



BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
MEETING AGENDA & MATERIALS
THURSDAY, JULY 20, 2023
7:30 P.M.

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
WORK AND REGULAR SESSION – JULY 20, 2023
7:30 P.M.

A combined Work and Regular Session of the Mayor and Council of the Borough of Allendale will be held in-person on July 20, 2023 beginning at 7:30 pm in the Mayor & Council Chambers at the Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey 07401.

I. CALL TO ORDER

II. OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT

III. ROLL CALL

IV. SALUTE TO FLAG

**V. APPROVAL OF MINUTES – [June 15, 2023 Work and Regular Meeting Minutes.](#)
[June 26, 2023 Special Meeting Minutes.](#)**

VI. PUBLIC COMMENT ON AGENDA ITEMS ONLY

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

VII. BUSINESS ITEM FOR CONSIDERATION

- A. [Town Menorah Lighting](#): John Collins, of Valley Chabad, requests date of Wednesday, December 12 , 2023 at 6:00 p.m.

VIII. ADMINISTRATION

- A. Agenda Review
- B. Council Reports
- C. Mayor's Report
- D. Staff Reports

IX. 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 23-180:](#) AUTHORIZATION FOR REFUND TO MINARIS REGENERATIVE MEDICINE, LLC, DUE TO OVERPAYMENT ON PLUMBING SUB CODE APPLICATION FEE IN THE AMOUNT OF \$35,230.00.
- [RES 23-181:](#) RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE NEW JERSEY DEPARTMENT OF TRANSPORTATION'S FY24 MUNICIPAL AID PROGRAM.
- [RES 23-182:](#) AUTHORIZATION TO ADVERTISE BID SPECIFICATIONS FOR HANDICAP ACCESSIBLE BATHROOM AT THE ALLENDALE FIREHOUSE.
- [RES 23-183:](#) RESOLUTION SUPPORTING THE BERGEN COUNTY FIRE MUTUAL AID PLAN IN THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY.
- [RES 23-184:](#) APPOINTMENT OF FULL-TIME ADMINISTRATIVE ASSISTANT – POLICE DEPARTMENT – PEGGY TIMONY.
- [RES 23-185:](#) RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ALLENDALE AUTHORIZING THE UNDERTAKING OF CORRECTIVE ACTIONS NECESSARY TO ADDRESS A PRIOR DIVERSION OF PARK LAND PURSUANT TO GREEN ACRES REGULATIONS.
- [RES 23-186:](#) APPROVAL OF JULY 20, 2023 LIST OF BILLS.
- [RES 23-187:](#) AUTHORIZATION OF 2023 PARK & RIDE FEES

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

XII. PUBLIC COMMENTS ON ANY MATTER

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

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 07/20/2023 with all available information as of this date.

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

DATE: 07/20/2023

RESOLUTION# 23-180

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

- ☐ Carried
- ☐ Defeated
- ☐ Tabled
- ☐ Approved on Consent Agenda

**AUTHORIZATION FOR REFUND TO MINARIS REGENERATIVE MEDICINE, LLC,
DUE TO OVERPAYMENT ON PLUMBING SUB CODE APPLICATION FEE**

WHEREAS, Minaris Regenerative Medicine, LLC, 75 Commerce Drive, Allendale, New Jersey 07401, filled out the plumbing sub code tec sheet for the Borough of Allendale incorrectly; and

WHEREAS, the correct number of Gas Pipe Connections is 8 and not 550; and

WHEREAS, as a result of this error, Minaris Regenerative Medicine, LLC is due a refund in the amount of \$35,230.00 for an overpayment on a plumbing sub code application fee.

NOW, THEREFORE, BE IT RESOLVED by the Council of Borough of Allendale that said refund be granted to Minaris Regenerative Medicine, LLC, 75 Commerce Drive, Allendale New Jersey 07401, in the amount of \$35,230.00.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on July 20, 2023.

Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 07/20/2023

RESOLUTION# 23-181

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

- ☐ Carried
- ☐ Defeated
- ☐ Tabled
- ☐ Approved on Consent
Agenda

**RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE NEW
JERSEY DEPARTMENT OF TRANSPORTATION'S FY24 MUNICIPAL AID PROGRAM**

WHEREAS, the New Jersey Department of Transportation has funds available for road projects through its FY24 Municipal Aid Program; and

WHEREAS, this application would provide funding for improvements to Memorial Park within the Borough of Allendale; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of Allendale formally approves the grant application for the above-stated project.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2024-Renovation to Memorial Park Walkways-00640 to the New Jersey Department of Transportation on behalf of the Borough of Allendale.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Allendale, and that their signature constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant 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 July 20, 2023.

Linda Louise Cervino, RMC
Municipal Clerk

APPLICATION INFORMATION			
Applicant	Borough of Allendale		
Project Title	Renovation to Memorial Park Walkways		
Grant Program	NJDOT FY24 Municipal Aid		
Funding Requested	\$339,273.00	Due Date	7/1/2023
Date Submitted	6/30/2023		

FUNDING SOURCE INFORMATION	
Agency Name	NJ Department of Transportation
Contact Person	Eileen Shack
Phone Number	973-877-1500
Address	153 Halsey Street – 5th Floor, Newark, NJ 07102

PROJECT CONTACT	
Name	Ron Kistner
Title	Borough Administrator
Phone Number	ronkistner@allendalenj.gov

OTHER CONTACT	
Name	David Juzmeski
Title	Neglia Engineering
Phone Number	djuzmeski@negliaengineering.com

CONSULTANT INFORMATION	
Consultant Name	Alexa Reed, Stephanie Gundermann

STATUS			
Award Date	Award Amount	Loan	Denied Date

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

DATE: 07/20/2023

RESOLUTION# 23-182

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

- ☐ Carried
☐ Defeated
☐ Tabled
☐ Approved on Consent
Agenda

**AUTHORIZATION TO ADVERTISE BID SPECIFICATIONS FOR
HANDICAP ACCESSIBLE BATHROOM AT THE ALLENDALE FIREHOUSE**

BE IT RESOLVED the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey does hereby authorize the Borough Clerk to advertise and thereby solicit and accept sealed bids in accordance with State law for the rehabilitation of the existing bathroom located at 1 Erie Plaza, Allendale, New Jersey 07401, to make handicap accessible; and,

BE IT FURTHER RESOLVED that the final bid specifications be subject to form approval by the Borough Attorney.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on July 20, 2023.

Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 07/20/2023

RESOLUTION# 23-183

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

☐ Carried
☐ Defeated
☐ Tabled
☐ Approved on
Consent Agenda

**RESOLUTION SUPPORTING THE BERGEN COUNTY FIRE MUTUAL AID PLAN IN THE
BOROUGH OF ALLENDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY**

WHEREAS, the Borough of Allendale provides fire protection resources for ordinary emergency response requirements within its jurisdiction; and

WHEREAS, the Fire Departments in Bergen County have a day-to-day responsibility to provide for the safety and security of lives and property; and

WHEREAS, local resources can become exhausted during the small percentage of large magnitude fire or disaster occurrences; and

WHEREAS, mutual aid is the most cost-effective method of providing sufficient resources to a local jurisdiction for those extraordinary occurrences; and

WHEREAS, it is of mutual benefit for fire departments located within the County of Bergen to provide supplemental resources to each other in the event of a local emergency or disaster; and

WHEREAS, this plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of fire department personnel and equipment whenever a local fire department requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of a fire or emergency; and

WHEREAS, a county area mutual aid plan is encouraged by, and is compatible with the State of New Jersey Resource Deployment Act; and

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

DATE: 07/20/2023

RESOLUTION# 23-183

WHEREAS, participation in a county area mutual aid plan will not impose liability on the local entity; and

WHEREAS, it is the desire of the governing body of the Borough of Allendale to participate in fire mutual aid plan.

NOW, THEREFORE, BE IT RESOLVED, the Borough of Allendale does hereby agree to authorize their fire department to provide mutual aid assistance to each participating municipality, district, state or federal organization, as identified in the Bergen County Fire Mutual Aid Plan (ESF 4) and as may be amended from time to time by Participating Units and ratified by this body; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Bergen County Office of Emergency Management for filing.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on July 20, 2023.

Linda Louise Cervino, RMC
Municipal Clerk



COUNTY OF BERGEN

ONE BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601

Certified Copy

Resolution: 532-23

Agenda: 5/3/2023

Public Safety/ Office of Emergency Management

Meeting Date: 5/3/2023

Purpose: Authorization to Execute a Countywide Fire Mutual Aid Agreement with Participating Municipalities.

Prepared By: RAP

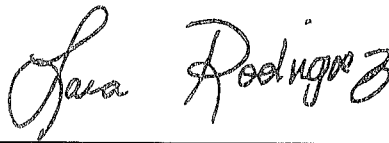
Sponsored by the Body as a Whole that this Resolution be passed. The motion passed by the following vote:

Yes: 6 - Chairman Sullivan, Vice Chairwoman Ortiz, County Commissioner Amoroso, County Commissioner Marte, County Commissioner Tanelli, and County Commissioner Silna Zur

Absent: 1 - Chair Pro Tempore Voss

I, Lara Rodriguez, Clerk, Board of County Commissioners, certify that this is a true copy of Resolution No. 532-23, passed by the BOARD OF COUNTY COMMISSIONERS on 5/3/2023.

Attest:





COUNTY OF BERGEN

ONE BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601

Certified Copy

Resolution: 532-23

Agenda: 5/3/2023

**BERGEN COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION**

WHEREAS, mutual aid and assistance agreements between municipalities, counties, fire companies or fire departments situated in Bergen County, are permitted pursuant to N.J.S.A. 40A: 14 -26 and 40A: 14-156.1; and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the "Fire Service Resource Emergency Deployment Act," N.J.A.C. 52:14E-11 et. seq., commonly referred to as the "Fire Service Resource Emergency Deployment Regulations," N.J.A.C. 5:75A et. seq, and

WHEREAS, it is deemed to be in the best interests of the residents of various municipalities to enter into a Fire mutual aid and assistance agreement with the County of Bergen and other municipalities to provide additional protection against loss, damage or destruction by fire, catastrophe, major emergency or other extraordinary devastation damage or destruction to person and property, in those situations when outside aid and assistance is needed; and

WHEREAS, the Bergen County Office of Emergency Management recommends entering into said Fire Mutual Aid agreements for the benefit of both Bergen County residents and the residents of neighboring counties in New Jersey, in the event of an emergency;

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Bergen County Office of Emergency Management, that the County of Bergen is hereby authorized to enter into various Fire Mutual Aid and Assistance Agreements with Participating

Municipalities, Units, a copy of which is attached hereto and made part hereof, along with a copy of the participating entity's Resolution and an executed copy of Schedule A of the agreement for review and filing with the Bergen County Office of Emergency Management.

BE IT FURTHER RESOLVED, that the County Executive or his designee be and is hereby authorized to execute the agreements and any other related documents necessary to effectuate the intent and purpose of the contract in a form to be approved by County Counsel.

**FIRE MUTUAL AID AGREEMENT BETWEEN PARTICIPATING BERGEN COUNTY
MUNICIPALITIES**

THIS AGREEMENT is made between the parties, participating municipalities, and public entities as set forth on Schedule A attached hereto, all of which are either located in the County of Bergen, State of New Jersey, or are agencies or instrumentalities thereof (with such participating municipalities referred to at times herein as “Participating Units”).

RECITALS

WHEREAS, pursuant to the Fire Service Resource Emergency Deployment Act, N.J.S.A. 52:14E-14 and the regulations promulgated thereunder, including but not limited to N.J.A.C. 5:75A-2.2, municipalities in the State of New Jersey shall adopt a fire mutual aid plan (collectively, the “Fire Mutual Aid Plan”); and

WHEREAS, under the Fire Mutual Aid Plan, each municipality must prepare and adopt a local fire mutual aid plan which sets forth policies and procedures to coordinate the effective utilization of fire service resources where the implementation of the Fire Mutual Aid Plan is determined to be necessary or appropriate; and

WHEREAS, the Fire Mutual Aid Plan must be based upon the planning criteria, objectives, requirements, responsibilities and concepts of operation essential for the implementation of all necessary and appropriate protective or remedial measures to be taken in response to emergency incidents; and

WHEREAS, this agreement has been authorized by the members of the municipality's governing body and recommended for execution by the Bergen County Fire Coordinator and the County of Bergen;

WHEREAS, failure to execute this agreement prohibits the participating unit from responding to any mutual aid request outside of their contiguous municipalities;

NOW, THEREFORE, in consideration of the mutual promises and agreements made herein, the Participating Units hereby agree as follows:

1. **Mutual Aid and Assistance.** Upon requests as provided herein, Participating Units shall provide mutual aid and assistance to each other. Mutual Aid and Assistance shall include, but are not necessarily limited to, the following:
 - a. Rendering of aid and assistance, including pre-established immediate response by one or more Participating Units to an emergency scene under the control and/or jurisdiction of another Participating Unit, said emergency may include but not to be limited to fire, civil unrest, major criminal or emergency events, natural and man-made disaster or catastrophe affecting the environment.
 - b. Rendering of aid and assistance by one or more Participating Units to another Participating Unit to serve as supplemental reserve protection in the Requesting Unit's jurisdiction while the Requesting Unit is on an emergency call and/or otherwise currently unable to address the emergency service needs in its jurisdiction.
 - c. Participating in training exercises with other participating units as may be mutually scheduled from time to time, where the purpose of such training exercises is to coordinate and prepare for fire, civil unrest, major emergency, natural disaster, environmental disaster and/or other emergency situations that are a threat to life or property.
 - d. Out of County Mutual Aid requests shall follow the terms and conditions of the State Fire Service Resource Deployment Act and Civil Defense & Control Act and shall be

coordinated via the appropriate Bergen County Fire Mutual Aid Coordinators and/or State Fire Coordinators.

2. **Procedure for Requests for Mutual Aid and Assistance.** All requests for mutual aid shall be made through the Municipality's local Emergency Dispatch Communications Center. Such requests shall be made by the incident commander. The Fire Service Resource Emergency Deployment Act and the New Jersey State Division of Fire Safety does not recognize local fire coordinators, chief's aides, logistics personnel, or any other such title as authorized personnel to request mutual aid resources, regardless of whether these resources are enumerated on the municipalities approved alarm card. The Participating Unit receiving such request shall immediately summon any available units to the scene of the emergency in accordance with that department's established policies and procedures in effect at the time of the request.
3. **Specific Considerations Regarding Bergen County Mutual Aid Response Plan.**
 - a. The Bergen County Communications Center shall serve as a centralized resource for this Bergen County Mutual Aid Response Plan. The Bergen County Public Safety Operations Center will assist, coordinate and deploy County, or dispatched municipal resources throughout the County when necessary to assist all departments effectively and efficiently manage fire and other emergencies.
 - b. Via the Bergen County Fire Coordinator, or a Deputy County Fire Coordinator, all Participating Units shall provide a status report of the availability of their resources via the County resource management program, telephone, or via the Bergen County Trunked Radio system. This report should reflect any changes in regular availability or status.
 - c. All Participating Units shall be responsible for their primary mission of providing fire protection to their respective communities by securing the necessary resources for their first alarm response that may include using mutual aid.
 - d. All requests for mutual aid and assistance shall be made by Participating Units to their local fire dispatch Communications Center with respect to any local fire activity and the 1st alarm resources deployed for. In addition, periodic situation status reports (approximately every 15 minutes) should be provided so that mutual aid resource planning and mobilization can be effectively coordinated.

- e. All Participating Units shall request additional resources through their local dispatch Communications Center via the applicable assigned fire or operations radio frequency or talk group. All additional resources, either directly to the incident, a staging area, or for station coverage, shall be deployed as requested via the Municipality's alarm card.
- f. The local fire dispatch Communications Center shall dispatch resources based on the specific requirements of the approved incident alarm card. Any deviation from the approved alarm card must be approved by the Bergen County Fire Coordinator or a Deputy County Fire Coordinator.
- g. If additional resources are needed to manage the incident, through their Local Fire Dispatch the Incident Commander shall request a (2nd, 3rd, etc. alarm) to respond to an incident. The Fire Service Resource Emergency Deployment Act and the New Jersey State Division of Fire Safety does not recognize local fire coordinators, chief's aides, logistics personnel, or any other such title as authorized personnel to request mutual aid resources, regardless of whether these resources are enumerated on the municipalities approved alarm card.
- h. When Station Coverage is required, a Participating Unit's Local Fire Dispatch shall request resources for Station Coverage. Station Coverage units may be required to respond to the original incident, other incidents within that municipality or to incidents in other municipalities where adequate resources are not immediately available. If the Covering resource is deployed, the Bergen County Fire Coordinator or Deputy County Fire Coordinator, in conjunction with the Incident Commander or agency requesting resources, shall facilitate additional resources as needed.
- i. All mutual aid units shall be staffed minimally with three (3) New Jersey State Certified Firefighters.
- j. As determined by the local Incident Commander, mutual aid resources shall be requested on a "need-only" basis. The host agency shall ensure all resources are being utilized and released as soon as possible.
- k. The Participating Unit shall be responsible for notifying the Bergen County Public Safety Operations Center of any incident, 2nd alarm (or the participating unit's equivalent use of 2nd alarm resources), or greater, which has required a mutual aid request. The Bergen County Public Safety Operations Center shall notify the Bergen County Fire Coordinators, who shall report to the incident command post or staging area(s).

4. Minimum Qualification for Personnel Responding Under this Mutual Aid Plan:

- a. All Participating Units shall be responsible for ensuring that all Firefighters are New Jersey State Certified Firefighters.
- b. All Participating Units shall be responsible for ensuring that they are in compliance with the mandatory minimum qualifications for company and chief officers which are issued by the New Jersey Division of Fire Safety.

5. Authority at Emergency Scene. Unless otherwise agreed upon by the Participating Units at the scene of an emergency, the host municipality shall have overall command authority of Participating Units at the scene of the emergency.

6. Expense for Use of Personnel or Equipment.

- a. If fuel, chemical substances, crowd control, gases, water additives, sterilized medical equipment or other disposable goods are used for mitigation of the incident by a Responding Unit at a mutual aid and assistance response which will cause the Responding Unit to incur an expenditure to replace the same, and/or portable equipment requires repair or is lost the Requesting Unit shall replace or, upon receipt of an appropriate voucher, reimburse the Responding Unit for the expenditure involved. Said reimbursement or replacement shall not be construed as payment or consideration for making the mutual aid and assistance response but only as an effort to compensate a Responding Unit for its actual cost outlay in replacing these expendable materials.
- b. This agreement shall supersede any agreement either formal or informal between jurisdictions (e.g. state or federal governments) or between Responding Units (e.g. fire departments of different municipalities).
- c. Participating Units when possible will be reimbursed in accordance with the Spill Compensation Control Act (N.J.A.C. 7:1E-5.3/N.J.S.A. 58:10-23.11e).
- d. This agreement recognizes the provisions as required by New Jersey Resource Deployment Act, Civilian Defense & Control Act App.9-33 et seq. and Emergency Medical Services N.J.S.A. 26:2K-60.

7. **Limitation of Providing Mutual Aid and Assistance.** Nothing contained in this Agreement shall be construed to require a Participating Unit to make a mutual aid and assistance response if the response will leave the Participating Unit's jurisdiction without sufficient fire protection.
8. **Death, Injury or Disability.** If any member of a Participating Unit suffers injury or death at the scene of a mutual aid and assistance emergency or training exercise, the member or the member's designee or legal representative shall be entitled to all salary, pension rights, worker's compensation and other benefits to which the member would be entitled if injury or death occurred in the performance of duties within the jurisdiction of the Participating Unit in accordance to N.J.S.A.40A:14-26. Said rights, benefits and compensation shall be paid by the Participating Unit of which the individual is a member, and not by the Requesting Unit or any other Participating Unit. Each Participating Unit shall be solely responsible for providing adequate benefits, coverage and compensation for its members, including when death, injury or disability results from participating in this mutual aid plan.
9. **Members Authority.** The members of each Participating Unit making a mutual aid and assistance response shall have the same powers and authority as the members of a Requesting Unit at the scene of the emergency in accordance with N.J.S.A. 40A:14-156.2. Said members of a Participating Unit shall also have, while so acting, such rights and immunities as they would otherwise enjoy in the performance of their normal duties within their own jurisdiction.
10. **Mutual Indemnification.** In addition to the other rights and remedies of the parties herein, each Municipality agrees to indemnify and hold harmless the sending and/or receiving Municipality and the County of Bergen, including its employees and agents, from any and all liability and claims for damages or injury caused by, or resulting from, the negligent acts or omissions by any Municipality's personnel arising out of this Agreement or any of the obligation assumed by the Municipality hereunder, provided it is determined by a Court having the appropriate jurisdiction that any Municipality is solely or jointly responsible for such liability. In the event it is determined by a Court that any Municipality is not solely responsible for said liability, then the Municipality's liability shall be limited to that degree of liability determined by said Court to be the proportionate liability of the Municipality. The Municipality shall resist and defend, at the expense of the Municipality, such action or proceeding with counsel reasonably satisfactory to the other. In addition, at its option, any Municipality may engage separate counsel to appear on its behalf in such action or proceeding without waiving its rights or the Municipality's obligation under this paragraph.

11. Term; Withdrawal. This Agreement shall be reviewed and revised from time to time as the need may arise, but will continue indefinitely or until terminated or rescinded by all Participating Units. Any Participating Unit may withdraw from this Agreement by providing all other Participating Units, and the Bergen County Fire Coordinator, with sixty (60) days advanced written notice of withdrawal, clearly specifying the applicable date of withdrawal. In the event of withdrawal by any Participating Unit, this Agreement will continue in full force and effect for all remaining Participating Units.

12. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, each Participating Unit that has executed this Agreement shall be documented on Schedule A, attached hereto and made a part hereof. By executing this agreement, each Participating Unit acknowledges that said execution has been duly authorized by proper Resolution of its governing body.

Schedule A:

The Borough of Allendale has authorized and executed this agreement on the 20th day of July 2023.

Authorized Representative: _____

** All resolutions will be kept on file at the Bergen County Office of Emergency Management

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

DATE: 07/20/2023

RESOLUTION# 23-184

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

- ☐ Carried
☐ Defeated
☐ Tabled
☐ Approved on Consent
Agenda

**APPOINTMENT OF FULL-TIME ADMINISTRATIVE ASSISTANT –
POLICE DEPARTMENT – PEGGY TIMONY**

WHEREAS, a need for a full-time Administrative Secretary in the Allendale Police Department exists due to a resignation;

WHEREAS, Peggy Timony previously held the position of a Radio Police Dispatcher, Full-Time for the Allendale Police Department via Resolution 23-74;

WHEREAS, Peggy Timony has been reassigned to a full-time position as an Administrative Assistant effective July 17, 2023;

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 Peggy Timony is hereby appointed as full-time Administrative Assistant of the Allendale Police Department effective July 17, 2023 at an annual salary of \$43,672.00; and

BE IT FURTHER RESOLVED that the Mayor, the Chief Financial Officer, 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 July 20, 2023.

Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 07/20/2023

RESOLUTION# 23-185

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

- ☐ Carried
☐ Defeated
☐ Tabled
☐ Approved on Consent
Agenda

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ALLENDALE
AUTHORIZING THE UNDERTAKING OF CORRECTIVE ACTIONS NECESSARY TO
ADDRESS A PRIOR DIVERSION OF PARK LAND PURSUANT TO
GREEN ACRES REGULATIONS**

WHEREAS, the Borough of Allendale (the “Borough”) owns Crestwood Lake Park and Brookside Park (collectively referred to herein as the Parks); and

WHEREAS, pursuant to the regulations of the New Jersey Department of Environmental Protection Green Acres Program (herein after referred to as “Green Acres”) regulations set forth at N.J.A.C. 7:36-1.1 et. seq. (“Green Acres Regulations”), the Parks are encumbered by Green Acres Program restrictions restricting their use to recreation and conservation purposes; and

WHEREAS, as part of the Borough’s recent sale of its water supply and distribution system, the Borough discovered that Block 103, Lot 6 in Crestwood Lake Park and Block 1603, Lot 2, in Brookside Park (the “Affected Parcels”), contain watermains that were inadvertently added to the Parks after they were subject to Green Acres restrictions; and

WHEREAS, the utilization of Green Acres encumbered parkland for the placement of underground utilities that do not enhance recreation and conservation purposes is considered to be a violation of Green Acres Regulations (the regulatory process is referred to herein as a “Diversion”); and

WHEREAS, the Borough has confirmed the existence of the Diversions at the Parks with Green Acres; and

WHEREAS, the Borough has determined that there is an important public purpose associated with allowing the watermains to remain within the Affected Parcels; and

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

DATE: 07/20/2023

RESOLUTION# 23-185

WHEREAS, the Borough desires to undertake the formal Diversion approval process set forth in Green Acres Regulations to legitimize the continued use of the Affected Parcels for the watermain and to allow for the transfer of appropriate utility easements to the purchaser of the Borough's water supply and distribution system; and

WHEREAS, pursuant to N.J.A.C. 7:36-26.9(d)11, it is necessary for the Borough to submit a resolution endorsing the Diversion application as part of the pre-application package to be provided to Green Acres; and

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

1. The Mayor and Council of the Borough of Allendale endorse the filling of a pre-application for the Diversion of (i) 0.88 acres of land within Crestwood Lake Park (Block 103, Lot 6) and (ii) 0.41 acres of land within Brookside Park (Block 1603, Lot 2) pursuant to N.J.A.C. 7:36-26.
2. The Mayor and Council of the Borough of Allendale finds that the Diversion of land within the Parks for the use of underground watermain meets the minimum substantive criteria at N.J.A.C. 7:36-26.1(d) which requires the following (i) fulfilling a compelling public need by mitigating hazard to health, safety or welfare, and (ii) provide a significant benefit by improving the delivery of essential services to the public.
3. The Mayor and Council acknowledge that in order to obtain the approval of the Diversion all substantive and procedural requirements of N.J.A.C. 7:36-26 must be met, including compensation requirements set forth at N.J.A.C. 7:36-26.10.
4. The Mayor and Council further authorize and direct the Business Administrator and legal and technical professionals to prepare, execute and submit applications, forms and related documents and conduct a scoping hearing all as necessary to complete and submit a Diversion Pre-Application to Green Acres.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on July 20, 2023.

Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 07/20/2023

RESOLUTION# 23-186

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

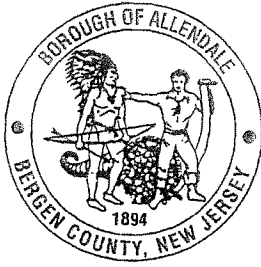
APPROVAL OF JULY 20, 2023 LIST OF BILLS

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 July 20, 2023 in the amounts of:

Bill List Numbers	JULY 20, 2023
Current Fund	\$ 4,718,425.48
Payroll Account	440,427.06
General Capital	23,142.04
Animal Fund	
Grant Fund	
COAH/Housing Trust	503.75
Improvement & Beautification	546.40
Unemployment Fund	278.16
Trust Fund	1,588.25
Water Operating	9,152.63
Water Capital	
Total	\$ 5,194,063.77

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on July 20, 2023.

Linda Louise Cervino, RMC
Municipal Clerk



THE BOROUGH OF ALLENDALE

N E W J E R S E Y

500 WEST CRESCENT AVENUE, ALLENDALE, NJ 07401

WWW.ALLENDALENJ.GOV

OFFICE OF TAX COLLECTOR
OFFICE OF CHIEF FINANCIAL OFFICER

201-818-4400 EXT 205

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

Certified July 17, 2023

Alison Altano

Alison Altano
Chief Financial Officer

BILL LIST For JULY 20, 2023

CURRENT ACCOUNT	\$	109,649.34
<u>Wire Transfer 7/14/2023</u>	\$	109,649.34
NJ State Health Benefitis	\$	109,649.34
 PAYROLL ACCOUNT	 \$	 440,427.06
<u>Borough of Allendale Payroll Fund, Bank Transfer 6/28/2023</u>	\$	218,842.79
Salaries and Wages	\$	200,458.11
FICA	\$	15,335.04
DCRP	\$	280.91
LIFE	\$	108.90
DISABILITY	\$	2,659.83
<u>Borough of Allendale Payroll Fund, Bank Transfer 7/7/2023</u>	\$	221,584.27
Salaries and Wages	\$	206,193.09
FICA	\$	15,342.62
DCRP	\$	48.56
 TOTAL	 \$	 550,076.40

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

DATE: 07/20/2023

RESOLUTION# 23-187

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

- ☐ Carried
☐ Defeated
☐ Tabled
☐ Approved on Consent
Agenda

AUTHORIZATION OF 2023 PARK & RIDE FEES

WHEREAS, the Code of the Borough of Allendale 252-62A provides that Park and Ride permit fees shall be established by Resolution of the Borough Council.

NOW, THEREFORE IT RESOLVED by the Governing Body of the Borough of Allendale that the 2023 Park and Ride Permit Fees be and are hereby approved as follows for the period April 1, 2023 through August 31, 2023:

Resident Rate \$75.00

Non-Resident Rate \$300.00

BE IT FURTHER RESOLVED that the Chief of Police, Chief Financial Officer and Municipal Clerk 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 July 20, 2023.

Linda Louise Cervino, RMC
Municipal Clerk