

MAYOR AND COUNCIL MEETING AGENDA & MATERIALS THURSDAY, DECEMBER 7, 2023 7:30 P.M.

AGENDA

BOROUGH OF ALLENDALE

MAYOR AND COUNCIL

COMBINED WORK AND REGULAR SESSION

DECEMBER 7, 2023 AT 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 December 7, 2023 beginning at 7:30 pm in the Mayor & Council Chambers at the Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey 07401.

CALL TO ORDER

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT

ROLL CALL

SALUTE TO FLAG

<u>APPROVAL OF MINUTES</u> – <u>November 9, 2023 Combined Work & Regular Session</u>.

AGENDA REVIEW

PUBLIC COMMENT ON AGENDA ITEMS ONLY

SECOND READING AND PUBLIC HEARING OF ORDINANCE(S)

The following ordinance published herewith was first read by title only on November 9, 2023 and posted on the bulletin board of the lobby of the municipal building and borough website.

➤ ORDINANCE 23-17: AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, OFFICERS AND EMPLOYEES, CHAPTER 53.

The following ordinance published herewith was first read by title only on November 9, 2023 and posted on the bulletin board of the lobby of the municipal building and borough website.

➤ ORDINANCE 23-18: AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, OFFICERS AND EMPLOYEES, CHAPTER 53.

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 23-244: SCHEDULE 2023 SINE DIE MEETING & 2024 REORGANIZATION MEETING.
- RES 23-245: ADOPTION OF UPDATED PERSONNEL POLICIES & PROCEDURES MANUAL/EMPLOYEE HANDBOOK.
- RES 23-246: ALLENDALE'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS.
- RES 23-247: AUTHORIZE CANCELLATIONS OF TAXES UNCOLLECTIBLE PROPERTIES.
- RES 23-248: RESOLUTION APPOINTING INTERIM DEPARTMENT OF PUBLIC WORKS SUPERINTENDENT.
- RES 23-249: KONSTRUCT ENGINEERING, PLLC, TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES CRESTWOOD LAKE CONCESSION STAND LOCATED IN THE BOROUGH OF ALLENDALE.
- RES 23-250: APPROVAL OF INTERLOCAL COURT AGREEMENT & AUTHORIZATION FOR MAYOR TO SIGN 2024 INTERLOCAL SERVICE AGREEMENT BOROUGH OF HO-HO-KUS.
- RES 23-251: APPOINTMENT OF CHRISTOPHER C. BOTTA TO FILL UNEXPIRED THREE-YEAR TERM AS MUNICIPAL COURT JUDGE FROM JANUARY 1, 2024 THROUGH DECEMBER 31, 2024.
- RES 23-252: AUTHORIZING TERMINATION OF DEVELOPERS' AGREEMENTS WITH BARRY POSKANZER AND CRESCENT WOODS, INC.
- RES 23-253: APPOINTMENT OF BOROUGH PROFESSIONALS AMENDMENT ON NOT TO EXCEED AMOUNT.
- RES 23-254: AUTHORIZATION OF BUDGET TRANSFERS.
- RES 23-255: RESOLUTION AUTHORIZING THE CANCELLATION OF UNEXPENDED GENERAL CAPITAL ORDINANCE BALANCES.
- RES 23-256: APPROVAL OF DECEMBER 7, 2023 LIST OF BILLS.
- RES 23-257: BERGEN COUNTY COMMUNITY DEVELOPMENT 2024-25 PROJECT ENDORSING RESOLUTION.
- RES 23-258: AWARD CONTRACT FOR JANITORIAL SERVICES 2024.
- RES 23-259: AWARD CONTRACT FOR COMMERCIAL GROUNDS 2024.
- RES 23-260: AWARD CONTRACT FOR TURF 2024.

ADMINISTRATION

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

UNFINISHED BUSINESS

NEW BUSINESS

PUBLIC COMMENTS ON ANY MATTER

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

ADJOURNMENT

This agenda was prepared as of 12/07/2023 with all available information as of this date. Additional items may be added to this agenda. Final action may be taken on all matters listed or added to this agenda.

ORDINANCE #23-17

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, OFFICERS AND EMPLOYEES, CHAPTER 53

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Article XII of Chapter 53 of the Code of the Borough of Allendale entitled "Municipal Clerk/Administrative Officer" be, and hereby is, amended, supplemented and revised in its entirety to read as follows:

Chapter 53. Officers and Employees

Article XII. Municipal Clerk

§ 53-48. Office established.

There is hereby established the office of Municipal Clerk for the Borough of Allendale.

§ 53-49. Appointment and term.

The Municipal Clerk shall be appointed for a term of three years in accordance with <u>N.J.S.A.</u> 40A:9-133.

§ 53-50. Powers and duties of Clerk.

The Municipal Clerk shall perform the duties and functions as set forth in N.J.S.A. 40A:9-133e.

§ 53-51. Compensation.

§ 53-52. (Reserved).

The compensation for the Municipal Clerk shall be as the Borough Council from time to time provides for in the Salary Ordinance and implementing resolutions.

ORDINANCE #23-17

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, OFFICERS AND EMPLOYEES, CHAPTER 53

BE IT FURTHER ORDAINED that, except as modified herein, all other provisions of Chapter 53 shall remain in full force and effect as previously adopted.

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

I hereby certify the above to be a true copy of an Ordinance adopted by the	Governing Body
of the Borough of Allendale on <u>December 7, 2023</u> .	
Linda Louise Cervino, RMC	
Municipal Clerk	
Amy Wilc	zynski
Mayo	•

ORDINANCE #23-18

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, OFFICERS AND EMPLOYEES, CHAPTER 53

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Chapter 53 of the Code of the Borough of Allendale be, and hereby is, amended, supplemented and revised to add Article XV, entitled Borough Administrator, which Article XV shall read as follows:

CHAPTER 53. BOROUGH PERSONNEL

ARTICLE XV. Borough Administrator

§ 53-61. Creation of office.

Pursuant to the authority of <u>N.J.S.A.</u> 40A:9-136 and <u>N.J.S.A.</u> 40A:9-137, there is hereby created the office of Borough Administrator.

§ 53-62. Appointment; term of office; compensation.

The office of Borough Administrator shall be filled by nomination by the Mayor with the advice and consent of the Council. The term of the office of Borough Administrator shall be at the pleasure of the governing body of the Borough, at a salary to be fixed annually by the Salary Ordinance.

§ 53-63. General powers and responsibilities.

The Administrator shall, under the supervision and control of the Mayor and Council, to the extent not prohibited by law:

- A. Serve as the principal administrative officer representing the Mayor and Council.
- B. Attend all meetings of the Mayor and Council as required.
- C. Represent the Borough in its relation to the federal government, state, county and other municipalities, and assert the Borough's interest in contracts, franchises and other business transactions.

ORDINANCE #23-18

- D. Keep the Mayor and Council informed of the financial condition of the Borough and make such reports thereon as required and annually prepare a comprehensive report on the condition of the Borough.
- E. Study the administrative and other operations of the Borough and make recommendations for plans and programs to meet the needs of the Borough.
- F. Receive and reply to inquiries concerning Borough business, and provide information and assistance in respect thereto.

§ 53-64. General administration.

The Administrator, to the extent not prohibited by law, shall:

- A. Supervise the business administration of all departments and offices, in consultation with respective committee chairmen.
- B. Maintain close liaison with department heads and advise the governing body of operations in progress.
- C. Establish and maintain sound personnel practices and maintain appropriate records of all employees.
- D. Maintain a continuing review of all department and office operations and their expenditures and report thereon to the governing body.
- E. Recommend the nature, location and extent of public improvements and coordinate the execution of same when authorized by the Mayor and Council.
- F. Implement the policy of the Mayor and Council with respect to the compiling and release of public information.
- G. Perform such other duties as may be assigned by the governing body.

ORDINANCE #23-18

§ 53-65. Budgeting.

The Administrator shall:

- A. Receive from each department, office or board their annual requests for appropriations and prepare the tentative budget, transmitting same with recommendations and comments to the Mayor and Council.
- B. Consult with the Mayor and Council with respect to the tentative budget, recording changes, additions and deletions thereto, and submit the tentative budget in the form required by law, together with an analysis of the various items of expenditure and revenue and such explanatory comments as may be required.
- C. By the 15th of each month, provide the Mayor and Council with a year-to-date summary of expenditures versus appropriations.

§ 53-66. Financial and accounting responsibilities.

The Administrator, to the extent not prohibited by law, shall:

- A. Supervise the collection of monies due the Borough and provide for the custody and deposit of same and monthly reports on the cash balances of the accounts.
- B. Supervise the disbursement of all Borough funds and approve all vouchers and bills before submitting same to the Mayor and Council for final approval.
- C. Analyze the cash needs of the Borough and recommend to the Finance Commissioner the prudent investment of such funds as temporarily may be in excess of the amounts needed to meet Borough obligations.

§ 53-67. Outside employment.

The Administrator shall devote full time to the interests of the Borough and shall not hold any other employment, except that nothing herein shall prevent the Administrator from being appointed to another official position in the Borough.

§ 53-68. Repealer.

All ordinances of the Borough of Allendale heretofore adopted in conflict herewith be and the same hereby are repealed.

ORDINANCE #23-18

This article shall take effect after final passage and publication as required by law.

BE IT FURTHER ORDAINED that, except as modified herein, all other provisions of Chapter 53 shall remain in full force and effect as previously adopted.

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

Amy Wilczynski Mayor

DATE: 12/07/2023

RESOLUTION# 23-244

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							☐ Carried
O'Connell							☐ Defeated
O'Toole							□ Tabled
Yaccarino							☐ Approved on Consent
Daloisio							Agenda
Mayor							
Wilczynski							
January 4, 202 Crescent Aven BE IT 1 Star Ledger, an	4 at 7:30 p nue, Allend FURTHER nd Ridgew	.m. in Cou ale, NJ 074 RESOLVE	ncil Cl 01. D that	hambe	ers of the Moy of this re	Iunicipal B	rill be scheduled Thursday, uilding located at 500 West e forwarded to The Record, agh Hall Bulletin Board and
Borough Web	site.						
I hereby certif Borough of Al	•				Resolution	adopted by	the Governing Body of the

DATE: 12/07/2023

RESOLUTION# 23-245

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							☐ Carried
O'Connell							☐ Defeated
O'Toole							□ Tabled
Yaccarino							☐ Approved on Consent
Daloisio							Agenda
Mayor							
Wilczynski							

ADOPTION OF UPDATED PERSONNEL POLICIES & PROCEDURES MANUAL AND EMPLOYEE HANDBOOK

WHEREAS, it is the policy of the Borough of Allendale to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Attorney General's guidelines with respect to Police Department personnel matters, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Mayor and Council has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations; and

WHEREAS, the Employee Handbook of the Borough of Allendale serves as a purpose to acquaint employees with his/her employment for the Borough of Allendale (the "Employer").

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that the Personnel Policies and Procedures Manual and Employee Handbook are hereby adopted; and

DATE: 12/07/2023

RESOLUTION# 23-245

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough of Allendale officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Borough of Allendale employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Mayor and Council.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough of Allendale shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the Administration, Finance and HR Committee and all managerial/supervisory personnel are responsible for these employment practices. The Administrative Officer and the Municipal/Labor Attorney shall assist the Administration, Finance and HR Committee in the implementation of the policies and procedures in the manual.

DATE: 12/7/2023

RESOLUTION# 23-246

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							☐ Carried
O'Connell							☐ Defeated
O'Toole							□ Tabled
Yaccarino							☐ Approved on Consent
Daloisio							Agenda
Mayor Wilczynski							

A RESOLUTION TO AFFIRM THE BOROUGH OF ALLENDALE'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of Borough of Allendale to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Borough of Allendale has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Borough of Allendale that:

Section 1: No official, employee, appointee or volunteer of the Borough of Allendale by whatever title known, or any entity that is in any way a part of the Borough of Allendale shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Allendale's business or using the facilities or property of the Borough of Allendale.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Allendale to provide services that otherwise could be performed by the Borough of Allendale.

DATE: 12/7/2023

RESOLUTION# 23-246

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Governing Body or its designee shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Governing Body or its designee shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Allendale as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Governing Body shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Governing Body through the Administrative Officer shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Allendale. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Allendale's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough of Allendale in order for the public to be made aware of this policy and the Borough of Allendale's commitment to the implementation and enforcement of this policy.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on <u>December 7, 2023</u>.

Linda Louise Cervino, RMC Municipal Clerk

DATE: 12/07/2023

RESOLUTION# 23-247

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							☐ Carried
O'Connell							☐ Defeated
O'Toole							□ Tabled
Yaccarino							☐ Approved on Consent
Daloisio							Agenda
Mayor							
Wilczynski							

AUTHORIZE CANCELLATIONS OF TAXES – UNCOLLECTIBLE PROPERTIES

BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to cancel the taxes owed on the following list of uncollectible properties for 2023. The properties are as follows:

Block/Lot	Address	Amount
301/45	Rear Farley Place	\$202.31
2204/15	New Street	\$32.99

DATE: 12/07/2023

RESOLUTION# 23-248

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							☐ Carried
O'Connell							☐ Defeated
O'Toole							□ Tabled
Yaccarino							☐ Approved on Consent
Daloisio							Agenda
Mayor							
Wilczynski							

RESOLUTION APPOINTING INTERIM DEPARTMENT OF PUBLIC WORKS SUPERINTENDENT

WHEREAS, there exists a need on the part of the Borough of Allendale (the "Borough") to hire an Interim Department of Public Works Superintendent for the period December 18, 2023 through December 31, 2023; and

WHEREAS, the Borough, by adoption of this Resolution, wishes to appoint Andrew Agugliaro to the position of Interim Department of Public Works Superintendent; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that Andrew Agugliaro be and hereby is appointed as Interim Department of Public Works Superintendent for the period December 18, 2023 through December 31, 2023 to serve at the pleasure of the Governing Body, with compensation during the foregoing period of time to be \$4,423.00 payable on a regular payroll basis.

NOW THEREFORE 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.

DATE: 12/07/2023

RESOLUTION# 23-249

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							☐ Carried
O'Connell							☐ Defeated
O'Toole							□ Tabled
Yaccarino							\square Approved on Consent
Daloisio							Agenda
Mayor Wilczynski							

KONSTRUCT ENGINEERING, PLLC, TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES – CRESTWOOD LAKE CONCESSION STAND LOCATED IN THE BOROUGH OF ALLENDALE

WHEREAS, the Borough of Allendale has a need to acquire architectural and engineering services for the proposed new concession stand located at Crestwood Lake located within the Borough of Allendale; and

WHEREAS, KONstruct Engineering, PLLC, is a firm duly qualified and available to perform said services; and

WHEREAS, the Chief Financial Officer has attached hereto a certification that adequate funds are duly budgeted and appropriated to pay for the contract.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that a contract for the above-referenced project be awarded to KONstruct Engineering, PLLC, 58 Woodland Avenue of Allendale, New Jersey, in accordance with their proposal for Phase 1 – Exploratory & Concept Architectural Services, dated October 9, 2023, at a fix-fee basis at a cost not to exceed \$5,000.00.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute a contract with said architectural firm; and

BE IT FURTHER RESOLVED that this contract is being awarded as a non-fair and open contract, pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

BE IT FURTHER RESOLVED that a copy of this resolution be filed with the Borough Clerk and made available for inspection and that a brief notice of the passage thereof be published in The Record within ten days of the passage as required by law.

DATE: 12/07/2023

RESOLUTION# 23-250

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							☐ Carried
O'Connell							□ Defeated
O'Toole							□ Tabled
Yaccarino							☐ Approved on Consent
Daloisio							Agenda
Mayor							
Wilczynski							

APPROVAL OF INTERLOCAL COURT AGREEMENT & AUTHORIZATION FOR MAYOR TO SIGN 2024 INTERLOCAL SERVICE AGREEMENT – BOROUGH OF HO-HO-KUS

WHEREAS, there is a need for a Municipal Court Administrator in the Borough of Allendale; and

WHEREAS, N.J.S.A. 40:8-A-1 et seq., the Interlocal Services Act, authorizes agreements between municipalities for the provision of services by one to the other; and

WHEREAS, N.J.S.A. 2B-12-1c authorizes two or more municipalities to provide jointly for supplies and employees for their municipal courts without establishing a joint municipal court; and

WHEREAS, the Borough of Allendale seeks the services of a Municipal Court Administrator through the Municipal Court of Ho-Ho-Kus as set forth in the Interlocal Service Agreement; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds will be available in the 2024 budget for this contract as set forth in the Interlocal Service Agreement;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, approve the Interlocal Service Agreement for Municipal Court Administrator services effective January 1, 2024 through December 31, 2024 in an amount not to exceed \$55,000.00; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk be and are hereby authorized to sign said contract.

DATE: 12/07/2023

RESOLUTION# 23-251

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							☐ Carried
O'Connell							☐ Defeated
O'Toole							□ Tabled
Yaccarino							☐ Approved on Consent
Daloisio							Agenda
Mayor Wilczynski							

APPOINTMENT OF CHRISTOPHER C. BOTTA TO FILL UNEXPIRED THREE-YEAR TERM AS MUNICIPAL COURT JUDGE FROM JANUARY 1, 2024 THROUGH DECEMBER 31, 2024

WHEREAS, the Borough of Allendale requires the services of a Municipal Court Judge; and

WHEREAS, a vacancy will exist in which there is a need to fill an unexpired three-year term effective January 1, 2024 through December 31, 2024; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Allendale that Christopher C. Botta be and is hereby appointed as Municipal Court Judge, as provided by law, to fill an unexpired three-year term from January 1, 2024 to December 31, 2024 and until his successor is appointed and qualified pursuant to N.J.S.A. 2B:12-4(a), and subject to agreements to be approved and signed.

DATE: 12/07/2023

RESOLUTION# 23-252

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							☐ Carried
O'Connell							☐ Defeated
O'Toole							□ Tabled
Yaccarino							☐ Approved on Consent
Daloisio							Agenda
Mayor							
Wilczynski							

AUTHORIZING TERMINATION OF DEVELOPERS' AGREEMENTS WITH BARRY POSKANZER AND CRESCENT WOODS, INC.

WHEREAS, a Developer's Agreement dated June 11, 1984 was previously entered into between the Borough of Allendale, Barry Poskanzer and Crescent Woods, Inc. and thereafter recorded in the Office of the Bergen County Clerk on September 10, 1984 in Book 6870 on Page 898 (the "1984 Agreement"); and

WHEREAS, a Developer's Agreement dated September 28, 1983 was previously entered into between the Borough of Allendale, Barry Poskanzer and Crescent Woods, Inc., and thereafter recorded in the Office of the Bergen County Clerk on January 4, 1984 in Book 6807 on Page 330 (the "1983 Agreement"); and

WHEREAS, the Borough wishes to confirm the termination and discharge of the 1983 Agreement and the 1984 Agreement.

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 authorizes the Mayor, Municipal Clerk, and other appropriate Borough officials as may be necessary, to sign such documents as may be recommended by the Borough Attorney to effectuate and memorialize the foregoing terminations and discharges.

DATE: 12/07/2023

RESOLUTION# 23-253

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							☐ Carried
O'Connell							☐ Defeated
O'Toole							□ Tabled
Yaccarino							\square Approved on
Daloisio							Consent Agenda
Mayor							
Wilczynski							

APPOINTMENT OF BOROUGH PROFESSIONALS – AMENDMENT ON NOT TO EXCEED AMOUNT

WHEREAS, the Borough of Allendale requires the service of professionals for the calendar year 2023; and,

WHEREAS, it is contemplated that the temporary and permanent budgets will contain the necessary appropriations estimated to be reasonably required for each such professional service; and,

WHEREAS, the professionals named herein will be required to execute a contract for the services to be rendered which shall set forth the compensation for such services therein; and,

WHEREAS, a Certification of availability of funds has been received from the Chief Financial Officer or that such funds will be encumbered by Purchase Order on an as-needed basis pursuant to the provisions of NIAC 5:30-5.4 et seg; and,

WHEREAS, in any instance where it is anticipated that the expenditure for each such professional service will exceed the sum of \$17,500 for said calendar year, the named professionals have completed, submitted and filed a Business Entity Certification Disclosure which certifies that the above named persons and/or entities have not made any reportable contributions to any political or candidate committee including (Republicans for Responsible Government, Allendale Republican Club, Allendale Democratic Club, Candidates for Allendale Municipal Government, Bergen County Democratic Organization, Bergen County Republican Organization) in the previous one (1) year, and that the contract will prohibit the above named professionals/business entities from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that the following appointments be and they are hereby made for the year:

DATE: 12/07/2023

RESOLUTION# 23-253

BE IT FURTHER RESOLVED that these contracts are being awarded as a non-fair and open contract, pursuant to the provisions of N.J.S.A. 19:44A-20.5;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the determination of value be placed on file with this Resolution.

BOROUGH PROFESSIONALS					
Appraisal Firm	Associated Appraisal Group	\$60,000.00			
Grant Writer	Bruno Associates	\$27,000.00			
Municipal Auditor	Lerch Vinci and Higgins, LLP	\$62,000.00			
Municipal & Labor Attorney	Wiss & Bouregy	\$195,000.00			
Engineer/Special DEP Project	Dewberry Engineers, Inc.	\$37,000.00			

BE IT FURTHER RESOLVED that the compensation for the aforesaid positions to be established by the salary ordinance or the contract for such services which shall be executed by each of the professionals named herein; and,

BE IT FURTHER RESOLVED that the aforesaid appointments were made without competitive bidding under the provisions of N.J.SA. 40A:11-5(1)(a) which excepts from competitive bidding Professional Services rendered by persons authorized by law to practice a recognized profession and whose practice is regulated by law; and,

BE IT FURTHER RESOLVED that the appropriate Borough Officials be and they are hereby authorized to execute contracts with each of the professionals named herein for the services to be rendered; and,

BE IT FURTHER RESOLVED that the compensation to be paid for the professionals named herein shall not exceed the budget appropriation for such services unless properly ordained in accordance with law; and,

BE IT FURTHER RESOLVED that each of the contracts shall contain a clause of "not to exceed" the total fees without prior written approval of the Governing Body; and

BE IT FURTHER RESOLVED that a copy of this resolution be filed with the Borough Clerk and made available for inspection and that a brief notice of the passage thereof be published in The Record within ten days of the passage as required by law.

Linda Louise Cervino, RMC
Municipal Clerk

DATE: 12/07/2023

RESOLUTION# 23-254

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							□ Carried
O'Connell							☐ Defeated
O'Toole							□ Tabled
Yaccarino							\square Approved on Consent
Daloisio							Agenda
Mayor							
Wilczynski							

AUTHORIZATION OF 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 2023 Budget Appropriations:

DEPARTMENT	ACCOUNT	FROM	TO
CURRENT FUND			
Contingent	3-01-35-470-230	5,000	
Mayor & Council	3-01-20-110-063		3,000
Municipal Clerk	3-01-20-120-063		2,000
Salary and Wage Adjustment	3-01-30-411-012	2,000	
Fire Official S&W – Other Pay	3-01-25-265-013		2,000
Total Transfers		7,000	7,000

DATE: 12/07/2023

RESOLUTION# 23-255

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							☐ Carried
O'Connell							☐ Defeated
O'Toole							□ Tabled
Yaccarino							☐ Approved on Consent
Daloisio							Agenda
Mayor							
Wilczynski							

RESOLUTION AUTHORIZING THE CANCELLATION OF UNEXPENDED GENERAL CAPITAL ORDINANCE BALANCES

WHEREAS, certain unexpended ordinance appropriation balances remain open in the General Capital fund, and

WHEREAS, the capital projects have been completed, and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Allendale, County of Bergen, New Jersey that the following ordinance appropriation balances in the General Capital Fund be cancelled of record to Fund Balance.

Ordinance	Description	Allocated to Fund Balance
17-02	Property Acquisition	\$2,600.00

Linda Louise Cervino	, RMC
Municipal	Clerk

DATE: 12/07/2023

RESOLUTION# 23-256

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							☐ Carried
Lovisolo							☐ Defeated
O'Connell							□ Tabled
O'Toole							\square Approved on Consent
Yaccarino							Agenda
Daloisio							
Mayor							
Wilczynski							

APPROVAL OF DECEMBER 7, 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 December 7, 2023 in the amounts of:

Bill List Numbers	DI	ECEMBER 7, 2023
Current Fund	\$	1,249,046.67
Payroll Account		382,991.08
General Capital		46,763.69
Animal Fund		156.60
Grant Fund		
COAH/Housing Trust		
Improvement & Beautification		790.00
Unemployment Fund		
Trust Fund		2,625.50
Water Operating		
Water Capital		
Total	\$	1,682,373.54

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on <u>December 7, 2023</u>.

Linda Louise Cervino, RMC Municipal Clerk



THE BOROUGH OF ALLENDALE

NEW JERSEY

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 12/7/2023

Clisin allono

Alison Altano

Chief Financial Officer

DATE: 12/07/2023

RESOLUTION# 23-257

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							☐ Carried
O'Connell							☐ Defeated
O'Toole							□ Tabled
Yaccarino							\square Approved on Consent
Daloisio							Agenda
Mayor							
Wilczynski							

BERGEN COUNTY COMMUNITY DEVELOPMENT 2024-25 PROJECT ENDORSING RESOLUTION

WHEREAS, a Bergen County Community Development grant of \$80,000 has been proposed by Allendale Senior Housing Corporation for the replacement of roofing on 4 cottages located on Cebak Court in the municipality of Allendale that provide affordable senior housing, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of Allendale, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Allendale hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on <u>December 7, 2023</u>.

Linda Louise Cervino, RMC Municipal Clerk

DATE: 12/07/2023

RESOLUTION# 23-258

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							☐ Carried
O'Connell							□ Defeated
O'Toole							□ Tabled
Yaccarino							\square Approved on Consent
Daloisio							Agenda
Mayor							
Wilczynski							

AWARD OF 2024 JANITORIAL SERVICES CONTRACT CLEANING SERVICES OF HUDSON VALLEY, INC.

WHEREAS, the Borough finds the need to contract certain janitorial services; and,

WHEREAS, a Request for Proposals for 2024 Janitorial Services was sought by the Borough's Director of Operations on November 15, 2023 with responses due by 10:00 a.m. on December 5, 2023; and

WHEREAS, five (5) proposals were received; and

WHEREAS, Cleaning Services of Hudson Valley, 55 Ramapo Road, Ste. 88, Garnerville, NY 10923, was deemed to be the lowest responsive, responsible proposal; and

WHEREAS, the Chief Financial Officer has attached hereto a certification that adequate funds have been or will be duly budgeted and appropriated to pay for the contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that a contract for standard Janitorial Services be awarded to Cleaning Services of Hudson Valley located at 55 Ramapo Road, Ste. 88, Garnerville, NY 10923 for the term January 1, 2024 to December 2024, in the amount of \$2,533.00 per month for a total yearly amount of \$30,396.00; and

BE IT FURTHER RESOLVED that Cleaning Services of Hudson Valley has also submitted his quote for consideration of a one-year extension at the same rate beyond the December 31, 2024, but not later than December 31, 2025; and

DATE: 12/07/2023

RESOLUTION# 23-258

BE IT FURTHER RESOLVED that the Borough also wishes to contract with Cleaning Services of Hudson Valley for specialty services during a public health emergency for additional as-needed weekly cleaning/sanitizing, not to exceed \$200.00 for the term January 1, 2024 to December 31, 2024, in accordance with the pricing contained in their proposal; and

BE IT FURTHER RESOLVED that the records for the solicitation of quotes be kept on file along with the award of contract in the Municipal Clerk's office; and

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk and Chief Financial Officer are hereby authorized to take such action as may be necessary to implement this Resolution, including the execution of an Agreement with Cleaning Services of Hudson Valley for the above services.



DATE: 12/07/2023

RESOLUTION# 23-259

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							☐ Carried
O'Connell							☐ Defeated
O'Toole							□ Tabled
Yaccarino							☐ Approved on Consent
Daloisio							Agenda
Mayor Wilczynski							

AWARD OF 2024 COMMERCIAL GROUNDS MAINTENANCE AGREEMENT – HIGH MOUNTAIN LANDSCAPING, INC.

WHEREAS, there is a need for landscaping services for the 2024 Commercial Ground Maintenance Program for the contract period of April 1, 2024 through December 31, 2024; and

WHEREAS, Request for Proposals and pricing for 2024 Commercial Grounds Maintenance was sought by the Borough's Director of Operations on November 15, 2023 with responses due by 12:00 p.m. on December 5, 2023; and

WHEREAS, three (3) proposals were received; and

WHEREAS, High Mountain Landscaping, 101 Ballentine Drive, North Haledon, New Jersey 07508 was deemed to be the lowest responsive, responsible proposal; and

WHEREAS, the Chief Financial Officer has attached hereto a certification that adequate funds have been or will be duly budgeted and appropriated to pay for the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that an Agreement for landscaping services for the 2024 Commercial Ground Maintenance with High Mountain Landscaping, Inc., 101 Ballentine Drive, North Haledon, New Jersey 07508 be entered into in the amount of \$34,045.00; and

WHEREAS, the Borough of Allendale reserves the right to extend the contract for a one-year period (2025) if it so chooses; and

BE IT FURTHER RESOLVED that the records for the solicitation of quotes be kept on file along with the award of contract in the Municipal Clerk's office; and

BE IT FURTHER RESOLVED that the Director of Operations, Municipal Clerk and Chief Financial Officer are hereby authorized to take all such action so as to implement this Resolution.

DATE: 12/07/2023

RESOLUTION# 23-260

Council	Motion	Second	Yes	No	Abstain	Absent	
Homan							
Lovisolo							☐ Carried
O'Connell							☐ Defeated
O'Toole							□ Tabled
Yaccarino							☐ Approved on Consent
Daloisio							Agenda
Mayor							
Wilczynski							

AWARD OF 2024 TURF PROGRAM AGREEMENT TRUGREEN COMMERCIAL

WHEREAS, there is a need for Turf Maintenance Services for the 2024 Turf Program; and

WHEREAS, a Request for Proposals for 2024 Turf Maintenance Services was sought by the Borough Director of Operations on November 15, 2023 with responses due by 11:00 a.m. on December 5, 2023; and

WHEREAS, two (2) proposals were received; and

WHEREAS, TruGreen, LP, 118 Route 17 North, Upper Saddle River, New Jersey 07458 was deemed to be the lowest responsive, responsible proposal; and

WHEREAS, the Chief Financial Officer has attached hereto a certification that adequate funds have been or will be duly budgeted and appropriated to pay for the contract; and

WHEREAS, the Borough of Allendale reserves the right to extend the contract for a one-year period (2025) if it so chooses; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that an Agreement for the 2024 Turf Program with TruGreen Commercial, 118 Route 17 North, Upper Saddle River, New Jersey 07458 be entered into in the amount of \$12,753.52; and

BE IT FURTHER RESOLVED that the records for the solicitation of quotes be kept on file along with the award of contract in the Municipal Clerk's office; and

BE IT FURTHER RESOLVED that the Administrative Officer and Municipal Clerk are hereby authorized to take such action as may be necessary to implement this Resolution, including the execution of an Agreement with TruGreen Commercial for the above services.