

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

DATE: 03/09/2023

RESOLUTION# 23-105

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☒

AUTHORIZING EMERGENCY TEMPORARY BUDGET APPROPRIATIONS

WHEREAS, an emergent condition has arisen with respect to certain budget appropriations and no adequate provision has been made in the 2023 Temporary Budget, and N.J.S.A. 40A: 4-20 provides for the creation of emergency temporary appropriations for said purpose; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that in accordance with the provisions of N.J.S.A. 40A: 4-20;

1. An emergency temporary appropriation be and the same is hereby made in the total amount of:

Current Fund	
Administration - S&W	5,000
Mayor and Council - OE	2,000
Municipal Clerk – OE	10,000
Finance – S&W	15,000
Tax Collection – S&W	5,000
Tax Assessment – S&W	3,000
Legal Services	30,000
Land Use Board – S&W	5,000
Electrical Inspector – S&W	2,000
Plumbing Subcode – S&W	2,000
Fire Subcode – S&W	1,000
Insurance – Other	75,000
Group Insurance	250,000
Police – S&W	200,000
Police – OE	50,000

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

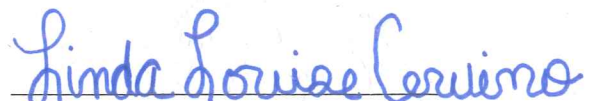
DATE: 03/09/2023

RESOLUTION# 23-105

Emergency Mgt Services – S&W	500
Municipal Prosecutor – S&W	1,000
Streets and Roads – S&W	50,000
Streets and Roads – OE	30,000
Garbage and Trash Removal – OE	15,000
Board of Health – OE	1,000
Parks – OE	10,000
Library – OE	150,000
Telephone – OE	10,000
NWBUA – OE	488,000
Social Security	14,000
DCRP	900
Municipal Court – OE	1,000
Payment of Bond Interest	250
Total Current Fund Appropriations	\$1,426,650

2. That said emergency temporary appropriation will be provided in the 2023 budget;
3. That one certified copy of this resolution be filed with the Director of Local Government 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 March 9, 2023.


Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 03/09/2023

RESOLUTION# 23-106

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☒

**APPOINTMENT TO OFFICE
TEMPORARY CHIEF FINANCIAL OFFICER**

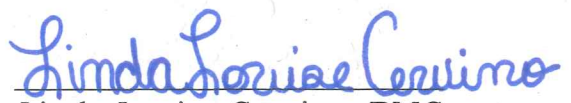
WHEREAS, Alison Altano has been selected to perform all of the necessary functions of the Chief Financial Officer ("CFO") for the Borough of Allendale ("Allendale"); and

WHEREAS, Alison Altano is appointed as Temporary Chief Financial Officer ("CFO") with a term of one (1) year.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Allendale, County of Bergen, State of New Jersey that it does hereby appoint Alison Altano as Temporary Chief Financial Officer of the Borough of Allendale effective February 6, 2023 at an annual salary of \$118,500.00; and

BE IT FURTHER RESOLVED that the Municipal Clerk and Borough Attorney are hereby authorized to take such action 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 March 9, 2023.


Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 03/09/2023

RESOLUTION# 23-107

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 MARCH 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 March 9, 2023 in the amounts of:

Bill List Numbers	March 9, 2023
Current Fund	\$990,134.20
Payroll Account	\$197,315.41
General Capital	\$3,505.76
Animal Fund	
Grant Fund	
COAH/Housing Trust	
Improvement & Beautification	
Unemployment Fund	
Trust Fund	\$2,465.50
Water Operating	
Water Capital	
Total	\$1,193,420.87

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


Linda Louise Cervino, RMC
Municipal Clerk



THE BOROUGH OF ALLENDALE

N E W J E R S E Y

500 WEST CRESCENT AVENUE, ALLENDALE, NJ 07401

WWW.ALLENDALENJ.GOV

OFFICE OF TAX COLLECTOR
OFFICE OF CHIEF FINANCIAL OFFICER

201-818-4400 EXT 205

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

Certified March 9, 2023

Alison Altano
Alison Altano
Chief Financial Officer

BILL LIST For MARCH 9, 2023

CURRENT FUND	\$	1,891.20
Carahsoft Technology Corp. - Check# 12515	\$	211.20
Robert & Michelle Smigel - Check# 12517	\$	1,680.00
PAYROLL ACCOUNT	\$	197,315.41
<u>Borough of Allendale Payroll Fund, Bank Transfer 2/22/2023</u>	\$	197,315.41
Salaries and Wages	\$	180,718.22
FICA	\$	13,189.76
DCRP	\$	305.37
LIFE	\$	112.00
DISABILITY	\$	2,990.06
TOTAL	\$	199,206.61

March 6, 2023
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Borough of Allendale
Bill List By Budget Account

Page No: 1

P.O. Type: All Print Alpha, Revenue, & G/L Accounts: Y Open: N Void: N Paid: N
Format: Condensed Held: Y Aprv: N Rcvd: Y
Range: 2-First to 3-Last Bid: Y State: Y Other: Y Exempt: Y
Rcvd Batch Id Range: First to Last Include Non-Budgeted: Y
Department Page Break: No Subtotal CAFR: Yes Subtotal Department: Yes

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
Department: POLICE						
2-01-25-240-043 T0183	Clothing TURN OUT UNIFORMS, INC	23-00390	HUBBARD CLOTHING 2022	139.98	0.00	
2-01-25-240-063 S0425	Miscellaneous STATE TOXICOLOGY LABORATORY	23-00367	RANDOM DRUG TESTING	90.00	0.00	
S0425	STATE TOXICOLOGY LABORATORY	23-00386	BATCH ID - 11/2/22	<u>135.00</u>	0.00	
				225.00		
	Department Total: POLICE			364.98		
Department: FIRE						
2-01-25-255-101 C0502	Equipment Repairs CAMPBELL SUPPLY CO., LLC	23-00271	Service Call - Ladder 941	433.56	0.00	
	Department Total: FIRE			433.56		
Department: FIRE OFFICIAL						
2-01-25-265-058 A0385	Equipment Purchases AMAZON CAPITAL SERVICES	22-02082	FIRE OFFICIAL- SUPPLIES	349.06	0.00	
	Department Total: FIRE OFFICIAL			349.06		
	CAFR Total:			1,147.60		
Department: STREETS & ROADS						
2-01-26-290-045 N0255	Mileage and Tolls NIOSI, KERRI	23-00357	Milage & Tolls 3/1/23	93.15	0.00	
	Department Total: STREETS & ROADS			93.15		
Department: MUNICIPAL RECYCLING						
2-01-26-306-029 R0254	Scavenger ROCKLAND COUNTY SOLID WASTE	23-00323	Cardboard	276.48	0.00	
R0254	ROCKLAND COUNTY SOLID WASTE	23-00338	Waste Paper	<u>235.44</u>	0.00	
				511.92		
	Department Total: MUNICIPAL RECYCLING			511.92		

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Borough of Allendale
Bill List By Budget Account

Page No: 2

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
Department: BUILDINGS & GROUNDS						
2-01-26-310-063	Miscellaneous					
I0086	IDESIGN CREATIVE SERVICES LLC	23-00387	CANVAS BAGS 2022	404.00	0.00	
	Department Total: BUILDINGS & GROUNDS			404.00		
	CAFR Total:			1,009.07		
	Fund Total:			2,156.67		
	Year Total:			2,156.67		
Department: ADMINISTRATION						
3-01-20-100-036	Supplies					
A0385	AMAZON CAPITAL SERVICES	23-00315	Snack Box	36.79	0.00	
S0075	STAPLES ADVANTAGE	23-00316	SUPPLIES	379.92	0.00	
S0075	STAPLES ADVANTAGE	23-00328	SUPPLIES	124.27	0.00	
				540.98		
3-01-20-100-042	Dues/Memberships/Subscriptions					
00061	OPTIMUM	23-00364	CABLE 101 NEW/CRSTWOOD 2/8-3/7	199.06	0.00	
3-01-20-100-063	Miscellaneous					
K0135	KISTNER, RON	23-00322		135.00	0.00	
B0349	BRUNO ASSOCIATES, INC.	23-00350	GRANT WRITING FEB 2023	2,250.00	0.00	
W0151	WILCZYNSKI, AMY	23-00389	REIMBURSEMENTS - MEETINGS	266.06	0.00	
				2,651.06		
	Department Total: ADMINISTRATION			3,391.10		
Department: MAYOR & COUNCIL						
3-01-20-110-063	Miscellaneous					
A0045	AVENUE PRINTING COMPANY, INC.	23-00351	BUSINESS CARDS DALOISIO	54.00	0.00	
	Department Total: MAYOR & COUNCIL			54.00		
Department: FINANCE						
3-01-20-130-036	Supplies					
S0175	STAPLES CREDIT PLAN	23-00297	1099 FORMS	34.99	0.00	
A0385	AMAZON CAPITAL SERVICES	23-00317	CFO Office Chair	180.28	0.00	
				215.27		
3-01-20-130-063	Miscellaneous					
A0385	AMAZON CAPITAL SERVICES	23-00358	Scanner for CFO Office	419.99	0.00	
3-01-20-130-098	Payroll Charges					
I0092	INFINISOURCE, INC.	23-00346	BI-WEEKLY 2/24/23	278.62	0.00	
	Department Total: FINANCE			913.88		

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
Department: TAX ASSESSMENT						
3-01-20-150-109 A0361	Re-assessment ASSOCIATED APPRAISAL GROUP INC	23-00355	REASSESSMENT 2024 INV 1 & 2	7,400.00	0.00	
Department Total: TAX ASSESSMENT				7,400.00		
Department: ENGINEERING						
3-01-20-165-063 T0126	Miscellaneous TREASURER-STATE OF NJ	23-00339	NJDept.Environmental Protection	3,460.00	0.00	
Department Total: ENGINEERING				3,460.00		
CAFR Total:				15,218.98		
Department: LAND USE BOARD						
3-01-21-180-183 B0320	Land Use Board Attorney BOTTA ANGELI, LLC	23-00349	ATTEND LUB MTG 2/15/23	250.00	0.00	
Department Total: LAND USE BOARD				250.00		
CAFR Total:				250.00		
Department: CONSTRUCTION CODE/BUILDING DEPT.						
3-01-22-195-012 G0273	Part Time GENSHEIMER, THOMAS	23-00388	BUILDING CODE INSPECTIONS	630.00	0.00	
3-01-22-195-042 N0004	Dues/Subscriptions/Memberships NATIONAL FIRE PROTECTION ASSOC	23-00344	2023 MEMBERSHIP ROBERT CONNELL	175.00	0.00	
Department Total: CONSTRUCTION CODE/BUILDING DEPT.				805.00		
CAFR Total:				805.00		
Department: GROUP INSURANCE						
3-01-23-220-227 B0369	Health Benefits BOROUGH OF ALLENDALE - SHBP	23-00342	HEALTH BENEFITS MARCH 2023	103,182.03	0.00	
3-01-23-220-231 S0229	Health Benefits - Reimbursements SHANLEY, BARBARA	23-00305	REIMBURSEMENT HEALTH JAN 2023	475.82	0.00	
Department Total: GROUP INSURANCE				103,657.85		
CAFR Total:				103,657.85		
Department: POLICE						
3-01-25-240-036 H0014	Supplies HOME HARDWARE, INC.	23-00374	Vehicle Cleaning Supplies	35.89	0.00	
3-01-25-240-044 N0021	Education/Training N.J. STATE ASSOC OF CHIEFS OF	23-00371	NJ Police Chiefs Conference	425.00	0.00	

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
3-01-25-240-044	Education/Training		Continued			
N0021	N.J. STATE ASSOC OF CHIEFS OF	23-00377	BUILDING A LATENT SHIELD	250.00	0.00	
				675.00		
3-01-25-240-052	Equipment Maintenance					
A0340	A T & T MOBILITY	23-00368	MONTHLY STATEMENT 1/6-2/5/23	228.26	0.00	
A0340	A T & T MOBILITY	23-00372	MONTHLY STATEMENT 1/6-2/5	38.24	0.00	
				266.50		
	Department Total: POLICE			977.39		
	Department: EMERGENCY MGMT SERVICES					
3-01-25-252-030	9-1-1 Services					
M0388	MCIMETRO ACCESS TRANS SVCS LLC	23-00385	FEBRUARY STATEMENT	14.63	0.00	
3-01-25-252-037	Communication Equipment					
A0385	AMAZON CAPITAL SERVICES	23-00376	Radio Battery and Belt Clip	57.39	0.00	
	Department Total: EMERGENCY MGMT SERVICES			72.02		
	Department: FIRE					
3-01-25-255-042	Dues/Subscriptions/Memberships					
N0029	NORTH WEST BERGEN MUTUAL AID	23-00279	2023 Collaboration Event	1,000.00	0.00	
	Department Total: FIRE			1,000.00		
	Department: FIRE OFFICIAL					
3-01-25-265-063	Miscellaneous					
T0237	TODD, KEVIN	23-00289	REIMBURSEMENT PAPER SUPPLIES	15.98	0.00	
	Department Total: FIRE OFFICIAL			15.98		
	CAFR Total:			2,065.39		
	Department: STREETS & ROADS					
3-01-26-290-102	Vehicle Repairs					
P0190	P & A AUTO PARTS	23-00324	Auto Parts	16.00	0.00	
	Department Total: STREETS & ROADS			16.00		
	Department: MUNICIPAL RECYCLING					
3-01-26-306-029	Scavenger					
R0254	ROCKLAND COUNTY SOLID WASTE	23-00360	Commingle	203.76	0.00	
	Department Total: MUNICIPAL RECYCLING			203.76		

Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
Department: BUILDINGS & GROUNDS						
3-01-26-310-024	Building Maintenance					
G0254	GUARDIAN SECURITY TECHNOLOGIES	23-00119	Monitoring of Fire Alarms 2023	3,420.00	0.00	
G0254	GUARDIAN SECURITY TECHNOLOGIES	23-00332	Fire Alarm Inspection	<u>2,100.00</u>	0.00	
				5,520.00		
3-01-26-310-029	Custodial Services					
G0176	GUYS MAINTENANCE SERVICE	23-00359	February Cleaning Services	2,450.00	0.00	
3-01-26-310-036	Supplies					
R0194	RG-GROUP	23-00245	Parts	64.48	0.00	
T0243	TULPEHOCKEN SPRING WATER LLC	23-00320	Spring Water - January 2023	139.57	0.00	
H0014	HOME HARDWARE, INC.	23-00335	supplies	78.21	0.00	
P0195	PIONEER MANUFACTURING CO., INC	23-00337	Field Paint	4,456.00	0.00	
T0243	TULPEHOCKEN SPRING WATER LLC	23-00366	Spring Water	<u>112.63</u>	0.00	
				4,850.89		
3-01-26-310-063	Miscellaneous					
H0018	HORIZON TERMITE & PEST	23-00325	Pest Control	276.02	0.00	
3-01-26-310-100	Building Repairs					
A0369	A & J DRAIN & PLUMBING LLC	23-00336	Flushometer - Fire House	325.00	0.00	
Department Total: BUILDINGS & GROUNDS				13,421.91		
CAFR Total:				13,641.67		
Department: CRESTWOOD						
3-01-28-371-036	Supplies					
H0014	HOME HARDWARE, INC.	23-00333	Rubber BSD Pool	1,497.00	0.00	
Department Total: CRESTWOOD				1,497.00		
CAFR Total:				1,497.00		
Department: TELEPHONES						
3-01-31-440-190	Telephone					
A0061	A T & T CORP	23-00361	LONG DISTANCE 2/22/23	44.38	0.00	
T0219	T-MOBILE USA, INC.	23-00362	DPW CELL 1/21-2/20/23	29.07	0.00	
N0009	VERIZON	23-00363	ELEVATOR PHONE PD 2/12-3/11	<u>1,736.95</u>	0.00	
				1,810.40		
Department Total: TELEPHONES				1,810.40		
Department: GAS (NATURAL)						
3-01-31-446-073	Gas Heat					
P0023	PUBLIC SERVICE ELEC & GAS CO.	23-00365	CURRENT GAS CHARGES	6,806.16	0.00	
Department Total: GAS (NATURAL)				6,806.16		

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Borough of Allendale
Bill List By Budget Account

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Budget Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
Department: GASOLINE						
3-01-31-460-080 R0165	Gasoline RACHLES/MICHELE'S OIL CO.	23-00340	Regular Gas	3,313.38	0.00	
	Department Total: GASOLINE			3,313.38		
	CAFR Total:			11,929.94		
Department: REGIONAL SCHOOL TAX PAYABLE						
3-01-55-605-000 N0024	REGIONAL SCHOOL TAX PAYABLE NORTHERN HIGHLANDS REGIONAL HS	23-00341	MARCH 2023 SCHOOL TAX LEVY	837,020.50	0.00	
	Department Total: REGIONAL SCHOOL TAX PAYABLE			837,020.50		
	CAFR Total:			837,020.50		
	Fund Total:			986,086.33		
	Year Total:			986,086.33		
Department: ORDINANCE 21-11						
C-04-55-932-501 G0094	Environmental Redediation - DPW DEWBERRY ENGINEERS INC	23-00327	DPW REMEDIATION SERVICES	520.00	0.00	C
	Department Total: ORDINANCE 21-11			520.00		
Department: ORDINANCE22-07						
C-04-55-933-651 C0240	Pagers and Radios CDW GOVERNMENT, INC.	23-00269	Computers for safety & radio	1,492.88	0.00	
C-04-55-933-654 C0240	Rescue & Safety Equipment CDW GOVERNMENT, INC.	23-00269	Computers for safety & radio	1,492.88	0.00	
	Department Total: ORDINANCE22-07			2,985.76		
	CAFR Total:			3,505.76		
	Fund Total:			3,505.76		
	Year Total:			3,505.76		
Total Charged Lines: 90 Total List Amount: 991,748.76 Total Void Amount:				0.00		

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Borough of Allendale
Bill List By Budget Account

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Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
	2-01	2,156.67	0.00	2,156.67	0.00	0.00	2,156.67
	3-01	986,086.33	0.00	986,086.33	0.00	0.00	986,086.33
	C-04	3,505.76	0.00	3,505.76	0.00	0.00	3,505.76
Total of All Funds:		991,748.76	0.00	991,748.76	0.00	0.00	991,748.76

March 6, 2023
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Borough of Allendale
Bill List By Project Id

P.O. Type: All
Range: First to Last
Format: Detail without Line Item Notes

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

Project Id	Description			First	Rcvd	Chk/Voic
PO #	Item Vendor	Description	Amount	Stat/Chk	Enc Date	Date
49CEDAR	SOIL MOVEMENT ESCROW					
23-00348	1 C0539 CERVELLI, CHRISTOPHER	49 Cedar Drive	217.50	R	03/02/23	03/06/23
	Account Total:		217.50			
49CEDARPG	PERFORMANCE GUARANTY					
23-00348	2 C0539 CERVELLI, CHRISTOPHER	Performance Guarantee Refund	2,248.00	R	03/02/23	03/06/23
	Account Total:		2,248.00			
Total Charged Lines:	2	Total Project Amount:	2,465.50	Total Void Amount:	0.00	

Totals by Year-Fund		
Fund Description	Fund	Project Total
	3-14	2,465.50
Total of All Funds:		<u>2,465.50</u>

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

DATE: 03/09/2023

RESOLUTION# 23-108

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

Carried ☐ Defeated ☐ Tabled ☐

Approved on Consent Agenda ☒

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
ALLENDALE, BERGEN COUNTY, APPROVING THE APPLICATION
OF ALLENDALE URBAN RENEWAL, LP FOR A TAX EXEMPTION AND
FINANCIAL AGREEMENT**

WHEREAS, on March 3, 2023 the Mayor of the Borough of Allendale (the “Borough”) having received from Allendale Urban Renewal, LP, an urban renewal entity, an application (the “Application”), pursuant to the Long Term Exemption Law, N.J.S.A. 40A:20-1, et seq., for a tax exemption and proposed financial agreement with respect to the project located at Block 1708, Lots

WHEREAS, the Mayor, having reviewed the Application, and the attachments thereto, and finding same to be in the best interests of the Borough, recommended that the Borough Council approve same at the March 9, 2023 meeting of Allendale’s Governing Body; and

WHEREAS, the Mayor on March 9, 2023, submitted to the Borough Council for the Borough of Allendale (the “Borough Council”) a letter, pursuant to N.J.S.A. 40A:20-8, recommending that the Borough Council approve the Application; and

WHEREAS, the Borough Council having reviewed the Application and the aforesaid letter from the Mayor recommending that the Borough Council approve the Application; and

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

DATE: 03/09/2023

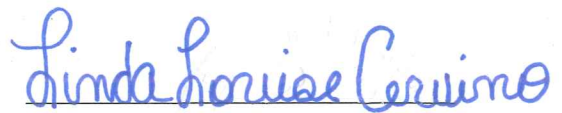
RESOLUTION# 23-108

WHEREAS, the Borough Council having determined that it is in the best interests of the Borough to approve the Application;

NOW, THEREFORE, BE IT RESOLVED that the aforesaid Application of Allendale Urban Renewal, LP be, and hereby is approved; and

BE IT FURTHER RESOLVED THAT the Mayor, Borough Clerk, and Borough Council be and hereby are authorized to take such further actions as may be necessary and desirable to effectuate the foregoing.

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


Linda Louise Cervino, RMC
Municipal Clerk

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

DATE: 03/09/2023

RESOLUTION# 23-109

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 APPROVING AND AUTHORIZING THE EXECUTION OF AN
AFFORDABLE HOUSING DEED RESTRICTION WITH ALLENDALE URBAN RENEWAL,
LP AND THE TERMINATION OF THE 1995 DEED RESTRICTION AND REGULATORY
AGREEMENT BETWEEN THE BOROUGH OF ALLENDALE AND ALLENDALE URBAN
RENEWAL, LP**

WHEREAS, the Borough of Allendale (“Allendale”) previously entered into a “Deed Restriction and Regulatory Agreement” dated November 30, 1995 (the “1995 Deed Restriction”) with Allendale Urban Renewal, LP, (“AUR”) with respect to a certain housing project (the “Project”) on land leased by AUR from the Borough, which land is located in the Borough of Allendale and designated as Block 1708, Lot Nos. 1 and 9 on the Borough’s tax map (the “Property”); and

WHEREAS, the 1995 Deed Restriction required that during the Qualified Project Period (as such term is defined therein) at least forty percent (40%) of the housing units in the Project be occupied by individuals or families of low or moderate income; and

WHEREAS, by Resolution #23-93 adopted by the Borough’s Governing Body on February 23, 2023, the Borough authorized the sale of the Property to AUR; and

WHEREAS, in conjunction with said sale of the Property to AUR, the Borough has determined and the AUR has agreed, that, in order to properly memorialize new restrictions on the use of the Property, including but not limited to the restriction that one hundred percent (100%) of all dwelling units on the Property be occupied by individuals or families of low or moderate income, (1) the 1995 Deed Restriction should be terminated; and (2) a new Deed Restriction be entered into and recorded with the Bergen County Clerk; and

WHEREAS, the Borough, in furtherance of its obligations to provide affordable housing in accordance with the laws of the State of New Jersey, and AUR have agreed to certain restrictions on the Property, including but not limited to the above-referenced restrictions on occupation of the dwelling units on the Property by individuals and families of low and moderate income; and

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

DATE: 03/09/2023

RESOLUTION# 23-109

WHEREAS, the foregoing deed restrictions agreed to by the Borough and AUR are set forth in that document, a copy of which is attached hereto, entitled "Deed-Restricted Affordable Housing With Restrictions On Resale and Refinancing" (the "2023 Deed Restriction"); and

WHEREAS, the Borough and AUR have agreed that the 1995 Deed Restriction should be terminated and replaced in its entirety by the 2023 Deed Restriction; and

WHEREAS, the Borough has determined that it is in the best interests of the Borough and its residents to terminate the 1995 Deed Restriction, and to replace same with the 2023 Deed Restriction.

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 (1) terminate the 1995 Deed Restriction and (2) enter into the 2023 Deed Restriction with AUR; and

BE IT FURTHER RESOLVED, that the Mayor, the Municipal Clerk, and the Borough Attorney be and hereby are authorized to execute the 2023 Deed Restriction in substantially the form attached hereto, and as may be recommended by the Borough Attorney; and

BE IT FURTHER RESOLVED, that the Mayor, the Municipal Clerk, the Borough Attorney and other appropriate necessary and proper Borough Officials be and hereby are authorized to take all appropriate actions and execute any and all such documents necessary and desirable in connection with the termination of the 1995 Deed Restriction, and the execution and implementation of the 2023 Deed Restriction.

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


Linda Louise Cervino, RMC
Municipal Clerk

RECORD AND RETURN TO:
Raymond R. Wiss, Esq.
Wiss & Bouregy, PC
345 Kinderkamack Road
Westwood, New Jersey 07675

DEED RESTRICTION

DEED-RESTRICTED AFFORDABLE HOUSING PROPERTY WITH RESTRICTIONS ON RESALE AND REFINANCING

To Rental Property
With Covenants Restricting Rentals, Conveyance and Improvements
And Requiring Notice of Foreclosure and Bankruptcy

THIS DEED RESTRICTION, entered into as of this the ____ day of March, 2023, by and between the Borough of Allendale, Bergen County, State of New Jersey ["Municipality"], with offices at 500 West Crescent, Allendale, NJ 07401, and Allendale Urban Renewal, LP, a New Jersey limited partnership having offices at 500 West Crescent Avenue, Allendale, NJ 07401, the developer/sponsor (the "Owner") of an inclusionary residential low or moderate-income rental project (the "Project"). The Municipality shall be assisted by an experienced affordable housing administrative agent ("Administrative Agent"), or its successor.

WITNESSETH

Article 1. Consideration

In consideration of benefits and/or right to develop received by the Owner from the Municipality regarding the Project, the Owner hereby agrees to abide by the covenants, terms and conditions set forth in this Deed Restriction, with respect to the land and improvements more specifically described in Article 2, hereof (the "Property").

Article 2. Description of Property

The Property consists of all of the land, and a portion of the improvements thereon, that is located in the Borough of Allendale, County of Bergen, State of New Jersey, and described more specifically as Block Nos. 1708, Lot Nos. 1 and 9, and known by the street address:

1-16 Cebak Court
Allendale Borough, NJ 07401

Article 3. Affordable Housing Covenants

The following covenants (the “Covenants”) shall run with the land for the period of time (the “Control Period”), commencing as to all presently existing and future dwelling units on the Property (the “Restricted Units”) upon the date of this Deed Restriction and shall expire as determined under the Uniform Controls, as defined below.

In accordance with N.J.A.C. 5:80-26.11, all Restricted Units shall remain subject to the requirements of this Deed Restriction during the Control Period unless and until the Municipality elects to release the Property and all Restricted Units from such requirements prior to the end of the Control Period. Prior to such a municipal election, the Property and all Restricted Units shall remain subject to the requirements of this Deed Restriction for a period of at least thirty (30) years.

- A. Sale and use of the Property is governed by regulations known as the Uniform Housing Affordability Controls, which are found in New Jersey Administrative Code at Title 5, chapter 80, subchapter 26, N.J.A.C. 5:80-26.1, *et seq.* (the “Uniform Controls”).
- B. The Property and all Restricted Units shall be used solely for the purpose of providing rental dwelling units for low or moderate-income households, and no commitment for any Restricted Unit shall be given or implied, without exception, to any person who has not been certified for that Restricted Unit in writing by the Administrative Agent. So long as the Property remains within the Control Period, sale of the Property must be expressly subject to this Deed Restriction, and deeds of conveyance involving the Property must have this Deed Restriction appended thereto, and no sale of the Property shall be lawful, unless approved in advance and in writing by the Municipality.
- C. No improvements may be made to the existing Restricted Units that would affect the bedroom configuration of any of such Restricted Unit, and any improvements to the Restricted Units must be approved in advance and in writing by the Administrative Agent and the Municipality.
- D. The Owner shall notify the Administrative Agent and the Municipality of any foreclosure actions filed with respect to the Property within five (5) business days of service upon Owner.
- E. The Owner shall notify the Administrative Agent and the Municipality within three (3) business days of the filing of any petition for protection from creditors or reorganization filed by or on behalf of the Owner.

Article 4. Remedies for Breach of Affordable Housing Covenants

A breach of the Covenants will cause irreparable harm to the Administrative Agent, to the

Municipality and to the public, in light of the public policies set forth in the New Jersey Fair Housing Act, the Uniform Housing Affordability Control rules found at N.J.A.C. 5:80-26, and the obligation for the provision of low and moderate-income housing.

- A. In the event of a threatened breach of any of the Covenants by the Owner, or any successor in interest of the Property, the Administrative Agent and the Municipality shall have all remedies provided at law or equity, including the right to seek injunctive relief or specific performance.
- B. Upon the occurrence of a breach of any Covenants by the Owner, or any successor in interest to the Owner or other owner of the Property, the Administrative Agent and the Municipality shall have all remedies provided at law or equity including but not limited to forfeiture, foreclosure, acceleration of all sums due under any mortgage, recouping of any funds from a sale in violation of the Covenants, diverting of rent proceeds from illegal rentals, injunctive relief to prevent further violation of said Covenants, entry on the Property, those provided under Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code and specific performance.

[REMAINDER OF PAGE LEFT BLANK. SIGNATURE PAGE FOLLOWS.]

IN WITNESS WHEREOF, the Municipality and the Owner have executed this Deed Restriction in triplicate as of the date first above written.

ALLENDALE URBAN RENEWAL LP,
a New Jersey limited partnership
By: Allendale Senior Housing Corporation, its General
Partner

By: _____
Name: Vince Barra
Title: President

THE BOROUGH OF ALLENDALE

By: _____
Amy Wilczynski, Mayor

ACKNOWLEDGEMENTS

STATE OF NEW JERSEY :

: ss.

COUNTY OF BERGEN :

On this ____ day of March, in the year 2023, before me came Vince Barra, known and known to me to be President of Allendale Senior Housing Corporation, the General Partner of ALLENDALE URBAN RENEWAL LP, and thereupon he acknowledged under oath to my satisfaction that he is the person who executed the within instrument, that he was authorized to execute the within instrument on behalf of said company and that he executed said instrument as the voluntary act of the said company.

STATE OF NEW JERSEY :

: ss.

COUNTY OF BERGEN :

On this ____ day of March, 2023 before me came Amy Wilczynski known and known to me to be the Mayor of the Borough of Allendale, the Municipality identified as such in the within instrument, who states that she is duly authorized to execute the within instrument on behalf of said Municipality, and that she has so executed said instrument for the purposes stated therein.

Raymond R. Wiss, Esq.

Attorney at Law of the State of New Jersey

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

DATE: 03/09/2023

RESOLUTION# 23-110

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 OF THE BOROUGH COUNCIL OF THE BOROUGH OF ALLENDALE,
BERGEN COUNTY, APPROVING THE TERMINATION OF JANUARY 6, 1997
FINANCIAL AGREEMENT BETWEEN ALLENDALE URBAN RENEWAL, LP AND THE
BOROUGH OF ALLENDALE**

WHEREAS, the Borough of Allendale (the "Borough") and Allendale Urban Renewal, LP, an urban renewal entity ("AUR"), previously entered into a certain financial agreement pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq (the "Law") on January 6, 1997, as thereafter amended (the "1997 Agreement") with respect to that certain property located at Block 1708, Lots 1 and 9 in the Borough of Allendale; and

WHEREAS, pursuant to a private sale to be consummated between the Borough and AUR, fee title to the real property located at said Block 1708, Lots 1 and 9 (the "Property") is to be conveyed by the Borough to AUR; and

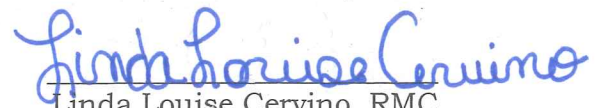
WHEREAS, pursuant to said private sale, the Borough has determined, and AUR has agreed, that the 1997 Agreement between them should be terminated and replaced by a new financial agreement pursuant to the Law (the "2023 Agreement"); and

WHEREAS, the Borough has determined that it is in the best interests of the Borough to terminate the 1997 Agreement and, in its place and stead, enter into the 2023 Agreement;

NOW, THEREFORE, BE IT RESOLVED that the Borough be, and hereby is, authorized to terminate the 1997 Agreement; and

IT IS FURTHER RESOLVED that the Mayor, Municipal Clerk, Borough Attorney and all other necessary or desirable Borough officials, be, and hereby are, authorized to execute such documents and take all such actions necessary or desirable to effectuate the termination of the 1997 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 March 9, 2023.


Linda Louise Cervino, RMC
Municipal Clerk