

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

DATE: 01/17/2019

RESOLUTION# 19-62

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

Closed Session

BE IT RESOLVED in compliance with N.J.S.A. 10:4-12, the Mayor and Council of the Borough of Allendale entered into Closed Executive Session to discuss the following matters:

- A. Personnel
 - 1. Candidate Interviews – Governing Body Vacancy

Minutes will be taken of the meeting and released to the public at the time that the matter is resolved.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 17, 2019.



Anne Dodd, RMC
Municipal Clerk

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

DATE: 01/17/2019

RESOLUTION# 19-63

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

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 January 17, 2019 in the amounts of:

Current Fund	\$838,412.12
Payroll Account	\$0.00
General Capital	\$20,358.50
Animal Fund	\$547.00
Grant Fund	\$0.00
COAH/Housing Trust	\$4,304.00
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$4,120.49
Water Operating	\$0.00
Water Capital	\$0.00
Total	\$867,742.11

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 17, 2019.



Anne Dodd, RMC
Municipal Clerk

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

DATE: 01/17/2019

RESOLUTION# 19-64

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


Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Pearl Court Resurfacing project.

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

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LFIF-2019-Pearl Court Resurfacing-00058 to the New Jersey Department of Transportation on behalf of the Borough of Allendale.

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

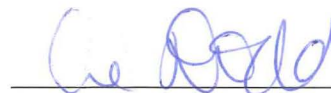
I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 17, 2019.



Anne Dodd, RMC
Municipal Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL



Anne Dodd, RMC
Municipal Clerk



Ari Bernstein, Mayor

**BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 01/17/2019

RESOLUTION# 19-65

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

Authorize Service Agreement with BCUA for CRP Services

WHEREAS, commencing in 2012, the Borough of Allendale is required by the New Jersey Recycling Enhancement Act, P.L. 2008, Chapter 6, to have a mandatory Annual Recycling Tonnage Report approved by a Certified Recycling Professional ("CRP"); and

WHEREAS, the annual Recycling Tonnage Report must be submitted to the New Jersey Department of Environmental Protection on or before April 30th of each year;

WHEREAS, pursuant to N.J.S.A. 40A:11-1, the Borough is authorized and permitted to enter into a Service Agreement with the Bergen County Utilities Authority for services without bidding pursuant to N.J.S.A. 40A:11-5(2); and

WHEREAS, the Borough of Allendale desires to enter into a Service Agreement for retaining and providing CRP services from the BCUA for signing of the Annual Recycling Tonnage Report; and

WHEREAS, the Director of Operations has reviewed the Service Agreement for a Certified Recycling Professional to prepare the Annual Recycling Tonnage Report between the Borough of Allendale and the Bergen County Utilities Authority attached hereto and incorporated herein by reference and approves of same; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Allendale, County of Bergen, and State of New Jersey that the Service Agreement for a Certified Recycling Professional to prepare the Annual Recycling Tonnage Report between the Borough of Allendale and the Bergen County Utilities Authority attached hereto and incorporated herein by reference be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Director of Operations is hereby authorized and directed to execute the attached Service Agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Director of Operations be and he is hereby authorized and directed to forward the attached Service Agreement to the

**BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 01/17/2019

RESOLUTION# 19-65

Bergen County Utilities Authority for signature.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 17, 2019.



Anne Dodd, RMC
Municipal Clerk

**SERVICE AGREEMENT FOR A CERTIFIED RECYCLING PROFESSIONAL (CRP)
TO PREPARE THE ANNUAL RECYCLING TONNAGE REPORT**

This Service Agreement, by and between **The Bergen County Utilities Authority**, a public body politic and corporate of the State of New Jersey, having its principal offices for the performance of essential governmental functions and services located at the Foot of Mehrhof Road, Little Ferry, New Jersey 07643 (hereinafter referred to as "Authority"), and the Borough of Allendale a Municipal Corporation of the State of New Jersey, having its principal offices for the performance of essential governmental functions and services located at 500 West Crescent Ave., Allendale, New Jersey, 07401 (hereinafter referred to as the "Municipality"), is dated this ____ day of _____, 201__.

WHEREAS, commencing in 2012, New Jersey municipalities are required by the New Jersey Recycling Enhancement Act ("REA") P.L. 2008, CHAPTER 6, to have the mandatory Annual Recycling Tonnage Reports approved and signed by a Certified Recycling Professional ("CRP"); and

WHEREAS, the Annual Recycling Tonnage Reports must be submitted via email to the New Jersey Department of Environmental Protection ("NJDEP") utilizing a spreadsheet provided by the NJDEP on or before April 30th of each year.

WHEREAS, Municipality, by ordinance, has duly enacted a recycling plan for all recyclable materials, as designated by the Bergen County Solid Waste Management Plan and amendments thereto; and

WHEREAS, the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes and permits contracting units, such as the Authority and the Municipality to enter into Service Agreements with municipalities for the services contemplated herein

without competitive bidding for same, pursuant to and in accordance with N.J.S.A. 40A:11-5(2); and

WHEREAS, the parties are desirous of entering into a Service Agreement for retaining and providing CRP services of the Authority for signing of said Annual Recycling Tonnage Report; and

NOW, THEREFORE, in consideration of the terms, conditions, mutual benefits and covenants hereinafter set forth, the Municipality and the Authority hereby agree as follows:

I. REPRESENTATIONS

1.01 Representations by the Authority.

The Authority hereby represents and warrants as follows:

A. The Authority is duly authorized under the Constitution and laws of the State to execute and deliver this Service Agreement, and the Authority has taken all actions required on its part to execute and deliver this Service Agreement and the performance of the Authority's obligations hereunder;

B. Upon its execution by the Authority, this Service Agreement shall be a valid and binding obligation of the Authority, enforceable in accordance with its terms;

C. The execution and delivery of this Service Agreement and the performance by the Authority of its obligations hereunder do not conflict with any applicable law, rule or regulation and will not constitute a breach of or default under any agreement, instrument or undertaking to which the Authority is a party or by which it is bound; and

D. No litigation or administrative action of any nature is now pending seeking to restrain or enjoin the execution and delivery of this Service Agreement by the Authority or the performance by the Authority of its obligations hereunder, or in any manner

questioning the proceedings or authority under which the same have been effected or the validity or enforceability of this Service Agreement; and no authority or proceeding for the transactions on the part of the Authority contemplated by this Service Agreement has been repealed, revoked or rescinded.

1.02 Representations by the Municipality.

The Municipality hereby represents and warrants as follows:

A. The Municipality is duly authorized under the Constitution and laws of the State to execute and deliver this Service Agreement, and the Municipality has taken all actions required on its part for the execution and delivery of this Service Agreement and the performance of the Municipality's obligations hereunder;

B. Upon its execution by the Municipality, this Service Agreement shall be a valid and binding obligation of the Municipality, enforceable in accordance with its terms;

C. The execution and delivery of this Service Agreement and the performance by the Municipality of its obligations hereunder do not conflict with any applicable law, rule or regulation and will not constitute a breach of or default under any agreement, instrument or undertaking to which the Municipality is a party or by which it is bound; and

D. No litigation or administrative action of any nature is now pending seeking to restrain or enjoin the execution and delivery of this Service Agreement by the Municipality or the performance by the Municipality of its obligations hereunder, or in any manner questioning the proceedings or authority under which the same have been effected or the validity or enforceability of this Service Agreement; and no authority or

proceeding for the transactions on the part of the Municipality contemplated by this Service Agreement has been repealed, revoked or rescinded.

II. OBLIGATIONS OF AUTHORITY

2.01. During the term of this Service Agreement, the Authority shall designate a CRP for the express and limited purpose of signing and submitting said Annual Recycling Tonnage Report to the NJDEP on or before April 30, 2019.;

III. OBLIGATIONS OF THE MUNICIPALITY

3.01 Municipality shall retain the services of the Authority for a CRP that will be responsible for signing and submitting of said Annual Recycling Tonnage Report to the NJDEP on or before April 30, 2019.

3.02 Municipality must complete said Annual Recycling Tonnage Report and submit same to the Authority on or before April 16, 2019.

3.03 It is understood that the sole and exclusive responsibility for the accuracy of all tonnage and materials reported lies with the municipality's designated preparer of the Annual Recycling Tonnage Report. The Municipality designates: _____ as the preparer of the report. The report's designated preparer shall be responsible should the NJDEP audit the report submittal.

3.04 It is the Municipality's responsibility to retain the appropriate documentation for five years before destroying said documentation in the event of a field review by the NJDEP.

3.05 If the NJDEP conducts a field review and recycling tonnage is denied by the NJDEP and the NJDEP requires the Municipality to repay all or a portion of the grant funds, it is the sole and exclusive responsibility of the Municipality to the repay the grant funds.

IV. TERM OF SERVICE AGREEMENT

4.01. The term of this Service Agreement shall be for a term of one (1) year, commencing March 1, 2019.

V. NOTICE

5.01. All notices, demands, requests and other communications hereunder shall be deemed sufficient and properly given if in writing and delivered in person to the following address or sent by certified or registered mail, postage pre-paid with receipt requested, at such address; provided, if such notices, demands, requests or other communications are sent by mail, they should be deemed as given on the third day following such mailing, which is not a Saturday, Sunday or day on which United States mail is not delivered.

5.02. All notices shall be addressed as follows:

If to Authority:
Richard Wierer, Director of Solid Waste
Bergen County Utilities Authority
Box 9, Foot of Mehrhof Road
Little Ferry, New Jersey 07643

If to the Municipality:

Name: _____
Borough of Allendale
500 West Crescent Ave.
Allendale, New Jersey 07401

5.03. Either party may, by like notice, designate any further or different address to which subsequent notices shall be sent. Any notice sent hereunder signed on behalf of the notifying party by a duly authorized attorney-at-law shall be valid and effective to the same extent as if signed on behalf of such party by a duly authorized officer or employee.

IN WITNESS WHEREOF, the Authority and the Municipality have caused this Service Agreement to be executed in their respective names by representatives of each thereof there unto duly authorized, and have caused this Service Agreement to be dated as of the date and year first above written.

WITNESS:

BERGEN COUNTY UTILITIES AUTHORITY

By: _____

Executive Director

ATTEST:

Borough of Allendale

By: _____

Title: _____

**BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 01/17/2019

RESOLUTION# 19-66

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

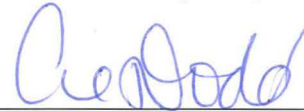
BUDGET TRANSFERS

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 2018 Budget Appropriations:

DEPARTMENT	ACCOUNT	FROM	TO
Construction Code, S&W	8-01-22-195-012		\$2,000
Zoning, S&W	8-01-22-198-012		\$1,000
Plumbing Inspector, S&W	8-01-22-197-012		\$500
Police, O.E.	8-01-25-240-122		\$10,000
Streets & Roads, S&W	8-01-26-290-013	\$5,000	
Snow Removal, O.E.	8-01-26-292-160	\$5,000	
Salary & Wage Adjustment	8-01-30-411-012	\$3,500	
Total Transfers		\$13,500	\$13,500

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 17, 2019.



Anne Dodd, RMC
Municipal Clerk

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

DATE: 01/17/2019

RESOLUTION# 19-67

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

Grantee Authorizing Resolution

BE IT RESOLVED, that the Mayor and Council of the Borough of Allendale, wish to enter into a Bergen County Trust Fund Project Contract ("Contract") with the County of Bergen for the purpose of using a \$50,000 matching grant award from the 2017 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("Trust Fund") for the municipal park project entitled "Band Shell/Crestwood Park Improvements" located in Crestwood Park & Allendale Recreation Park at 300 West Crescent Avenue, Block 201, Lot 9 on the tax maps of the Borough of Allendale;


BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Mayor Ari Bernstein to be a signatory on the aforesaid contract; and,

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about August 1, 2020; and,

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund Payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund's requirements; and,

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible construction costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirements. Professional Services Costs may be reimbursed from grant award's unexpended balance, should there be a balance.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 17, 2019.



Anne Dodd, RMC
Municipal Clerk

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

DATE: 01/17/2019

RESOLUTION# 19-68

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

Graf, Patricia R. v. Allendale Tax Appeal Settlement

WHEREAS, the tax payer, Patricia R. Graf, appealed the assessment levied on Block 1203, Lot 9.02 for the tax year 2018; and

WHEREAS, the subject property is located at 114 Valley Road; and

WHEREAS, the Plaintiff was represented by counsel in this matter; and

WHEREAS, the Assessor has agreed to compromise the appeal as follows: the 2018 Assessed Value will be reduced from \$1,471,400 to \$1,350,000.

WHEREAS, there are sufficient funds available in the reserve for tax appeals account to satisfy the 2018 tax refund; and

WHEREAS, the assessor is of the opinion that the valuation of the subject property is consistent with true value of the property.

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

The proposed settlement for the tax appeal encaptioned Graf, Patricia R. v. Borough of Allendale as hereinbefore set forth is approved and the Borough Tax Attorney or a member of his firm is authorized to execute all documents necessary to effectuate its terms.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 17, 2019.



Anne Dodd, RMC
Municipal Clerk

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

DATE: 01/17/2019

RESOLUTION# 19-69

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

WHEREAS, N.J.S.A. 52:34-6.2 authorizes contracting units to purchase goods, or to contract for services, may make purchases and contract for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, when available; and

WHEREAS, the nationally-recognized National Joint Powers Alliance Cooperative Pricing System, hereafter referred to as NJPA Cooperative Purchasing System, is now known as Sourcwell effective June 6, 2018 and all prior contracts and other legal obligations established under the previous name remain in full force and effect; and

WHEREAS, Sourcwell, formerly NJPA Cooperative Purchasing System, has offered voluntary participation in the national cooperative purchasing agreement for the purchase of goods and services; and

WHEREAS, Resolution 17-141 authorized the enrollment of the Borough of Allendale in the NJPA Cooperative Purchasing System, now known as Sourcwell, by entering into the membership participation agreement; and

WHEREAS, it is the desire of the Borough of Allendale to continue participation in Sourcwell, formerly NJPA Cooperative Purchasing System, to purchase goods and services, to make the procurement process more efficient and to provide cost savings to the Borough.

WHEREAS, the member participation agreement states that the agreement shall remain in effect until canceled by either party.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Allendale, County of Bergen, State of New Jersey as follows:

1. That the governing body of the Borough of Allendale hereby authorizes continued participation in Sourcwell, formerly NJPA Cooperative Pricing System, for Calendar Year 2019.
2. The Borough shall be responsible to ensure that the goods and or services procured through Sourcwell, formerly NJPA Cooperative Purchasing System, comply with

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

DATE: 01/17/2019

RESOLUTION# 19-69

all applicable laws of the State of New Jersey, Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 17, 2019.



Anne Dodd, RMC
Municipal Clerk

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

DATE: 01/17/2019

RESOLUTION# 19-70

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

**Approval to Authorize Mayor and Municipal Clerk to Sign 2019
West Bergen Mental Health Care Agreement**

Whereas, there is a need for support for mental health services in the Borough of Allendale, and,

Whereas, West Bergen Mental Health Care has available such services as are needed; and,

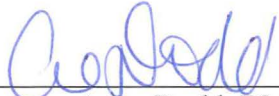
Whereas, West Bergen Mental Health Care has agreed to provide such services in the amount of \$6,000.00 and other services in accordance with the fee schedule that is attached; and,

Whereas, the Chief Financial Officer has certified that there are sufficient funds available for this contract.

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 agreement between the Borough of Allendale and West Bergen Mental Healthcare; and,

Be It Further Resolved that the Mayor and Municipal Clerk be and are hereby authorized to sign said agreement.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 17, 2019.



Anne Dodd, RMC
Municipal Clerk

Certification of Availability of Funds

This is to certify to the Borough of Allendale that funds for the following resolutions will be available in the 2019 Budget.

Resolution Date: January 17, 2019

Resolution Number: 19-70

Vendor: West Bergen Mental Health Care Agreement

Contract: Mental Health Services

Account Number: 9-01-27-360-130

Amount: \$6,000


Chief Financial Officer

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

DATE: 01/17/2019

RESOLUTION# 19-71

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

Authorize Agreement for Purchase of Band Shell

Whereas, a need exists to purchase a band shell for Crestwood Lake in the Borough of Allendale; and

Whereas, the Borough of Allendale authorized participation in the Educational Services Commission of New Jersey Cooperative Pricing System (ESCNJ) via Resolution 17-259 on October 12, 2017; and

Whereas, the Borough was approved as a member of the ESCNJ Cooperative Pricing System on December 4, 2017; and

Whereas, the ESCNJ offers competitively-bid contracts for its members to purchase from on an as-needed basis; and

Whereas, MRC, Inc. is an approved vendor offering dugouts through the ESCNJ via NJ State Approved Co-op #65MCESCCPS, RFP# ESCNJ 17/18-20 Bid Term: 07/01/2017 – 06/30/2019; 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 an Agreement is hereby authorized for the purchase of the band shell from RCP Shelters, Inc c/o MRC, Inc. in the amount of \$89,994.00; and

Be It Further Resolved that the Mayor, Borough Clerk and Borough Attorney are hereby authorized to take such action as may be necessary to implement this Resolution, including the execution of an Agreement or Proposal for the above services.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on January 17, 2019.



Anne Dodd, RMC
Municipal Clerk

Certification of Availability of Funds

This is to certify to the Borough of Allendale that funds for the following resolution will be available in the 2019 Capital Ordinance.

Resolution Date: January 17, 2019

Resolution Number: 19-71

Vendor: RCP Shelters, Inc. c/o MRC, Inc.

Contract: Band Shell

Account Number: General Capital Budget

Amount: \$89,994


Chief Financial Officer