	\$ 740.99
SUBTOTAL					\$ 142,845.72				\$ 171,404.07

Item #	Item Description	Unit	Quantity	Change Order No. 2 Unit Price	Amount
Extra					
12	TRAFFIC MARKING LINES, 4"	L.F.	2900.00	\$ 1.25	\$ 3,625.00
SUBTOTAL					\$ 3,625.00
Reduction					
SUBTOTAL					\$ -
Supplemental					
SUBTOTAL					\$ -

CHANGE ORDER NO. 1 \$ 24,933.35
 CHANGE ORDER NO. 2 \$ 3,625.00
 PERCENT CHANGE 19.99%

\$ 142,845.72 BID
 \$ 24,933.35 CHANGE ORDER No. 1
 \$ 3,625.00 CHANGE ORDER No. 2
\$ 171,404.07 ADJUSTED CONTRACT AMOUNT
 \$ 171,404.07 COMPLETED TO DATE
 \$ (167,975.99) LESS PREVIOUS PAYMENTS
 LESS RETAINAGE (2%)
\$ 3,428.08 CURRENT PAYMENT DUE

Michael Vireland

4/14/2021
 MICHAEL VIRELAND, BOROUGH ENGINEER DATE

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

DATE: 04/29/2021

RESOLUTION# 21-130

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	- - -	- - -				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF ALLENDALE AND AUTHORIZING THE MAYOR, ACTING BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$4,176,518 BOND ANTICIPATION NOTE, DATED APRIL 23, 2021, PAYABLE APRIL 22, 2022, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b) (3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Allendale, in the County of Bergen, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

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BERGEN COUNTY, NJ**

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RESOLUTION# 21-130

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough desires to designate a \$4,176,518 Bond Anticipation Note, dated April 23, 2021, payable April 22, 2022 (the "Note"), as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code;

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

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Note) be and remain excluded from gross income of

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

DATE: 04/29/2021

RESOLUTION# 21-130

the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Acting Borough Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) said Note is not a "private activity bond" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2021.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2021.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code;

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BERGEN COUNTY, NJ**

DATE: 04/29/2021

RESOLUTION# 21-130

however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2021 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 04/29/2021

RESOLUTION# 21-131

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

TAX OVERPAYMENTS

BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue the following checks on the properties listed below and charge same to Overpayment of 2018 & 2021 Taxes:

Block/Lot/Q	Name	Property Location	Amount
1102/6	Niederauer, W & Saalfeld, L	153 Fox Drive	\$36.96
1102/9	Wells Fargo R/E Tax Services	127 Fox Drive	\$5265.77

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 04/29/2021

RESOLUTION# 21-132

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
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O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

AUTHORIZE 2020 RECYCLING TONNAGE GRANT APPLICATION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and,

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and,

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and,

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and,

WHEREAS, a resolution authorizing this municipality to apply for the 2020 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Borough of Allendale to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and,

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Allendale that they hereby endorse the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and that they designate the Borough of Allendale's Certified Recycling Coordinator, Julia Burdge, to ensure that the application is completed and properly filed; and,

BE IT FURTHER RESOLVED that the monies received from said grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 04/29/2021

RESOLUTION# 21-133

Council	Motion	Second	Yes	No	Abstain	Absent
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O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**BOROUGH OF ALLENDALE
2021 SALARY RESOLUTION**

Be It Resolved that the following are the salaries for Borough employees for the year 2021. All salaries are retroactive to January 1, 2021.

Michelle Ryan, Acting Municipal Clerk	\$80,580
Tatiana Marquis, Deputy Municipal Clerk	65,280
John Gil, IV, Director of Communications	42,840
Tyler Yaccarino, Webmaster	2,700
M. Alissa Mayer, Chief Financial Officer	\$106,422
M. Alissa Mayer, Water Collector	5,602
Harold Laufeld, III, Tax Collector, Part-time (1/1/21 thru 3/31/21)	10,404
Colleen Ennis, Tax Collector, Part-time (Starting 4/1/21)	8,000
Angela Mattiace, Tax Assessor, Part-time	49,114
Joe Citro, Qualified Purchasing Agent	6,000
Ron Kistner, Director of Operations	147,900
Ron Kistner, Administrative Officer	7,490
Julia Burdge, Clean Communities Coordinator/Certified Recycling Professional	3,000
Anthony Hackett, Construction Code Official, Part-time	58,353
Anthony Hackett, Building Sub Code Official, Part-time	1,953
Anthony Hackett, Zoning Officer	5,170
Michael Dalessio, Electrical Sub Code Official, Part-time	14,184
Fred W. Depken, CCO Inspector, Part-time Salary	5,520
David Nizborski, Plumbing Sub Code Official, Part-time	12,297
David Nizborski, Plumbing Sub Code Official, Hourly Rate	39.41
Michael Limatola, Property Maintenance Official, Part-time Hourly	22.08
Robert Connell, Fire Sub Code Official, Part-time	12,297
Kevin Todd, Fire Official, Part-time	4,906
Kevin Todd, Fire Inspector, Hourly	19.74
James Schultz, Fire Inspector, Hourly	16.21
Jeff Picinich, Fire Inspector, Hourly	16.21
Steven Alvarez, Fire Inspector, Hourly	15.89
Brian Testino, Fire Inspector, Hourly	15.89

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

DATE: 04/29/2021

RESOLUTION# 21-133

George Scherb, Chief of Police	170,000
Michael Dillon, Emergency Management Official, Part-time Salary	3,570
Harry Norton, Municipal Magistrate	15,057
Richard Rosa, Municipal Prosecutor	5,750
Crossing Guards, Part-time Hourly	\$18.00

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 04/29/2021

RESOLUTION# 21-134

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

AUTHORIZATION OF 2021 CRESTWOOD LAKE SALARIES

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 salaries are hereby approved for the Crestwood Lake Swim Club 2021 Season as follows:

(SEE ATTACHED)

BE IT FURTHER RESOLVED that the date of hire for the above employees is effective May 10, 2021.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk

Director		
First Name	Last Name	Salary
Tom	Viscardi	\$17,799.00
Lifeguards		
First Name	Last Name	Hourly Pay
Ava	Abbatiello	\$12.25
Julia	Blass	\$12.25
Lucas	Bottini	\$12.25
Luke	Bussetti	\$12.25
Bradley	Cary	\$12.25
Cole	Cheman	\$12.25
Lauren	Cooney	\$12.25
Matthew	Cooney	\$12.25
Kate	Darling	\$12.25
Erik	Diedrichs	\$12.25
Hannah	Feeley	\$12.25
Jake	Fishman	\$12.25
Kassidy	Fishman	\$12.25
Reilly	Fox	\$12.25
Richard	Golden	\$12.25
Matthew	Haddad	\$12.25
Brayden	Hascup	\$12.25
Colin	Hascup	\$12.25
Emma	Hekemian	\$12.25
Michael	Horkan	\$12.25
Christina	Hughes	\$12.25
Kaycee	Hunt	\$12.25
Zoe	Kearney	\$12.25
Jack	Krause	\$12.25
Taite	Lee	\$12.25
Mackenzie	Lynch	\$12.25
Sophia	Meller	\$12.25
Michael	Menichino	\$12.25
Edward	Moodie	\$12.25
Kristi	Moodie	\$12.25

Assistant Directors		
First Name	Last Name	Salary
Leighton	Yates	\$10,200.00
Kevin	Hughes	\$10,200.00
Head Guard		
First Name	Last Name	Salary
Tierney	Benvenuto	\$3,000.00
Robert	Councilor	\$3,000.00
Social Distancing Directors		
First Name	Last Name	Hourly Pay
Brian	Koch	\$15.00
Substitute Lifeguards		
First Name	Last Name	Hourly Pay
Alex	Argyros	\$12.25
Molly	Bennett	\$12.25
Caroline	Bodnar	\$12.25
Alex	Bryan-Jones	\$12.25
Abigail	Henderson	\$12.25
Rebecca	Hoffer	\$12.25
Rylee	Hulack	\$12.25
Ava	Kearl	\$12.25
Nicholas	Lardieri	\$12.25
Victoria	Moya	\$12.25
Sarah	Rego	\$12.25
Isabella	Torriani	\$12.25
Jack	Smiechowski	\$12.25
Ethan	Chrisan	\$12.25
Abigail	Chu	\$12.25
Gate People		
First Name	Last Name	Hourly Pay
Charlotte	Fargis	\$11.25
Margaret	Higgins	\$11.25
Esmae	Oehler	\$11.25
Robert	Sasso	\$11.25
Mikayla	Walsh	\$11.25

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

DATE: 04/29/2021

RESOLUTION# 21-135

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**ESTABLISH 2021 FEES FOR CRESTWOOD LAKE
SEASON AND RED BARN RENTALS**

WHEREAS, pursuant to Chapter 203, Section 20A of the Code of the Borough of Allendale, fees for the use of recreational facilities are to be established annually by resolution of the governing body.

NOW, THEREFORE, BE IT RESOLVED, that the following rates be and are hereby approved for Crestwood Lake for the 2021 season:

RATES

Crestwood Membership:

	Resident Rates May 3 through May 31	Resident Rates Starting June 1	Non-Resident Rates
1 st Family Member	210	215	340
2 nd Family Member	135	145	205
Add'l Family member	65	65	130
Extra Adult	175	175	250
Senior Rate	65	70	85

Early Registration discounts for resident rates shall be valid through May 31, 2021.

Active Military and Veterans shall receive a 25% discount off all published membership rates.

Employees of the Borough of Allendale shall receive a discount of 50% off the resident rates.

Guest Fees for Residents and Non-Residents:

Daily \$ 10

Umbrella Anchor:

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

DATE: 04/29/2021

RESOLUTION# 21-135

Daily Fee \$ 3

Lifeguard Fee for Beach and Camp Rentals:

Cost \$ 20 per hour

Kayak Rental

Per Hour, Per Kayak \$ 5

Red Barn and Pavilion (Pavilion available after Labor Day till Mid-November)

Allendale Families \$ 325

Allendale Businesses \$ 725

Security Deposit \$250
(Refundable upon satisfactory conditions after facility rental)

Businesses not able to rent Pavilion

Swim Lessons

Per Person, Per Session \$ 60

Day Camp Rentals

Per Day \$ 650

Crestwood Cruisers

Swim Team for all ages \$ 85

Dive Team for all ages \$ 50

Both Swim & Dive Teams for all ages \$ 130

BE IT FURTHER RESOLVED that free family memberships be granted to eligible members of the Allendale Volunteer Fire Department, Allendale Volunteer Ambulance Corps, Allendale CERT, 2021 Mayor and Council members and any Mayor Emeritus; and,

BE IT FURTHER RESOLVED that employees of the Allendale Elementary School District and Northern Highlands High School District shall be charged 25% off of the applicable captioned membership rates; and

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

DATE: 04/29/2021

RESOLUTION# 21-135

BE IT FURTHER RESOLVED that residents of special needs housing at Crescent Commons and Orchard Commons shall be charged \$60 for membership; and

BE IT FURTHER RESOLVED that all payments shall be deemed final when remitted and that no refunds shall be provided.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 04/29/2021

RESOLUTION# 21-136

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

APPROVAL OF WAIVER OF 2021 RED BARN APPLICATION FEES

WHEREAS, the Borough of Allendale, from time to time, permits use of public facilities, including Red Barn, for certain activities by Allendale non-profit organizations; and

WHEREAS, the Borough of Allendale recognizes the significant contributions that these organizations make to the community at large; and

WHEREAS, the Borough wishes to waive the application fees associated with the use of Red Barn by these organizations for the year 2021.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that it does hereby agree to waive the 2020 Red Barn application fees for the following organizations:

ALEOOOP
Allendale Board of Education
Allendale Boy Scouts
Allendale CERT
Allendale Civic Association
Allendale Fire Department
Allendale Foundation for Education Excellence (AFEE)
Allendale Garden Club
Allendale Girl Scouts
Allendale Housing, Inc.
Allendale PTO
Allendale Recreation Commission
Allendale Senior Housing, Inc.
Allendale Travel Softball
Allendale Volunteer Ambulance Corps
Allendale Woman's Club
Camp Acorn
Crestwood Cruisers
Friends of Lee Memorial Library
Hemophilia Walk
Holiday Observers
Hope & Healing After an Addiction Death

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

DATE: 04/29/2021

RESOLUTION# 21-136

Northern Highlands Board of Education
Veterans of Foreign Wars – Allendale Post 10181

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 04/29/2021

RESOLUTION# 21-137

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**APPOINTMENT OF FULL-TIME RADIO POLICE DISPATCHERS –
JOHN RUBINO III & JONATHAN HUBER**

WHEREAS, a need for two Full-Time Radio Police Dispatchers in the Allendale Police Department exists due to resignations; and

WHEREAS, John Rubino III and Jonathan Huber are currently Per Diem Dispatchers for the Borough of Allendale and each possess the necessary qualifications and experience to be a Full-Time Radio Police Dispatcher for the Allendale Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, upon recommendation of the Chief of Police, that John Rubino and Jonathan Huber are hereby appointed as Full-Time Dispatchers of the Allendale Police Department effective April 29, 2021 at an annual salary in accordance with the UPSEU White Collar Unit agreement; and

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

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 04/29/2021

RESOLUTION# 21-138

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**APPROVAL TO EXTEND TEMPORARY MODIFICATION AND RELAXATION OF
PORTIONS OF CHAPTER 185 (OUTDOOR CAFES) IN THE BOROUGH
OF ALLENDALE DUE TO COVID-19**

WHEREAS, a Public Health Emergency due to the COVID-19 pandemic, as declared by the President of the United States and the Governor of the State of New Jersey in March 2020, still exists nationwide and in the State of New Jersey; and

WHEREAS, in response to the COVID-19 pandemic, Governor Murphy issued a number of Executive Orders which have implemented certain restrictions on businesses and imposed social distancing requirements on individuals; and

WHEREAS, the Governing Body of the Borough of Allendale approved Resolution 20-156 on June 11, 2020 which provided for the temporary modification and relaxation of certain portions of Borough Code Chapter 185 pertaining to outdoor cafes; and

WHEREAS, the Governing Body further extended these modifications and relaxations through October 30th, via Resolution 20-201 on August 27, 2020; and

WHEREAS, the Governing Body further extended these modifications and relaxations through November 30, 2020, via Resolution 20-242 on October 22, 2020; and

WHEREAS, with the pandemic ongoing and state-imposed restrictions still in place, the Governing Body wishes to further extend their prior approvals beginning as of the date of this Resolution through September 13, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Allendale extends the modifications and relaxations of certain portions of Borough Code 185 as set forth in Resolutions 20-156, 20-201 and 20-242 commencing immediately through September 13, 2021.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 04/29/2021

RESOLUTION# 21-139

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

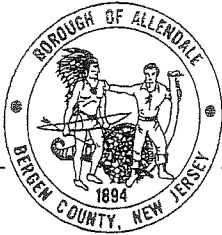
APPROVAL OF APRIL 29, 2021 LIST OF BILLS

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 April 29, 2021 in the amounts of:

Bill List Numbers	April 29, 2021
Current Fund	\$2,631,308.14
Payroll Account	\$177,118.13
General Capital	\$6,783.03
Animal Fund	\$0.00
Grant Fund	\$179.00
COAH/Housing Trust	\$0.00
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$625.00
Water Operating	\$129,746.66
Water Capital	\$0.00
Total	\$2,945,759.96

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk



BOROUGH OF ALLENDALE

500 West Crescent Avenue, Allendale, NJ 07401-1792

OFFICE OF TAX COLLECTOR
OFFICE OF CHIEF FINANCIAL OFFICER

201-818-4400 EXT 205
FAX: 201-818-0193

I, M. Alissa Mayer, 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

4/27/2021

Gina Witkmoach

M. Alissa Mayer, CMFO
Chief Financial Officer

Per
Alissa Mayer

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

DATE: 04/29/2021

RESOLUTION# 21-140

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**APPROVAL OF FIRST AMENDMENT TO AMENDED AND
RESTATED AGREEMENT OF PURCHASE OF
REAL ESTATE BETWEEN BOROUGH OF ALLENDALE AND
HAMPSHIRE VENTURE PARTNERS, LLC**

WHEREAS, the Borough of Allendale (“Allendale”) and Hampshire Venture Partners, LLC (“Hampshire”) have previously entered into an agreement dated December 28, 2018 setting forth terms and conditions for Hampshire’s purchase from Allendale of certain real property (the “Agreement”) commonly known as 220 West Crescent Avenue and 230 West Crescent Avenue, Allendale, New Jersey (the “Property”); and

WHEREAS, Allendale and Hampshire thereafter entered into an Amended and Restated Agreement of Purchase of Real Estate dated July 9, 2020 setting forth additional terms and agreements regarding the purchase by Hampshire of the Property (the “Amended Agreement”); and

WHEREAS, Allendale and Hampshire have engaged in ongoing negotiations to discuss and agree upon additional terms and conditions regarding the purchase by Hampshire of the Property, in addition to those set forth in the Agreement and the Amended Agreement; and; and

WHEREAS, Allendale wishes to memorialize its approval of such additional terms and conditions, as reflected in a First Amendment to Amended and Restated Agreement of Purchase of Real Estate (the “First Amendment”), the terms of which are incorporated by reference herein; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that, the First Amendment between Allendale and Hampshire be and hereby is **APPROVED**; and

BE IT FURTHER RESOLVED, that the Mayor, the Acting Municipal Clerk and the Borough Attorney are authorized to take all appropriate actions so as to implement this Resolution, including but not limited to, the execution of the First Amendment by the Mayor and the Acting Municipal Clerk; and

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BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 04/29/2021

RESOLUTION# 21-140

BE IT FURTHER RESOLVED, that the Mayor, the Acting Municipal Clerk, the Chief Financial Officer and the Borough Attorney are authorized to take all appropriate actions required of the Borough in the First Amendment, once the First Amendment has been executed by the Mayor.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 04/29/2021

RESOLUTION# 21-141

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF
SUBDIVISION DEED FOR 220-230 WEST CRESCENT AVE**

WHEREAS, on March 28, 2019, the Borough Council of the Borough of Allendale (the “Council”) adopted Ordinance #19-03 establishing a redevelopment plan for the properties at 220-230 West Crescent Avenue, Allendale, New Jersey (the “Properties”); and

WHEREAS, on June 30, 2020, the Council adopted Ordinance #20-11 adopting an Amended Redevelopment Plan for the Properties (the “Amended Redevelopment Plan”); and

WHEREAS, by Resolution #19-01 dated March 28, 2019, the Council designated Hampshire Venture Partners, LLC (“Hampshire”) or a successor or related entity organized for the purposes of carrying out the aforementioned redevelopment project, as redeveloper of the Properties; and

WHEREAS, by Resolution #LUB-21-10, the Land Use Board of the Borough of Allendale granted Hampshire Preliminary and Final Site Plan and Minor Subdivision approval on the terms and conditions set forth in said Resolution whereby as part of their redevelopment, the Properties would be subdivided into four new parcels, Block 1025 – Lots 3.01, 11.01, 20.01 and 20.02 (the “New Lots”) as reflected on a map entitled “Minor Subdivision Plan, West Crescent Avenue Redevelopment, Block 1005, Lot Nos. 3, 11 and 20, Borough of Allendale, Bergen County, New

**RESOLUTION
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BERGEN COUNTY, NJ**

DATE: 04/29/2021

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Jersey” Drawing No. CB101-Project No. 130137501; prepared by Langan Engineering and Environmental Services, dated November 10, 2010; and

WHEREAS, the Borough, as the owner of the Properties, and of the New Lots to be created by a minor subdivision deed, is required to execute a Minor Subdivision Deed as Grantor in furtherance of the Land Use Board’s approval of the foregoing subdivision.

NOW, THEREFORE, BE IT RESOLVED that the Minor Subdivision Deed presented to the Council, the terms of which are incorporated herein by reference, (the “Minor Subdivision Deed”), is hereby approved; and

BE IT FURTHER RESOLVED THAT the Mayor and Acting Municipal Clerk be and hereby are authorized to execute the Minor Subdivision Deed and to cause same to be recorded with the Bergen County Clerk; and

BE IT FURTHER RESOLVED that the Mayor, the Acting Municipal Clerk and the Borough Attorney be and hereby are authorized to take such acts as may be necessary in connection with the foregoing.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 04/29/2021

RESOLUTION# 21-142

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**APPROVING AND AUTHORIZING THE EXECUTION OF THE REDEVELOPMENT
AGREEMENT BETWEEN THE BOROUGH OF ALLENDALE AND THC
ALLENDALE INDUSTRIAL RENEWAL LLC FOR REDEVELOPMENT OF
PROPERTY TO BE DESIGNATED AS BLOCK 1005, LOT 3.01**

WHEREAS, on March 28, 2019 the Borough Council of the Borough of Allendale adopted ordinance number 19-03 establishing a redevelopment plan for the properties at 220-230 West Crescent Avenue, Allendale, Bergen County, New Jersey; and

WHEREAS, on June 30, 2020, the Borough Council of the Borough of Allendale adopted Ordinance #20-11 adopting an Amended Redevelopment Plan for the properties at 220-230 West Crescent Avenue (the "Amended Redevelopment Plan"); and

WHEREAS, Borough Council by Resolution 19-101 dated March 28, 2019, designated the contract property owner, Hampshire Venture Partners, LLC, a New Jersey based company ("Hampshire"), or a successor or related entity, as the designated redeveloper to perform all project work in accordance with the objectives of the aforesaid Amended Redevelopment Plan; and

WHEREAS, Hampshire has designated THC Allendale Industrial Renewal LLC ("THC Allendale") to be the redeveloper of that portion of the redevelopment project designated as the "Warehouse Facility", and said Warehouse Facility shall be located on that portion of 220-230 West Crescent Avenue to be designated as Block 1005, Lot 3.01, upon the filing of a subdivision deed in furtherance of the Amended Redevelopment Plan; and

WHEREAS, THC Allendale and the Borough have agreed upon a form of a redevelopment agreement for the Warehouse Facility (the "Warehouse Redevelopment Agreement") so as to carry out the terms and conditions of the Warehouse Facility portion of the redevelopment project, the terms of which Warehouse Redevelopment Agreement are incorporated herein.

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

DATE: 04/29/2021

RESOLUTION# 21-142

NOW THEREFORE, BE IT RESOLVED, the Warehouse Redevelopment Agreement is approved and, pursuant to N.J.S.A. 40A:12A-8, the Mayor is hereby authorized to execute on behalf of the Borough of Allendale the Warehouse Redevelopment Agreement, and a copy of said Warehouse Redevelopment Agreement shall be placed on file in the office of the Borough Clerk; and

BE IT FURTHER RESOLVED, that the above preamble (WHEREAS clauses) is made a part of this resolution as though it is a material and actionable part of this resolution;

BE IT FURTHER RESOLVED, that the Borough Mayor and the Acting Municipal Clerk are hereby authorized to execute the Warehouse Redevelopment Agreement, and that the Mayor, Acting Borough Clerk and Borough Attorney are authorized to enforce and carry out the terms and conditions of the Redevelopment Agreement authorized herein.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 04/29/2021

RESOLUTION# 21-143

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Mayor Bernstein	---	---				

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**RESOLUTION AUTHORIZING AND APPROVING THE
EXECUTION OF WATER MAIN EASEMENT AGREEMENT**

WHEREAS the Borough of Allendale (“the Borough”) is the owner of certain real property located in the Borough of Allendale, County of Bergen, State of New Jersey and designated as Lots 3, 11 and 20 in Block 1005 on the current Tax Map of the Borough of Allendale, County of Bergen, State of New Jersey (the “Property”); and

WHEREAS, pursuant to certain Resolutions adopted by the Borough on October 23, 1986, Owner’s predecessor-in-title, Black Millwork Co., Inc., entered into a certain Easement Agreement with the Borough, dated October 7, 1986 (and fully executed as of December 30, 1986) but was never recorded (the “Existing Easement Agreement”), granting an easement to the Borough to construct, reconstruct and perpetually maintain a municipal water line over and through a twenty (20) foot wide strip of land (the “Existing Easement Area”) located on a portion of the Property (the “Existing Easement”); and

WHEREAS, pursuant to the Existing Easement Agreement, the Borough installed the existing underground municipal water line together with the pertinent facilities (the “Water Main”) within the Existing Easement Area; and

WHEREAS, the Property was designated as an Area in Need of Redevelopment by the Borough and is subject to a Redevelopment Plan adopted by Ordinance 19-03 on March 28, 2019 and amended by Ordinance 20-11 on June 30, 2020 (the “Redevelopment Plan”); and

WHEREAS, the Borough has entered into an Amended and Restated Agreement of Purchase of Real Estate with Hampshire Venture Partners, LLC (“Developer”) dated July 9, 2020 (as may be amended from time to time) to sell and convey a portion of the Property to Developer (or its affiliates) pursuant to the Local Redevelopment and Housing law (N.J.S.A. 40A:12A-1, et seq.), with Developer as designated Redeveloper under the Redevelopment Plan; and

WHEREAS, by Resolution # LUB 21-10 adopted on January 20, 2021, the Land Use Board for the Borough granted approval of an application submitted by Developer for Preliminary and Final Site Plan and Minor Subdivision Approval, and associated variance relief and incidental waivers for a proposed minor subdivision and site plan improvements, but subject to the Redevelopment Plan; and

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BERGEN COUNTY, NJ**

DATE: 04/29/2021

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WHEREAS, the Borough and the Developer desire that the Existing Easement granted to the Borough in the Existing Easement Agreement be placed of record; and

WHEREAS, due to the passage of time and intervening conveyance of the Property since 1986, the Borough in its capacity as the owner of the Property, and in its capacity as the beneficiary of the Existing Easement Agreement wishes to terminate the Existing Easement Agreement and, in its place, enter into an Agreement to establish the rights and responsibilities of the Borough (1) in its capacity as the owner of the Property, and (2) in its capacity as a beneficiary of the Existing Easement, as provided for in a new easement agreement for the municipal water main (the "Water Main Easement Agreement").

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Acting Municipal Clerk be and hereby are authorized to execute the Water Main Easement Agreement in the Borough's capacity as the owner of the Property conveying the Water Main Easement, and in its capacity as the beneficiary of the conveyance of the Water Main Easement, such Water Main Easement Agreement to be in such form as approved by the Mayor and the Borough Attorney; and

BE IT FURTHER RESOLVED that the Mayor, the Acting Municipal Clerk, and Borough Attorney are authorized to take such further actions necessary in furtherance of said Water Main Agreement; and

BE IT FURTHER RESOLVED THAT a fully executed copy of the Water Main Easement Agreement be placed on file in the office of the Borough Clerk.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on April 29, 2021.

Michelle Ryan
Acting Municipal Clerk