

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
REGULAR SESSION – DECEMBER 15, 2022
8:00 P.M.

A Regular Meeting of the Mayor and Council of the Borough of Allendale will be held in-person on December 15, 2022 beginning at 8:00 pm in the Mayor & Council Chambers of the Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey 07401.

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 three (3) minute time limit to address the governing body on agenda items only. Large groups are asked to have a spokesperson represent them.

- IV. APPROVAL OF MINUTES:** December 1, 2022 Work Session
 December 1, 2022 Regular Session
 December 1, 2022 Closed Session Minutes

V. SECOND READING AND PUBLIC HEARING ORDINANCE

The following ordinance published herewith was first read by title only on December 1, 2022 and posted on the bulletin board of the lobby of the municipal building and borough website.

ORDINANCE 22-16: AN ORDINANCE ESTABLISHING THE POSITION OF FIRE ADMINISTRATOR FOR THE BOROUGH OF ALLENDALE.

VI. INTRODUCTION OF ORDINANCES

Motion that the following ordinance be introduced and passed on first reading and setting January 5, 2023 at 7:00 p.m. as the date and time, and the Council Chambers of the Allendale Municipal Building as the place for a hearing on said ordinance.

ORDINANCE 22-17: AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LAND TO JULIE MUELLER PURSUANT TO N.J.S.A. 40A:12-13.

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
REGULAR SESSION – DECEMBER 15, 2022
8:00 P.M.

Motion that the following ordinance be introduced and passed on first reading and setting January 5, 2023 at 7:00 p.m. as the date and time, and the Council Chambers of the Allendale Municipal Building as the place for a hearing on said ordinance.

ORDINANCE 22-18: AN ORDINANCE AUTHORIZING THE SALE OF A CERTAIN LAND TO TANYA CONWAY AND CHRISTOPHER PALING OF 36 BEDFORD PLACE, RAMSEY NEW JERSEY PURSUANT TO N.J.S.A. 40A:12-13.

VII. 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 22-259: SCHEDULE 2022 SINE DIE MEETING & 2023 REORGANIZATION MEETING.

RES 22-260: A RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND PERFORMANCE BOND IN CONNECTION WITH THE PROPERTY DESIGNATED AS BLOCK 2101, LOTS 1, 2, 3, 5, 6, 7 AND 8.

RES 22-261: AUTHORIZATION FOR MAYOR TO SIGN TREATMENT WORKS APPROVAL APPLICATION.

RES 22-262: CHANGE ORDER NUMBER ONE – MA-20 & MA-21 WEST ALLENDALE AVENUE STREETScape PROJECT PHASE III & IV.

RES 22-263: BUDGET TRANSFERS.

RES 22-264: AUTHORIZATION TO RELEASE OF ESCROW FUNDS – PERFORMANCE GUARANTY – BLOCK 2202, LOT 3.

RES 22-265: BILL LIST OF DECEMBER 15, 2022.

RES 22-266: APPROVAL OF SECOND AMENDMENT TO AMENDED AND RESTATED AGREEMENT OF PURCHASE OF REAL ESTATE BETWEEN BOROUGH OF ALLENDALE AND HAMPSHIRE VENTURE PARTNERS, LLC.

RES 22-267: APPROVAL OF PRELIMINARY WORK AGREEMENT BETWEEN BOROUGH OF ALLENDALE AND HAMPSHIRE VENTURE PARTNERS, LLC.

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
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8:00 P.M.

RES 22-268: APPROVING AND AUTHORIZING THE EXECUTION OF THE REDEVELOPMENT AGREEMENT BETWEEN THE BOROUGH OF ALLENDALE AND HAMPSHIRE ALLENDALE MF URBAN RENEWAL LLC FOR THE REDEVELOPMENT OF PROPERTY DESIGNATED AS BLOCK 1005, LOT 20.02.

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

X. COMMITTEE REPORTS AND COMMENTS

XI. STAFF REPORTS

XII. PUBLIC COMMENTS

Audience members 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.

XIII. ADJOURNMENT

Additional items may be added to this agenda. Final action may be taken on all matters listed or added to this agenda. This agenda was prepared as of 12/15/2022 with all available information as of this date.

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

ORDINANCE 22-16

**AN ORDINANCE ESTABLISHING THE POSITION OF FIRE ADMINISTRATOR FOR
THE BOROUGH OF ALLENDALE**

BE IT ORDAINED by the Governing Body of the Borough of Allendale, in the County of Bergen, State of New Jersey, as follows:

SECTION 1. ESTABLISHMENT OF POSITION

The position of Fire Administrator is hereby established, under the direction of the Mayor and Council. The Fire Administrator shall perform the duties enumerated below and shall report to the Director of Operations.

SECTION 2. DUTIES

The duties of the Fire Administrator shall include:

- a) Assists in planning, organizing, and managing the administrative and fiscal functions within the fire department.
- b) Provides other assistance to fire chief at his/her request.
- c) Integrates and coordinates activities related to purchasing, personnel and budget.
- d) Assists in the preparation of the budget and administers budgetary controls.
- e) Advises the mayor, public safety committee, borough council, and borough attorney on fire department matters.
- f) Acts as liaison between the mayor, borough council, borough attorney, director of operations, and the fire department.
- g) Assists the Fire Chief in matters relating to the members of the fire department.
- h) Assists with the administration of programs within the fire department to maintain minimum competencies to meet State and Federal standards.

- i) Provide advice to the mayor, public safety committee, borough council, borough attorney and director of operations regarding departmental matters.
- j) Assists with the establishment and maintenance of essential records and files.

SECTION 3.

The Fire Administrator shall serve a one-year term expiring on December 31st of each calendar year and shall be paid such salary as may be fixed by the Mayor and Council in the Borough Salary Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Allendale, in the County of Bergen, State of New Jersey, the establishment of the position of Fire Administrator for the Borough of Allendale.

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

I hereby certify the above to be a true copy of an Ordinance adopted by the Governing Body of the Borough of Allendale on December 15, 2022.

Linda Louise Cervino, RMC
Municipal Clerk

Mayor Ari Bernstein

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

ORDINANCE #22-17

**AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LAND TO
JULIE MUELLER PURSUANT TO N.J.S.A. 40A:12-13**

WHEREAS, the Borough of Allendale (the “Borough”) is the owner of certain property commonly known and designated as Block 203, Lot 1.01 (the “Site”); and

WHEREAS, Julie Mueller (the “Owner”) is the owner of record of certain property known and designated as 28 Bedford Place, Ramsey, New Jersey, also designated as Block 3306, Lot 6 of the tax maps of the Borough of Ramsey (the “Property”); and

WHEREAS, the Property is located immediately contiguous to the Site; and

WHEREAS, the Borough wishes to transfer a portion of the Site to the Owner which is less than the minimum size required for development under applicable municipal zoning ordinances, and is without any capital improvements thereon; and

WHEREAS, the sale by the Borough to the Owner has been determined by negotiation between the Borough and the Owner, and the Borough is satisfied that such sale is not for less than the fair market value of the property being conveyed; and

WHEREAS, the Borough and the Owner have entered into an agreement for the sale of the portion of the Site to be conveyed (the “Agreement”), the terms of which are incorporated by reference herein; and

WHEREAS, the Borough is authorized to undertake this sale pursuant to N.J.S.A. 40A:12-13; and

WHEREAS, the Borough, by adoption of this ordinance wishes to authorize and approve the subject conveyance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Allendale, in the County of Bergen and State of New Jersey, that it hereby does authorize and approve the foregoing conveyance from the Borough to the Owner; and

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

ORDINANCE #22-17

BE IT FURTHER ORDAINED that the Mayor and Borough Clerk and all other proper officers, officials and employees of the Borough are hereby authorized and directed to take all steps, if any, necessary to effectuate the purposes of this ordinance; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon final passage, approval and publication as required by law.

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

I hereby certify the above to be a true copy of an Ordinance introduced by the Governing Body of the Borough of Allendale on December 15, 2022.

Linda Louise Cervino, RMC
Municipal Clerk

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

ORDINANCE 22-18

**AN ORDINANCE AUTHORIZING THE SALE OF A CERTAIN LAND TO TANYA
CONWAY AND CHRISTOPHER PALING OF 36 BEDFORD PLACE, RAMSEY
NEW JERSEY PURSUANT TO N.J.S.A. 40A:12-13**

WHEREAS, the Borough of Allendale (the “Borough”) is the owner of certain property commonly known and designated as Block 203, Lot 1.01 (the “Site”); and

WHEREAS, Tanya Conway and Christopher Paling (the “Owners”) are the owners of record of certain property known and designated as 36 Bedford Place, Ramsey, New Jersey, also designated as Block 5405, Lot 32 of the tax maps of the Borough of Ramsey (the “Property”); and

WHEREAS, the Property is located immediately contiguous to the Site; and

WHEREAS, the Borough wishes to transfer a portion of the Site to the Owners which is less than the minimum size required for development under applicable municipal zoning ordinances, and is without any capital improvements thereon; and

WHEREAS, the sale by the Borough to the Owners has been determined by negotiation between the Borough and the Owners, and the Borough is satisfied that such sale is not for less than the fair market value of the property being conveyed; and

WHEREAS, the Borough and the Owners have entered into an agreement for the sale of the portion of the Site to be conveyed (the “Agreement”), the terms of which are incorporated by reference herein; and

WHEREAS, the Borough is authorized to undertake this sale pursuant to N.J.S.A. 40A:12-13; and

WHEREAS, the Borough, by adoption of this ordinance wishes to authorize and approve the subject conveyance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Allendale, in the County of Bergen and State of New Jersey, that it hereby does authorize and approve the foregoing conveyance from the Borough to the Owners; and

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

ORDINANCE 22-18

BE IT FURTHER ORDAINED that the Mayor and Borough Clerk and all other proper officers, officials and employees of the Borough are hereby authorized and directed to take all steps, if any, necessary to effectuate the purposes of this ordinance; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon final passage, approval and publication as required by law.

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

I hereby certify the above to be a true copy of an Ordinance introduced by the Governing Body of the Borough of Allendale on December 15, 2022.

Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 12/15/2022

RESOLUTION# 22-259

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

SCHEDULE 2022 SINE DIE MEETING & 2023 REORGANIZATION MEETING

BE IT RESOLVED that the 2022 Sine Die Meeting will be scheduled Thursday, January 5, 2023 at 7:00 p.m. in Council Chambers of the Municipal Building located at 500 West Crescent Avenue, Allendale, NJ 07401.

BE IT RESOLVED that the 2023 Reorganization Meeting will be scheduled Thursday, January 5, 2023 at 7:30 p.m. in Council Chambers of the Municipal Building located at 500 West Crescent Avenue, Allendale, NJ 07401.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to The Record, Star Ledger, and Ridgewood News, as well as be posted on the Borough Hall Bulletin Board and Borough Website.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 15, 2022.

Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 12/15/2022

RESOLUTION# 22-260

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**A RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE
GUARANTEE AND PERFORMANCE BOND IN CONNECTION WITH THE
PROPERTY DESIGNATED AS BLOCK 2101, LOTS 1, 2, 3, 5, 6, 7 and 8**

WHEREAS, Sanford Free ("Freeman") was granted approval by the Borough of Allendale Planning Board for the construction of a 150 condominium unit complex for that premises known and designated as Block 2101, Lots 1, 2, 3, 5, 6, 7 and 8 on the Borough of Allendale (the "Borough") tax assessment map; and

WHEREAS, on or about April 13, 2007, Freeman and the Borough entered into a Developer's Agreement ("Agreement") of same date, which Agreement was thereafter amended by a First Amendment, Second Amendment and Third Amendment; and

WHEREAS, said Agreement was assigned by Freeman to Allendale Whitney LLC ("Allendale Whitney") by an Assignment and Assumption Agreement dated August 22, 2008; and

WHEREAS, pursuant to the Agreement, a Performance Guarantee in the form of cash in the amount of \$360,000.00 (the "Performance Guarantee") and a Performance Bond in the amount of \$4,323,000.00 (the "Performance Bond") were furnished to the Borough; and

WHEREAS, the Borough has previously approved requests to reduce the Performance Guarantee and the Performance Bond; and

WHEREAS, Allendale Whitney has now requested the release of the remaining Performance Guarantee and the Performance Bond; and

WHEREAS, the Borough Engineer has indicated that the bonded work is complete and that he has no objection to releasing the remaining Performance Guarantee and the Performance Bond; and

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

DATE: 12/15/2022

RESOLUTION# 22-260

WHEREAS, the Borough Engineer has further advised that Allendale Whitney has posted a two-year maintenance bond.

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 remaining Performance Guarantee and the Performance Bond are hereby authorized to, and shall be, released.
2. 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 December 15, 2022.

Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 12/15/2022

RESOLUTION# 22-261

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**AUTHORIZATION FOR MAYOR TO SIGN
TREATMENT WORKS APPROVAL APPLICATION**

WHEREAS, the NJDEP Treatment Works Approval ("TWA") program regulates the construction and operation of certain industrial and domestic wastewater collection, conveyance and treatment facilities; and

WHEREAS, as part of the TWA program the Borough is required to execute certain documents including a Statement of Consent; and

WHEREAS, the application and documents associated with the TWA program as it relates to the West Crescent Avenue redevelopment (220-230 West Crescent Avenue) have been prepared by Langan Engineering and Environmental Services Inc., and have been reviewed by the Borough Engineer without objection.

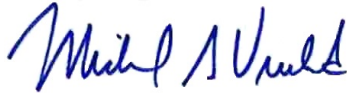
NOW, THEREFORE, BE IT RESOLVED that the Mayor is hereby authorized to execute the Statements of Consent Form (WQM-003, Section A-1) (WQM-003 Section B) and any other application forms supplementing the NJDEP Treatment Works Approval Permit Application (Form TWA-1) for West Crescent Avenue Redevelopment, 220-230 West Crescent Avenue, Allendale, New Jersey.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 15, 2022.

Linda Louise Cervino, RMC
Municipal Clerk

MEMORANDUM

TO: Mayor and Council

FROM: Michael Vreeland, Borough Engineer 

CC: L. Cervino, Borough Clerk / R. Kistner, Director of Operations /
R. Wiss, Borough Attorney / K. Webb, Applicant's Engineer

RE: NJDEP TWA Application
West Crescent Avenue Redevelopment
220-230 West Crescent Avenue
Allendale Borough
VCEA Project No. ALN-1001.016

DATE: December 8, 2022

We are in receipt of an application and supporting documents associated with the above noted matter. The application and documents have been prepared by Langan Engineering and Environmental Services, Inc. (Kevin Webb, PE).

The application proposes to connect the project to the wastewater collection and conveyance system.

The NJDEP Treatment Works Approval (TWA) program regulates the construction and operation of certain industrial and domestic wastewater collection, conveyance and treatment facilities. The TWA program requires written statements of consent from the municipality in which the project is located (**form WQM-003 Section A-1**) and the wastewater conveyance system owner (**form WQM-003 Section B**). A copy of form WQM is attached.

We have reviewed the application and documents and have no engineering objection to the Borough processing the application.

This form is generally setup for either the Mayor or Mr. Kistner (as the Borough's Director of Operations) to execute.

The Borough will need to adopt a resolution authorizing execution of the application.

Please contact me should you have any questions.

OFFICE LOCATIONS

www.vancleefengineering.com

Lebanon, NJ
908-735-9500

Hamilton, NJ
609-689-1100

Toms River, NJ
732-573-0490

Freehold, NJ
732-303-8700

Bethlehem, PA
610-332-1772

Hillsborough, NJ
908-359-8291

Mt. Arlington, NJ
862-284-1100

Phillipsburg, NJ
908-454-3080

Doylestown, PA
215-345-1876

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Water Quality

[Reset Form](#)

STATEMENTS OF CONSENT

A supplement to the TWA-1 or NJPDES-1 Forms

General Information

Applicant/Owner/Operator

Location of Work Site

Name of Project/Facility

Type of permit application
(TWA, NJPDES/SIU)

NJPDES Permit Number (if applicable)

A-1 Consent By Governing Body**

(Consent by the municipality in which the project is located.)

As an authorized representative of the governing body, I hereby certify that the

(Name of Municipality or Municipal Authority)

consents to the submission of the above listed application to the Department of Environmental Protection for approval. I further certify that the project as proposed conforms with the requirements of all municipal ordinances.

Signed* Date

Type Name and Position

* Cite authorization to sign for the governing body

Resolution# Dated

(Submit the resolution with the application. If no such resolution granting authority to sign exists, the Governing Body's full resolution, consenting to the project, must be submitted with the application.)

** Note

For most Treatment Works Approval (TWA) applications, this section may be omitted if a sewerage entity (for example, sewerage authority, utilities authority, municipal utilities authority, joint meeting, etc.) has responsibility for regulating the construction and operation of wastewater treatment and conveyance facilities within the municipality. In such cases, the governing body consent requirement may be satisfied by completing Section A-2. Applicants for TWAs for industrial/commercial facilities discharging pursuant to NJPDES/DSW or DGW permits must complete section A-1.

A-2 Consent by Sewerage Authority**

As an authorized representative of this agency, I hereby certify that the

(Name of Agency)

consents to the submission of the above listed application to the Department of Environmental Protection for approval. I further certify that the project as proposed conforms with the requirements of this agency.

Signed* _____ Date_

Type Name and Position_

* Cite authorization to sign for the agency

Resolution# Dated

(Submit the resolution with the application. If no such resolution granting authority to sign exists, the Governing Body's full resolution, consenting to the project, must be submitted with the application.)

** Note

For TWA applications, this section must be completed when a sewerage entity (for example, sewerage authority, utilities authority, municipal utilities authority, joint meeting, etc.) has responsibility for regulating the construction and operation of wastewater treatment and conveyance facilities within the municipality.

A-3 Consent by Owner of Wastewater Treatment Facility**

(For NJPDES/SIU applications only)

As an authorized representative of this agency, I hereby certify that the

(Name of Agency)

consents to the submission of the above listed application to the Department of Environmental Protection for approval. I further certify that the project as proposed conforms with the requirements of this agency and the agency agrees to accept wastewater from the project for treatment.

Signed* _____ Date_

Type Name and Position_

* Cite authorization to sign for the agency

Resolution# Dated

(Submit the resolution with the application. If no such resolution granting authority to sign exists, the Agency's full resolution, consenting to the project, must be submitted with the application.)

** Note

For NJPDES/SIU applications, this section must be completed when the owner of the receiving wastewater treatment plant is different than the entity listed under A-2.

B. Certification by Wastewater Conveyance System Owner**

By agreeing to accept wastewater from the project, I (we) hereby certify that to the best of my (our) knowledge the wastewater conveyance system, into which the project proposed under this application will connect, has adequate capacity in accordance with N.J.A.C. 7:14A-1.2 ("Adequate conveyance capacity"). Furthermore, I (we) am (are) not aware of inadequate conveyance capacity conditions in any portion of the downstream facilities necessary to convey the wastewater from this project to the treatment plant.

Name of Municipality or Authority Borough of Allendale

Signed* _____ Date _____

Type Name and Position _____

* Cite authorization to sign for the governing body

Resolution# _____

Dated _____

(Submit the resolution with the application. If no such resolution granting authority to sign exists, the governing body's full resolution, consenting to the project, must be submitted with the application.)

** Note

1. For TWA applications, this section must be completed by the owner/operator of the wastewater conveyance system into which the project named herein will directly connect.

2. For NJPDES/SIU applications, this section must be completed when the owner/operator wastewater conveyance system into which the project named herein will directly connect is different than the entity listed under A-3.

C. Certification by Wastewater Treatment Facility Owner**

(For TWA applications that include a sewer connection/extension.)

I (we) hereby certify that the committed flow*** to the

Northwest Bergen County Utilities Authority Treatment Plant

(Name of Wastewater Treatment Plant)

does not exceed the presently permitted design capacity and with the additional flow proposed by this application, the permitted design capacity is not anticipated to be exceeded. I (we) further certify that the treatment plant is currently complying with its conventional and non-conventional NJPDES permit requirements (see N.J.A.C. 7:14A-22.17(b)-(d), percent removal and toxicity requirements excluded from this certification) as determined by a rolling average of the three most recent monthly discharge monitoring reports that were required to be submitted to the Department as of this date, and based upon my (our) assessment of all information pertinent to this permit request, is anticipated to continue to do so with the additional flow from this project.

Accepted for Treatment by _____

(Name of Treating Authority)

Signed* _____ Date _____

Type Name and Position Robert Laux, Interim Executive Director

Name of project and/or location West Crescent Avenue Redevelopment, 220 West Crescent Ave, Borough of Allendale

* Cite authorization to sign for the governing body

Resolution# _____

Dated _____

(Submit the resolution with the application. If no such resolution granting authority to sign exists, the governing body's full resolution, consenting to the project, must be submitted with the application.)

** For TWA applications, this section must be completed by the owner of the wastewater treatment facility receiving the wastewater identified in this application.

*** For the purposes of this certification, committed flow means the sum of the 1) actual metered flow, 2) flow from DEP approved TWA applications (not yet operational), and 3) flow from locally approved projects that do not require DEP approval.

Additional Information (For TWA Applications)

1. Approvals, permits, service contracts, or other reservations of flow capacity issued or agreed to by any participating municipality or sewerage agency do not constitute the required approval of the DEP.
2. For computation of actual flow at the receiving wastewater treatment plant, the average flow processed by the facility for the three (3) month period immediately preceding the submission of the application shall be used. Pursuant to the NJPDES regulations (N.J.A.C. 7:14A), no application shall be submitted to the DEP if the wastewater treatment facility is not meeting its discharge permit requirements.

Lack of Consent*

1. The affected sewerage authority or municipality must consent to the application or submit comments to the DEP within 60 days of the applicant's request for consent. Prior to the expiration of the 60-day period to respond to a request for a written statement of consent, the municipality or sewerage authority may request a 30-day time extension.
2. Any document issued by a sewerage authority or municipality which is a tentative, preliminary, or conditional approval shall not be considered a statement of consent.
3. When the affected sewerage authority or municipality does not consent to a project, it shall state all reasons for rejection or disapproval in a resolution and send a certified copy of the resolution to the DEP.
4. When the affected sewerage authority or municipality expressly denies a request for a written statement of consent for a project, the permit application may be determined by the DEP to be incomplete for processing; or in the alternative, the DEP may review the reasons for denial. Any such reasons shall be considered by the DEP in determining whether to issue a draft permit in accordance with N.J.A.C. 7:14A-15.6, or a Treatment Works Approval or sewer connection approval in accordance with N.J.A.C. 7:14A-22.
5. When the affected sewerage authority or municipality does not issue a written statement of consent in accordance with (1) above, or a denial in accordance with (3) above, the DEP, upon receipt of proof that the applicant has delivered to the affected agency a written request for a statement of consent, shall review the reasons therefore, if known on the basis of reasonably reliable information. Any such reasons shall be considered by the DEP in determining whether to issue a draft permit in accordance with N.J.A.C. 7:14A-15.6, or a Treatment Works Approval in accordance with N.J.A.C. 7:14A-22. The DEP, may in its discretion, deem the application to be incomplete pending the expiration of the time period set forth in (1) above.

* This section has been excerpted from the NJPDES regulations for guidance purposes only. Please refer to N.J.A.C. 7:14A-22.8(a)3 for the complete requirements concerning statements of consent.

Notice: False statements, representations, or certifications, in any application, record, or document are subject to fines and penalties as set forth in the Water Pollution Control Act (N.J.S.A. 58:10A-10F 2 and 3.

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

DATE: 12/15/2022

RESOLUTION# 22-262

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**CHANGE ORDER NUMBER ONE – MA-20 & MA-21
WEST ALLENDALE AVENUE STREETSCAPE PROJECT
PHASE III & IV**

WHEREAS, the Borough Engineer has requested that certain changes are needed for the New Jersey MA-20 & MA-21 West Allendale Streetscape Project, Phase III & IV contract ; and

WHEREAS, a net increase of \$19,385.00 will result from the actual quantities of work measured and performed; and

WHEREAS, the CFO has 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 Change Order Number One resulting in an increase of \$19,385.00, a 4.97% increase in the original contracted amount, be approved for the New Jersey MA-20 & MA-21 West Allendale Streetscape Project, Phase III & IV contract, resulting in a new contract amount of \$409,421.11.

BE IT FURTHER RESOLVED that Change Order Number One in the increased amount of \$19,385.00 be approved for performance by A.A. Berms, LLC, P.O. Box 180, Bellville, New Jersey 07109.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 15, 2022.

Linda Louise Cervino, RMC
Municipal Clerk

THE NEGLIA GROUP
ENGINEER'S CERTIFICATE N° 1

MUNICIPALITY: Borough of Allendale
PROJECT: NJ MA-20 & MA-21 West Allendale Streetscape Project - Phase III & IV
CONTRACTOR: A.A. Berms LLC
PO Box 180
Bellville, New Jersey 07109

SHEET: 1 of 2
DATE: December 14, 2022
NEGLIA FILE: ALLEMUN21.010

BASE BID A

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QUANTITY	EXTRA OR SUPPL.	REDUCTION	PREVIOUS ESTIMATE(S)	QTY. THIS ESTIMATE	QUANTITY TO DATE	UNIT PRICE	AMOUNT THIS EST.	AMOUNT EXTRA	AMOUNT REDUCTION	AMOUNT TO DATE
1	Mobilization	LS	1						\$ 8,000.00	\$ -	\$ -	\$ -	\$ -
2	Clearing Site	LS	1						\$ 4,000.00	\$ -	\$ -	\$ -	\$ -
3	Breakaway Barricades	UNIT	5						\$ 0.01	\$ -	\$ -	\$ -	\$ -
4	Drum	UNIT	5						\$ 0.01	\$ -	\$ -	\$ -	\$ -
5	Traffic Cone	UNIT	5						\$ 0.01	\$ -	\$ -	\$ -	\$ -
6	Construction Signs	SF	25						\$ 0.01	\$ -	\$ -	\$ -	\$ -
7	Traffic Director, Flagger	Hours	80						\$ 78.03	\$ -	\$ -	\$ -	\$ -
8	9" x 18" Concrete Vertical Curb	LF	40						\$ 60.00	\$ -	\$ -	\$ -	\$ -
9	Belgian Block Curb	LF	350						\$ 32.00	\$ -	\$ -	\$ -	\$ -
10	Cophorne Pavers (or Equal)	SY	440						\$ 135.00	\$ -	\$ -	\$ -	\$ -
11	Detectable Warning Surface	SY	4						\$ 200.00	\$ -	\$ -	\$ -	\$ -
12	Concrete Sidewalk, Reinforced, 6" Thick	SY	60						\$ 100.00	\$ -	\$ -	\$ -	\$ -
13	Reset Water Valve Box	UNIT	3						\$ 0.01	\$ -	\$ -	\$ -	\$ -
14	Reset Gas Valve Box	UNIT	2						\$ 0.01	\$ -	\$ -	\$ -	\$ -
15	Decidious Ornamental Tree, 2" Caliper, w/Watering Bag	UNIT	6						\$ 400.00	\$ -	\$ -	\$ -	\$ -
16	Decorative Street Light, Complete	UNIT	5						\$ 11,650.00	\$ -	\$ -	\$ -	\$ -
17	Trash Receptacle	UNIT	3						\$ 1,500.00	\$ -	\$ -	\$ -	\$ -
18	Traffic Marking Lines, 24"	LF	65						\$ 17.00	\$ -	\$ -	\$ -	\$ -
19	Topsoil Spreading, 4" Thick	SY	5						\$ 10.00	\$ -	\$ -	\$ -	\$ -
20	Fertilizing and Seeding, Type A-3	SY	5						\$ 10.00	\$ -	\$ -	\$ -	\$ -
21	Straw Mulching	SY	5						\$ 10.00	\$ -	\$ -	\$ -	\$ -
22	Final Cleanup	LS	1						\$ 4,000.00	\$ -	\$ -	\$ -	\$ -
23	Contract Allowance for Unforeseen Conditions	Allow	1						\$ 10,000.00	\$ -	\$ -	\$ -	\$ -
TOTAL BASE BID A (Item #1 - #23)										\$ -	\$ -	\$ -	\$ -

THE NEGLIA GROUP
ENGINEER'S CERTIFICATE N° 1

MUNICIPALITY: Borough of Allendale
PROJECT: NJ MA-20 & MA-21 West Allendale Streetscape Project - Phase III & IV
CONTRACTOR: A.A. Berms LLC
PO Box 180
Bellville, New Jersey 07109

SHEET: 2 of 2
DATE: December 14, 2022
NEGLIA FILE: ALLEMUN21.010

BASE BID B

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QUANTITY	EXTRA OR SUPPL.	REDUCTION	PREVIOUS ESTIMATE(S)	QTY. THIS ESTIMATE	QUANTITY TO DATE	UNIT PRICE	AMOUNT THIS EST.	AMOUNT EXTRA	AMOUNT REDUCTION	AMOUNT TO DATE
1	Mobilization	LS	1				1.00	1.00	\$ 10,000.00	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00
2	Clearing Site	LS	1				1.00	1.00	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00
3	Breakaway Barricades	UNIT	5				5.00	5.00	\$ 0.01	\$ 0.05	\$ -	\$ -	\$ 0.05
4	Drum	UNIT	5						\$ 0.01	\$ -	\$ -	\$ -	\$ -
5	Traffic Cone	UNIT	5				5.00	5.00	\$ 0.01	\$ 0.05	\$ -	\$ -	\$ 0.05
6	Construction Signs	SF	25						\$ 0.01	\$ -	\$ -	\$ -	\$ -
7	Traffic Director, Flagger	Hours	80						\$ 78.03	\$ -	\$ -	\$ -	\$ -
8	Inlet Filter, Type 1	SF	25				25.00	25.00	\$ 0.01	\$ 0.25	\$ -	\$ -	\$ 0.25
9	9" x 18" Concrete Vertical Curb	LF	30				9.50	9.50	\$ 60.00	\$ 570.00	\$ -	\$ -	\$ 570.00
10	Belgian Block Curb	LF	470				409.00	409.00	\$ 32.00	\$ 13,088.00	\$ -	\$ -	\$ 13,088.00
11	Cophorne Pavers (or Equal)	SY	480				435.50	435.50	\$ 135.00	\$ 58,792.50	\$ -	\$ -	\$ 58,792.50
12	Detectable Warning Surface	SY	3				3.00	3.00	\$ 200.00	\$ 600.00	\$ -	\$ -	\$ 600.00
13	Concrete Sidewalk, Reinforced, 6" Thick	SY	45				37.60	37.60	\$ 100.00	\$ 3,760.00	\$ -	\$ -	\$ 3,760.00
14	Reset Existing Casting	UNIT	1						\$ 50.00	\$ -	\$ -	\$ -	\$ -
15	Reset Water Valve Box	UNIT	8						\$ 0.01	\$ -	\$ -	\$ -	\$ -
16	Reset Gas Valve Box	UNIT	13						\$ 0.01	\$ -	\$ -	\$ -	\$ -
17	Decidious Ornamental Tree, 2: Caliper, w/Watering Bag	UNIT	8						\$ 400.00	\$ -	\$ -	\$ -	\$ -
18	Decorative Street Light, Complete	UNIT	7				3.50	3.50	\$ 11,300.00	\$ 39,550.00	\$ -	\$ -	\$ 39,550.00
19	Trash Receptacle	UNIT	4						\$ 1,500.00	\$ -	\$ -	\$ -	\$ -
20	Traffic Marking Lines, 24"	LF	65						\$ 17.00	\$ -	\$ -	\$ -	\$ -
21	Topsoil Spreading, 4" Thick	SY	5						\$ 10.00	\$ -	\$ -	\$ -	\$ -
22	Fertilizing and Seeding, Type A-3	SY	5						\$ 10.00	\$ -	\$ -	\$ -	\$ -
23	Straw Mulching	SY	5						\$ 10.00	\$ -	\$ -	\$ -	\$ -
24	Final Cleanup	LS	1						\$ 4,000.00	\$ -	\$ -	\$ -	\$ -
25	Contract Allowance for Unforeseen Conditions	Allow	1						\$ 10,000.00	\$ -	\$ -	\$ -	\$ -
TOTAL BASE BID B										\$ 131,360.85	\$ -	\$ -	\$ 131,360.85
TOTAL										\$ 131,360.85	\$ -	\$ -	\$ 131,360.85

CONTRACT PRICE: \$390,036.11
EXTRA & SUPPLEMENTAL:
TOTAL: \$390,036.11
REDUCTIONS:
ADJUSTED AMOUNT: \$390,036.11

TOTAL AMOUNT TO DATE: \$131,360.85
LESS 2%: \$2,627.22
BALANCE: \$128,733.63
LESS PREVIOUS PAYMENT(S):
AMOUNT DUE: \$128,733.63

APPROVED:

David Juzmeski
ENGINEER

12-14-22

CONTRACTOR:

Juan Alvarado

JUAN ALVARADO - AA BERMS LLC 12/14/2022

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by Prior Payment Estimates; and (2) title to all materials and equipment incorporated in said Work or otherwise listed in or covered by this Payment Estimate will pass to OWNER at time of payment free and clear of all liens, claims, security interests and encumbrances (except such as covered by Bond acceptable to OWNER)

NEW JERSEY DEPARTMENT OF TRANSPORTATION

STATE AID PROJECTS

CHANGE ORDER NUMBER - 1

Division of Local Aid and Economic Development

Project	NJ MA-20 MA-21 WEST ALLENDALE STREETSCAPE PROJECT - PHASES III & IV	NEGLIA Project #: ALLEMUN21.010
Municipality	Borough of Allendale	Date: 11/8/2022
County	Bergen	
Contractor	A.A. Berms LLC, PO Box 180, Bellville, NJ 07109	

In accordance with the project Supplementary Specification, the following are changes in the contract.
 Location and Reason for Change (Attach additional sheets if required) -

Supplemental - Additional work areas to be improved
Extra - Additional Work Based on Site Conditions
Reduction - Reduction of Unused Quantities

<u>Item No.</u>	<u>Description</u>	<u>Quantity(+/-)</u>	<u>Unit</u>	<u>Price</u>	<u>Amount</u>
BASE BID B					
Supplemental					
S1	Demolition	1.00	LS	\$3,875.00	\$ 3,875.00
S2	Belgian Block Curb	75.00	LF	\$32.00	\$ 2,400.00
S3	Cophorne Pavers (or Equal)	86.00	SY	\$135.00	\$ 11,610.00
S4	Detectable Warning Surface	1.00	SY	\$200.00	\$ 200.00
S5	Concrete Sidewalk, Reinforced, 6" Thick	5.00	SY	\$100.00	\$ 500.00
S6	Decidious Ornamental Tree, 2: Caliper, w/Watering Bag	2.00	UNIT	\$400.00	\$ 800.00
Total Supplemental					\$ 19,385.00

Extra

\$ -
Total Extra \$ -

Reduction

\$ -
Total Reduction \$ -

Amount of Original Contract

\$ 390,036.11

Extra \$ -
 Supplemental \$ 19,385.00
 Reduction \$ -
Total Change \$ 19,385.00

Adjusted Amount Based on Change Orders

\$ 409,421.11

1

Change in Contract

\$ 19,385.00 4.97% Increase

Change in Contract

\$ 19,385.00 4.97% Increase

[(+) Increase or (-) Decrease]

this C.O.
to date

David Juzmeski
 (Engineer)

12-14-22
 (Date)

Approved: _____
 (District Manager)
 (Division of Local Aid and
 Economic Development)

 (Presiding Officer)

 (Date)

[Signature]
 (Contractor)

12/14/2022
 (Date)

DEPARTMENT	DATE
Engineering	12/14/2022
VENDOR NUMBER	

Borough of Allendale
Municipal Building / Civic Center
500 West Crescent Ave
Allendale, NJ 07401

TAX ID#

PURCHASE ORDER NUMBER
Nº 1
The above order number must appear on all invoices, packages and correspondence.
YOUR INVOICE NUMBER
ALLEMUN21.010

In connection with P.L. 2004, c.57, no purchase order or payment can be made to a vendor who does not have a Business a Registration Certificate on file with the Borough.

V
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A.A. Berms LLC
PO Box 180
Bellville, New Jersey 07109

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QUANTITY	UNIT	DESCRIPTION OF MATERIALS OR SERVICES	UNIT PRICE	AMOUNT
1		For the labor, material and equipment in accordance with the Engineer's Certificate # 1 for the NJ MA-20 & MA-21 West Allendale Streetscape Project Phase III & IV		\$128,733.63

CLAIMANT'S CERTIFICATION AND DECLARATION

I DO SOLEMNLY DECLARE AND CERTIFY UNDER THE PENALTIES OF THE LAW THAT THE WITHIN BILL IS CORRECT IN ALL ITS PARTICULARS; THAT THE ARTICLES HAVE BEEN FURNISHED OR SERVICES RENDERED AS STATED THEREIN; THAT NO BONUS HAS BEEN GIVEN OR RECEIVED BY ANY PERSON OR PERSONS WITHIN THE KNOWLEDGE OF THIS CLAIMANT IN CONNECTION WITH THE ABOVE CLAIM; THAT THE AMOUNT THEREIN STATED IS JUSTLY DUE AND OWING; AND THAT THE AMOUNT CHARGED IS A REASONABLE ONE.

X



OWNER

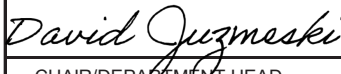
12/14/2022

VENDOR SIGN HERE AND RETURN FOR PAYMENT

TITLE

DATE

SPACE BELOW TO BE FILLED OUT BY MUNICIPAL OFFICIALS

DEPARTMENT CERTIFICATION	APPROVED AND ORDERED PAID	APPROPRIATION CHARGED	AMOUNT
I hereby certify from personal knowledge that the goods and services charged for in the above Claim have been received and rendered as stated.	FINANCE - COMMITTEE		
 CHAIR/DEPARTMENT HEAD	FINANCE CHAIR		
	PAYMENT RECORD		
Prices Herein Quoted Are Correct With Contract -Bid -Requisition -Standard -Price In Order Named And This Bill Is Approved:	Check No. _____		
	Date _____		
DEPARTMENT LIASION			

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

DATE: 12/15/2022

RESOLUTION# 22-263

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

BUDGET TRANSFERS

WHEREAS, Budget Transfers are permitted during the last two months of the current year and the first three months of the following year;

NOW THEREFORE, BE IT RESOLVED, by the Mayor & Council of the Borough of Allendale that the following transfers be made between the following 2022 Budget Appropriations:

DEPARTMENT	ACCOUNT	FROM	TO
CURRENT FUND			
Garbage & Trash Removal	2-01-26-305-029		\$23,500
Municipal Recycling, O.E.	2-01-26-306-029	\$23,500	
Telephones, O.E.	2-01-31-440-190		\$4,000
Water Charges, O.E.	2-01-31-445-230	\$4,000	
Total Transfers		\$27,500	\$27,500

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 15, 2022.

Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 12/15/2022

RESOLUTION# 22-264

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**AUTHORIZATION TO RELEASE OF ESCROW FUNDS – PERFORMANCE
GUARANTY – JUSTIN BORST, 22 OAKWOOD ROAD, BLOCK 2202, LOT 3**

WHEREAS, the applicant, Justin Borst, with an address of 22 Oakwood Road, Block 2202, Lot 3, in the Borough of Allendale, County of Bergen, State of New Jersey has requested an escrow release; and

WHEREAS, the Chief Financial Officer of the Borough of Allendale reports the following account was posted with the Borough for this application:

Performance Guaranty \$5,720.00

WHEREAS, the Borough Engineer has reviewed the project file and performed a follow up visit on October 28, 2022 and found the soil movement work to be complete; and

WHEREAS, all final invoices have been processed; and

WHEREAS, the Borough Engineer has no objection to releasing the Performance Guaranty as requested by the applicant; and

WHEREAS, the Governing Body has reviewed the memo, a copy of which is attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the Performance Guaranty in the amount of \$5,722.47 (includes interest) less \$204.25 due for soil movement escrow be released to Justin Borst at this time.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 15, 2022.

Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 12/15/2022

RESOLUTION# 22-265

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

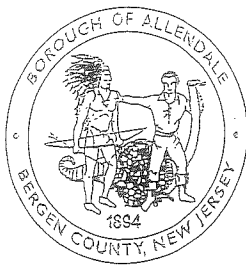
APPROVAL OF DECEMBER 15, 2022 LIST OF BILLS

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 December 15, 2022 in the amounts of:

Bill List Numbers	December 15, 2022
Current Fund	\$1,634,746.60
Payroll Account	\$187,717.36
General Capital	\$177,519.36
Animal Fund	\$3.60
Grant Fund	\$0.00
COAH/Housing Trust	\$0.00
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$4,937.87
Water Operating	\$85,628.31
Water Capital	\$0.00
Total	\$2,090,553.10

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 15, 2022.

Linda Louise Cervino, RMC
Municipal Clerk



Borough of Allendale

500 WEST CRESCENT AVENUE
ALLENDALE, NEW JERSEY 07401

OFFICE OF TAX COLLECTOR
OFFICE OF CHIEF FINANCIAL OFFICER

TEL: 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

December 15, 2015

M. Alissa Mayer

M. Alissa Mayer, CMFO
Chief Financial Officer

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

DATE: 12/15/2022

RESOLUTION# 22-266

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**APPROVAL OF SECOND 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 thereafter entered into a First Amendment to the Amended Agreement dated May 13, 2021 (the “First Amendment”) setting forth additional terms and agreements regarding the purchase by Hampshire of the Property; 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, the Amended Agreement and the First Amendment; and

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

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

DATE: 12/15/2022

RESOLUTION# 22-266

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

BE IT FURTHER RESOLVED, that the Mayor, the Municipal Clerk, the Borough Attorney and other appropriate Borough Officials are authorized to take all appropriate actions so as to implement this Resolution, including but not limited to, the execution of the Second Amendment by the Mayor and the Municipal Clerk and the performance of those actions called in for in the Second Amendment; and

BE IT FURTHER RESOLVED, that the Mayor, the Municipal Clerk, the Chief Financial Officer, and the Borough Attorney and other appropriate Borough Officials are authorized to take all appropriate actions required of the Borough in the Second Amendment, once the Second 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 December 15, 2022.

Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 12/15/2022

RESOLUTION# 22-267

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**APPROVAL OF PRELIMINARY WORK AGREEMENT
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 thereafter entered into a First Amendment to the Amended Agreement dated May 13, 2021 (the “First Amendment”) setting forth additional terms and agreements regarding the purchase by Hampshire of the Property; 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, the Amended Agreement and the First Amendment; and

WHEREAS, Allendale will memorialize its approval of such additional terms and conditions, as reflected in a Second Amendment to Amended and Restated Agreement of Purchase of Real Estate (the “Second Amendment”, and together with the Original Agreement, and the First Amendment, collectively, as so amended, the “Purchase Agreement”) ; and

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

DATE: 12/15/2022

RESOLUTION# 22-267

WHEREAS, Allendale and Hampshire's affiliated company, Hampshire Allendale MF Urban Renewal, LLC (the "Company") will enter into the certain Residential Redevelopment Agreement (the "Redevelopment Agreement") pursuant to which the Company (i) has been designated the redeveloper of Residential Facility (as defined in the Redevelopment Agreement) portion the Redevelopment Project (as defined in the Redevelopment Agreement and (ii) has agreed to construct the Project (as defined in the Redevelopment Agreement) in accordance with the Redevelopment Agreement.

WHEREAS, Hampshire and/or the Company, pursuant to the Purchase Agreement and the Redevelopment Agreement, is to perform, subsequent to Allendale conveying Lot 20.02 to Hampshire (or its related affiliate), certain work on that part of the Property designated as Lots 20.01 and 20.02, Block 1005 on the Tax Map of the Borough of Allendale; and

WHEREAS, Hampshire has requested that Allendale allow Hampshire and/or the Company, prior to the conveyance of Lot 20.02 to Hampshire (or its affiliated entity), to perform (or cause their contractors/subcontractors to perform) such certain preliminary work described in that certain Preliminary Work Agreement (the "Preliminary Work Agreement") the terms of which are incorporated herein by reference.

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

BE IT FURTHER RESOLVED, that the Mayor, the Municipal Clerk, the Borough Attorney and other appropriate Borough Officials are authorized to take all appropriate actions so as to implement this Resolution, including but not limited to, the execution of the Preliminary Work Agreement by the Mayor and the performance of those actions called for in the Preliminary Work Agreement; and

BE IT FURTHER RESOLVED, that the Mayor, the Municipal Clerk, the Chief Financial Officer, and the Borough Attorney and other appropriate Borough Officials are authorized to take all appropriate actions required of the Borough in the Preliminary Work Agreement.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 15, 2022.

Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 12/15/2022

RESOLUTION# 22-268

Council	Motion	Second	Yes	No	Abstain	Absent
Homan						
Lovisolo						
O'Connell						
O'Toole						
Sasso						
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 HAMPSHIRE ALLENDALE MF URBAN RENEWAL LLC FOR
THE REDEVELOPMENT OF PROPERTY DESIGNATED AS BLOCK 1005,
LOT 20.02**

WHEREAS, on March 28, 2019 the Borough Council of the Borough of Allendale adopted Ordinance #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, the 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 Hampshire Allendale MF Urban Renewal LLC ("Hampshire Allendale MF") to be the redeveloper of that portion of the redevelopment project designated as the "Residential Facility", and said Residential Facility shall be located on that portion of 220-230 West Crescent Avenue designated as Block 1005, Lot 20.02, in that subdivision deed dated

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

DATE: 12/15/2022

RESOLUTION# 22-268

May 13, 2021 and filed, in furtherance of the Amended Redevelopment Plan, with the Bergen County Clerk on June 11, 2021 in Book V 4208, page 1132; and

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

NOW THEREFORE, BE IT RESOLVED, the Residential Facility 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 Residential Facility Redevelopment Agreement, and a copy of said Residential Facility Redevelopment Agreement shall be placed on file in the office of the Municipal 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; and

BE IT FURTHER RESOLVED, that the Mayor and the Municipal Clerk are hereby authorized to execute the Residential Facility Redevelopment Agreement, and that the Mayor, Municipal Clerk, Borough Attorney, the Chief Financial Officer and other appropriate Borough Officials are authorized to enforce and carry out the terms and conditions of the Residential Facility 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 December 15, 2022.

Linda Louise Cervino, RMC
Municipal Clerk