

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
JULY 22, 2021
8:00 P.M.

A Regular Meeting of the Mayor and Council of the Borough of Allendale will be held in-person on July 22, 2021 beginning at 8:00pm 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. PRESENTATION BY THE ALLENDALE WATER COMMITTEE

V. ORDINANCE FOR SECOND READING AND PUBLIC HEARING

The following ordinance published herewith was first read by title only on July 8, 2021 and posted on the bulletin board of the lobby of the municipal building and borough website.

ORDINANCE 21-10 - ORDINANCE OF THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROVING AN AGREEMENT OF SALE BETWEEN THE BOROUGH AND SUEZ WATER NEW JERSEY INC. FOR THE SALE OF THE BOROUGH'S WATER SUPPLY, TREATMENT AND DISTRIBUTION SYSTEM AND AUTHORIZING A PROPOSAL TO BE PRINTED ON THE BALLOT FOR CONSIDERATION BY THE VOTERS WITHIN THE BOROUGH AT THE GENERAL ELECTION ON NOVEMBER 2, 2021 PROVIDING FOR THE SALE OF THE BOROUGH'S WATER SUPPLY, TREATMENT AND DISTRIBUTION SYSTEM TO SUEZ WATER NEW JERSEY INC.

VI. CONSENT AGENDA

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

- A. **21-193**/Approve Adjustments – 2021 Crestwood Lake Membership
- B. **21-194**/Authorize 2021 Crestwood Lake Salaries – Supplement Five
- C. **21-195**/Approve July 22, 2021 Bill List

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

IX. COMMITTEE REPORTS AND COMMENTS

X. STAFF REPORTS

XI. 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.

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XII. ADJOURNMENT

Bulletin Board
Borough Website

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

The Borough of Allendale will livestream the Work and Regular Sessions. Members of the public wishing to view these meetings only should take the following steps:

- *From a computer, tablet or smartphone, enter the website
<https://zoom.us/j/98762490615>.*
- *From a phone, dial [\(301\) 715-8592](tel:3017158592) and then enter Access Code: [987 6249 0615](tel:98762490615).
***Alternate phone numbers to dial: [\(312\) 626-6799](tel:3126266799); [\(929\) 205-6099](tel:9292056099); [\(253\) 215-8782](tel:2532158782);
[\(346\) 248-7799](tel:3462487799) or [\(669\) 900-6833](tel:6699006833)*

The public is advised that there will be no opportunity for comment by those viewing the live-streamed Work and Regular Session meetings. Public wishing to comment must attend in person.

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

ORDINANCE 21-10

ORDINANCE OF THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROVING AN AGREEMENT OF SALE BETWEEN THE BOROUGH AND SUEZ WATER NEW JERSEY INC. FOR THE SALE OF THE BOROUGH'S WATER SUPPLY, TREATMENT AND DISTRIBUTION SYSTEM AND AUTHORIZING A PROPOSAL TO BE PRINTED ON THE BALLOT FOR CONSIDERATION BY THE VOTERS WITHIN THE BOROUGH AT THE GENERAL ELECTION ON NOVEMBER 2, 2021 PROVIDING FOR THE SALE OF THE BOROUGH'S WATER SUPPLY, TREATMENT AND DISTRIBUTION SYSTEM TO SUEZ WATER NEW INC.

WHEREAS, the Borough of Allendale, in the County of Bergen, New Jersey (the "Borough") currently owns and operates a water system servicing the residents and property owners (the "Customers") within the geographic boundaries of the Borough (the "System"); and

WHEREAS, the Borough has determined that it is in the best interest of such Customers to sell the System to an entity with experience and expertise in owning and operating such systems in order to meet all necessary demands associated with such System including all present and future requirements of various state and federal regulatory agencies and to make necessary capital improvements to the System; and

WHEREAS, the Borough prepared and distributed a Request for Bids for the Sale of the Water System (the "RFB") dated April 7, 2021 requesting bids for the purchase of the System pursuant to N.J.S.A. 40:62-1 et seq. (the "Public Utilities Law"); and

WHEREAS, on May 24, 2021 the Borough received two bids from two regulated water companies, Suez Water New Jersey Inc. and New Jersey American Water Company, Inc., to purchase the Borough's System; and

WHEREAS, based on the review of the above referenced bids, the Borough has determined that the bid submitted by Suez Water New Jersey Inc. in the amount of \$18,000,000 was the highest responsible bid; and

WHEREAS, under the terms of the RFB, the Borough would sell all of the Borough's rights and interests in the land and improvements comprising the System, provided that any purchaser of the System would continue to provide water production, storage treatment and distribution services to the Customers in accordance with all applicable state and local standards, make all capital improvements as required by the RFB, and meet other requirements set forth in the RFB; and

WHEREAS, the Borough and Suez Water New Jersey Inc. have agreed to the terms of the sale of the System; and

WHEREAS, the Public Utilities Law requires that in addition to the approval of the Borough, the legal voters of the Borough must also approve the sale of the System; and

WHEREAS, the Public Utilities Law, specifically N.J.S.A. 40:62-5, authorizes the Borough to request that the clerk of the County of Bergen place the question of the sale of the System on the ballot used at the next general election in the Borough, which is scheduled for November 3, 2021; and

WHEREAS, the Borough desires to enter into the Agreement of Sale, subject to the approval of the voters of the Borough as set forth in N.J.S.A. 40:62-5 and any other regulatory approvals set forth in the Public Utilities Law.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, as follows:

SECTION I

System
Now

The recitals are hereby incorporated as if set forth in full herein.

SECTION II

The Borough hereby approves the sale of the System to Suez Water New Jersey Inc. for \$18,000,000 in accordance with its bid and in accordance with the terms and conditions of the RFB and the Agreement of Sale, subject to the approval of the voters of the Borough as set forth in N.J.S.A. 40:62-5.

SECTION III

The Agreement of Sale between the Borough and Suez Water New Jersey Inc. entitled "Agreement of Sale between the Borough of Allendale, New Jersey and Suez Water New Jersey Inc." substantially in the form on file in the office of the Borough Clerk, is hereby approved with such further changes, insertions and amendments as deemed necessary by the governing body of the Borough, in consultation with the Borough staff and professionals. The approval of this Agreement of Sale is subject to compliance with the provisions of N.J.S.A. 40:62-5 of the Public Utilities Law.

SECTION IV

The Mayor and Council and all other appropriate officials of the Borough are hereby authorized and directed to execute the Agreement of Sale and any other documents deemed necessary to effectuate the terms of this Ordinance and to proceed with the regulatory process and approvals required under the provisions of the Agreement of Sale and the Public Utilities Law subject to approval of the sale by the voters of the Borough pursuant to N.J.S.A. 40:62-5.

Substar
Now

SECTION V

The Mayor and Council hereby requests and directs the Clerk of the County of Bergen to place the following question and explanation on the ballot of the next general election, such to be substantially in the form provided in N.J.S.A. 40:62-5 as follows:

Approved
Substar
Now

PROPOSAL

"Shall the Borough of Allendale, in the County of Bergen, New Jersey, be authorized to sell its water supply, storage, treatment and distribution system (commonly known as the "water system") to Suez Water New Jersey Inc. for the sum of \$18,000,000?"

Yes

No

Explanation

If a majority of the legal votes cast in the Borough are "yes", the Borough of Allendale will sign an agreement with Suez Water New Jersey Inc. for the sale of water system servicing the residents and property owners within the geographic boundaries of the Borough in the amount of \$18,000,000.

This agreement provides that Suez Water New Jersey Inc. will provide and maintain all water services to the existing customers of the Borough's water system and will make substantial capital improvements to such system in accordance with the terms of the Agreement of Sale approved by the Borough. Subject to the final review and approval of the New Jersey Board of Public Utilities, the service rates to the customers of the Borough's System are proposed to be changed as follows for up to a maximum of 10 years following the sale:

Year	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Rate Increase	0%	0.5%	0%	0%	5%	0%	5%	0%	0%	5%

Upon the completion of the rate schedule approved by the Board of Public Utilities future rate changes shall be subject to approval by the New Jersey Board of Public Utilities.

If a majority of the legal votes cast in the Borough are "no", the Borough will retain the water system and will immediately begin a process to increase water rates to the extent required to address the need for additional treatment technology and maintenance activities.

SECTION VI

This Ordinance shall take effect as provided by law.

	Motion	Second	Yea	Nay	Absent	Abstain
Homan	✓		✓			
O'Connell			✓			
O'Toole			✓			
Sasso						✓
Strauch			✓			
Wilczynski		✓	✓			
+*/--						
+Bernstein						

I hereby certify that the foregoing is a true copy of an ordinance introduced by the Mayor and Council of the Borough of Allendale on JULY 8, 2021

Michelle
Acting Borough Clerk

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

DATE: 07/22/2021

RESOLUTION# 21-193

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**APPROVAL OF ADJUSTMENT OF FEES FOR
2021 CRESTWOOD LAKE MEMBERSHIPS**

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 a discount for Family Memberships at Crestwood Lake for the 2021 Season to the following families for financial hardship reasons:

1. Crestwood Membership Account Number: 245003
Family Resident Rates (after May 31st): \$215.00
Discount: \$215.00

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 22, 2021.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 07/22/2021

RESOLUTION# 21-194

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☐

**AUTHORIZATION OF 2021 CRESTWOOD LAKE SALARIES –
SUPPLEMENT FIVE**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the following salaries are hereby approved for the Crestwood Lake Swim Club 2021 Season as follows:

Gate Person (Effective July 23, 2021)		
First Name	Last Name	Hourly Pay
Clare	Trainor	\$11.25

BE IT FURTHER RESOLVED that the date of hire for the above employees is effective July 23, 2021.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on July 22, 2021.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 07/22/2021

RESOLUTION# 21-195

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☒

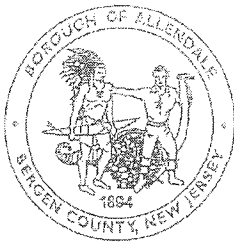
APPROVAL OF JULY 22, 2021 LIST OF BILLS

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves the Bill List dated July 22, 2021 in the amounts of:

Bill List Numbers	July 22, 2021
Current Fund	\$3,203,922.40
Payroll Account	\$202,849.25
General Capital	\$25,067.52
Animal Fund	\$0.00
Grant Fund	\$0.00
COAH/Housing Trust	\$0.00
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$300.00
Water Operating	\$367,106.34
Water Capital	\$0.00
Total	\$3,799,245.51

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 22, 2021.

Michelle Ryan
Acting 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: 201-815-0193

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 July 23, 2021

M. Alissa Mayer
M. Alissa Mayer, CMFO
Chief Financial Officer