

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
February 9, 2023 – 8:00 p.m.

A Regular Session Meeting of the Mayor and Council of the Borough of Allendale was held in the Municipal Building at 500 West Crescent Avenue, Allendale, New Jersey on February 9, 2023. The meeting was called to order at 8:00 pm by Mayor Wilczynski who welcomed everyone who is joining the meeting in the audience and on Zoom Webinar.

Mayor Wilczynski asked that the Municipal Clerk read the open public meetings statement: "In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. The meeting dates for the year are confirmed at the Annual Meeting, are posted on the public bulletin board in the Municipal Building and on the Borough Website, published in The Record within the first 10 days of the New Year, and copies are sent to The Ridgewood News and Star-Ledger. Notice of this meeting by the February 2, 2023 Sunshine Notice was sent to The Record, The Ridgewood News and Star Ledger and has been posted on the public bulletin board in the Municipal Building and Borough website."

ROLL CALL:

PRESENT: Councilmembers Susanne Lovisolo, Ed O'Connell, Matthew O'Toole, Tyler Yaccarino, Joseph Daloisio and Mayor Amy Wilczynski.

ABSENT: Councilwoman Homan.

ALSO PRESENT: Raymond Wiss, Borough Attorney
Ron Kistner, Director of Operations/Administrative Officer
Linda Louise Cervino, Municipal Clerk
John Gil, Director of Communications

FLAG SALUTE: Mayor Wilczynski led the salute to the flag

PUBLIC COMMENT ON AGENDA ITEMS:

Mark Savastano, 22 Vreeland Place, Allendale, stated with regard to the Red Barn rental fees and the membership fees for the lake, are there any considerations for people who have low income to get discounted memberships? Mayor Wilczynski said we do have discounted memberships for certain categories. If somebody has low income they come to the borough and I would say we never turn anybody down. Mr. Savastano asked if that included the use of the Red Barn. Mayor Wilczynski said we take everything on a case by case. I would say certainly. We examine everybody independently.

**Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
February 9, 2023 – 8:00 p.m.**

APPROVAL OF MINUTES:

Motion by Councilman O’Toole, second by Councilwoman Lovisolo that the December 15, 2022 Work Session and December 15, 2022 Regular Session minutes be and is hereby approved.

On a roll call, the vote was recorded as follows:

| | | | |
|------------------------|---------|-----------------------|---------|
| Councilwoman Homan: | absent | Councilman O’Toole: | aye |
| Councilwoman Lovisolo: | aye | Councilman Yaccarino: | abstain |
| Councilman O’Connell: | abstain | Councilman Daloisio: | abstain |

(See December 15, 2022 Work Session and Regular Session minutes attached and made a part hereof)

Motion by Councilman O’Connell, second by Councilman O’Toole that the January 5, 2023 2022 Sine Die Meeting minutes be and is hereby approved.

On a roll call, the vote was recorded as follows:

| | | | |
|------------------------|--------|-----------------------|---------|
| Councilwoman Homan: | absent | Councilman O’Toole: | aye |
| Councilwoman Lovisolo: | aye | Councilman Yaccarino: | abstain |
| Councilman O’Connell: | aye | Councilman Daloisio: | abstain |

(See January 5, 2023 2022 Sine Die Meeting minutes attached and made a part hereof)

Motion by Councilwoman Lovisolo, second by Councilman O’Connell that the January 5, 2023 Reorganization Meeting minutes be and is hereby approved.

On a roll call, the vote was recorded as follows:

| | | | |
|------------------------|--------|-----------------------|---------|
| Councilwoman Homan: | absent | Councilman O’Toole: | aye |
| Councilwoman Lovisolo: | aye | Councilman Yaccarino: | aye |
| Councilman O’Connell: | aye | Councilman Daloisio: | abstain |

(See January 5, 2023 Reorganization Meeting minutes attached and made a part hereof)

**Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
February 9, 2023 – 8:00 p.m.**

INTRODUCTION OF ORDINANCES:

Motion by Councilman O’Toole that the following ordinance be introduced and passed on first reading and setting February 23, 2023, at 8:00 p.m. or as soon thereafter in the Council Chambers of the Allendale Municipal Building as the place for a hearing on said ordinance. Second by Councilman Yaccarino.

The Municipal Clerk read the title of the ordinance into the record:

**ORDINANCE 23-02: AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE
CHAPTER 26, 26-31(d), OF THE BOROUGH CODE OF
THE BOROUGH OF ALLENDALE**

On a roll call, the vote was record as follows:

| | | | |
|------------------------|--------|-----------------------|-----|
| Councilwoman Homan: | absent | Councilman O’Toole: | aye |
| Councilwoman Lovisolo: | aye | Councilman Yaccarino: | aye |
| Councilman O’Connell: | aye | Councilman Daloisio | aye |

(See Ordinance 23-02 attached and made a part hereof)

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 23-76: Appointment of Qualified Purchasing Agent.

RES 23-77: Appointment of Court Official – Alternate Prosecutor.

RES 23-78: Resolution authorizing hiring of a Special Law Enforcement Officer
(SLEO III) – Peter Layng.

RES 23-79: Budget Transfers.

RES 23-80: Appointment to Standing Committees.

RES 23-81: Approval of Waiver of 2023 Red Barn Application Fees.

RES 23-82: Approval of 2023 Crestwood Lake Family Membership Donation -
Allendale Foundation for Educational Excellence.

RES 23-83: Approval of 2023 Crestwood Lake Family Membership Donation -
Allendale Saddle River Rotary Club.

**Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
February 9, 2023 – 8:00 p.m.**

RES 23-84: Establish 2023 Fees for Crestwood Lake Season and Red Barn Rentals.

RES 23-85: Authorize 50 Percent Discount on Red Barn Application Fees for 2023 – Former And Current Elected Officials.

RES 23-86: Amended Resolution for Cancellation of 2023 First and Second Quarter Taxes for Consolidated lot Located at Block 910, Lot 6.

RES 23-87: Resolution Authorizing Disposal of Surplus Property by Auction on Govdeals.

RES 23-88: Authorize to Bid – Janitorial Services.

RES 23-89: Authorize to Bid – Landscaping Services.

RES 23-90: Authorize to Bid – 220 West Crescent Ave – Builder.

RES 23-91: February 9, 2023 List of Bills.

RES 23-92: Resolution authorizing transfer of interests in Allendale Urban Renewal L.P.

RES 23-93: A Resolution to authorize a Private Sale of Lot 1 and 9 in Block 1708 to Allendale Urban Renewal, LP, pursuant to N.J.S.A. 40A:12-21(L).

RES 23-94: A Resolution to fill Land Use Board vacancy.

Motion by Councilman O'Toole, second by Councilman Daloisio that the Consent Agenda be and is hereby approved.

On a roll call, the vote was recorded as follows:

| | | | |
|------------------------|--------|-----------------------|------------------------|
| Councilwoman Homan: | absent | Councilman O'Toole: | aye |
| Councilwoman Lovisolo: | aye | Councilman Yaccarino: | aye/abstained on 23-91 |
| Councilman O'Connell: | aye | Councilman Daloisio | aye |

For the record, Councilman Yaccarino abstained on Resolution 23-91 on the expenditures to Coban Computers and voted yes on the balance.

(See Resolutions 23-76 through 23-94 attached and made a part hereof)

UNFINISHED BUSINESS: No unfinished business.

NEW BUSINESS: No new business.

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
February 9, 2023 – 8:00 p.m.

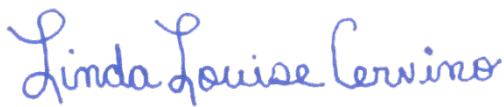
PUBLIC COMMENT:

No one came forward.

ADJOURNMENT:

There being no further business to come before the Mayor and Council, on a motion by Councilwoman Lovisolo, with second by Councilman O'Connell, and unanimously carried, the Regular Session was adjourned at 8:06 p.m.

Respectfully submitted,



Linda Louise Cervino, RMC
Municipal Clerk

02/23/2023
Date Approved

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

ORDINANCE #23-02

**AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE
CHAPTER 26, 26-31(d), OF THE BOROUGH CODE OF
THE BOROUGH OF ALLENDALE**

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Chapter 26, of the Code of the Borough of Allendale be, and hereby is, amended, supplemented and revised to read as follows:

§ 26-31, Article III 26-31

D. Rates of compensations; administrative fee; payment for services. Rates of compensation for contracting the services of off-duty law enforcement officers shall be based on a rate equal to that of time and 1/2 of the contractual hourly rate for the individual officer being compensated. An additional fee of 25% of the rate as calculated above is hereby established to cover administrative costs, overhead, and out-of-pocket expenses of the Borough. Payment for the use of any motor vehicle of the Police Department in connection with the services of off-duty law enforcement officers of the Allendale Police Department authorized in this § **26-31** shall be \$125 per day, or any part of a day, provided, however, that the Chief of Police shall have the authority to waive such fee for the use of a police vehicle if, in his or her discretion, the use of a police vehicle shall not result in any material wear and tear of such vehicle.
[Amended 12-17-2020]

Traffic and/or Police Services shall be based on a minimum flat rate of **\$85.00** per hour, or the police officer's overtime rate, whichever is greater. There is a four (4) hour minimum requirement for each officer for every detail. There is a minimum of three hours cancellation notice without penalty. In the event cancellation is made less than three hours prior to starting time, the officer(s) will be compensated for four (4) hours at the established rate. There shall be an administrative fee of 25% of the total amount of hourly charges, totaling **\$106.25** per hour minimally. Overtime coverage for either school district, Church event, or borough-sponsored events are exempt from this ordinance.

BE IT FURTHER ORDAINED that, except as modified herein, all other provisions of Chapter 26 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 introduced by the Governing Body of the Borough of Allendale on February 9, 2023.


 Linda Louise Cervino, RMC
 Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-76

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

Carried Defeated Tabled

Approved on Consent Agenda

APPOINTMENT OF QUALIFIED PURCHASING AGENT

BE IT RESOLVED by the Governing Body that Joseph Citro is hereby appointed as Qualified Purchasing Agent effective through December 31, 2023 at an annual rate of \$5,000.00.

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 February 9, 2023.

Linda Louise Cervino
Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-77

| 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 COURT OFFICIAL – ALTERNATE PROSECUTOR

WHEREAS, the Borough of Allendale requires the professional services of an Alternate Prosecutor for the calendar year 2023; and,

WHEREAS, it is anticipated that the expenditure for such professional services will not exceed the sum of \$17,500 in said calendar year and therefore, the “Pay to Play” Statute and Regulations do not apply to this appointment; and,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Allendale that the following appointments are hereby made:

Alternate Prosecutor: Mark DiPisa, Esq., for a term of one year commencing January 1, 2023 until December 31, 2023;

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are authorized to execute contracts with each of the said professionals and to take all of the steps necessary to carry this resolution into effect; and,

BE IT FURTHER RESOLVED that the foregoing appointments are made without competitive bidding under the provisions of the Local Public Contracts Law which exempts from competitive bidding “professional services” rendered by persons authorized by law to practice a recognized profession and whose practice is regulated by law.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.

Linda Louise Cervino
Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-78

| 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 HIRING OF A SPECIAL LAW ENFORCEMENT
OFFICER (SLEO III) – PETER LAYNG**

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 and Public Safety Committee, that effective February 1, 2023, Peter Layng is hereby appointed as Class III Special Law Enforcement Officers (SLEO III) of the Allendale Police Department, assigned to the Allendale School District (the "District") at the salary of \$31 per hour.

BE IT FURTHER RESOLVED that the foregoing appointment is subject to the adoption by the District of an authorizing Resolution and an Agreement concerning such hiring and placement by and between the District and the Borough of Allendale (the "Borough"), and the Borough's approval of the same.

BE IT FURTHER RESOLVED that the Borough is to be reimbursed by the District for all costs related to the Borough's hiring, training, outfitting and employment of SLEO III Peter Layng, in accordance with terms outlined in a written agreement to be approved by the Governing Body of the Borough.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.

Linda Louise Cervino

Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-79

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

Carried Defeated Tabled

Approved on Consent Agenda


BUDGET TRANSFERS

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

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

| DEPARTMENT | ACCOUNT | FROM | TO |
|---------------------------|-----------------|-----------------|-----------------|
| CURRENT FUND | | | |
| Municipal Clerk, S&W | 2-01-20-120-011 | \$20,000 | |
| Legal Services, O.E. | 2-01-20-155-063 | \$6,500 | |
| Tax Assessment, O.E. | 2-01-20-150-109 | | \$21,000 |
| Buildings & Grounds, O.E. | 2-01-26-310-029 | | \$2,000 |
| Engineering, O.E. | 2-01-20-165-027 | | \$3,500 |
| Payment of Bond Interest | 2-01-45-930-000 | | \$200 |
| Finance, O.E. | 2-01-20-130-063 | \$200 | |
| Total Transfers | | \$26,700 | \$26,700 |

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.


 Linda Louise Cervino, RMC
 Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-80

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

Carried Defeated Tabled

Approved on Consent Agenda

APPOINTMENT TO STANDING COMMITTEES

BE IT RESOLVED that Councilman Joseph Daloisio was appointed by the Mayor for the following committees:

FACILITIES, PARKS AND RECREATION - Member
LAND USE AND CONSTRUCTION CODE - Chair

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.


Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-81

| 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 WAIVER OF 2023 RED BARN APPLICATION FEES

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

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

WHEREAS, the Borough wishes to waive the application fees associated with the use of Red Barn by these organizations for the year 2023.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that it does hereby agree to waive the 2023 Red Barn application fees for the following organizations:

| | |
|--|--|
| ALEOOOP | Allendale Travel Softball |
| Allendale Board of Education | Allendale Volunteer Ambulance Corps |
| Allendale Boy Scouts | Allendale Woman's Club |
| Allendale CERT | Camp Acorn |
| Allendale Civic Association | Crestwood Cruisers |
| Allendale Fire Department | Friends of Lee Memorial Library |
| Allendale Foundation for Educational Excellence, Inc. ("AFEE") | Hemophilia Walk |
| Allendale Garden Club | Holiday Observers |
| Allendale Girl Scouts | Hope & Healing After an Addiction Death |
| Allendale Housing, Inc. | Northern Highlands Board of Education |
| Allendale PTO | Veterans of Foreign Wars--Allendale Post 10181 |
| Allendale Recreation Commission | |
| Allendale Senior Housing, Inc. | |

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.

Linda Louise Cervino
Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-82

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

Carried Defeated Tabled

Approved on Consent Agenda

**APPROVAL OF 2023 CRESTWOOD LAKE FAMILY MEMBERSHIP
DONATION - ALLENDALE FOUNDATION FOR EDUCATIONAL EXCELLENCE**

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 donation of a family (parents and children) Crestwood Lake 2023 Season Pass to Allendale Foundation for Education Excellence (AFEE).

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.

Linda Louise Cervino

Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-83

| 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 2023 CRESTWOOD LAKE FAMILY MEMBERSHIP
DONATION - ALLENDALE SADDLE RIVER ROTARY CLUB**

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 donation of a family (parents and children) Crestwood Lake 2023 Season Pass to Allendale Saddle River Rotary Club.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.

Linda Louise Cervino
Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-84

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

Carried Defeated Tabled

Approved on Consent Agenda

**ESTABLISH 2023 FEES FOR CRESTWOOD LAKE
SEASON AND RED BARN RENTALS**

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

NOW, THEREFORE, BE IT RESOLVED, that the following rates be and are hereby approved for Crestwood Lake for the 2023 season:

2023 RATES

Crestwood Membership:

| | Resident Rates through May 30 | Resident Rates Starting May 31 | Non-Resident Rates |
|----------------------------------|----------------------------------|-----------------------------------|--------------------|
| 1 st Family Member | \$210 | \$215 | \$340 |
| 2 nd Family Member | \$135 | \$145 | \$205 |
| Each Additional Family member | \$65 | \$65 | \$130 |
| Babysitter/Caregiver | \$175 | \$175 | \$250 |
| Senior Rate | \$65 | \$70 | \$85 |

Early Registration discounts for resident rates shall be valid through May 30, 2023.

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

Year-Round Employees of the Borough of Allendale shall receive a free family membership in accordance with established eligibility requirements.

RESOLUTION
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ

DATE: 02/09/2023

RESOLUTION# 23-84

Guest Fees for Residents and Non-Residents:

Daily \$10

Umbrella Anchor:

Daily Fee \$ 3

Lifeguard Fee for Beach and Camp Rentals:

Cost \$20 per hour

Kayak Rental

Per Hour, Per Kayak \$5

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

Allendale Families \$ 350

Allendale Resident Sponsored \$1,000

Allendale Based Businesses \$1,000

Security Deposit \$ 250

(Refundable upon satisfactory conditions after facility rental)

Businesses are not able to rent Pavilion.

Field Use

Field Use 1 hour \$ 150

Field Use 2-3 hours \$ 300

Day Camp Rentals

Per Day \$ 650

Crestwood Cruisers

Swim Team for all ages \$ 85

Dive Team for all ages \$ 50

Both Swim & Dive Teams for all ages \$ 130

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

DATE: 02/09/2023

RESOLUTION# 23-84

BE IT FURTHER RESOLVED that free family memberships be granted to eligible members of the Allendale Volunteer Fire Department, Allendale Volunteer Ambulance Corps, Allendale CERT, 2023 Mayor and Councilmembers and any Mayor Emeritus; and,

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

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

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

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.


Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-85

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

Carried Defeated Tabled

Approved on Consent Agenda

**AUTHORIZE 50 PERCENT DISCOUNT ON RED BARN APPLICATION FEES
FOR 2023 – FORMER AND CURRENT ELECTED OFFICIALS**

WHEREAS, the Borough of Allendale, from time to time, permits use of public facilities, including Red Barn; and

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

WHEREAS, the Borough wishes to offer a 50 percent discount on the application fees associated with the use of Red Barn for former and current elected officials.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that it does hereby agree to authorize a 50 percent discount on the application fees associated with the use of Red Barn for former and current elected officials.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.

Linda Louise Cervino
Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-86

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

Carried Defeated Tabled
Approved on Consent Agenda

**AMENDED RESOLUTION FOR CANCELLATION OF 2023 FIRST AND
SECOND QUARTER TAXES FOR CONSOLIDATED LOT LOCATED AT
BLOCK 910, LOT 6**

WHEREAS, Block 910, Lot 5 and Block 910, Lot 6 were contiguous and had joint ownership under the Taxpayer, 115 W. Crescent, LLC; and

WHEREAS, Block 910, Lot 5 and Block 910, Lot 6 were consolidated and such consolidation was properly recorded; and

WHEREAS, a tax bill was inadvertently entered for both lots for the First and Second Quarter of 2023, where a single tax bill should have been issued under the consolidated Block 910, Lot 5.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that:

The First and Second Quarter taxes on former Block 910, Lot 6, in the respective amounts of \$1,838.11 and \$1,838.11 are hereby cancelled.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.

Linda Louise Cervino
Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-87

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

Carried Defeated Tabled

Approved on Consent Agenda

**RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY
BY AUCTION ON GOVDEALS**

WHEREAS, the Borough of Allendale is the owner of certain surplus property which is no longer needed for public use; and

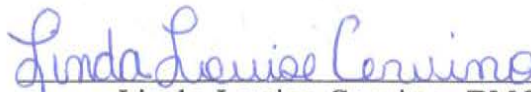
WHEREAS, N.J.S.A. 40A:11-36 authorizes municipalities to offer for sale, public property which is no longer needed for public service; and

WHEREAS, the Mayor and Council of the Borough of Allendale is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, as follows:

- 1) The sale of the surplus property shall be conducted through **GovDeals.com per the Sourcewell National Cooperative**. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough Clerk.
- 2) The sale will be conducted online and the address of the auction site is govdeals.com.
- 3) The sale is being conducted pursuant to Local Finance Notice 2019-15.
- 4) A list of the surplus property to be sold attached as Exhibit A.
- 5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- 6) The Borough of Allendale reserves the right to accept or reject any bid submitted.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.


 Linda Louise Cervino, RMC
 Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-87

EXHIBIT A

Department of Public Works Vehicles/Equipment:

- 1) 1989 GMC TRUCK VIN # 1GDHV 34K0K J5015 28
- 2) 2007 GMC TRUCK VIN# 1GDE5 C3247 F4053 83
- 3) 2005 CHEVY PICK UP VIN# 1GCHK 34295 E2146 52
- 4) 2005 FORD PICK UP VIN # 1 FTWX 31P85 ED 060 67
- 5) 2001 VOLVO TRUCK VIN# 4V5J3 8HE41 N3105 54
- 6) 2006 CATERPILLAR SERIAL# CAT0930GCTWR02317
- 7) GLASS DOOR FOR BOBCAT
- 8) SNOW BLOWER FOR BOBCAT

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

DATE: 02/09/2023

RESOLUTION# 23-88

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

Carried Defeated Tabled

Approved on Consent Agenda

AUTHORIZE BIDS FOR JANITORIAL SERVICES

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

WHEREAS, the Governing Body wishes to solicit quotes for such services, the anticipated value of which is less than \$44,000.00;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the Municipal Clerk is hereby authorized to solicit quotes for janitorial services in accordance with law.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.

Linda Louise Cervino
Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-89

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

Carried Defeated Tabled

Approved on Consent Agenda

AUTHORIZE BIDS FOR COMMERCIAL GROUNDS MAINTENANCE SERVICES

WHEREAS, there is a need for landscaping services to be performed as part of the 2023 Commercial Grounds Maintenance Program; and

WHEREAS, the Governing Body wishes to solicit quotes for such services, the anticipated value of which is less than \$44,000.00;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the Municipal Clerk is hereby authorized to solicit quotes for Commercial Grounds Maintenance Services in accordance with law.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.


Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-90

| 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 BID ON 220 WEST CRESCENT AVENUE

WHEREAS, there is a need for building services to be performed at 220 West Crescent Avenue, Allendale, New Jersey;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Allendale that advertisement to bid on 220 West Crescent Avenue is hereby approved.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.

Linda Louise Cervino

Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-91

| 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 FEBRUARY 9, 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 February 9, 2023 in the amounts of:

Bill List Numbers

February 9, 2023

| | |
|---------------------------------|----------------|
| Current Fund | \$3,008,395.58 |
| Payroll Account | \$185,651.92 |
| General Capital | \$140,557.46 |
| Animal Fund | \$914.60 |
| Grant Fund | \$0.00 |
| COAH/Housing Trust | \$0.00 |
| Improvement & Beautification | \$500.00 |
| Unemployment Fund | \$0.00 |
| Trust Fund | \$10,839.82 |
| Water Operating | \$0.00 |
| Water Capital | \$0.00 |

Total

\$3,346,859.38

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.

Linda Louise Cervino

Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 02/09/2023

RESOLUTION# 23-92

| 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 TRANSFER OF INTERESTS IN
ALLENDALE URBAN RENEWAL L.P.**

WHEREAS, the Borough of Allendale (the "Borough") is presently the owner of all the limited partnership interests (the "Limited Partnership Interests") in a New Jersey limited partnership known as Allendale Urban Renewal, L.P. (the "Partnership") established for the purpose of developing and owning low and moderate income housing located at Cebak Court in the Borough of Allendale, New Jersey; and

WHEREAS, the limited partnership interests in the Partnership constitute ninety-nine percent (99%) of all the partnership interests in the Partnership; and

WHEREAS, the Governing Body of the Borough has determined that it is in the best interests of the Borough and its residents to assign and convey all of its Limited Partnership Interest to Allendale Housing Inc. ("AHI") for \$1.00 and other consideration; and

WHEREAS, the general partnership interests in the Partnership constitute one percent (1%) of all the partnership interests in the Partnership, and the general partner of the Partnership, Allendale Senior Housing Corporation, has consented the aforesaid transfer of all of the Borough's limited partnership interests to AHI;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the Borough be, and hereby is, authorized to transfer and convey, for \$1.00, all of the Borough's Limited Partnership Interests to AHI; and

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

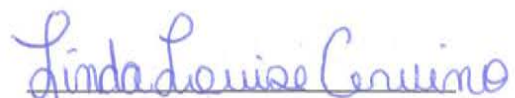
DATE: 02/09/2023

RESOLUTION# 23-92

BE IT FURTHER RESOLVED that the Borough hereby consents to the transfer and assignment of all of the Borough's limited partnership interests in the Partnership to AHI, and the substitution of AHI as the limited partner in the Partnership in the place of the Borough; and

BE IT FURTHER RESOLVED that the Mayor, Municipal Clerk and Borough Attorney be and hereby are authorized to take such actions and execute such documents as may be necessary to implement this Resolution, including but not limited to the execution of a written assignment assigning the Limited Partnership Interests to AHI.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.



Linda Louise Cervino, RMC
Municipal Clerk

**ASSIGNMENT AND TRANSFER
OF LIMITED PARTNER INTERESTS**

THIS ASSIGNMENT, made this 9th day of February, 2023, by and among Allendale Housing, Inc., a New Jersey non-profit corporation (hereinafter referred to as "Assignee"); The Borough of Allendale, a New Jersey municipality (hereinafter referred to as "Assignor"); and Allendale Senior Housing Corporation, a New Jersey non-profit corporation (hereinafter referred to as the "Consenting Party").

RECITALS

WHEREAS, Assignor currently owns limited partnership interests in a New Jersey limited partnership known as Allendale Urban Renewal, L.P. (the "Partnership"), established for the purpose of developing and owning low and moderate income housing located at Cebak Court in the Borough of Allendale, New Jersey, as set forth more fully in an Amended and Restated Certificate of Limited Partnership filed with the Secretary of State of New Jersey on July 30, 1996 (the "Certificate"), a true copy of which is attached hereto and made a part hereof; and

WHEREAS, the limited partnership interests in the Partnership constitute ninety-nine percent (99%) of all the partnership interests in the Partnership; and

WHEREAS, the general partnership interests in the Partnership constitute one percent (1%) of all the partnership interests in the Partnership and are owned by the Consenting Party; and

WHEREAS, the limited partner and the general partner executed an agreement of limited partnership on July 6, 1994, a true copy of which is attached hereto and made a part hereof (the "Agreement"); and

WHEREAS, Assignor desires to assign and transfer its ninety-nine percent (99%) limited partnership interest in the Partnership to Assignee and Assignee desires such assignment and transfer; and

WHEREAS, the New Jersey Uniform Limited Partnership Law (1976), N.J.S.A. 42:2A-1, et seq., provides for the admission of limited partners to a New Jersey limited partnership with the written consent of all the existing general partners and at least two-thirds in interest of the limited partners; and

WHEREAS, Assignor and the Consenting Party consent to the admission of the Assignee as a limited partner and waive certain requirements for transfer set forth in the Agreement, as evidenced by their signatures below.

NOW, THEREFORE, based upon the foregoing recitals of fact and purpose, the truthfulness of each of which is hereby confirmed by Assignor, Assignee and Consenting Party, and intending to incorporate such recitals as material and enforceable provisions of this Agreement, and in consideration of the promises and mutual covenants and agreements set forth herein, Assignor, Assignee and the Consenting Party hereby agree and contract as follows:

1. **Assignment and Transfer.** For good and valuable consideration, the receipt of which is acknowledged by Assignor, Assignor hereby assigns and transfers to Assignee its limited partnership interest in the Partnership. Assignee accepts such assignment. Assignee

shall hold such interest acquired in the Partnership as a limited partner, and Assignee shall be admitted as the substituted, limited partner of the Partnership.

2. **Assignee's Participation.** From and after the effective date of this Assignment, Assignee shall be entitled to share as a partner of the Partnership in the profits and losses or in any distribution of assets allocated to the partners of the Partnership to the extent of the partnership interest in the Partnership acquired by Assignee herein.
3. **Purpose & Limitations.** The Assignee is acquiring such interests for its own account, for investment and participation in furtherance of the goals of the Partnership, and not with a view to distribution, fractionalization or resale thereof.
4. **Agreement.** The Assignee, by its signature below, hereby agrees to become a party to the Agreement and to be bound by all of the terms and conditions of such Agreement.
5. **Indemnification.** Assignee, agrees to indemnify, defend and hold Assignor harmless from and against all claims, damages, judgements, demands, actions, causes of action, suits, proceedings, liabilities, costs and expenses, including without limitation, attorneys' fees, relating to or arising out of Assignor's status as a limited partner or former limited partner of the Partnership.
6. **Further Assurances.** Assignor and Assignee covenant and agree to execute any and all such further documents, instruments and certificates (including amendments to the Certificate) and to do any and all such further acts and things as may be necessary or desirable to further the purposes and intents of this Assignment.
7. **Binding Effect.** This Assignment shall be binding upon and inure to the benefit of the parties and to their respective heirs, executors, successors, and assigns.

8. **Entire Agreement.** This Assignment contains the entire agreements of the parties relating to the subject matter hereof. There are no other understandings or agreements between them.
9. **Notices.** All notices or other documents under this Assignment shall be in writing and delivered personally or mailed by certified mail, postage prepaid, addressed to the parties at their last known addresses.
10. **Non-waiver.** No delay or failure by any party to exercise any right under this Assignment, and no partial or single exercise of that right, shall constitute a waiver of that or any other right.
11. **Governing Law.** This Assignment shall be construed in accordance with and governed by the laws of the State of New Jersey.
12. **Counterparts.** This Assignment may be executed in two 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, the parties have executed this Assignment effective as of the day and year first above written.

WITNESS:

BOROUGH OF ALLENDALE, ASSIGNOR

Linda Louise Cerullo
Municipal Clerk

[Signature]

ATTEST:

ALLENDALE HOUSING, INC., ASSIGNEE

Linda Louise Cerullo
Municipal Clerk

[Signature]


PRESIDENT

THE UNDERSIGNED, being the sole general and the sole limited partner of the Partnership, hereby consent to the assignment of and transfer to, and the admission of, the Assignee, Allendale Housing Inc., as substituted limited partner of the Partnership without execution by the Assignor, Assignee or any other person of any further consents, notices, certificates, agreements or other documents, and furthermore, hereby acknowledge they have read and understand and hereby waive the requirements for transfer of limited partner interests set forth in Section 10.2 of the Agreement.

ATTEST:

ALLENDALE SENIOR HOUSING
CORPORATION, General Partner/Consenting Party

Linda Louise Cerullo
Municipal Clerk



PRESIDENT

WITNESS:

BOROUGH OF ALLENDALE, Limited Partner

Linda Louise Cerullo
Municipal Clerk



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

DATE: 02/09/2023

RESOLUTION# 23-93

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

Carried Defeated Tabled

Approved on Consent Agenda

**A RESOLUTION TO AUTHORIZE A PRIVATE SALE OF LOT 1 AND 9 IN
BLOCK 1708 TO ALLENDALE URBAN RENEWAL, LP, PURSUANT TO
N.J.S.A. 40A:12-21(L)**

WHEREAS, the Borough of Allendale (the "Borough") is the owner of certain real property known as lots 1 and 9 in block 1708 as shown on the official Borough Tax Map and as more particularly described in Schedule A attached hereto, as such description may be updated by a more recent survey to be received (the "Property");

WHEREAS, Allendale Urban Renewal, LP ("Allendale Urban Renewal") is a duly formed limited partnership organized, without limitation, to develop and provide affordable housing to low and moderate income families and persons;

WHEREAS, the Borough has determined that the Property is not needed for municipal purposes;

WHEREAS, N.J.S.A. 40A:12-21(L) authorizes a private sale for a consideration, which may be nominal, to any urban renewal entity for the purpose of constructing housing for low or moderate income persons or families or handicapped persons;

WHEREAS, Allendale Urban Renewal proposes to construct on the Property housing for low and/or moderate income persons or families;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Allendale, County of Bergen and State of New Jersey that:

1. A private sale is hereby authorized for the conveyance of the Property from the Borough to Allendale Urban Renewal, pursuant to N.J.S.A. 40A:12-21 subject, however, to the following conditions:

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

DATE: 02/09/2023

RESOLUTION# 23-93

(a) The consideration for the conveyance shall be One Dollar (\$1.00).

(b) That the Property and all buildings constructed thereon shall be used only for the purposes of Allendale Urban Renewal and to provide such facilities or services as agreed upon, and not for a commercial business, trade or manufacture, and that, unless waived, released, modified or subordinated pursuant to N.J.S.A. 40:60-51.2, if said lands or buildings are not used in accordance with said limitation, title thereto shall revert to the Borough without any entry or reentry made thereon on behalf of the Borough subject, however, to the terms and conditions of that Deed Restriction and Regulatory Agreement for Allendale Urban Renewal, LP, Project and between the Borough of Allendale and Allendale Urban Renewal dated November 30, 1995 and recorded with the Clerk of Bergen County on December 8, 1995 in Book 7840, Page 977, et. seq.

2. That the Mayor and Municipal Clerk are authorized to execute a contract between the Borough and Allendale Urban Renewal for the conveyance of the Property, which contract shall be subject to legal review.

3. That the Mayor, Municipal Clerk and Borough Attorney are also authorized to execute any deed, affidavit of title and any other documents reasonably required in order to close title herein.

Effective Date

This resolution shall take effect immediately.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.



Linda Louise Cervino, RMC
Municipal Clerk

FIRST AMERICAN TITLE INSURANCE COMPANY

Issuing Agent
FIRST JERSEY TITLE SERVICES, INC.
P.O. BOX 703 - Paramus, New Jersey 07653
(201) 843-9323
Fax (201) 843-8545

Commitment No. 94-37403

SCHEDULE A

REVISED-2

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the BOROUGH of ALLENDALE County of BERGEN State of New Jersey:

BEGINNING at a point on the northerly line of First Street, distant thereon 100.07 feet westerly from the intersection of said line and the westerly line of Mallinson Street, (both fifty feet wide), and thence running;

- (1) North 71° 58' 00" West 234.42 feet; thence
- (2) North 14° 10' 15" East along the division line between the within described tract and Lot 2 Block 1603 on the Tax Map, 100.23 feet; thence
- (3) Still along the same North 71° 58' 00" West 26.63 feet; thence
- (4) Still along the same North 14° 54' 00" East 376.17 feet; thence
- (5) South 71° 30' 00" East along the southerly line of Lots 15, 14 and 10 in Block 1708, 368.29 feet to a point on the westerly line of Mallinson Street; thence
- (6) South 15° 50' 00" West along said westerly line, 50.00 feet; thence
- (7) North 75° 37' 00" West along the northerly line of Lot 8

* (CONTINUED) *

BK 7840 PG 980

FIRST AMERICAN TITLE INSURANCE COMPANY

Page - 2

Commitment No. 94-3741

SCHEDULE A

REVISED-2

(continued)

Block 1708, 150.00 feet; thence

(8) South $15^{\circ} 50' 00''$ West along the westerly line of Lots 8, 7, 6, 5, 4 and 3 in Block 1708, 313.33 feet; thence

(9) South $71^{\circ} 58' 00''$ East along the southerly line of Lot 3 block 1708, 49.99 feet; thence

(10) South $15^{\circ} 50' 00''$ West along the westerly line of Lot 2 Block 1708, 100.07 feet to a point on the northerly line of First Street, being the point and place of BEGINNING.

THIS description is in accordance with a survey made by Gerard cott, P.L.S., dated June 9, 1993.

COMMONLY known as: FIRST STREET,
ALLENDALE, NEW JERSEY

IN COMPLIANCE with Chapter 157, Laws of 1977, premises herein are block 1708 lot 1, 9 on the tax map of the above municipality.

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

DATE: 02/09/2023

RESOLUTION# 23-94

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

Carried Defeated Tabled

Approved on Consent Agenda

A RESOLUTION TO FILL LAND USE BOARD VACANCY

WHEREAS, the Borough of Allendale has a vacancy on the Land Use Board for an Alternate No. 1, two-year term expiring December 31, 2024; and

NOW, THEREFORE, BE IT RESOLVED, that Jason Warzola will fill that vacancy on the Land Use Board and serve as an Alternate No. 1, for a two-year term expiring December 31, 2024.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 9, 2023.


 Linda Louise Cervino, RMC
 Municipal Clerk